

SENATE No. 2470

The Commonwealth of Massachusetts

In the Year Two Thousand Ten

An Act Text of the Senate amendments to the House Bill making appropriations for the fiscal year 2011 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4601).

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

1 SECTION 1. To provide for the maintenance of the several departments, boards,
2 commissions and institutions and other services, and for certain permanent improvements and to
3 meet certain requirements of law, the sums set forth in sections 2, 2B, 2D, 2E and 3, for the
4 several purposes and subject to the conditions specified in sections 2, 2B, 2D, 2E and 3, are
5 hereby appropriated from the General Fund unless specifically designated otherwise, subject to
6 the provisions of law regulating the disbursement of public funds and the approval thereof for the
7 fiscal year ending June 30, 2011. All sums appropriated under this act, including supplemental
8 and deficiency budgets, shall be expended in a manner reflecting and encouraging a policy of
9 nondiscrimination and equal opportunity for members of minority groups, women and
10 handicapped persons. All officials and employees of an agency, board, department, commission
11 or division receiving monies under this act shall take affirmative steps to ensure equality of
12 opportunity in the internal affairs of state government, as well as in their relations with the
13 public, including those persons and organizations doing business with the commonwealth. Each

14 agency, board, department, commission or division, in spending appropriated sums and
15 discharging its statutory responsibilities, shall adopt measures to ensure equal opportunity in the
16 areas of hiring, promotion, demotion or transfer, recruitment, layoff or termination, rates of
17 compensation, in-service or apprenticeship training programs and all terms and conditions of
18 employment.

19 SECTION 1A. In accordance with Articles LXIII and CVII of the Articles of
20 Amendment to the Constitution of the Commonwealth and section 6D of chapter 29 of the
21 General Laws, it is hereby declared that the amounts of revenue set forth in this section by source
22 for the respective funds of the commonwealth for the fiscal year ending June 30, 2011 are
23 necessary and sufficient to provide the means to defray the appropriations and expenditures from
24 such funds for said fiscal year as set forth and authorized in sections 2, 2B and 2E. The
25 comptroller shall keep a distinct account of actual receipts from each such source by each such
26 fund to furnish the executive office for administration and finance and the house and senate
27 committees on ways and means with quarterly statements comparing such receipts with the
28 projected receipts set forth herein and to include a full statement comparing such actual and
29 projected receipts in the annual report for said fiscal year pursuant to section 13 of chapter 7A of
30 the General Laws. The quarterly and annual reports shall also include detailed statements of any
31 other sources of revenue for the budgeted funds in addition to those specified in this section.

32 Fiscal Year 2011 Revenue by Source and Budgeted Fund (in Millions)

33 Source

34 All Budgeted Funds*

35 General Fund

36	Commonwealth Transportation Fund
37	Substance Abuse Treatment and Prevention Fund
38	Other**
39	Alcohol. Bev.
40	\$71.6
41	\$71.6
42	\$0.0
43	\$0.0
44	\$0.0
45	Cigarettes
46	\$484.0
47	\$484.0
48	\$0.0
49	\$0.0
50	\$0.0
51	Corporations
52	\$1,371.9

53	\$1,371.9
54	\$0.0
55	\$0.0
56	\$0.0
57	Deeds
58	\$113.7
59	\$113.7
60	\$0.0
61	\$0.0
62	\$0.0
63	Estate Inheritance
64	\$205.0
65	\$205.0
66	\$0.0
67	\$0.0
68	\$0.0
69	Financial Institutions

70	\$193.8
71	\$193.8
72	\$0.0
73	\$0.0
74	\$0.0
75	Income
76	\$10,629.7
77	\$10,629.7
78	\$0.0
79	\$0.0
80	\$0.0
81	Insurance
82	\$326.2
83	\$326.2
84	\$0.0
85	\$0.0
86	\$0.0

87	Motor Fuels
88	\$663.6
89	\$0.0
90	\$662.7
91	\$0.0
92	\$0.9
93	Public Utilities
94	\$27.9
95	\$27.9
96	\$0.0
97	\$0.0
98	\$0.0
99	Room Occupancy
100	\$100.0
101	\$65.0
102	\$0.0
103	\$0.0

104	\$35.0
105	Sales-Regular
106	\$3,443.4
107	\$3,118.3
108	\$212.1
109	\$113.0
110	\$0.0
111	
112	Sales-Meals
113	\$790.1
114	\$741.4
115	\$48.7
116	\$0.0
117	\$0.0
118	Sales-Motor Vehicles
119	\$583.7
120	\$547.1

121	\$36.0
122	\$0.0
123	\$0.0
124	
125	Miscellaneous
126	\$25.2
127	\$25.2
128	\$0.0
129	\$0.0
130	\$0.0
131	UI Surcharges
132	\$20.2
133	\$0.0
134	\$0.0
135	\$0.0
136	\$20.2
137	Total Consensus Tax Revenues:

138	\$19,050.0
139	\$17,921.0
140	\$959.5
141	\$113.0
142	\$56.1
143	Transfer to School Modernization and Reconstruction Trust (SMART) Fund
144	-\$644.3
145	-\$644.3
146	Transfer to MBTA State and Local Contribution Fund
147	-\$767.1
148	-\$767.1
149	Transfer to Pension Reserves Investment Trust Fund
150	-\$1,441.8
151	-\$1,441.8
152	Total Consensus Tax Revenue for Budget:
153	\$16,196.8
154	\$15,067.8

155	\$959.5
156	\$112.0
157	\$56.1
158	Revenue Changes
159	Administrative Provisions to Facilitate Tax Collections
160	\$30.5
161	\$30.5
162	\$0.0
163	\$0.0
164	\$0.0
165	Massachusetts Life Science Tax Credit Cap
166	\$5.0
167	\$5.0
168	\$0.0
169	\$0.0
170	\$0.0
171	Total Taxes Available for Budget:

172	\$16,232.3
173	\$15,103.3
174	\$959.5
175	\$113.0
176	\$56.1
177	Non-Tax Revenue
178	Federal Reimbursements
179	\$8,938.3
180	\$8,931.5
181	\$0.0
182	\$0.0
183	\$6.8
184	Departmental Revenue
185	\$2,785.2
186	\$2,273.0
187	\$501.1
188	\$0.0

189	\$11.1
190	Consolidated Transfers
191	\$1,891.1
192	\$1,893.2
193	\$0.0
194	\$0.0
195	-\$2.2
196	GRAND TOTAL
197	\$29,846.9
198	\$28,201.0
199	\$1,460.6
200	\$113.0
201	\$71.8
202	* Includes revenue deposited into and transfers out of the Workforce Training Fund,
203	Mass Tourism Fund, Inland Fish and Game Fund, Marine Recreational Fisheries Development
204	Fund, Commonwealth Substance Abuse Treatment and Prevention Fund, and Stabilization Fund.
205	** Includes tax revenue into the Workforce Training Fund, the Mass Tourism Fund and
206	the Inland Fish and Game Fund

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

215 Non-Tax Revenue: Department Summary

216 Revenue Source

217 Unrestricted

218 Restricted

219 Total

220 Judiciary

221 Supreme Judicial Court

222 \$2,821,325

223 \$0

224 \$2,821,325

225 Committee for Public Counsel

226	\$0
227	\$750,000
228	\$750,000
229	Appeals Court
230	\$448,502
231	\$0
232	\$448,502
233	Trial Court
234	\$78,009,000
235	\$53,000,000
236	\$131,009,000
237	TOTALS :
238	\$81,278,827
239	\$53,750,000
240	\$135,028,827
241	District Attorneys
242	Plymouth District Attorney

243	\$500
244	\$0
245	\$500
246	Middle District Attorney
247	\$100
248	\$0
249	\$100
250	TOTALS :
251	\$600
252	\$0
253	\$600
254	Secretary of the Commonwealth
255	Secretary of the Commonwealth
256	\$222,439,327
257	\$30,000
258	\$222,469,327
259	TOTALS :

260	\$222,439,327
261	\$30,000
262	\$222,469,327
263	Treasurer and Receiver-General
264	Office of the Treasurer
265	\$216,779,858
266	\$0
267	\$216,779,858
268	State Lottery Commission
269	\$171,896,347
270	\$787,547,000
271	\$959,443,347
272	TOTALS :
273	\$388,676,205
274	\$787,547,000
275	\$1,176,223,205
276	Attorney General

277 Office of the Attorney General

278 \$26,321,982

279 \$595,000

280 \$26,916,982

281 TOTALS :

282 \$26,321,982

283 \$595,000

284 \$26,916,982

285 State Ethics Commission

286 State Ethics Commission

287 \$50,000

288 \$0

289 \$50,000

290 TOTALS :

291 \$50,000

292 \$0

293 \$50,000

294	Inspector General
295	Office of the Inspector General
296	\$0
297	\$600,000
298	\$600,000
299	TOTALS :
300	\$0
301	\$600,000
302	\$600,000
303	Office of Campaign and Political Finance
304	Office of Campaign and Political Finance
305	\$82,200
306	\$0
307	\$82,200
308	TOTALS :
309	\$82,200
310	\$0

311	\$82,200
312	Massachusetts Commission Against Discrimination
313	Massachusetts Commission Against Discrimination
314	\$90,196
315	\$1,984,224
316	\$2,074,420
317	TOTALS :
318	\$90,196
319	\$1,984,224
320	\$2,074,420
321	Office of the State Comptroller
322	Office of the State Comptroller
323	\$494,108,432
324	\$0
325	\$494,108,432
326	TOTALS :
327	\$494,108,432

328	\$0
329	\$494,108,432
330	Office of the State Auditor
331	Office of the State Auditor
332	\$121,918
333	\$0
334	\$121,918
335	TOTALS :
336	\$121,918
337	\$0
338	\$121,918
339	Executive Office for Administration and Finance
340	Executive Office for Administration and Finance
341	\$20,280,000
342	\$1,000,000
343	\$21,280,000
344	Secretary of Administration and Finance

345	\$54,543,401
346	\$0
347	\$54,543,401
348	Division of Capital Asset Management &
349	\$18,500,524
350	\$16,550,000
351	\$35,050,524
352	Bureau of State Office Buildings
353	\$171,833
354	\$0
355	\$171,833
356	Civil Service Commission
357	\$20,000
358	\$0
359	\$20,000
360	Group Insurance Commission
361	\$764,501,581

362	\$950,000
363	\$765,451,581
364	Division of Administrative Law Appeals
365	\$127,500
366	\$0
367	\$127,500
368	George Fingold Library
369	\$0
370	\$2,000
371	\$2,000
372	Department of Revenue
373	\$185,952,568
374	\$6,547,280
375	\$192,499,848
376	Appellate Tax Board
377	\$2,004,499
378	\$400,000

379	\$2,404,499
380	Human Resources Division
381	\$3,000
382	\$2,031,977
383	\$2,034,977
384	Operational Services Division
385	\$2,714,167
386	\$2,758,000
387	\$5,472,167
388	Information Technology Division
389	\$0
390	\$609,730
391	\$609,730
392	Public Employee Retirement Administration
393	\$179
394	\$0
395	\$179

396	TOTALS :
397	\$1,048,819,252
398	\$30,848,987
399	\$1,079,668,239
400	Executive Office of Energy & Environmental Affairs
401	Executive Office of Energy & Environmental Affairs
402	\$4,940,150
403	\$215,000
404	\$5,155,150
405	Department of Environmental Protection
406	\$37,609,377
407	\$260,812
408	\$37,870,189
409	Department of Fish and Game
410	\$16,577,155
411	\$217,989
412	\$16,795,144

413	Department of Agricultural Resources
414	\$6,386,877
415	\$0
416	\$6,386,877
417	Department of Conservation and Recreation
418	\$13,541,545
419	\$8,487,056
420	\$22,028,601
421	Department of Public Utilities
422	\$13,272,950
423	\$2,400,000
424	\$15,672,950
425	Department of Energy Resources
426	\$3,982,419
427	\$0
428	\$3,982,419
429	TOTALS :

430	\$96,310,473
431	\$11,580,857
432	\$107,891,330
433	Executive Office of Health and Human Services
434	Department of Veterans' Services
435	\$15,000
436	\$300,000
437	\$315,000
438	Secretary of Health and Human Services
439	\$5,983,579,646
440	\$225,000,000
441	\$6,208,579,646
442	Division of Health Care Finance and Policy
443	\$304,487,773
444	\$100,000
445	\$304,587,773
446	Mass Commission for the Blind

447	\$2,857,411
448	\$0
449	\$2,857,411
450	Massachusetts Rehabilitation Commission
451	\$3,839,677
452	\$0
453	\$3,839,677
454	Mass Commission for the Deaf
455	\$127,981
456	\$0
457	\$127,981
458	Chelsea Soldiers' Home
459	\$11,554,205
460	\$360,000
461	\$11,914,205
462	Holyoke Soldiers' Home
463	\$12,084,553

464	\$380,000
465	\$12,464,553
466	Department of Youth Services
467	\$2,403,491
468	\$0
469	\$2,403,491
470	Department of Transitional Assistance
471	\$432,063,898
472	\$0
473	\$432,063,898
474	Department of Public Health
475	\$105,338,590
476	\$53,712,761
477	\$159,051,351
478	Department of Children and Families
479	\$194,793,739
480	\$4,100,000

481	\$198,893,739
482	Department of Mental Health
483	\$102,921,919
484	\$125,000
485	\$103,046,919
486	Department of Developmental Services
487	\$444,006,455
488	\$150,000
489	\$444,156,455
490	Department of Elder Affairs
491	\$1,388,518,524
492	\$0
493	\$1,388,518,524
494	TOTALS :
495	\$8,988,592,862
496	\$284,227,761
497	\$9,272,820,623

498	Massachusetts Department of Transportation
499	Massachusetts Department of Transportation
500	\$512,794,900
501	\$0
502	\$512,794,900
503	TOTALS :
504	\$512,794,900
505	\$0
506	\$512,794,900
507	Board of Library Commissioners
508	Board of Library Commissioners
509	\$2,000
510	\$0
511	\$2,000
512	TOTALS :
513	\$2,000
514	\$0

515	\$2,000
516	Executive Office of Housing & Economic Development
517	Department of Housing & Community Development
518	\$2,602,560
519	\$2,323,853
520	\$4,926,413
521	Office of Consumer Affairs and Business
522	\$1,435,180
523	\$500,000
524	\$1,935,180
525	Division of Banks
526	\$20,763,031
527	\$2,650,000
528	\$23,413,031
529	Division of Insurance
530	\$77,705,372
531	\$0

532	\$77,705,372
533	Division of Professional Licensure
534	\$15,439,588
535	\$0
536	\$15,439,588
537	Division of Standards
538	\$1,634,580
539	\$493,751
540	\$2,128,331
541	Department of Telecommunications and Cable
542	\$4,959,354
543	\$0
544	\$4,959,354
545	TOTALS :
546	\$124,539,665
547	\$5,967,604
548	\$130,507,269

549	Executive Office of Labor & Workforce Development
550	Department of Workforce Development
551	\$314,005
552	\$0
553	\$314,005
554	Department of Labor
555	\$2,273,912
556	\$452,850
557	\$2,726,762
558	Division of Industrial Accidents
559	\$24,055,200
560	\$0
561	\$24,055,200
562	Division of Labor Relations
563	\$105,967
564	\$100,000
565	\$205,967

566	TOTALS :
567	\$26,749,084
568	\$552,850
569	\$27,301,934
570	Executive Office of Education
571	Department of Early Education and Care
572	\$198,499,199
573	\$0
574	\$198,499,199
575	Department of Elementary and Secondary Education
576	\$7,786,500
577	\$0
578	\$7,786,500
579	University of Massachusetts
580	\$35,299,036
581	\$0
582	\$35,299,036

583	Bridgewater State College
584	\$2,165,198
585	\$0
586	\$2,165,198
587	Fitchburg State College
588	\$2,321,228
589	\$0
590	\$2,321,228
591	Framingham State College
592	\$1,956,650
593	\$0
594	\$1,956,650
595	Massachusetts College of Liberal Arts
596	\$371,415
597	\$0
598	\$371,415
599	Salem State College

600	\$1,850,104
601	\$0
602	\$1,850,104
603	Westfield State College
604	\$1,507,370
605	\$0
606	\$1,507,370
607	Worcester State College
608	\$2,047,626
609	\$0
610	\$2,047,626
611	Massachusetts Maritime Academy
612	\$318
613	\$0
614	\$318
615	Berkshire Community College
616	\$211,643

617	\$0
618	\$211,643
619	Bristol Community College
620	\$657,995
621	\$0
622	\$657,995
623	Cape Cod Community College
624	\$473,116
625	\$0
626	\$473,116
627	Greenfield Community College
628	\$268,700
629	\$0
630	\$268,700
631	Holyoke Community College
632	\$895,917
633	\$0

634	\$895,917
635	Mass Bay Community College
636	\$958,032
637	\$0
638	\$958,032
639	Massasoit Community College
640	\$859,708
641	\$0
642	\$859,708
643	Mount Wachusett Community College
644	\$367,538
645	\$0
646	\$367,538
647	Northern Essex Community College
648	\$727,475
649	\$0
650	\$727,475

651	North Shore Community College
652	\$798,024
653	\$0
654	\$798,024
655	Quinsigamond Community College
656	\$403,016
657	\$0
658	\$403,016
659	Springfield Technical Community College
660	\$852,659
661	\$0
662	\$852,659
663	Roxbury Community College
664	\$169,462
665	\$529,843
666	\$699,305
667	Middlesex Community College

668	\$349,044
669	\$0
670	\$349,044
671	Bunker Hill Community College
672	\$873,943
673	\$0
674	\$873,943
675	TOTALS :
676	\$262,670,916
677	\$529,843
678	\$263,200,759
679	Executive Office of Public Safety and Security
680	Office of the Chief Medical Examiner
681	\$70,000
682	\$1,700,000
683	\$1,770,000
684	Criminal History Systems Board

685	\$14,581,200
686	\$0
687	\$14,581,200
688	Department of State Police
689	\$1,001,317
690	\$32,016,200
691	\$33,017,517
692	Department of Public Safety
693	\$15,813,517
694	\$4,190,182
695	\$20,003,699
696	Department of Fire Services
697	\$22,257,300
698	\$25,000
699	\$22,282,300
700	Merit Rating Board
701	\$15,000

702	\$0
703	\$15,000
704	Military Division
705	\$0
706	\$1,400,000
707	\$1,400,000
708	Municipal Police Training Committee
709	\$2,000
710	\$600,000
711	\$602,000
712	Emergency Management Agency
713	\$710,021
714	\$0
715	\$710,021
716	Department of Corrections
717	\$11,898,958
718	\$5,600,000

719	\$17,498,958
720	Parole Board
721	\$440,000
722	\$600,000
723	\$1,040,000
724	TOTALS :
725	\$66,789,313
726	\$46,131,382
727	\$112,920,695
728	Sheriffs
729	Sheriff's Department Hampden
730	\$954,542
731	\$3,344,458
732	\$4,299,000
733	Sheriff's Department Worcester
734	\$109,500
735	\$0

736	\$109,500
737	Sheriff's Department Middlesex
738	\$219,000
739	\$950,000
740	\$1,169,000
741	Sheriff's Department Franklin
742	\$64,860
743	\$2,100,000
744	\$2,164,860
745	Sheriff's Department Hampshire
746	\$34,200
747	\$175,000
748	\$209,200
749	Sheriff's Department Essex
750	\$643,600
751	\$2,000,000
752	\$2,643,600

753	Sheriff's Department Berkshire
754	\$50,000
755	\$250,000
756	\$300,000
757	Sheriff's Department Association
758	\$150,000
759	\$0
760	\$150,000
761	Sheriff's Department Barnstable
762	\$0
763	\$250,000
764	\$250,000
765	Sheriff's Department Bristol
766	\$1,500,000
767	\$6,500,000
768	\$8,000,000
769	Sheriff's Department Dukes

770	\$0
771	\$0
772	\$0
773	Sheriff's Department Nantucket
774	\$0
775	\$0
776	\$0
777	Sheriff's Department Norfolk
778	\$0
779	\$2,500,000
780	\$2,500,000
781	Sheriff's Department Plymouth
782	\$0
783	\$16,000,000
784	\$16,000,000
785	Sheriff's Department Suffolk
786	\$0

787	\$8,000,000	
788	\$8,000,000	
789	TOTALS :	
790	\$3,725,702	
791	\$42,069,458	
792	\$45,795,160	
793	Total Non-Tax Revenue :	
794	\$12,344,163,854	
795	\$1,266,414,966	
796	\$13,610,578,820	
797	SECTION 2.	
798	JUDICIARY	
799	Supreme Judicial Court	
800	0320-0003	For the operation of the supreme judicial court, including salaries of the
801	chief justice and the 6 associate justices	\$7,852,391
802	0320-0010	For the operation of the clerk's office of the supreme judicial court for
803	Suffolk county	\$1,147,536
804	0321-0001	For the operation of the commission on judicial conduct \$512,657

805 0321-0100 For the services of the board of bar examiners \$1,075,000

806 Committee for Public Counsel Services.

807 0321-1500 For the operation of the committee for public counsel services, as

808 authorized by chapter 211D of the General Laws; provided, that 20 district court attorneys shall

809 be hired as authorized by section 5 of chapter 54 of the acts of 2005; provided further, that the

810 committee for public counsel services shall hire: 7 superior court attorneys; 1 delinquency

811 attorney and 1 additional auditor to the audit and oversight unit; provided further, that 7 new

812 juvenile defender offices shall be opened in the following areas: Springfield/Holyoke, New

813 Bedford/Fall River, Lowell/Lawrence, Brockton, Quincy, Cambridge/Somerville and

814 Salem/Lynn; provided further, that the committee shall establish a murder trial and appeals unit

815 and establish a mental health civil commitment unit; provided further, that an additional child

816 and family law trial office shall be opened in the New Bedford/Fall River area and a child and

817 family law appeals office shall be opened in the metropolitan Boston area; provided further, that

818 1 additional attorney shall be hired in both the Worcester and Pittsfield child and family law

819 offices; and provided further, that the committee shall submit a report to the clerks of the house

820 of representatives and senate and the house and senate committees on ways and means, not later

821 than January 31, 2011, that shall include, but not be limited to, the following: (a) the number of

822 clients assisted by the committee in the prior fiscal year; (b) any proposed expansion of legal

823 services delineated by type of service, target population and cost; (c) the total number of persons

824 who received legal services by the committee, by type of case and geographic location; (d) the

825 costs for services rendered per client, by type of case and geographic location; (e) the amount

826 paid, if any, to the committee by clients for services rendered, by type of case and geographic

827 location; (f) the average cost for services rendered by the committee, by type of case; and (g) the
828 average number of hours spent per attorney or staff per type of case \$34,229,553

829 0321-1510 For compensation paid to private counsel assigned to criminal and civil
830 cases under paragraph (b) of section 6 of chapter 211D of the General Laws, pursuant to section
831 11 of said chapter 211D; provided, that not more than \$2,000,000 of the sum appropriated in this
832 item may be expended for services rendered before fiscal year 2011 \$117,506,173

833 0321-1518 For the chief counsel for the committee for public counsel services which
834 may expend an amount not to exceed \$750,000 from revenues collected from fees charged for
835 attorney representation of indigent clients \$750,000

836 0321-1520 For normal fees and costs and extra fees and costs as defined in section
837 27A of chapter 261 of the General Laws, as ordered by a justice of the appeals court or a justice
838 of a department of the trial court of the commonwealth on behalf of indigent persons, as defined
839 in section 27A of said chapter 261; provided, that not more than \$1,000,000 of the sum
840 appropriated in this item may be expended for services rendered before fiscal year 2011
841 \$13,582,325

842 0321-1600 For the Massachusetts Legal Assistance Corporation to provide legal
843 representation for indigent or disadvantaged residents of the commonwealth; provided, that the
844 corporation shall submit a report to the house and senate committees on ways and means not
845 later than January 28, 2011 that shall include, but not be limited to, the following: (a) the number
846 of persons whom the programs funded by the corporation assisted in the prior fiscal year; (b) any
847 proposed expansion of legal services delineated by type of service, target population, and cost;
848 and (c) the total number of indigent or otherwise disadvantaged residents of the commonwealth

849 who received services of the corporation, by type of case and geographic location; and provided
850 further, that the corporation may contract with any organization for the purpose of providing the
851 representation; and provided further, that notwithstanding the first paragraph of section 9 of
852 chapter 221A of the General Laws, funds shall be expended for the Disability Benefits Project,
853 the Medicare Advocacy Project and the Battered Women’s Legal Assistance Project
854 \$9,500,000

855 0321-2000 For the operation of the mental health legal advisors committee and for
856 programs for the indigent mentally ill, established pursuant to section 34E of chapter 221 of the
857 General Laws \$707,599

858 0321-2100 For Prisoners’ Legal Services, formerly known as the Massachusetts
859 correctional legal services committee
860 \$902,016

861 0321-2205 For the expenses of the social law library located in Suffolk county
862 \$1,500,000
863 Appeals Court.

864 0322-0100 For the appeals court, including the salaries, traveling allowances and
865 expenses of the chief justice, recall judges and the associate justices \$10,730,031
866 Trial Court.

867 0330-0101 For the salaries of the justices of the 7 departments of the trial court;
868 provided, that the chief justice for administration and management shall provide written

869 notification to the house and senate committees on ways and means of any transfer of funds from
870 this item to any other item of appropriation within 30 days of the transfer \$49,836,452

871 0330-0300 For the central administration of the trial court, including costs associated
872 with trial court non-employee services, trial court dental and vision health plan agreements, jury
873 expenses, trial court law libraries, statewide telecommunications, private and municipal court
874 rentals and leases, operation of courthouse facilities, rental of county court facilities, witness
875 fees, printing expenses, equipment maintenance and repairs, the court interpreter program,
876 insurance and chargeback costs, the Massachusetts sentencing commission, permanency
877 mediation services, alternative dispute resolution, court security and judicial training; provided,
878 that 50 per cent of all fees payable pursuant to Massachusetts Rules of Criminal Procedure 15(d)
879 and 30(c)(8) shall be paid from this item; provided further, that notwithstanding section 9A of
880 chapter 30 of the General Laws, or any other general or special law to the contrary, the rights
881 afforded to a veteran, pursuant to said section 9A of said chapter 30, shall also be afforded to any
882 such veteran who holds a trial court office or position in the service of the commonwealth not
883 classified under chapter 31, other than an elective office, an appointive office for a fixed term or
884 an office or position under section 7 of said chapter 30, and who: (1) has held the office or
885 position for not less than 1 year; and (2) has 30 years of total creditable service to the
886 commonwealth, as defined in chapter 32; provided further, that the trial court shall submit a
887 report to the victim and witness assistance board detailing the amount of assessments imposed
888 within each court by a justice or clerk-magistrate during the previous calendar year pursuant to
889 section 8 of chapter 258B of the General Laws; provided further, that the report shall include, but
890 not be limited to, the number of cases in which the assessment was reduced or waived by a judge
891 or clerk-magistrate within the courts; and provided further, that the report shall be submitted to

892 the victim and witness assistance board on or before January 10, 2011; provided further, that
893 notwithstanding any general or special law to the contrary, the chief justice for administration
894 and management shall submit a report to the joint committee on the judiciary and the house and
895 senate committees on ways and means 60 days prior to the temporary closure or temporary
896 relocation of courthouses; and provided further, that the report shall include, but not be limited
897 to, the transfer of personnel, the reallocation of resources, the impact on other courthouses
898 resulting from a temporary closure and other factors that may affect implementation of
899 temporary closure \$188,247,375

900 0330-3333 For the chief justice for administration and management who may expend
901 for the operation of the trial court an amount not to exceed \$27,000,000 from fees charged and
902 collected pursuant to section 3 of chapter 90C of the General Laws, section 22 of chapter 218 of
903 the General Laws and sections 2, 4A, 4B, 4C, 39 and 40 of chapter 262 of the General Laws;
904 provided, that a schedule detailing the full allotment of said \$27,000,000 shall be submitted to
905 the house and senate committees on ways and means not later than January 31, 2011; provided
906 further, that the first \$53,000,000 of revenue received from the fees shall be deposited in the
907 General Fund and not retained; and provided further, that notwithstanding any general or special
908 law to the contrary, for the purpose of accommodating timing discrepancies between the receipt
909 of revenues and related expenditures, the chief justice may incur expenses and the comptroller
910 shall certify for payments amounts not to exceed the lower of 1/2 of this authorization or the
911 most recent revenue estimate, as reported in the state accounting system \$27,000,000

912 0330-3334 For the chief justice for administration and management who may expend
913 for the operation of the department an amount not to exceed \$26,000,000 from fees charged and
914 collected under section 87A of chapter 276 of the General Laws; provided, that any expenditures

915 or allocations shall be made in accordance with schedules submitted to the house and senate
916 committees on ways and means not later than 30 days before the expenditures or allocations are
917 made; and provided further, that a schedule detailing the full allotment of said \$26,000,000 shall
918 be submitted to the house and senate committees on ways and means not later than January 31,
919 2011 \$26,000,000

920 0330-3337 For additional expenses associated with the operation of the trial court;
921 provided, that a schedule detailing all transfers shall be submitted to the house and senate
922 committees on ways and means not later than January 31, 2011 \$9,300,000

923 Superior Court Department.

924 0331-0100 For the operation of the superior court department; provided, that funds
925 shall be expended for the medical malpractice tribunals in accordance with section 60B of
926 chapter 231 of the General Laws; and provided further, that the clerk of the court shall have
927 responsibility for the internal administration of his office, including personnel, staff services and
928 record keeping \$20,845,577

929 District Court Department.

930 0332-0100 For the operation of the district court department, including a civil
931 conciliation program \$34,570,850

932 Probate and Family Court Department.

933 0333-0002 For the operation of the probate and family court department
934 \$17,818,433

935 Land Court Department.

936 0334-0001 For the operation of the land court department \$2,127,067

937 Boston Municipal Court Department.

938 0335-0001 For the operation of the Boston municipal court department

939 \$6,490,437

940 Housing Court Department.

941 0336-0002 For the operation of the housing court department \$3,785,326

942 Juvenile Court Department.

943 0337-0002 For the operation of the juvenile court department \$10,024,667

944 Office of the Commissioner of Probation.

945 0339-1001 For the office of the commissioner of probation; provided, that

946 notwithstanding any general or special law or rule or regulation to the contrary, the

947 commissioner, subject to appropriation, and approval by the chief justice for administration and

948 management, shall have the authority to appoint, dismiss, assign and discipline probation

949 officers, associate probation officers, probation officers-in-charge, assistant chief probation

950 officers and chief probation officers; provided further, that associate probation officers shall only

951 perform in-court functions and shall assume the in-court duties of the currently employed

952 probation officers who shall be reassigned within the probation service, subject to collective

953 bargaining agreements, to perform intensive, community-based supervision of probationers,

954 including the intensive supervision and community restraint services described in item 0339-

955 1003; provided further, that funds from this item shall be expended for the costs associated with

956 full implementation of chapter 303 of the acts of 2006 and chapter 418 of the acts of 2006 to

957 ensure effective supervision of probationers who are monitored through global positioning
958 system bracelets; provided further, that no funds shall be expended from this item to cover the
959 costs of building leases; provided further, that the office shall enter into an interagency service
960 agreement with the department of revenue to verify income data and to use the department's
961 wage reporting and bank match system for the purpose of weekly tape-matching to determine an
962 individual's eligibility for appointment of indigent counsel, as defined in chapter 211D of the
963 General Laws; provided further, that the office shall submit quarterly reports to the joint
964 committee on the judiciary and the house and senate committees on ways and means detailing
965 the progress of eligibility verification with the department; provided further, that the report shall
966 include, but not be limited to: (a) the number of individuals determined to be indigent, (b) the
967 number of individuals determined not to be indigent; (c) the number of individuals to be found
968 misrepresenting assets; (d) the number of individuals found to no longer qualify for appointment
969 of counsel upon any re-assessment of indigency, as defined in section 2 ½ of said chapter 211D;
970 (e) the revenue generated through collection of indigent client fees; (f) the average indigent client
971 fee that each court division collects per case since the effective date of this act; (g) the number of
972 indigency client fees collected and the number waived on a monthly basis by court division and
973 individual court; (h) recommendations on improvements in verifying eligibility for counsel; and
974 (i) other pertinent information to ascertain the effectiveness of verification; provided further, that
975 the information within such report shall be delineated by court division; provided further, that the
976 office shall submit quarterly reports to the joint committee on the judiciary and the house and
977 senate committees on ways and means that shall include: (a) the office's definition of
978 supervisory and nonsupervisory cases; (b) a detailed description of what each level of
979 supervision within these classifications entails in terms of responsibilities of the probation

980 officer; (c) the average time commitment for a probation officer for each level of supervision on
981 a monthly basis; (d) the overall number of individuals on probation; (e) the number of
982 individuals added to probation and the number removed from probation for each month within
983 that quarter; (f) the total number of full time employees who administer probationary cases;
984 provided further, that these figures shall be delineated by level of supervisory and
985 nonsupervisory probation and further delineated by court division; provided further, that the
986 overall number of individuals on probation and added to probation each month shall be
987 separately delineated by originating court or referral source; and provided further, that the report
988 shall include the number of probationers served by community correction centers and electronic
989 monitoring including, but not limited to, global positioning systems, and delineated by level of
990 supervisory and nonsupervisory probation \$121,407,625

991 0339-1003 For the operation of the office of community corrections, including the costs
992 of personnel; provided, that funds shall be expended for the costs of intensive supervision and
993 community corrections programs; provided further, that the programs shall include, but not be
994 limited to, tracking, community service, educational assistance, drug and alcohol testing and
995 treatment, curfew enforcement, home confinement, day reporting, means-tested fines, restitution
996 and community incapacitation or restraint; provided further, that the number of placements in the
997 programs shall not exceed a daily average goal of 5,000 intensively-supervised probationers;
998 provided further, that funds from this item shall be expended to cover the costs of the programs
999 that are undertaken and administered by court probation offices and county sheriffs' offices;
1000 provided further, that funds shall be expended to such programs in each county in fiscal year
1001 2011; provided further, that the executive director of the office of community corrections shall
1002 enter into interagency service agreements and memoranda of understanding with the probation

1003 offices and sheriffs' offices for the provision of such programs, including the contracting for
1004 detention space for probationers arrested for violating probation and awaiting court action and
1005 detention space for probationers who have been ordered by the trial court to be supervised at a
1006 higher level of restraint; provided further, that such agreements and memoranda shall be entered
1007 into at the direction of the executive director; provided further, that the executive director shall
1008 submit a spending and management plan for the programs to the house and senate committees on
1009 ways and means not later than January 31, 2011; provided further, that the plan shall include the
1010 projected number of probationers to be served by each program and a description of the
1011 oversight and services provided to the probationers; and provided further, that funds shall be
1012 expended to operate the community corrections facilities that ceased operations on November 1,
1013 2009, at their existing locations for the full fiscal year\$24,005,668

1014 0339-1007 For the provision of substance abuse testing services; provided, that the
1015 commissioner of the office of probation shall transfer funds from this item to 0339-1001, as
1016 necessary, pursuant to an allocation plan, which shall detail, by object class, the distribution of
1017 said funds to be transferred and which the commissioner shall file with the house and senate
1018 committees on ways and means 15 days before any such transfer \$500,000

1019 Commonwealth Substance Abuse Treatment and Prevention Fund...100%

1020 0339-1009 For the provision of substance abuse testing services; provided, that the
1021 executive director of the office of community corrections shall transfer funds from this item to
1022 0339-1003, as necessary, pursuant to an allocation plan, which shall detail, by object class, the
1023 distribution of said funds to be transferred and which the commissioner shall file with the house
1024 and senate committees on ways and means 15 days before any such transfer \$1,094,825

1025 Commonwealth Substance Abuse Treatment and Prevention Fund...100%

1026 Office of the Jury Commissioner

1027 0339-2100 For the office of the jury commissioner in accordance with chapter 234A

1028 of the General Laws \$2,398,691

1029 Suffolk District Attorney

1030 0340-0100 For the Suffolk district attorney's office, including the victim and witness

1031 assistance program, the child abuse and sexual assault prosecution program, the domestic

1032 violence unit and the children's advocacy center; provided, that the office shall submit a report to

1033 the executive director of the Massachusetts District Attorneys Association no later than February

1034 1, 2011, summarizing the number and types of criminal cases managed or prosecuted by the

1035 office in calendar year 2010 and the disposition or status thereof, which shall be delineated by

1036 each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in

1037 which the cases were managed or prosecuted; provided further, that for each jurisdiction of said

1038 courts, the report shall include, but not be limited to, the following: (a) the type of criminal case;

1039 (b) the total number of defendants charged under the type of case; and (c) a summary of

1040 dispositions or statuses thereof; provided further, that the office shall submit a report to the house

1041 and senate committees on ways and means no later than February 1, 2011, detailing the total

1042 number and use of private attorneys participating in any volunteer prosecutor program; provided

1043 further, that the report shall include, but not be limited to, the following: (a) the total number of

1044 personnel from private law firms participating in the program; (b) the name and address of the

1045 law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings

1046 associated with the program; provided further, that 50 per cent of fees payable pursuant to

1047 Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office
1048 shall be paid from this item; provided further, that the office shall submit a report to the
1049 executive director of the Massachusetts District Attorneys Association no later than February 1,
1050 2011, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the
1051 General Laws; provided further, that the report shall include, but not be limited to, the following:
1052 (a) the amount of the funds deposited into the office's special law enforcement trust fund in
1053 fiscal years 2008, 2009 and 2010; (b) a description of how the funds were used in those fiscal
1054 years; and (c) the balance of the trust fund at the start of 2011; provided further, that no assistant
1055 district attorney shall be paid an annual salary of less than \$37,500; provided further, that funds
1056 may be expended for youth violence prevention initiatives; and provided further, that at least 30
1057 days before transferring any funds authorized in this item from the AA object class, the district
1058 attorney shall notify the house and senate committees on ways and means of its intention to make
1059 that transfer \$15,288,357

1060 0340-0101 For the overtime costs of state police officers assigned to the Suffolk
1061 district attorney's office \$337,431

1062 Middlesex District Attorney

1063 0340-0200 For the Middlesex district attorney's office, including the victim and
1064 witness assistance program, the child abuse and sexual assault prosecution program and the
1065 domestic violence unit; provided, that the office shall submit a report to the executive director of
1066 the Massachusetts District Attorneys Association no later than February 1, 2011, summarizing
1067 the number and types of criminal cases managed or prosecuted by the office in calendar year
1068 2010 and the disposition or status thereof, which shall be delineated by each jurisdiction of the

1069 district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were
1070 managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall
1071 include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of
1072 defendants charged under the type of case; and (c) a summary of dispositions or statuses thereof;
1073 provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal
1074 Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item;
1075 provided further, that the office shall submit a report to the executive director of the
1076 Massachusetts District Attorneys Association no later than February 1, 2011, detailing the
1077 office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws;
1078 provided further, that the report shall include, but not be limited to, the following: (a) the amount
1079 of the funds deposited into the office's special law enforcement trust fund in fiscal years 2008,
1080 2009 and 2010; (b) a description of how the funds were used in those fiscal years; and (c) the
1081 balance of the trust fund as of the start of 2011; provided further, that the office shall submit a
1082 report to the house and senate committees on ways and means no later than February 1, 2011,
1083 detailing the total number and use of private attorneys participating in any volunteer prosecutor
1084 program; provided further, that the report shall include, but not be limited to, the following: (a)
1085 the total number of personnel from private law firms participating in the program; (b) the name
1086 and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and
1087 cost savings associated with the program; provided further, that no assistant district attorney shall
1088 be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before
1089 transferring any funds authorized in this item from the AA object class, the district attorney shall
1090 notify the house and senate committees on ways and means of its intention to make that transfer
1091 \$13,038,535

1092 0340-0201 For the overtime costs of state police officers assigned to the Middlesex
1093 district attorney's office \$491,890

1094 Eastern District Attorney.

1095 0340-0300 For the Eastern district attorney's office, including the victim and witness
1096 assistance program, the child abuse and sexual assault prosecution program and the domestic
1097 violence unit; provided, that the office shall submit a report to the executive director of the
1098 Massachusetts District Attorneys Association no later than February 1, 2011, summarizing the
1099 number and types of criminal cases managed or prosecuted by the office in calendar year 2010
1100 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district,
1101 juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed
1102 or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include,
1103 but not be limited to, the following: (a) the type of criminal case; (b) the total number of
1104 defendants charged under the type of case; and (c) a summary of dispositions or statuses thereof;
1105 provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal
1106 Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item;
1107 provided further, that the office shall submit a report to the executive director of the
1108 Massachusetts District Attorneys Association no later than February 1, 2011, detailing the
1109 office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws;
1110 provided further, that the report shall include, but not be limited to, the following: (a) the amount
1111 of the funds deposited into the office's special law enforcement trust fund in fiscal years 2008,
1112 2009 and 2010; (b) a description of how the funds were used in those fiscal years; and (c) the
1113 balance of the trust fund at the start of 2011; provided further, that no assistant district attorney
1114 shall be paid an annual salary of less than \$37,500; provided further, that at least 30 days before

1115 transferring any funds authorized in this item from the AA object class, the district attorney shall
1116 notify the house and senate committees on ways and means of its intention to make that transfer;
1117 provided further, that the office shall submit a report to the house and senate committees on ways
1118 and means no later than February 1, 2011, detailing the total number and use of private attorneys
1119 participating in any volunteer prosecutor program; and provided further, that the report shall
1120 include, but not be limited to, the following: (a) the total number of personnel from private law
1121 firms participating in the program; (b) the name and address of the law firms; (c) the duties
1122 performed by the personnel; and (d) the benefits and cost savings associated with the program

1123 \$8,011,057

1124 0340-0301 For the overtime costs of state police officers assigned to the Eastern
1125 district attorney's office \$480,334

1126 Worcester District Attorney.

1127 0340-0400 For the Worcester district attorney's office, including the victim and
1128 witness assistance program, the child abuse and sexual assault prosecution program and the
1129 domestic violence unit; provided, that the office shall submit a report to the executive director of
1130 the Massachusetts District Attorneys Association no later than February 1, 2011, summarizing
1131 the number and types of criminal cases managed or prosecuted by the office in calendar year
1132 2010 and the disposition or status thereof, which shall be delineated by each jurisdiction of the
1133 district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were
1134 managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall
1135 include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of
1136 defendants charged under the type of case; and (c) summary of dispositions or statuses thereof;

1137 provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal
1138 Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item;
1139 provided further, that the office shall submit a report to the executive director of the
1140 Massachusetts District Attorneys Association no later than February 1, 2011, detailing the
1141 office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws;
1142 provided further, that the report shall include, but not be limited to, the following: (a) the amount
1143 of the funds deposited into the office's special law enforcement trust fund in fiscal years 2008,
1144 2009 and 2010; (b) a description of how the funds were used in those fiscal years; and (c) the
1145 balance of the trust fund at the start of 2011; provided further, that the office shall submit a
1146 report to the house and senate committees on ways and means no later than February 1, 2011,
1147 detailing the total number and use of private attorneys participating in any volunteer prosecutor
1148 program; provided further, that the report shall include, but not be limited to, the following: (a)
1149 the total number of personnel from private law firms participating in the program; (b) the name
1150 and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and
1151 cost savings associated with the program; provided further, that no assistant district attorney shall
1152 be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before
1153 transferring any funds authorized in this item from the AA object class, the district attorney shall
1154 notify the house and senate committees on ways and means of its intention to make that transfer
1155 \$8,466,451

1156 0340-0401 For the overtime costs of state police officers assigned to the Worcester
1157 district attorney's office \$393,809

1158 0340-0410 For the analysis of narcotic drug synthetic substitutes, poisons, drugs,
1159 medicines and chemicals at the University of Massachusetts Medical School in order to support

1160 the law enforcement efforts of the district attorneys, the state police and municipal police
1161 departments \$400,000

1162 0340-0420 For the costs associated with moving the Worcester District Attorney's
1163 Office \$267,000

1164 Hampden District Attorney.

1165 0340-0500 For the Hampden district attorney's office, including the victim and
1166 witness assistance program, the child abuse and sexual assault prosecution program and the
1167 domestic violence unit; provided, that the office shall submit a report to the executive director of
1168 the Massachusetts District Attorneys Association no later than February 1, 2011, summarizing
1169 the number and types of criminal cases managed or prosecuted by the office in calendar year
1170 2010 and the disposition or status thereof, which shall be delineated by each jurisdiction of the
1171 district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were
1172 managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall
1173 include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of
1174 defendants charged under the type of case; and (c) a summary of dispositions or statuses thereof;
1175 provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal
1176 Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item;
1177 provided further, that the office shall submit a report to the executive director of the
1178 Massachusetts District Attorneys Association no later than February 1, 2011, detailing the
1179 office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws;
1180 provided further, that the report shall include, but not be limited to, the following: (a) the amount
1181 of the funds deposited into the office's special law enforcement trust fund in fiscal years 2008,

1182 2009 and 2010; (b) a description of how the funds were used in those fiscal years; and (c) the
1183 balance of the trust fund at the start of 2011; provided further, that the office shall submit a
1184 report to the house and senate committees on ways and means no later than February 1, 2011,
1185 detailing the total number and use of private attorneys participating in any volunteer prosecutor
1186 program; provided further, that the report shall include, but not be limited to, the following: (a)
1187 the total number of personnel from private law firms participating in the program; (b) the name
1188 and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and
1189 cost savings associated with the program; provided further, that no assistant district attorney shall
1190 be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before
1191 transferring any funds authorized in this item from the AA object class, the district attorney shall
1192 notify the house and senate committees on ways and means of its intention to make that transfer
1193 \$7,623,079

1194 0340-0501 For the overtime costs of state police officers assigned to the Hampden
1195 district attorney's office \$323,713

1196 Hampshire/Franklin District Attorney.

1197 0340-0600 For the Hampshire/Franklin district attorney's office, including the victim
1198 and witness assistance program, the child abuse and sexual assault prosecution program and the
1199 domestic violence unit; provided, that the office shall submit a report to the executive director of
1200 the Massachusetts District Attorneys Association no later than February 1, 2011, summarizing
1201 the number and types of criminal cases managed or prosecuted by the office in calendar year
1202 2010 and the disposition or status thereof, which shall be delineated by each jurisdiction of the
1203 district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were

1204 managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall
1205 include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of
1206 defendants charged under the type of case; and (c) a summary of dispositions or statuses thereof;
1207 provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal
1208 Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item;
1209 provided further, that the office shall submit a report to the executive director of the
1210 Massachusetts District Attorneys Association no later than February 1, 2011, detailing the
1211 office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws;
1212 provided further, that the report shall include, but not be limited to, the following: (a) the amount
1213 of the funds deposited into the office's special law enforcement trust fund in fiscal years 2008,
1214 2009 and 2010; (b) a description of how the funds were used in said fiscal years; and (c) the
1215 balance of the trust fund at the start of 2011; provided further, that the office shall submit a
1216 report to the house and senate committees on ways and means no later than February 1, 2011,
1217 detailing the total number and use of private attorneys participating in any volunteer prosecutor
1218 program; provided further, that the report shall include, but not be limited to, the following: (a)
1219 the total number of personnel from private law firms participating in the program; (b) the name
1220 and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and
1221 cost savings associated with the program; provided further, that no assistant district attorney shall
1222 be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before
1223 transferring any funds authorized in this item from the AA object class, the district attorney shall
1224 notify the house and senate committees on ways and means of its intention to make that transfer
1225 \$4,746,396

1226 0340-0601 For the overtime costs of state police officers assigned to the
1227 Hampshire/Franklin district attorney's office \$280,236
1228 Norfolk District Attorney.

1229 0340-0700 For the Norfolk district attorney's office, including the victim and witness
1230 assistance program, the child abuse and sexual assault prosecution program and the domestic
1231 violence unit; provided, that the office shall submit a report to the executive director of the
1232 Massachusetts District Attorneys Association no later than February 1, 2011, summarizing the
1233 number and types of criminal cases managed or prosecuted by the office in calendar year 2010
1234 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district,
1235 juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed
1236 or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include,
1237 but not be limited to, the following: (a) the type of criminal case; (b) the total number of
1238 defendants charged under the type of case; and (c) a summary of dispositions or statuses thereof;
1239 provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal
1240 Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item;
1241 provided further, that the office shall submit a report to the executive director of the
1242 Massachusetts District Attorneys Association no later than February 1, 2011, detailing the
1243 office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws;
1244 provided further, that the report shall include, but not be limited to, the following: (a) the amount
1245 of the funds deposited into the office's special law enforcement trust fund in fiscal years 2008,
1246 2009 and 2010; (b) a description of how the funds were used in those fiscal years; and (c) the
1247 balance of the trust fund at the start of 2011; provided further, that the office shall submit a
1248 report to the house and senate committees on ways and means no later than February 1, 2011,

1249 detailing the total number and use of private attorneys participating in any volunteer prosecutor
1250 program; provided further, that the report shall include, but not be limited to, the following: (a)
1251 the total number of personnel from private law firms participating in the program; (b) the name
1252 and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and
1253 cost savings associated with the program; provided further, that no assistant district attorney shall
1254 be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before
1255 transferring any funds authorized in this item from the AA object class, the district attorney shall
1256 notify the house and senate committees on ways and means of its intention to make that transfer
1257 \$7,810,091

1258 0340-0701 For the overtime costs of state police officers assigned to the Norfolk
1259 district attorney's office \$406,958

1260 Plymouth District Attorney.

1261 0340-0800 For the Plymouth district attorney's office, including the victim and
1262 witness assistance program, the child abuse and sexual assault prosecution program and the
1263 domestic violence unit; provided, that the office shall submit a report to the executive director of
1264 the Massachusetts District Attorneys Association no later than February 1, 2011, summarizing
1265 the number and types of criminal cases managed or prosecuted by the office in calendar year
1266 2010 and the disposition or status thereof, which shall be delineated by each jurisdiction of the
1267 district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were
1268 managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall
1269 include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of
1270 defendants charged under the type of case; and (c) a summary of dispositions or statuses thereof;

1271 provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal
1272 Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item;
1273 provided further, that the office shall submit a report to the executive director of the
1274 Massachusetts District Attorneys Association no later than February 1, 2011, detailing the
1275 office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws;
1276 provided further, that the report shall include, but not be limited to, the following: (a) the amount
1277 of the funds deposited into the office's special law enforcement trust fund in fiscal years 2008,
1278 2009 and 2010; (b) a description of how the funds were used in those fiscal years; and (c) the
1279 balance of the trust fund at the start of 2011; provided further, that the office shall submit a
1280 report to the house and senate committees on ways and means no later than February 1, 2011,
1281 detailing the total number and use of private attorneys participating in any volunteer prosecutor
1282 program; provided further, that the report shall include, but not be limited to, the following: (a)
1283 the total number of personnel from private law firms participating in the program; (b) the name
1284 and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and
1285 cost savings associated with the program; provided further, that no assistant district attorney shall
1286 be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before
1287 transferring any funds authorized in this item from the AA object class, the district attorney shall
1288 notify the house and senate committees on ways and means of its intention to make that transfer
1289 \$6,774,559

1290 0340-0801 For the overtime costs of state police officers assigned to the Plymouth
1291 district attorney's office \$409,373

1292 Bristol District Attorney.

1293 0340-0900 For the Bristol district attorney's office, including the victim and witness
1294 assistance program, the child abuse and sexual assault prosecution program and the domestic
1295 violence unit; provided, that the office shall submit a report to the executive director of the
1296 Massachusetts District Attorneys Association no later than February 1, 2011, summarizing the
1297 number and types of criminal cases managed or prosecuted by the office in calendar year 2010
1298 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district,
1299 juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed
1300 or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include,
1301 but not be limited to, the following: (a) the type of criminal case; (b) the total number of
1302 defendants charged under the type of case; and (c) a summary of dispositions or statuses thereof;
1303 provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal
1304 Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item;
1305 provided further, that the office shall submit a report to the house and senate committees on ways
1306 and means no later than February 1, 2011, detailing the total number and use of private attorneys
1307 participating in any volunteer prosecutor program; provided further, that the report shall include,
1308 but not be limited to, the following: (a) the total number of personnel from private law firms
1309 participating in the program; (b) the name and address of the law firms; (c) the duties performed
1310 by the personnel; and (d) the benefits and cost savings associated with the program; provided
1311 further, that the office shall submit a report to the executive director of the Massachusetts District
1312 Attorneys Association no later than February 1, 2011, detailing the office's use of drug forfeiture
1313 funds collected pursuant to chapter 94C of the General Laws; provided further, that the report
1314 shall include, but not be limited to, the following: (a) the amount of the funds deposited into the
1315 office's special law enforcement trust fund in fiscal years 2008, 2009 and 2010; (b) a description

1316 of how the funds were used in those fiscal years; and (c) the balance of the trust fund at the start
1317 of 2011; provided further, that no assistant district attorney shall be paid an annual salary of less
1318 than \$37,500; and provided further, that at least 30 days before transferring any funds authorized
1319 in this item from the AA object class, the district attorney shall notify the house and senate
1320 committees on ways and means of its intention to make that transfer \$7,048,574

1321 0340-0901 For the overtime costs of state police officers assigned to the Bristol
1322 district attorney's office \$310,779

1323 0340-0902 For the costs associated with relocating to the new district court house in
1324 Fall River..... \$75,000

1325 Cape and Islands District Attorney.

1326 0340-1000 For the Cape and Islands district attorney's office, including the victim
1327 and witness assistance program, the child abuse and sexual assault prosecution program and the
1328 domestic violence unit; provided, that the office shall submit a report to the executive director of
1329 the Massachusetts District Attorneys Association no later than February 1, 2011, summarizing
1330 the number and types of criminal cases managed or prosecuted by the office in calendar year
1331 2010 and the disposition or status thereof, which shall be delineated by each jurisdiction of the
1332 district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were
1333 managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall
1334 include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of
1335 defendants charged under the type of case; and (c) a summary of dispositions or statuses thereof;
1336 provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal
1337 Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item;

1338 provided further, that the office shall submit a report to the house and senate committees on ways
1339 and means no later than February 1, 2011, detailing the total number and use of private attorneys
1340 participating in any volunteer prosecutor program; provided further, that the report shall include,
1341 but not be limited to, the following: (a) the total number of personnel from private law firms
1342 participating in the program; (b) the name and address of the law firms; (c) the duties performed
1343 by the personnel; and (d) the benefits and cost savings associated with the program; provided
1344 further, that the office shall submit a report to the executive director of the Massachusetts District
1345 Attorneys Association no later than February 1, 2011, detailing the office's use of drug forfeiture
1346 funds collected pursuant to chapter 94C of the General Laws; provided further, that the report
1347 shall include, but not be limited to, the following: (a) the amount of the funds deposited into the
1348 office's special law enforcement trust fund in fiscal years 2008, 2009 and 2010; (b) a description
1349 of how the funds were used in those fiscal years; and (c) the balance of the trust fund at the start
1350 of 2011; provided further, that no assistant district attorney shall be paid an annual salary of less
1351 than \$37,500; and provided further, that at least 30 days before transferring any funds authorized
1352 in this item from the AA object class, the district attorney shall notify the house and senate
1353 committees on ways and means of its intention to make that transfer \$3,445,389

1354 0340-1001 For the overtime costs of state police officers assigned to the Cape and
1355 Islands district attorney's office \$265,462

1356 Berkshire District Attorney.

1357 0340-1100 For the Berkshire district attorney's office, including the victim and
1358 witness assistance program, the child abuse and sexual assault prosecution program, the drug
1359 task force and the domestic violence unit; provided, that the office shall submit a report to the

1360 executive director of the Massachusetts District Attorneys Association no later than February 1,
1361 2011, summarizing the number and types of criminal cases managed or prosecuted by the office
1362 in calendar year 2010 and the disposition or status thereof, which shall be delineated by each
1363 jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in
1364 which the cases were managed or prosecuted; provided further, that for each jurisdiction of said
1365 courts, the report shall include, but not be limited to, the following: (a) the type of criminal case;
1366 (b) the total number of defendants charged under the type of case; and (c) a summary of
1367 dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to
1368 Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office
1369 shall be paid from this item; provided further, that the office shall submit a report to the
1370 executive director of the Massachusetts District Attorneys Association no later than February 1,
1371 2011, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the
1372 General Laws; provided further, that the report shall include, but not be limited to, the following:
1373 (a) the amount of the funds deposited into the office's special law enforcement trust fund in
1374 fiscal years 2008, 2009 and 2010; (b) a description of how the funds were used in those fiscal
1375 years; and (c) the balance of the trust fund at the start of 2011; provided further, that the office
1376 shall submit a report to the house and senate committees on ways and means no later than
1377 February 1, 2011, detailing the total number and use of private attorneys participating in any
1378 volunteer prosecutor program; provided further, that the report shall include, but not be limited
1379 to, the following: (a) the total number of personnel from private law firms participating in the
1380 program; (b) the name and address of the law firms; (c) the duties performed by the personnel;
1381 and (d) the benefits and cost savings associated with the program; provided further, that no
1382 assistant district attorney shall be paid an annual salary of less than \$37,500; and provided

1383 further, that at least 30 days before transferring any funds authorized in this item from the AA
1384 object class, the district attorney shall notify the house and senate committees on ways and
1385 means of its intention to make that transfer \$3,354,920

1386 0340-1101 For the overtime costs of state police officers assigned to the Berkshire
1387 district attorney's office \$204,882

1388 0340-1102 For costs associated with moving the Berkshire District Attorney's
1389 office..... \$65,740

1390 DISTRICT ATTORNEYS' ASSOCIATION.

1391 0340-2100 For the operation of the Massachusetts District Attorneys Association,
1392 including the implementation and related expenses of the district attorneys' office automation,
1393 case management and tracking system; provided, that expenses associated with the system may
1394 be charged directly to this item; provided further, that the 11 district attorneys may contribute a
1395 portion of their fiscal year 2011 appropriation to the Massachusetts District Attorneys
1396 Association in order to alleviate the cost of the case management and tracking system as well as
1397 the cost of data lines associated with the district attorneys' computer network; provided further,
1398 that the department shall work in conjunction with the disabled persons protection commission
1399 and the 11 district attorneys' offices to prepare a report that shall include, but not be limited to,
1400 the following: (a) the number of abuse cases that are referred to each district attorneys' office for
1401 further investigation; (b) the number of referrals resulting in the filing of criminal charges,
1402 delineated by type of charge; (c) the number of cases referred to each district attorneys' office
1403 that remain open as of the date for submission of said report; and (d) the number of cases
1404 resulting in a criminal prosecution, and the disposition of each such prosecution; provided

1405 further, that said report shall be submitted to the house and senate committees on ways and
1406 means on or before March 15, 2011; provided further, that no expenditures shall be made, on or
1407 after the effective date of this act, which would cause the commonwealth's obligation under this
1408 item to exceed the amount appropriated in this item; provided further, that the association shall
1409 work in conjunction with the 11 district attorneys' offices to prepare and submit a report to the
1410 house and senate committees on ways and means no later than March 1, 2011, summarizing the
1411 number and types of criminal cases managed or prosecuted by all district attorneys' offices in
1412 calendar year 2010 and the disposition or status thereof which shall be delineated by each
1413 jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in
1414 which the cases were managed or prosecuted; provided further, that for each jurisdiction of said
1415 courts, the report shall include, but not be limited to, the following: (a) the type of criminal case;
1416 (b) the total number of defendants charged under the type of case; and (c) a summary of
1417 dispositions or statuses thereof; provided further, that the association shall work in conjunction
1418 with the 11 district attorney offices to prepare and submit a report to the house and senate
1419 committees on ways and means no later than March 1, 2011, detailing all district attorneys'
1420 offices' use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; and
1421 provided further, that the report shall include, but not be limited to, the following: (a) the amount
1422 of the funds deposited into the office's special law enforcement trust fund in fiscal years 2008,
1423 2009, and 2010; (b) how the funds were used in those fiscal years; and (c) the balance of the trust
1424 fund as of the start of 2011 \$790,489

1425 0340-8908 For the costs associated with maintaining the Massachusetts District
1426 Attorneys Association's wide area network \$1,215,837

1427 EXECUTIVE.

1428 0411-1000 For the offices of the governor, the lieutenant governor and the governor's
1429 council; provided, that the amount appropriated in this item may be used at the discretion of the
1430 governor for the payment of extraordinary expenses not otherwise provided for and for transfer
1431 to appropriation accounts where the amounts otherwise available may be insufficient; provided
1432 further, that funds may be expended for the governor's commission on mental retardation; and
1433 provided further, that the advisory council on Alzheimer's disease and related disorders, as
1434 established in the office of the governor by section 379 of chapter 194 of the acts of 1998 and
1435 continued pursuant to section 80 of chapter 236 of the acts of 2000, shall continue during fiscal
1436 year 2011 \$4,559,901

1437 0411-1005 For the operation of the office of the child advocate \$243,564

1438 SECRETARY OF THE COMMONWEALTH.

1439 Office of the Secretary of the Commonwealth.

1440 0511-0000 For the operation of the office of the secretary; provided, that the secretary
1441 may transfer funds between items 0540-0900, 0540-1000, 0540-1100, 0540-1200, 0540-1300,
1442 0540-1400, 0540-1500, 0540-1600, 0540-1700, 0540-1800, 0540-1900, 0540-2000 and 0540-
1443 2100 pursuant to an allocation schedule filed with the house and senate committees on ways and
1444 means not less than 30 days before the transfer; provided further, that each register of deeds
1445 using electronic record books shall ensure that all methods of electronically recording
1446 instruments conform to the regulations or standards established by the secretary of state and the
1447 records conservation board; and provided further, that those regulations shall be issued not later
1448 than June 30, 2011 \$6,101,118

1449 0511-0001 For the secretary of state who may expend revenues not to exceed \$30,000
 1450 from the sale of merchandise at the state house gift shop for the purpose of replenishing and
 1451 restocking gift shop inventory \$30,000

1452 0511-0002 For the operation of the corporations division; provided, that the division
 1453 shall implement a corporate dissolution program which shall have a specific focus on limited
 1454 liability corporations and limited liability partnerships that have failed in their statutory
 1455 responsibility to file an annual report; provided, that the division shall file quarterly reports with
 1456 the house and senate committees on ways and means detailing the total number of annual reports
 1457 filed as a result of this program and the amount of revenue generated for the commonwealth
 1458 \$254,213

1459 0511-0200 For the operation of the archives division \$378,121

1460 0511-0230 For the operation of the records center \$36,217

1461 0511-0250 For the operation of the archives facility \$296,521

1462 0511-0260 For the operation of the commonwealth museum \$243,684

1463 0511-0270 For the secretary of state who may contract with the University of
 1464 Massachusetts Donahue Institute to provide the commonwealth with technical assistance on
 1465 United States census data and to prepare annual population estimates \$621,750

1466 0511-0420 For the operation of the address confidentiality program \$130,858

1467 0517-0000 For the printing of public documents \$600,000

1468 0521-0000 For the operation of the elections division, including preparation, printing
 1469 and distribution of ballots and for other miscellaneous expenses for primary and other elections;
 1470 provided, that the secretary of state may award grants for voter registration and education; and
 1471 provided further, that the registration and education activities may be conducted by community-
 1472 based voter registration and education organizations \$7,642,958

1473 0521-0001 For the operation of the central voter registration computer system
 1474 \$5,684,747

1475 0524-0000 For providing information to voters \$1,257,044

1476 0526-0100 For the operation of the Massachusetts historical commission
 1477 \$750,000

1478 0527-0100 For the operation of the ballot law commission \$10,687

1479 0528-0100 For the operation of the records conservation board \$34,056

1480 0540-0900 For the registry of deeds located in the city of Lawrence in the former
 1481 county of Essex \$1,048,798

1482 0540-1000 For the registry of deeds located in the city of Salem in the former county
 1483 of Essex \$2,787,199

1484 0540-1100 For the registry of deeds in the former county of Franklin \$463,183

1485 0540-1200 For the registry of deeds in the former county of Hampden \$1,736,591

1486 0540-1300 For the registry of deeds in the former county of Hampshire\$486,003

1487 0540-1400 For the registry of deeds located in the city of Lowell in the former county
1488 of Middlesex \$1,148,053

1489 0540-1500 For the registry of deeds located in the city of Cambridge in the former
1490 county of Middlesex \$2,972,085

1491 0540-1600 For the registry of deeds located in the town of Adams in the former
1492 county of Berkshire \$264,657

1493 0540-1700 For the registry of deeds located in the city of Pittsfield in the former
1494 county of Berkshire \$450,573

1495 0540-1800 For the registry of deeds located in the town of Great Barrington in the
1496 former county of Berkshire \$222,808

1497 0540-1900 For the registry of deeds in the former county of Suffolk \$1,853,282

1498 0540-2000 For the registry of deeds located in the city of Fitchburg in the former
1499 county of Worcester \$690,110

1500 0540-2100 For the registry of deeds located in the city of Worcester in the former
1501 county of Worcester \$2,228,331

1502 TREASURER AND RECEIVER-GENERAL.

1503 Office of the Treasurer and Receiver-General.

1504 0610-0000 For the office of the treasurer and receiver-general; provided, that the
1505 treasurer shall provide computer services required by the teachers' retirement board; provided
1506 further, that the treasurer's office shall submit a report to the victim and witness assistance board

1507 which details the amount of assessments transmitted to the treasurer during the previous calendar
1508 year on a monthly basis from the courts, the registrar of motor vehicles and the sheriff or
1509 superintendent of any correctional facility pursuant to section 8 of chapter 258B; provided
1510 further, that the report shall be submitted to the board on or before January 14, 2011; provided
1511 further, that funds may be expended for the payment of bank fees; provided further, that financial
1512 assistance shall be made available to injured firefighters; and provided further, that the
1513 treasurer's office shall pay half of the administrative costs of the municipal finance oversight
1514 board from this item \$9,220,211

1515 0610-0050 For the administration of the alcoholic beverages control commission in its
1516 efforts to regulate and control the conduct and condition of traffic in alcoholic beverages;
1517 provided, that said commission shall maintain at least 1 chief investigator and other investigators
1518 for the purpose of regulating and controlling the traffic of alcoholic beverages; provided further,
1519 that said commission shall work and cooperate with the Alcohol, Tobacco, and Firearms division
1520 of the United States Department of Justice and other relevant federal agencies to assist in its
1521 efforts to regulate and control the traffic of alcoholic beverages; and provided further, that the
1522 commission shall seek out matching federal dollars and apply for federal grants that may be
1523 available to assist in the enforcement of laws pertaining to the traffic of alcoholic beverages
1524 \$1,993,336

1525 0610-0140 For the purpose of funding administrative, transactional and research
1526 expenses associated with maintaining and increasing the interest earnings on the General Fund
1527 and the Commonwealth Stabilization Fund investments \$21,582

1528 0610-2000 For payments made to veterans pursuant to section 16 of chapter 130 of
1529 the acts of 2005; provided, that the office of the state treasurer may expend not more than
1530 \$100,000 for costs incurred in the administration of these payments; and provided further, that
1531 the treasurer shall notify the house and senate committees on ways and means upon the
1532 expenditure of the funds appropriated herein \$3,155,604

1533 0611-1000 For bonus payments to war veterans \$44,500

1534 0612-0105 For payment of the public safety employees' line-of-duty death benefits
1535 authorized in section 100A of chapter 32 of the General Laws; provided, that the treasurer's
1536 office shall provide immediate written notification to the secretary of administration and finance
1537 and the house and senate committees on ways and means upon the expenditure of the funds
1538 appropriated herein \$100,000

1539 Lottery Commission.

1540 0640-0000 For the operation of the state lottery commission and state arts lottery;
1541 provided, that no funds shall be expended from this item for any costs associated with the
1542 promotion or advertising of lottery games; provided further, that positions funded by this item
1543 shall not be subject to chapters 30 and 31 of the General Laws; and provided further, that 25 per
1544 cent of the amount appropriated herein shall be transferred quarterly from the State Lottery Fund
1545 to the General Fund \$74,471,382

1546 0640-0005 For the costs associated with the continued implementation of monitor
1547 games; provided, that any sums expended on promotional activities shall be limited to point-of-
1548 sale promotions and agent newsletters; and provided further, that 25 per cent of the amount

1549 appropriated in this item shall be transferred quarterly from the State Lottery fund to the General
1550 Fund \$2,587,936

1551 0640-0010 For the promotional activities associated with the state lottery program;
1552 provided, that 25 per cent of the amount appropriated in this item shall be transferred quarterly
1553 from the State Lottery Fund to the General Fund \$1,000,000

1554 0640-0096 For the purpose of the commonwealth's fiscal year 2011 contributions to
1555 the health and welfare fund established pursuant to the collective-bargaining agreement between
1556 the state lottery commission and the Service Employees International Union, Local 254, AFL-
1557 CIO; provided, that the contributions shall be paid to the trust fund on such basis as the collective
1558 bargaining agreement provides; and provided further, that 25 per cent of the amount appropriated
1559 in this item shall be transferred quarterly from the State Lottery Fund to the General Fund
1560 \$355,945

1561 Debt Service.

1562 0699-0015 For the payment of interest, discount and principal on certain bonded debt
1563 and the sale of bonds of the commonwealth; provided, that notwithstanding any general or
1564 special law to the contrary, the state treasurer may make payments pursuant to section 38C of
1565 chapter 29 of the General Laws from this item, items 0699-9100, 0699-2004 and 0699-0016;
1566 provided further, that the payments shall pertain to the bonds, notes, or other obligations
1567 authorized to be paid from each item; provided further, that notwithstanding any general or
1568 special law to the contrary, the comptroller may transfer the amounts that would otherwise be
1569 unexpended on June 30, 2011, from item 0699-0015 to items 0699-9100, 0699-2004 and 0699-
1570 0016 or from items 0699-9100, 0699-2004 and 0699-0016 to item 0699-0015 which would

1571 otherwise have insufficient amounts to meet debt service obligations for the fiscal year ending
1572 June 30, 2011; provided further, that each amount transferred shall be charged to the funds as
1573 specified in the item to which the amount is transferred; and provided further, that payments on
1574 bonds issued pursuant to section 20 of said chapter 29 shall be paid from this item and shall be
1575 charged to the Infrastructure sub-fund of the Commonwealth Transportation Fund

1576 \$1,629,810,807

1577 General Fund...52%

1578 Commonwealth Transportation Fund...48%

1579 0699-0016 For the payment of interest, discount and principal on certain indebtedness
1580 incurred under chapter 233 of the acts of 2008 for financing the accelerated bridge program

1581 \$39,979,615

1582 Commonwealth Transportation Fund...100%

1583 0699-2004 For the payment of interest, discount and principal on certain
1584 indebtedness which may be incurred for financing the central artery/third harbor tunnel funding

1585 shortfall \$90,085,000

1586 Commonwealth Transportation Fund...100%

1587 0699-9100 For the payment of costs associated with any bonds, notes or other
1588 obligations of the commonwealth, including issuance costs, interest on bonds, bond and revenue
1589 anticipation notes, commercial paper, and other notes pursuant to sections 47 and 49B of chapter
1590 29 of the General Laws and for the payment to the United States pursuant to section 148 of the
1591 Internal Revenue Code of 1986 of any rebate amount or yield reduction payment owed with

1592 respect to any bonds or notes or other obligations of the commonwealth; provided, that the
1593 treasurer shall certify to the comptroller a schedule of the distribution of costs among the various
1594 funds of the commonwealth; provided further, that the comptroller shall charge costs to the funds
1595 in accordance with the schedule; and provided further, that any deficit in this item at the close of
1596 the fiscal year ending June 30, 2011 shall be charged to the various funds or to the General Fund
1597 or Commonwealth Transportation Fund debt service reserves 66,791,390

1598 0699-9101 For the purpose of depositing with the trustee under the trust agreement
1599 authorized in section 10B of chapter 11 of the acts of 1997, an amount to be used to pay the
1600 interest due on notes of the commonwealth issued pursuant to section 9 of said chapter 11 and
1601 secured by the Federal Highway Grant Anticipation Note Trust Fund \$35,845,000

1602 Commonwealth Transportation Fund...100%

1603 STATE AUDITOR.

1604 Office of the State Auditor.

1605 0710-0000 For the office of the state auditor, including the review and monitoring of
1606 privatization contracts in accordance with sections 52 to 55, inclusive, of chapter 7 of the
1607 General Laws \$13,937,881

1608 0710-0100 For the operation of the division of local mandates \$379,643

1609 0710-0200 For the operation of the bureau of special investigations; provided, that the
1610 office shall file quarterly reports with the house and senate committees on ways and means
1611 detailing the total amount of fraudulently obtained benefits identified by the bureau of special
1612 investigations of the office of the state auditor, the total value of settlement restitution payments,

1613 actual monthly collections, and any circumstances that produce shortfalls in collections

1614 \$1,812,420

1615 0710-0225 For the operation of the Medicaid Audit Unit within the Division of Audit

1616 Operations in an effort to prevent and to identify fraud and abuse in the MassHealth system;

1617 provided, that the federal reimbursement for any expenditure from this item shall not be less than

1618 50 per cent; and provided further, that the division shall submit a report no later than December

1619 1, 2010 to the house and senate committees on ways and means detailing all findings on

1620 activities and payments made through the MassHealth system \$897,829

1621 ATTORNEY GENERAL.

1622 Office of the Attorney General.

1623 0810-0000 For the office of the attorney general, including the administration of the

1624 local consumer aid fund, the operation of the anti-trust division, all regional offices, a high-tech

1625 crime unit and the victim and witness compensation program; provided, that the victim and

1626 witness assistance program shall be administered in accordance with chapters 258B and 258C of

1627 the General Laws; and provided further, that the attorney general shall submit to the general

1628 court and the secretary of administration and finance a report detailing the claims submitted to

1629 the state treasurer for payment under item 0810-0004 indicating both the number and costs for

1630 each category of claim \$22,705,260

1631 0810-0004 For compensation to victims of violent crimes; provided, that

1632 notwithstanding chapter 258C of the General Laws, if a claimant is 60 years of age or older at

1633 the time of the crime and is not employed or receiving unemployment compensation, such

1634 claimant shall be eligible for compensation in accordance with said chapter 258C; provided

1635 further, that compensation to such claimant shall be limited to a maximum of \$50; and provided
1636 further, that notwithstanding any general or special law to the contrary, victims of the crime of
1637 rape shall be notified of all available services designed to assist rape victims including, but not
1638 limited to, the provisions outlined in section 5 of chapter 258B of the General Laws

1639 \$2,188,340

1640 0810-0007 For the overtime costs of state police officers assigned to the attorney
1641 general; provided, that costs associated with those officers shall not be funded from item 8100-
1642 0007; and provided further, that expenditures shall not be made on or after the effective date of
1643 this act which would cause the commonwealth's obligation for the purpose of this item to exceed
1644 the amount appropriated in this item \$440,676

1645 0810-0013 For the office of the attorney general which may expend for a false claims
1646 program an amount not to exceed \$595,000 from revenues collected from enforcement of the
1647 false claims law; provided, that notwithstanding any general or special law to the contrary, for
1648 the purpose of accommodating timing discrepancies between the receipt of retained revenues and
1649 related expenditures, the department may incur expenses and the comptroller may certify for
1650 payment amounts not to exceed the lower of this authorization or the most recent revenue
1651 estimate as reported in the state accounting system \$595,000

1652 0810-0014 For the operation of the department of public utilities' office of ratepayer
1653 advocacy within the office of the attorney general, pursuant to section 11E of chapter 12 of the
1654 General Laws; provided, that notwithstanding any general or special law to the contrary, the
1655 amount assessed under section 11E of chapter 12 shall equal the amount expended from this item
1656 as well as the associated fringe benefits costs for personnel paid from this item; and provided

1657 further, that funds shall be expended for the expenses of legal and technical personnel and
1658 associated administrative and travel expenses relative to participation in regulatory proceedings
1659 at the Federal Energy Regulatory Commission on behalf of Massachusetts ratepayers

1660 \$2,355,903

1661 0810-0021 For the operation of the Medicaid fraud control unit; provided, that the
1662 federal reimbursement for any expenditure from this item shall not be less than 75 per cent of the
1663 expenditure; provided further, that funds shall continue to be used specifically for the
1664 investigation and prosecution of abuse, neglect, mistreatment and misappropriation based on
1665 referrals from the department of public health pursuant to section 72H of chapter 111 of the
1666 General Laws; provided further, that the unit shall provide training for all investigators of the
1667 department's division of health care quality responsible for the investigations on a periodic basis
1668 pursuant to a comprehensive training program to be developed by the division and the unit; and
1669 provided further, that training shall include instruction on techniques for improving the
1670 efficiency and quality of investigations of abuse, neglect, mistreatment and misappropriation
1671 pursuant to section 72H of chapter 111 \$3,814,923

1672 0810-0045 For the labor law enforcement program pursuant to subsection (b) of
1673 section 1A of chapter 23 of the General Laws; provided, that notwithstanding any general or
1674 special law to the contrary, a non-management position funded by this item shall be considered a
1675 job title in a collective bargaining unit as prescribed by the labor relations commission and shall
1676 be subject to chapter 150E of the General Laws \$3,121,902

1677 0810-0201 For the costs incurred in administrative or judicial proceedings on
1678 insurance as authorized by section 11F of chapter 12 of the General Laws; provided, that funds

1679 made available in this item may be used to supplement the automobile insurance fraud unit and
1680 the workers' compensation fraud unit of the office of the attorney general; provided further, that
1681 funds shall be expended for costs associated with health insurance rate hearings; and provided
1682 further, that notwithstanding any general or special law to the contrary, the amount assessed for
1683 these costs shall be equal to the amount expended from this item as well as the associated fringe
1684 benefits costs for personnel paid from this item \$1,540,486

1685 0810-0338 For the investigation and prosecution of automobile insurance fraud;
1686 provided, that notwithstanding any general or special law to the contrary, the amount assessed
1687 for these costs shall be equal to the amount appropriated in this item as well as the associated
1688 fringe benefits costs for personnel paid from this item \$438,506

1689 0810-0399 For the investigation and prosecution of workers' compensation fraud;
1690 provided, that notwithstanding any general or special law to the contrary, the amount assessed
1691 for these costs shall be equal to the amount appropriated in this item as well as the associated
1692 fringe benefits costs for personnel paid from this item; provided further, that the attorney general
1693 shall investigate and prosecute, when appropriate, employers who fail to provide workers'
1694 compensation insurance as required by law; and provided further, that the unit shall investigate
1695 and report on all companies not in compliance with chapter 152 of the General Laws
1696 \$284,456

1697 Victim and Witness Assistance Board.

1698 0840-0100 For the operation of the victim and witness assistance board; provided,
1699 that the board shall submit a comprehensive report compiled from the information required of
1700 and submitted to the office by the trial court, the registry of motor vehicles and the state treasurer

1701 relative to the collection of assessments for the previous calendar year under section 8 of chapter
1702 258B of the General Laws; and provided further, that the report shall be submitted to the house
1703 and senate committees on ways and means on or before February 16, 2011 \$549,090

1704 0840-0101 For the salaries and administration of the SAFEPLAN advocacy program,
1705 to be administered by the Massachusetts office of victim assistance; provided, that the office
1706 shall submit to the house and senate committees on ways and means, not later than February 1,
1707 2011, a report detailing the effectiveness of contracting for the program including, but not
1708 limited to, the number and type of incidents to which the advocates responded, the type of
1709 services and service referrals provided by the domestic violence advocates, the cost of providing
1710 such services and the extent of coordination with other service providers and state agencies

1711 \$749,327

1712 STATE ETHICS COMMISSION.

1713 0900-0100 For the operation of the state ethics commission \$1,731,123

1714 OFFICE OF THE INSPECTOR GENERAL.

1715 0910-0200 For the operation of the office of the inspector general \$2,307,528

1716 0910-0210 For the office of the inspector general which may expend revenues
1717 collected up to a maximum of \$600,000 from the fees charged to participants in the
1718 Massachusetts public purchasing official certification program and the certified public manager
1719 program for the operation of such programs; provided, that for the purpose of accommodating
1720 discrepancies between the receipts of retained revenues and related expenditures, the office of
1721 the inspector general may incur expenses and the comptroller may certify for payment amounts

1722 not to exceed the lower of this authorization or the most recent revenue estimate as reported in
1723 the state accounting system \$600,000

1724 OFFICE OF CAMPAIGN AND POLITICAL FINANCE.

1725 0920-0300 For the operation of the office of campaign and political finance
1726 \$1,221,696

1727 MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION.

1728 0940-0100 For the office of the commission, including the processing and resolution
1729 of cases pending before the commission that were filed on or before January 1, 2006; provided,
1730 that on or before November 2, 2010, the commission shall submit to the house and senate
1731 committees on ways and means a report on the total number of all currently pending cases and
1732 the total number of the cases in the investigation, conciliation, post-probable cause and pre-
1733 public hearing and post-hearing stages; provided further, that the commission shall file an update
1734 of the report with the committees on or before March 1, 2011; provided further, that the
1735 commission shall identify in the reports the number of cases in which the commission has
1736 determined there is probable cause to believe that a violation of chapter 151B of the General
1737 Laws has been committed in a case in which the Massachusetts Bay Transportation Authority is
1738 named as a respondent; provided further, that the commission shall report to the house and senate
1739 committees on ways and means, on or before November 2, 2010 on the number of cases pending
1740 before the commission in which a state agency or state authority is named as a respondent,
1741 specifying those cases in which the Massachusetts Bay Transportation Authority is named as a
1742 respondent, and the number of the cases in which there is probable cause to believe that a
1743 violation of said chapter 151B has been committed; provided further, that the commission shall

1744 include in the report the total number of new cases filed in fiscal year 2010 and the total number
1745 of cases closed by the commission in fiscal year 2010; provided further, that funds made
1746 available in this item shall be in addition to funds available in item 0940-0101; provided further,
1747 that all positions, except clerical, shall be exempt from chapter 31 of the General Laws; and
1748 provided further, that the commission shall pursue the highest allowable rate of federal
1749 reimbursement\$2,543,312

1750 0940-0101 For the Massachusetts commission against discrimination which may
1751 expend not more than \$1,914,224 from revenues from federal reimbursements received for the
1752 purposes of the United States Department of Housing and Urban Development fair housing type
1753 1 program and the equal opportunity resolution contract program during fiscal year 2011 and
1754 federal reimbursements received for these and other programs in prior years; provided, that
1755 notwithstanding any general or special law to the contrary, the commission may also expend
1756 revenues generated through the collection of fees and costs so authorized; and provided further,
1757 that for the purposes of accommodating discrepancies between the receipt of retained revenues
1758 and related expenditures, the commission may incur expenses and the comptroller may certify
1759 for payment amounts not to exceed the lower of this authorization or the most recent revenue
1760 estimate as reported in the state accounting system \$1,914,224

1761 0940-0102 For the Massachusetts commission against discrimination which may
1762 expend not more than \$70,000 from revenues collected from fees charged for the training and
1763 certification of diversity trainers for the operation of the discrimination prevention certification
1764 program \$70,000

1765 COMMISSION ON THE STATUS OF WOMEN.

1766 0950-0000 For the commission on the status of women \$70,000

1767 0950-0050 For the commission on gay, lesbian, bisexual and transgender youth;
1768 provided, that funds shall be used to address issues impacting gay and lesbian youth including,
1769 but not limited to, health disparities for gay, lesbian, bisexual and transgender youth, the support
1770 and safety of gay and lesbian students and related suicide and violence prevention
1771 efforts.....\$100,000

1772 OFFICE OF THE STATE COMPTROLLER.

1773 1000-0001 For the office of the state comptroller; provided, that the amount of any
1774 federal funds and grant receipts credited and expended from this item shall be reported to the
1775 house and senate committees on ways and means; provided further, that the comptroller shall
1776 maintain a special federal and non-tax revenue unit which shall operate under policies and
1777 procedures developed in conjunction with the secretary of administration and finance; provided
1778 further, that the comptroller shall provide quarterly reports to the house and senate committees
1779 on ways and means which shall include for each state agency for which the commonwealth is
1780 billing, the eligible state services and the full-year estimate of revenues and revenues collected;
1781 provided further, that notwithstanding any general or special law to the contrary, if the
1782 comptroller receives notification from any member of the General Court that a reporting
1783 requirement stipulated within this act has not been met the comptroller shall give immediate
1784 notice to the agency head and require the reporting requirement be met within 10 days; provided
1785 further, that the comptroller shall deduct \$1,000 from the item of appropriation which includes
1786 the late reporting requirement; and provided further, that all amounts deducted shall be deposited
1787 into the General Fund and the comptroller shall notify the house and senate committees on ways

1788 and means of all amounts so deducted; provided further, that notwithstanding any general or
1789 special law to the contrary, the comptroller may enter into contracts with private vendors to
1790 identify and pursue cost avoidance opportunities for programs of the commonwealth and to enter
1791 into interdepartmental service agreements with state agencies, as applicable, for such purpose;
1792 provided further, that 60 days before entering into any interdepartmental service agreement the
1793 comptroller shall notify the house and senate committees on ways and means; provided further,
1794 that the notification shall include, but not be limited to, a description of the project, the purpose
1795 and intent of the interdepartmental service agreement, a projection of the costs avoided in the
1796 current fiscal year, a copy of the contract with the private vendor, including the proposed rate of
1797 compensation and any previous agreements related or similar to the new agreement with the
1798 above information; provided further, that payments to private vendors on account of such cost
1799 avoidance projects shall be made only from such actual cost savings as have been certified in
1800 writing to the house and senate committees on ways and means by the comptroller and the
1801 budget director as attributable to such cost avoidance projects; provided further, that the
1802 comptroller may establish such procedures, in consultation with the budget director and the
1803 affected departments, as he deems appropriate and necessary to accomplish the purposes of this
1804 item; and provided further, that the comptroller shall submit a report on such projects as a part of
1805 his annual report pursuant to section 12 of chapter 7A of the General Laws \$7,557,188

1806 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

1807 Office of the Secretary of Administration and Finance.

1808 1100-1100 For the office of the secretary and the administration of the fiscal affairs

1809 division; provided, that the secretary shall conduct an ongoing review of affirmative action steps

1810 taken by the various agencies, boards, departments, commissions or divisions to determine
1811 whether such agencies, boards, departments, commissions or divisions are complying with the
1812 commonwealth's policies of nondiscrimination and equal opportunity; provided further, that
1813 whenever noncompliance is determined by the secretary, the secretary shall hold a public hearing
1814 on the matter and report the resulting recommendations to the head of the particular agency,
1815 board, department, commission or division, to the governor and to the Massachusetts
1816 commission against discrimination; provided further, that the secretary shall report on the status
1817 of each agency, board, department, commission or division receiving monies under this act,
1818 including supplemental and deficiency budgets, as to compliance or noncompliance with
1819 affirmative action policies to the chairs of the house and senate committees on ways and means,
1820 the joint committee on public service and the joint committee on labor and workforce
1821 development on or before December 1, 2010; and provided further, that agencies within the
1822 executive office may, with the prior approval of the secretary, streamline and improve
1823 administrative operations pursuant to interdepartmental service agreements \$3,067,205

1824 1100-1700 For the provision of information technology services within the executive
1825 office for administration and finance \$25,595,875

1826 Division of Capital Asset Management and Maintenance.

1827 1102-3205 For the division of capital asset management and maintenance which may
1828 expend for the maintenance and operation of the Massachusetts information technology center,
1829 the state transportation building and the Springfield state office building an amount not to exceed
1830 \$16,250,000 in revenues collected from rentals, commissions, fees, parking fees and any other
1831 sources pertaining to the operations of said facilities; provided, that notwithstanding any general

1832 or special law to the contrary, and for the purpose of accommodating discrepancies between the
1833 receipt of retained revenues and related expenditures, the division may incur expenses and the
1834 comptroller may certify for payment amounts not to exceed the lower of this authorization or the
1835 most recent revenue estimate, as reported in the state accounting system \$16,250,000

1836 1102-3232 For the division; provided, that the division may expend not more than
1837 \$300,000 received from application fees charged in conjunction with the certification of
1838 contractors and subcontractors pursuant to section 44D of chapter 149 of the General Laws;
1839 provided further, that only expenses, including staffing, incurred to implement and operate the
1840 certification program shall be funded from this item; and provided further, that for the purpose of
1841 accommodating discrepancies between the receipt of retained revenues and related expenditures,
1842 the division may incur expenses and the comptroller may certify for payment amounts not to
1843 exceed the lower of this authorization or the most recent revenue estimate, as reported in the
1844 state accounting system \$300,000

1845 Bureau of State Office Buildings.

1846 1102-3301 For the operation of the bureau and for the maintenance and operation of
1847 buildings under the jurisdiction of the state superintendent of state office buildings; provided,
1848 that the bureau shall retain jurisdiction over all contracts, purchases and payments for materials
1849 and services required in the operation of the bureau \$4,370,117

1850 1102-3302 For the purposes of utility costs and associated contracts for the properties
1851 managed by the bureau of state office buildings \$4,614,760

1852 1102-3306 For the maintenance and joint operation of the state house under the
1853 jurisdiction of the state superintendent of state office buildings and the legislature's joint

1854 committee on rules; provided, that the bureau shall work in coordination with the house of
1855 representatives and the senate relative to the maintenance, repair, purchases and payments for
1856 materials and services \$774,000

1857 1102-3307 For state house accessibility coordination, including communications
1858 access to public hearings and meetings; provided, that access shall include interpreter services
1859 for the deaf and hard of hearing \$138,476

1860 Office on Disability.

1861 1107-2400 For the Massachusetts office on disability \$544,989

1862 DISABLED PERSONS PROTECTION COMMISSION

1863 1107-2501 For the disabled persons protection commission; provided, that the
1864 commission shall facilitate compliance by the department of mental health and the department of
1865 developmental services with uniform investigative standards; provided further, that the
1866 commission shall report to the house and senate committees on ways and means no later than the
1867 last day of each quarter on the number of claims of abuse by caretakers made by employees or
1868 contracted service employees of the department of developmental services, the department of
1869 mental health, and the Massachusetts rehabilitation commission; provided further, that the report
1870 shall include: (a) the number of claims found to be substantiated; (b) the number of claims found
1871 to be unsubstantiated; and (c) the number of claims found to be falsely reported as a result of
1872 intentional and malicious action; and provided further, that the commission shall ensure that all
1873 calls received by the commission's 24-hour hotline shall be capable of being recorded, that all
1874 persons who call the hotline shall be immediately informed that all calls are routinely recorded

1875 and that each such person shall be provided with the opportunity to elect that the call not be
1876 recorded \$2,174,159

1877 Civil Service Commission.

1878 1108-1011 For the civil service commission; provided, that the General Fund shall be
1879 reimbursed for the appropriation herein through a fee charged on a per claim basis; provided
1880 further, that said commission shall develop and implement regulations to provide for
1881 reimbursement to the General Fund; and provided further, that the civil service commission may
1882 assess a fee upon the appointing authority when inappropriate action has occurred \$417,043

1883 Group Insurance Commission.

1884 1108-5100 For the administration of the group insurance commission; provided, that
1885 the commission shall generate the maximum amounts allowable under the federal Consolidated
1886 Omnibus Budget Reconciliation Act, as amended, and from reimbursements allowed by sections
1887 8, 10B, 10C and 12 of chapter 32A of the General Laws \$2,500,000

1888 1108-5200 For the commonwealth's share of the group insurance premium and plan
1889 costs incurred in fiscal year 2011; provided, that notwithstanding any general or special law to
1890 the contrary, funds in this item shall not be available during the accounts-payable period of fiscal
1891 year 2011, and any unexpended balance in this item shall revert to the General Fund on June 30,
1892 2011; provided further, that the secretary of administration and finance shall charge the division
1893 of unemployment assistance and other departments, authorities, agencies and divisions which
1894 have federal or other funds allocated to them for this purpose, for that portion of insurance
1895 premiums and plan costs as the secretary determines should be borne by such funds, and shall
1896 notify the comptroller of the amounts to be transferred, after similar determination, from the

1897 several state or other funds and amounts received in payment of all such charges or such
1898 transfers shall be credited to the General Fund; provided further, that funds may be expended
1899 from this item for the commonwealth's share of group insurance premium and plan costs
1900 provided to employees and retirees in prior fiscal years; provided further, that the group
1901 insurance commission shall report quarterly to the house and senate committees on ways and
1902 means the amounts expended from this item for prior year costs; provided further, that the group
1903 insurance commission shall obtain reimbursement for premium and administrative expenses
1904 from other agencies and authorities not funded by state appropriation; provided further, that the
1905 secretary of administration and finance may charge all agencies for the commonwealth's share of
1906 the health insurance costs incurred on behalf of any employees of those agencies who are on
1907 leave of absence for a period of more than 1 year; provided further, that the amounts received in
1908 payment for the charges shall be credited to the General Fund; provided further, that
1909 notwithstanding section 26 of chapter 29 of the General Laws, the commission may negotiate,
1910 purchase and execute contracts before July 1 of each year for policies of group insurance as
1911 authorized by chapter 32A of the General Laws; provided further, that notwithstanding chapter
1912 150E of the General Laws and as provided in section 8 of chapter 32A of the General Laws and
1913 for the purposes of section 14 of said chapter 32A, the commonwealth's share of the group
1914 insurance premiums for state employees who have retired before July 1, 1994, shall be 90 per
1915 cent and the commonwealth's share of the group insurance premiums for state employees who
1916 have retired on or after July 1, 1994, shall be 85 per cent; provided further, that the
1917 commonwealth's share of the group insurance premiums for active state employees hired on or
1918 before June 30, 2003, and their dependents shall be 80 per cent; provided further, that the
1919 commonwealth's share of the group insurance premiums for active state employees hired after

1920 June 30, 2003, and their dependents shall be 75 per cent; provided further, that the
1921 commonwealth's share of the group insurance premiums for active state employees who filed an
1922 application for retirement on or after August 7, 2009, and on or before October 1, 2009, for a
1923 retirement date not later than January 31, 2010, shall be 85 per cent; provided further, that the
1924 commonwealth's share of the group insurance premiums for active state employees who file an
1925 application for retirement after October 1, 2009, shall be 80 per cent until a different contribution
1926 rate is established under said section 8 of chapter 32A; provided further, that the commission
1927 shall notify the house and senate committees on ways and means by April 1 of each year of the
1928 cost of the commonwealth's projected share of group insurance premiums for the next fiscal
1929 year; provided further, that the group insurance commission may pay premium and plan costs for
1930 municipal employees and retirees who are enrolled in the group insurance commission's health
1931 plans pursuant to the commission's regulations; and provided further, that in fiscal year 2011, the
1932 group insurance commission may pay for costs for employees of the office of a transferred
1933 sheriff remaining in the county health plan and other entities for the period ending not later than
1934 November 1, 2010 \$1,160,940,774

1935 1108-5201 For the costs incurred by the group insurance commission associated with
1936 providing municipal health insurance coverage pursuant to section 19 of chapter 32B of the
1937 General Laws; provided, that the commission may expend revenues in an amount not to exceed
1938 \$950,000 from the revenue received from administrative fees associated with providing
1939 municipal health insurance coverage pursuant to said section 19 of said chapter 32B; and
1940 provided further, that notwithstanding any general or special law to the contrary, for the purpose
1941 of accommodating timing discrepancies between the receipt of revenues and related
1942 expenditures, the commission may incur expenses and the comptroller may certify for payment

1943 the amounts not to exceed the lower of this authorization or the most recent revenue estimate, as
1944 reported in the state accounting system \$950,000

1945 1108-5350 For elderly governmental retired employee premium payments
1946 \$496,458

1947 1108-5400 For the costs of the retired municipal teachers' premiums and the audit of
1948 such premiums \$75,230,149

1949 1108-5500 For the costs, notwithstanding chapter 32A of the General Laws to the
1950 contrary, of dental and vision benefits for those active employees of the commonwealth, not
1951 including employees of authorities and any other political subdivision, who are not otherwise
1952 provided those benefits pursuant to a separate appropriation or the terms of a contract or
1953 collective bargaining agreement; provided, that the employees shall pay 15 per cent of the
1954 monthly premium established by the commission for the benefits \$8,589,598

1955 Division of Administrative Law Appeals.

1956 1110-1000 For the operation of the division of administrative law appeals, established
1957 by section 4H of chapter 7 of the General Laws; provided, that the division shall maintain, to the
1958 fullest extent practicable, a complete physical and technological separation from any agency,
1959 department, board, commission or program whose decisions, determinations or actions may be
1960 appealed to it; and provided further, that every decision issued by a commissioner or other head
1961 of an agency, or his designee, following the issuance of a recommended decision by an
1962 administrative law judge of the division, shall be an agency decision subject to judicial review
1963 pursuant to chapter 30A of the General Laws \$1,099,304

1964 George Fingold Library

1965 1120-4005 For the administration of the George Fingold Library \$786,237

1966 1120-4006 For the George Fingold Library which may expend revenues collected up
 1967 to a maximum of \$2,000 from the fees charged for copying services; provided, that the library
 1968 shall submit a report that details revenue collected and expenditures made to the house and
 1969 senate committees on ways and means on or before January 1, 2011 \$2,000

1970 Department of Revenue.

1971 1201-0100 For the operation of the department of revenue, including tax collection
 1972 administration and audits of certain foreign corporations and the division of local services;
 1973 provided, that the department may allocate funds to the office of the attorney general for the
 1974 purpose of the tax prosecution unit; provided further, that the department may charge costs of
 1975 personnel and other support costs provided to the child support enforcement unit, from this item
 1976 to item 1201-0160, consistent with the costs attributable to said unit; provided further, that the
 1977 department shall provide to the general court access to the municipal data bank; provided further,
 1978 that notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by
 1979 this account shall be positions requiring the services of an incumbent, on either a full-time or less
 1980 than full-time basis beginning no earlier than December 1 and ending no later than November
 1981 30; provided further, that seasonal positions funded by this account shall not be filled by an
 1982 incumbent for more than 10 months within a 12-month period; provided further, that the
 1983 department may conduct a public awareness and education outreach campaign about state and
 1984 local tax credits, deductions, deferrals and exemptions and other tax information available to
 1985 persons age 65 and older including, but not limited to, section 6 of chapter 62 of the General

1986 Laws and section 5 of chapter 59 of the General Laws; provided further, that the department may
1987 work in conjunction with the executive office of elder affairs in disseminating information and
1988 conducting the campaign; provided further, that the department may conduct the campaign from
1989 July 1, 2010, to April 15, 2011, inclusive, and shall report their efforts to the house and senate
1990 committee on ways and means and the joint committee on elder affairs not later than May 31,
1991 2011; provided further, that funds shall be expended for 1-time, nonrecurring grants to stampers
1992 related to the implementation of section 7B of chapter 64C of the General Laws and section 3A
1993 of chapter 64H of the General Laws; provided further, that the grants shall be awarded to
1994 stampers in accordance with regulations and procedures to be developed by the department;
1995 provided further, that in awarding these grants, the department shall prioritize those applications
1996 from stampers who have already incurred implementation costs; and provided further that the
1997 department shall report to the house and senate committees on ways and means and the joint
1998 committee on revenue no later than September 30, 2010, on the regulations and procedures to be
1999 used in determining the grant awards; and provided further, that the department shall also file an
2000 interim report to the house and senate committee on ways and means and the joint committee on
2001 elder affairs not later than January 1, 2011 \$85,076,776

2002 1201-0130 For the department of revenue which may expend for the operation of the
2003 department not more than \$17,280,000 from revenues collected by the additional auditors for an
2004 enhanced audit program; provided, that the auditors shall: (1) discover and identify persons who
2005 are delinquent either in the filing of a tax return or the payment of a tax due and payable to the
2006 commonwealth; (2) obtain such delinquent returns; and (3) collect such delinquent taxes for a
2007 prior fiscal year; provided further, that notwithstanding any general or special law to the
2008 contrary, for the purpose of accommodating timing discrepancies between the receipt of retained

2009 revenues and related expenditures, the department may incur expenses and the comptroller may
2010 certify for payment amounts not to exceed the lower of this authorization or the most recent
2011 revenue estimate as reported in the state accounting system; and provided further, that the
2012 department shall submit quarterly reports to the house and senate committees on ways and means
2013 that shall include, but not be limited to, the following: (1) the amount of revenue produced from
2014 these additional auditors; and (2) the amount of revenue produced by this item in fiscal years
2015 2007, 2008, 2009 and 2010 \$17,280,000

2016 1201-0131 For municipal and school district regionalization; provided, that the
2017 division of local services shall, in conjunction with the department of elementary and secondary
2018 education when appropriate, work to promulgate regulations to implement this item not later than
2019 September 1, 2010 \$2,000,000

2020 1201-0160 For child support enforcement; provided, that the department may allocate
2021 funds appropriated herein to the department of state police, the district courts, the probate and
2022 family courts, the district attorneys and other state agencies for the performance of certain child
2023 support enforcement activities, and those agencies may expend the funds for the purposes of this
2024 item; provided further, that all such allocations shall be reported quarterly to the house and
2025 senate committees on ways and means upon the allocation of the funds; provided further, that the
2026 federal receipts associated with the child support computer network shall be drawn down at the
2027 highest possible rate of reimbursement and deposited into a revolving account to be expended for
2028 the network; provided further, that federal receipts associated with child support enforcement
2029 grants shall be deposited into a revolving account to be drawn down at the highest possible rate
2030 of reimbursement and to be expended for the grant authority; provided further, that the
2031 department shall file quarterly reports with the house and senate committees on ways and means,

2032 detailing the balance, year-to-date and projected receipts and year-to-date and projected
2033 expenditures, by subsidiary, of the child support trust fund established pursuant to section 9 of
2034 chapter 119A of the General Laws; and provided further, that notwithstanding any general or
2035 special law to the contrary, for the purpose of accommodating timing discrepancies between the
2036 receipt of revenues and related expenditures, the department may incur expenses and the
2037 comptroller may certify for payment the amounts not to exceed the lower of this authorization or
2038 the most recent revenue estimate as reported in the state accounting system for federal incentives
2039 and said network in accounts 1201-0161, 1201-0410, and 1201-0412 \$36,693,379

2040 1201-0164 For the child support enforcement division; provided, that the division
2041 may expend revenues in an amount not to exceed \$6,547,280 from the federal reimbursements
2042 awarded for personnel and lower subsidiary related expenditures; and provided further, that
2043 notwithstanding any general or special law to the contrary, for the purpose of accommodating
2044 timing discrepancies between the receipt of revenues and related expenditures, the department
2045 may incur expenses and the comptroller may certify for payment the amounts not to exceed the
2046 lower of this authorization or the most recent revenue estimate, as reported in the state
2047 accounting system \$6,547,280

2048 1232-0100 For underground storage tank reimbursements to parties that have
2049 remediated spills of petroleum products pursuant to chapter 21J of the General Laws: provided,
2050 that in the prioritization of claims, payment of approved claims shall be as follows: claimant
2051 owns, or formerly owned, at least 1 but not more than 2 dispensing facilities; then payment to
2052 claimant who owns 3 but not more than 5 facilities; then payment to claimant who owns 6 but
2053 not more than 9 facilities; then payment to claimant who owns more than 9 facilities; and

2054 provided further that, not more than 50 percent of this appropriation shall be allocated to
2055 approved claimants prior to January 1, 2011 \$13,099,454

2056 1232-0200 For the Underground Storage Tank Petroleum Cleanup Fund
2057 Administrative Review Board established by section 8 of chapter 21J of the General Laws and
2058 for the administration of the underground storage tank program associated with the
2059 implementation of said chapter 21J; provided, that notwithstanding section 4 of said chapter 21J
2060 or any other general or special law to the contrary, appropriations made in this item shall be
2061 sufficient to cover the administrative expenses of the underground storage tank program

2062 \$1,100,000

2063 1233-2000 For the tax abatement program for certain veterans, widows, blind persons
2064 and the elderly; provided, that cities and towns shall be reimbursed for the abatements granted
2065 under clauses Seventeenth, Twenty-second, Twenty-second A, Twenty-second B, Twenty-
2066 second C, Twenty-second D, Twenty-second E, Thirty-seventh, Thirty-seventh A, Forty-first,
2067 Forty-first B, Forty-first C, Forty-first C 1/2 and Fifty-second of section 5 of chapter 59 of the
2068 General Laws; provided further, that the commonwealth shall reimburse each city or town that
2069 accepts said clause Forty-first B or said clause Forty-first C for additional costs incurred in
2070 determining eligibility of applicants under those clauses in an amount not to exceed \$2 per
2071 exemption granted; and provided further, that funds in this item shall be available for
2072 reimbursements to cities and towns for additional exemptions from the motor vehicle excise
2073 granted pursuant to the seventh paragraph of section 1 of chapter 60A of the General Laws

2074 \$25,301,475

2075 1233-2350 For the distribution to cities and towns of the balance of the State Lottery
2076 Fund in accordance with clause (c) of the second paragraph of section 35 of chapter 10 of the
2077 General Laws, and additional aid to municipalities, as provided for in section 3 \$898,980,293

2078 1233-2400 For reimbursements to cities and towns in lieu of taxes on state-owned
2079 land pursuant to sections 13 to 17, inclusive, of chapter 58 of the General Laws \$27,270,000

2080 Appellate Tax Board.

2081 1310-1000 For the operation of the appellate tax board; provided, that the board shall
2082 schedule hearings in Barnstable, Gardner, Lawrence, Milford, Northampton, Pittsfield,
2083 Springfield, Worcester and southeastern Massachusetts; and provided further, that the board shall
2084 report to the house and senate committees on ways and means not later than December 1, 2010,
2085 on the number of hearings held at each location \$1,736,891

2086 1310-1001 For the appellate tax board which may expend revenues up to a maximum
2087 of \$400,000 from fees collected; provided, that in order to accommodate discrepancies between
2088 the receipt of retained revenues and related expenditures, the board may incur expenses and the
2089 comptroller may certify for payment amounts not to exceed the lower of this authorization or the
2090 most recent revenue estimate as reported in the state accounting system \$400,000

2091 Reserves.

2092 1599-0016 For a task force to prevent fraud, waste and abuse and to assist in the
2093 recovery of funds where fraud, waste or abuse is detected \$250,000

2094 1599-0025 For the secretary of administration and finance to provide the
2095 commonwealth's customers with the convenience of expanded access to internet payment

2096 options and to improve revenue collections and cash flow; provided, that the secretary may
 2097 expend an amount not to exceed \$1,000,000 collected from payments made electronically to
 2098 subsidize the costs associated with processing those payments; and provided further, that the
 2099 secretary, in consultation with the comptroller, may enter into agreements with state agencies to
 2100 provide for an electronic transaction fee subsidy, which shall be structured to expire after 3 years
 2101 \$1,000,000

2102 1599-0050 Route 3 North contract assistance payments \$9,625,000

2103 Commonwealth Transportation Fund...100%

2104 1599-0093 For contract assistance to the water pollution abatement trust for debt
 2105 service obligations of the trust, pursuant to sections 6, 6A and 18 of chapter 29C of the General
 2106 Laws \$67,900,000

2107 1599-1027 For a reserve for reimbursement to certain employees of the
 2108 commonwealth for certain increases in health care cost-sharing expenditures \$19,806,288

2109 1599-1701 For a reserve for the state share of cost to certain municipalities and
 2110 municipal light plants as identified by the Federal Emergency Management Agency for
 2111 Emergency Declaration 3296 relating to the December 2008 severe winter storm, for the counties
 2112 of Berkshire, Bristol, Essex, Franklin, Hampden, Hampshire, Middlesex, Suffolk and Worcester
 2113 \$6,300,000

2114 1599-1970 For a reserve for the Massachusetts Department of Transportation for the
 2115 purpose of defraying costs of the Massachusetts Turnpike Authority, or its successor, incurred in
 2116 fiscal year 2011 under section 138 of chapter 27 of the acts of 2009 \$125,000,000

2117 Commonwealth Transportation Fund...100%

2118 1599-1977 For a reserve for contract assistance to the Massachusetts Development
2119 Finance Agency for payment of debt service and other obligations of the agency in connection
2120 with the Massachusetts Development Finance Agency special obligation bonds series 2010A
2121 under chapter 293 of the acts of 2006 \$1,000,000

2122 1599-3234.. For the commonwealth's South Essex sewerage district debt service
2123 assessment \$89,763

2124 1599-3384 For a reserve for the payment of certain court judgments, settlements and
2125 legal fees, in accordance with regulations promulgated by the comptroller, which were ordered to
2126 be paid in the current fiscal year or a prior fiscal year; provided, that the comptroller shall report
2127 quarterly to the house and senate committees on ways and means on the amounts expended from
2128 this item \$5,000,000

2129 1599-3856 For rent and associated costs at the Massachusetts information technology
2130 center in the city of Chelsea \$600,000

2131 1599-4281 For certain collective bargaining costs, including the cost of salary
2132 adjustments and other economic benefits authorized by the collective bargaining agreements
2133 between the Commonwealth of Massachusetts and the National Association of Government
2134 Employees Union, Units 1, 3 and 6 for fiscal year 2011 \$4,156,899

2135 1599-4282 For certain collective bargaining costs, including the cost of salary
2136 adjustments and other economic benefits authorized by the collective bargaining agreements

2137 between the Commonwealth of Massachusetts and the Service Employees International Union,
2138 Local 509, Units 8 and 10 for fiscal year 2011 9,562,523

2139 1599-4283 For certain collective bargaining costs, including the cost of salary
2140 adjustments and other economic benefits authorized by the collective bargaining agreements
2141 between the Commonwealth of Massachusetts and the American Association of Federal, State,
2142 County and Municipal Employees Union, Council 93, Unit 2 for fiscal year 2011 \$2,933,636

2143 1599-4284 For certain collective bargaining costs, including the cost of salary
2144 adjustments and other economic benefits authorized by the collective bargaining agreements
2145 between the Commonwealth of Massachusetts and the Massachusetts Organization of State
2146 Engineers and Scientists, Unit 9 for fiscal year 2011 \$744,420

2147 1599-4285 For certain collective bargaining costs, including the cost of salary
2148 adjustments and other economic benefits authorized by the collective bargaining agreements
2149 between the Commonwealth of Massachusetts and the Service Employees International Union,
2150 Local 888 for fiscal year 2011 \$246,837

2151 1599-4286 For certain collective bargaining costs, including the cost of salary
2152 adjustments and other economic benefits authorized by the collective bargaining agreement
2153 between the commonwealth and the Berkshire Registries of Deeds – Service Employees
2154 International Union, Local 888; Essex North/South Registry of Deeds – American Association of
2155 Federal, State, County and Municipal Employees, Council 653; Hampden Registry of Deeds –
2156 Office of Professional Employees International Union, Local 6; Middlesex South Registry of
2157 Deeds – Office of Professional Employees International Union, Local 6; Suffolk Registry of

2158 Deeds – Service Employees International Union, Local 888; Worcester North Registry of Deeds
2159 – Service Employees International Union, Local 888 for fiscal year 2011 \$76,082

2160 1599-4704 For a reserve for certain payments associated with the costs of chapter 61 of
2161 the acts of 2009; provided, that any spending from this account shall be used solely for costs
2162 associated with the annual operations of the transferred sheriffs’ departments and not for capital
2163 projects; provided further, that funds shall be expended for transferred sheriffs’ existing
2164 obligations for payments in lieu of taxes; provided further, that the secretary of administration
2165 and finance shall file a report with the house and senate committees on ways and means not less
2166 than 30 days prior to the transfer of any funds from this reserve to an appropriation of a
2167 transferred sheriff; provided further, that this report shall include the requesting department, the
2168 amount requested by that department, the amount decided to be transferred to the requesting
2169 department and the planned use of the requested funds, specifying the object classes into which
2170 the funds will be transferred; and provided further, that any funds transferred under this item
2171 shall not be subject to section 29 of chapter 29..... \$10,300,000

2172 Division of Human Resources.

2173 1750-0100 For the operation of the human resources division and the costs of
2174 administration, training, and customer support related to the commonwealth’s human resources
2175 and compensation management system; provided, that the information technology division shall
2176 continue a chargeback system for its bureau of computer services, including the operation of the
2177 commonwealth’s human resources and compensation management system, which complies with
2178 the requirements of section 2B; provided further, that the division shall be responsible for the
2179 administration of examinations for state and municipal civil service titles, establishment of

2180 eligible lists, certification of eligible candidates to state and municipal appointing authorities and
2181 technical assistance in selection and appointment to state and municipal appointing authorities;
2182 provided further, that notwithstanding clause (n) of section 5 of chapter 31 of the General Laws
2183 or any other general or special law to the contrary, the secretary of administration and finance
2184 shall charge a fee of not less than \$50 to be collected from each applicant for a civil service
2185 examination; provided further, that the division shall administer a program of state employee
2186 unemployment management, including, but not limited to, agency training and assistance;
2187 provided further, that the division shall administer the statewide classification system, including,
2188 but not limited to, maintaining a classification pay plan for civil service titles within the
2189 commonwealth in accordance with generally accepted compensation standards and reviewing
2190 appeals for reclassification; provided further, that the secretary of administration and finance
2191 shall file with the house and senate committees on ways and means the amounts of any economic
2192 benefits necessary to fund any incremental cost items contained in any collective bargaining
2193 agreements with the various classified public employees' unions; provided further, that the
2194 nature and scope of economic proposals contained in those agreements shall include all fixed
2195 percentage or dollar-based salary adjustments, non-base payments or other forms of
2196 compensation and all supplemental fringe benefits resulting in any incremental costs; and
2197 provided further, that any employee of the commonwealth who chooses to participate in a bone
2198 marrow donor program shall be granted a leave of absence with pay to undergo the medical
2199 procedure and for associated physical recovery time, but this leave shall not exceed 5 days

2200 \$2,815,447

2201 1750-0102 For the human resources division which may expend not more than
2202 \$2,031,977 from revenues collected from fees charged to applicants for civil service and non-

2203 civil service examinations and fees charged for the costs of goods and services rendered in
2204 administering training programs; provided, that the division shall collect from participating non-
2205 state agencies, political subdivisions and the general public, fees sufficient to cover all costs of
2206 the programs, including, but not limited to, a fee to be collected from each applicant for a civil
2207 service examination or non-civil service examination, notwithstanding clause (n) of section 5 of
2208 chapter 31 of the General Laws or any other general or special law to the contrary; provided
2209 further, that the human resources division may also expend revenues collected for
2210 implementation of the health and physical fitness standards program established pursuant to
2211 sections 61A and the wellness program established pursuant to section 61B of chapter 31 of the
2212 General Laws and those programs in chapter 32 of the General Laws; provided further, that the
2213 personnel administrator shall charge a fee of not less than \$50 to be collected from each
2214 applicant who participates in the physical ability test; provided further, that the human resources
2215 division shall submit a semi-annual report to the house and senate committees on ways and
2216 means detailing all expenditures on the program including, but not limited to, the costs of
2217 personnel, consultants, administration of the wellness program, establishment of standards and
2218 any other related costs of the program; provided further, that notwithstanding any general or
2219 special law to the contrary, for the purpose of accommodating timing discrepancies between the
2220 receipt of retained revenues and related expenditures, the division may incur expenses and the
2221 comptroller may certify for payment amounts not to exceed the lower of this authorization or the
2222 most recent revenue estimate as reported in the state accounting system; and provided further,
2223 that the division shall report to the house and senate committees on ways and means by February
2224 1, 2011, on the projected costs of the program for fiscal year 2011 \$2,031,977

2225 1750-0119 For payment of workers' compensation benefits to certain former
2226 employees of Middlesex and Worcester counties; provided, that the division shall routinely
2227 recertify the former employees pursuant to current workers' compensation procedures

2228 \$52,057

2229 1750-0300 For the commonwealth's contributions in fiscal year 2011 to health and
2230 welfare funds established pursuant to certain collective bargaining agreements; provided, that the
2231 contributions shall be calculated as provided in the applicable collective bargaining agreement
2232 and shall be paid to the health and welfare trust funds on a monthly basis or on such other basis
2233 as the applicable collective bargaining agreement provides \$26,950,000

2234 Operational Services Division.

2235 1775-0100 For the operation of the operational services division; provided, that the
2236 division shall expend funds for the purpose of achieving savings pursuant to this act; provided
2237 further, that notwithstanding any general or special law to the contrary, the bureau of purchased
2238 services of the operational services division which is responsible under section 22N of chapter 7
2239 of the General Laws for determining prices for programs under chapter 71B of the General Laws,
2240 shall set the prices in fiscal year 2011 by increasing the final fiscal year 2010 price by the rate of
2241 inflation as determined by the division for fiscal year 2011; provided further, that the prices
2242 determined by the bureau of purchased services, or pursuant to its methods, for programs
2243 pursuant to said chapter 71B shall be set for fiscal year 2011 not later than July 15, 2010;
2244 provided further, that the division shall also adjust prices for extraordinary relief, as provided in
2245 808 CMR 1.06(4); provided further, that programs for which prices in fiscal year 2010 were
2246 lower than the full amount permitted by the division may charge in fiscal year 2011 the full price

2247 authorized for fiscal year 2010; provided further, that upon the request of a program, the division
2248 shall determine the minimum price for out-of-state purchasers by identifying the most recent
2249 price calculated for the program and applying the estimated rates of inflation which are
2250 established by December 1 of each year pursuant to said section 22N of said chapter 7 in a
2251 compounded manner for each fiscal year following the most recent calculated price; and
2252 provided further, that the division shall accept and process applications for program
2253 reconstruction for fiscal year 2011 to be considered for rate adjustment in fiscal year 2012

2254 \$814,809

2255 1775-0115 For the operational services division; provided, that the division may
2256 expend for the purpose of procuring, managing and administering statewide contracts an amount
2257 not to exceed \$1,400,000 from revenue collected from the statewide contract administrative fee;
2258 and provided further, that for the purpose of accommodating discrepancies between the receipt of
2259 retained revenues and related expenditures, the operational services division may incur expenses
2260 and the comptroller may certify for payment amounts not to exceed the lower of this
2261 authorization or the most recent revenue estimate as reported in the state accounting system,
2262 including the costs of personnel \$1,400,000

2263 1775-0124 For the operational services division; provided, that the division may
2264 expend an amount not to exceed \$500,000 from revenue collected in the recovery of cost-
2265 reimbursement and non-reimbursable over billing and recoupment for health and human service
2266 agencies and as a result of administrative reviews, as determined during the division's audits and
2267 reviews of providers pursuant to section 274 of chapter 110 of the acts of 1993; and provided
2268 further, that the division may only retain revenues collected in excess of \$207,350 \$500,000

2269 1775-0200 For the operation and administration of the supplier diversity office;
2270 provided, that the office shall provide training and other services to supplier diversity office
2271 certified minority- and women-owned businesses, which allows them to better compete for state
2272 contracts and also ensures that equitable practices and policies in the public marketplace are
2273 maintained; provided further, that the office shall administer an electronic business certification
2274 application which shall be accessible to business applicants through use of the internet; provided
2275 further, that the office shall ensure the integrity and security of personal and financial
2276 information transmitted by electronic application; provided further, that the office shall, using all
2277 existing available resources, provide certification services to all supplier diversity office
2278 qualified applicants, throughout the commonwealth and beyond; provided further, that the office
2279 shall develop and implement measures and procedures to continue to improve the efficiency and
2280 the timeliness of the certification process; and provided further, that the operational services
2281 division may fund the affirmative market program from this item \$660,060

2282 1775-0600 For the operational services division; provided, that the division may
2283 expend not more than \$805,000 in revenues from the sale of state and federal surplus personal
2284 property and the disposal of surplus motor vehicles, including, but not limited to, state police
2285 vehicles from vehicle accident and damage claims and from manufacturer warranties, rebates
2286 and settlements for the payment, expenses and liabilities for the acquisition, warehousing,
2287 allocation and distribution of surplus property and the purchase of motor vehicles; provided
2288 further, that the division shall evaluate the use of technology, the internet, and online auctions to
2289 enhance the sales of surplus vehicles and submit a report of its findings to the house and senate
2290 committees on ways and means, and the house and senate committees on post audit and
2291 oversight on or before October 1, 2010; and provided further, that for the purpose of

2292 accommodating discrepancies between the receipt of retained revenues and related expenditures,
2293 the operational services division may incur expenses and the comptroller may certify for
2294 payment amounts not to exceed the lower of this authorization or the most recent revenue
2295 estimate as reported in the state accounting system, including the costs of personnel

2296 \$805,000

2297 1775-0700 For the operational services division; provided, that the division may
2298 expend not more than \$53,000 in revenues collected in addition to the amount authorized in item
2299 1775-1000 of section 2B for printing, photocopying, related graphic art or design work and other
2300 reprographic goods and services provided to the general public, including all necessary
2301 incidental expenses \$53,000

2302 Information Technology Division.

2303 1790-0100 For the operation of the information technology division; provided, that
2304 the division shall continue a chargeback system for its bureau of computer services, including the
2305 operation of the commonwealth's human resources and compensation management system,
2306 which complies with the requirements of section 2B; provided further, that the division shall
2307 develop a formula to determine the cost that will be charged to each agency for its use of the
2308 human resources and compensation management system; provided further, that the division may
2309 coordinate with any state agency or state authority which administers a grant program to develop
2310 a statewide grant information page on the commonwealth's official website, that shall include all
2311 necessary application forms and a grant program reference in a format that is retrievable and
2312 printable; provided further, that the division shall continue conducting audits and surveys to
2313 identify and realize savings in the acquisition and maintenance of communications lines;

2314 provided further, that the commissioner shall file a status report with the house and senate
2315 committees on ways and means by May 31, 2011, with actual and projected savings and
2316 expenditures for the audits in the fiscal year ending June 30, 2011; provided further, that the state
2317 comptroller shall establish accounts and procedures as he deems appropriate and necessary to
2318 assist in accomplishing the purposes of this item; provided further, that any planned information
2319 technology development project or purchase by any agency under the authority of the governor
2320 for which the total projected cost exceeds \$200,000, including the cost of any related hardware,
2321 software, or consulting fees, and regardless of fiscal year or source of funds, shall be reviewed
2322 and approved by the chief information officer before such agency may obligate funds for the
2323 project or purchase; provided further, that the chief information officer may establish rules and
2324 procedures necessary to implement this item; and provided further, that the division shall file a
2325 report by secretariat with the house and senate committees on ways and means not later than
2326 December 15, 2010, that shall include, but not be limited to, the following: (a) financial
2327 statements detailing savings realized from the consolidation of information technology services
2328 within each executive office; (b) the number of personnel assigned to the information technology
2329 services within each executive office; and (c) efficiencies that have been achieved from the
2330 sharing of resources \$3,726,477

2331 1790-0150 For the operation of the geographic information system pursuant to
2332 subsection (d) of section 4B of chapter 21A of the General Laws \$70,000

2333 1790-0151 For the division of information technology which may expend an amount
2334 not to exceed \$55,000 from fees charged to entities other than political subdivisions of the
2335 commonwealth for the distribution of digital cartographic and other data \$55,000

2336 1790-0300 For the information technology division which may expend not more than
2337 \$554,730 from revenues collected from the provision of computer resources and services to the
2338 general public for the costs of the bureau of computer services, including the purchase, lease or
2339 rental of telecommunications lines, services and equipment \$554,730

2340 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS.

2341 Office of the Secretary.

2342 2000-0100 For the operation of the office of the secretary of energy and
2343 environmental affairs, including the water resources commission, the hazardous waste facility
2344 site safety council, the coastal zone management program, environmental impact reviews
2345 conducted pursuant to chapter 30 of the General Laws and the mosquito-borne disease vector
2346 control chapter program; provided, that the executive office shall engage in a program of
2347 collaborative research with academic institutions that apply satellite and other technologies in an
2348 innovative manner to an existing methodological model previously used in other fisheries to
2349 assess the biomass of groundfish in the region managed by the New England Fishery
2350 Management Council; provided further, that the executive office shall execute a memorandum of
2351 agreement with any such academic institution not later than 30 days after the effective date of
2352 this act; and provided further, that the memorandum shall require the timely production of
2353 information for use in the fisheries management process \$6,136,178

2354 2000-1700 For the operation of information technology services within the executive
2355 office of energy and environmental affairs \$7,953,102

2356 2030-1000 For the operation of the office of environmental law enforcement;
2357 provided, that officers shall provide monitoring pursuant to the National Shellfish Sanitation

2358 Program; and provided further, that funds from this item shall not be expended for the purposes
2359 of item 2030-1004 \$8,875,325

2360 2030-1004 For environmental police private details; provided, that the office may
2361 expend revenues of up to \$215,000 collected from the fees charged for private details; and
2362 provided further, that notwithstanding any general or special law to the contrary, for the purpose
2363 of accommodating timing discrepancies between the receipt of retained revenues and related
2364 expenditures, the department may incur expenses and the comptroller may certify for payment
2365 amounts not to exceed the lower of this authorization or the most recent revenue estimate as
2366 reported in the state accounting system \$215,000

2367 Department of Public Utilities.

2368 2100-0012 For the operation of the department of public utilities; provided, that
2369 notwithstanding the second sentence of the first paragraph of section 18 of chapter 25 of the
2370 General Laws, the assessments levied for fiscal year 2011 under said first paragraph shall be
2371 made at a rate sufficient to produce the amount expended from this item as well as the associated
2372 fringe benefits costs for personnel paid from this item \$7,632,539

2373 2100-0013 For the operation of the transportation division \$375,051

2374 2100-0014 For the department of public utilities which may expend for the operation
2375 of the energy facilities siting board an amount not to exceed \$100,000 from application fees
2376 collected in fiscal year 2011 and prior fiscal years from utility companies \$100,000

2377 2100-0015 For the department of public utilities which may expend for the operation
2378 of the transportation division an amount not to exceed \$2,300,000 from unified carrier

2379 registration fees collected in fiscal year 2011 and prior fiscal years from motor carrier companies
2380 \$2,300,000

2381 2100-0016 For the department of public utilities to regulate steam distribution
2382 companies; provided, that notwithstanding section 18A of chapter 25 of the General Laws, the
2383 assessments levied for fiscal year 2011 shall be made at a rate sufficient to produce the amount
2384 expended from this item and the associated fringe benefits costs for personnel paid from this
2385 item \$300,000

2386 Department of Environmental Protection.

2387 2200-0100 For the operation of the department of environmental protection, including
2388 the environmental strike force, the bureau of policy and planning, the bureau of resource
2389 protection, the bureau of waste prevention, the Senator William X. Wall experimental station,
2390 and a contract with the University of Massachusetts for environmental research; provided, that
2391 section 3B of chapter 7 of the General Laws shall not apply to fees established pursuant to
2392 section 18 of chapter 21A of the General Laws \$26,446,561

2393 2200-0102 For the department of environmental protection which may expend an
2394 amount not to exceed \$260,812 from revenues collected from fees collected from wetland
2395 permits; provided, that notwithstanding any general or special law to the contrary, for the
2396 purpose of accommodating timing discrepancies between the receipt of revenues and related
2397 expenditures, the department may incur expenses and the comptroller may certify for payment
2398 the amounts not to exceed the lower of this authorization or the most recent revenue estimate as
2399 reported in the state accounting system; provided further, that the department shall submit a
2400 report not later than January 11, 2011 on implementation of the wetlands fee, the amount of the

2401 fee increase and the revenue collected pursuant thereto; and provided further, that the wetlands
2402 fees directed into the General Fund shall not be lower than the amount deposited at the end of
2403 fiscal year 2004 \$260,812

2404 2200-0107 For recycling and related purposes consistent with the recycling plan of
2405 the solid waste master plan and redemption centers; provided, that the department of
2406 environmental protection shall expend a portion of the funds appropriated in this item for a
2407 program to preserve the continuing ability of redemption centers to maintain operations in
2408 pursuit of the commonwealth's recycling goals consistent with section 323 of chapter 94 of the
2409 General Laws; provided further, that for the purposes of this item and said chapter 94, a
2410 redemption center shall be any business registered with the commonwealth whose primary
2411 purpose is the redemption of reusable beverage containers; provided further, that the redemption
2412 program shall take into consideration the volume of redeemables per redemption center, the
2413 length of time the center has been in operation, the number of returnables redeemed quarterly by
2414 the centers, the submission by the centers of documentation of their redeemed returnables to the
2415 department and the costs of transportation, packing, storage and labor; provided further, that a
2416 redemption center shall be eligible for the funds if registered with the commonwealth as of April
2417 1, 2003; and provided further, that funds may be expended for a recycling industry
2418 reimbursement program pursuant to section 241 of chapter 43 of the acts of 1997 \$550,000

2419 2210-0105 For the department of environmental protection which may expend for the
2420 administration and implementation of chapter 21I of the General Laws an amount not to exceed
2421 \$3,051,198 from the revenue collected from fees, penalties, grants and tuition under said chapter
2422 21I; provided, that not less than \$1,657,449 from this item shall be made available for the
2423 operation of the Toxics Use Reduction Institute program at the University of Massachusetts at

2424 Lowell; provided further, that the department shall enter into an interagency service agreement
2425 with the University of Massachusetts to make such funding available for this purpose; provided
2426 further, that not less than \$562,567 from this item shall be made available for toxics use
2427 reduction technical assistance and technology in accordance with said chapter 21I; provided
2428 further, that the department shall submit a report to the house and senate committees on ways
2429 and means not later than February 1, 2011, detailing the status of the department's progress in
2430 meeting the statutory and regulatory deadlines associated with said chapter 21I and detailing the
2431 number of full-time equivalent positions assigned to various implementation requirements of
2432 said chapter 21I; provided further, that the department shall enter into an interagency service
2433 agreement with the executive office of energy and environmental affairs to make such funding
2434 available for this purpose; and provided further, that notwithstanding any general or special law
2435 to the contrary, for the purpose of accommodating timing discrepancies between the receipt of
2436 revenues and related expenditures, the department may incur expenses and the comptroller may
2437 certify for payment the amounts not to exceed the lower of this authorization or the most recent
2438 revenue estimate as reported in the state accounting system
2439 \$3,051,198

2440 2220-2220 For the administration and implementation of the federal Clean Air Act,
2441 including the operating permit program, the emissions banking program, the auto-related state
2442 implementation program, the low emission vehicle program, the non-auto-related state
2443 implementation program and the commonwealth's commitments under the New England
2444 Governors/Eastern Canadian Premiers Action Plans for reducing acid rain deposition and
2445 mercury emissions \$898,058

2446 2220-2221 For the administration and implementation of the operating permit and
 2447 compliance program required under the federal Clean Air Act \$1,657,263

 2448 2250-2000 For the purpose of state implementation of the federal Safe Drinking
 2449 Water Act under section 18A of chapter 21A of the General Laws \$1,464,896

 2450 2260-8870 For the expenses of the hazardous waste cleanup and underground storage
 2451 tank programs, notwithstanding section 4 of chapter 21J of the General Laws \$13,917,285

 2452 2260-8872 For the brownfields site audit program \$1,030,305

 2453 2260-8881 For the operation of the board of registration of hazardous waste site
 2454 cleanup professionals, notwithstanding section 19A of chapter 21A of the General Laws
 2455 \$341,719

 2456 Department of Fish and Game.

 2457 2300-0100 For the office of the commissioner; provided, that the commissioner's
 2458 office shall assess and receive payments from the division of marine fisheries, the division of
 2459 fisheries and wildlife, the public access board, the division of ecological restoration and
 2460 riverways programs and all other programs under the control of the department of fish and game;
 2461 provided further, that the purpose of those assessments shall be to cover appropriate
 2462 administrative costs of the department, including but not limited to payroll, personnel, legal and
 2463 budgetary costs; and provided further, that the amount and contribution from each division or
 2464 program shall be determined by the commissioner of fish and game \$639,070

 2465 2300-0101 For a division of ecological restoration and riverways protection program,
 2466 for the promotion of public access to rivers, wetland restoration, including grants to public and

2467 nonpublic entities; provided, that the positions funded in this item shall not be subject to chapter
2468 31 of the General Laws \$390,002

2469 2310-0200 For the administration of the division of fisheries and wildlife, including
2470 expenses of the fisheries and wildlife board, the administration of game farms and wildlife
2471 restoration projects, for wildlife research and management, the administration of fish hatcheries,
2472 the improvement and management of lakes, ponds and rivers, for fish and wildlife restoration
2473 projects, the commonwealth's share of certain cooperative fisheries and wildlife programs and
2474 for certain programs reimbursable under the federal Aid to Fish and Wildlife Restoration Act;
2475 provided, that funds from this item shall be made available to the University of Massachusetts
2476 Amherst for the purposes of wildlife and fisheries research in an amount not to exceed the
2477 amount received in fiscal year 2010 for such research; provided further, that the department may
2478 expend the amount necessary to restore anadromous fish in the Connecticut and Merrimack river
2479 systems; provided further, that expenditures for such programs shall be contingent upon prior
2480 approval of the proper federal authorities for reimbursement of at least 75 per cent of the amount
2481 so expended; and provided further, that funds shall be expended for the natural heritage and
2482 endangered species program \$9,235,455

2483 Inland Fisheries and Game Fund...100%

2484 2310-0306 For the hunter safety training program \$401,130

2485 Inland Fisheries and Game Fund...100%

2486 2310-0316 For the purpose of land containing wildlife habitat and for the costs of the
2487 division of fisheries and wildlife directly related to the administration of the wildlands stamp
2488 program pursuant to sections 2A and 2C of chapter 131 of the General Laws; provided, that

2489 funds shall not be expended from this item in the AA object class for the compensation of state
 2490 employees assigned to any item \$1,000,000

 2491 Inland Fisheries and Game Fund...100%

 2492 2310-0317 For the waterfowl management program established pursuant to section 11
 2493 of chapter 131 of the General Laws \$45,000

 2494 Inland Fisheries and Game Fund...100%

 2495 2320-0100 For the administration of the public access board, including the
 2496 maintenance, operation and improvements of public access land and water areas; provided, that
 2497 positions funded in this item shall not be subject to chapter 31 of the General Laws
 2498 \$469,678

 2499 2330-0100 For the operation of the division of marine fisheries, including expenses of
 2500 the Annisquam river marine research laboratory, marine research programs, a commercial
 2501 fisheries program, a shellfish management program, including coastal area classification,
 2502 mapping and technical assistance and for the operation of the Newburyport shellfish purification
 2503 plant and shellfish classification program; provided, that funds shall be expended on a
 2504 recreational fisheries program to be reimbursed by federal funds; provided further, that the sum
 2505 expended for the school for marine science and technology for research to minimize the
 2506 economic impact of new fisheries management regulations shall not be reduced from fiscal year
 2507 2010 levels except in proportion to adjustments consistent with the department's budget
 2508 adjustments; and provided further, that the division shall continue to develop strategies to
 2509 improve federal regulations governing the commercial fishing industry so as to promote
 2510 sustainable fisheries \$4,450,133

2511 2330-0120 For the division of marine fisheries for a program of enhancement and
2512 development of marine recreational fishing and related programs and activities, including the
2513 cost of equipment maintenance, staff and the maintenance and updating of data \$538,956

2514 2330-0121 For the division of marine fisheries to utilize reimbursable federal
2515 sportfish restoration funds to further develop marine recreational fishing and related programs,
2516 including the costs of activities that increase public access for marine recreational fishing,
2517 support research on artificial reefs and otherwise provide for the development of marine
2518 recreational fishing; provided, that the division of marine fisheries may expend revenues up to
2519 \$217,989 collected from federal sportfish restoration funds and from the sale of materials which
2520 promote marine recreational fishing \$217,989

2521 2330-0200. For the administration and operation of the saltwater fishing permit
2522 program, in accordance with chapter 161 of the acts of 2009 \$101,500

2523 Marine Recreational Fisheries Development Fund...100%

2524 Department of Agricultural Resources.

2525 2511-0100 For the operation of the department of agricultural resources, including the
2526 division of administration, the expenses of the board of agriculture, the division of dairy services,
2527 division of regulatory services, the division of animal health, the division of agricultural
2528 technical assistance, the division of crop management and inspectional services, including a
2529 program of laboratory services at the University of Massachusetts Amherst, the pesticides board
2530 and the division of agricultural development and fairs; provided, that funds may be expended to
2531 enhance the buy local effort in western, central, northeastern and southern Massachusetts
2532 provided, however, that funds may be expended for the statewide 4-H program\$4,520,130

2533 2511-0105 For the purchase of supplemental foods for the emergency food assistance
2534 program within the feeding America nationally-certified food bank system of Massachusetts;
2535 provided, that the funds appropriated herein shall reflect the feeding America allocation formula,
2536 to benefit the 4 regional food banks in the commonwealth; and provided further, that the
2537 department may assess an administrative charge not to exceed 2 per cent of the total
2538 appropriation herein \$11,500,000

2539 2511-3002 For the integrated pest management program\$47,560
2540 Department of Conservation and Recreation.

2541 2800-0100 For the operation of the department of conservation and recreation;
2542 provided, that said department shall enter into an interagency service agreement with the
2543 department of state police to provide police coverage on department of conservation and
2544 recreation properties and parkways; provided further, that the department of state police shall
2545 reimburse said department of conservation and recreation for costs incurred by said department
2546 including, but not limited to, vehicle maintenance and repairs, the operation of department of
2547 state police buildings and other related costs; provided further, that notwithstanding any general
2548 or special law to the contrary, all offices and positions of the division performing construction
2549 activities for the department of conservation and recreation shall be subject to classification
2550 under sections 45 to 50, inclusive, of chapter 30 of the General Laws; provided further, that
2551 notwithstanding section 3B of chapter 7 of the General Laws, the department shall establish or
2552 renegotiate fees, licenses, permits, rents and leases, and adjust or develop other revenue sources
2553 to fund the maintenance, operation and administration of the department; provided further, that

2554 funds shall be expended for cleanup of Pilayella algae; and provided further, that no funds shall
2555 be expended from this item for personnel overtime costs \$3,613,779

2556 2800-0101 For the watershed management program to operate and maintain
2557 reservoirs, watershed lands and related infrastructure of the department and the office of water
2558 resources in the department of conservation and recreation; provided, that the amount of the
2559 payment shall be charged to the General Fund and shall not be included in the amount of the
2560 annual determination of fiscal year charges to the Massachusetts Water Resources Authority
2561 assessed to the authority under the General Laws; provided further, that the department shall
2562 continue to make payments pursuant to chapter 616 of the acts of 1957, as amended by section
2563 89 of chapter 801 of the acts of 1963; and provided further, that the department shall continue to
2564 make payments pursuant to chapter 307 of the acts of 1987 for the use of certain land
2565 \$1,000,000

2566 2800-0401 For a program to provide stormwater management for all properties and
2567 roadways under the care, custody and control of the department of conservation and recreation;
2568 provided, that the department shall implement a stormwater management program in compliance
2569 with federal and state stormwater management requirements; provided further, that the
2570 department shall inventory all stormwater infrastructure, assess its stormwater practices, analyze
2571 long term capital and operational needs and develop a stormwater management plan to comply
2572 with federal and state regulatory requirements; and provided further, that in order to protect
2573 public safety and to protect water resources for water supply, recreational and ecosystem uses,
2574 the department shall immediately implement interim stormwater management practices
2575 including, but not limited to, street sweeping, inspection and cleaning of catch basins and
2576 emergency repairs to roadway drainage \$391,195

2577 2800-0501 For the operation of the beaches, pools and spray pools under the control
2578 of the department of conservation and recreation; provided, that the seasonal hires of the
2579 department of conservation and recreation’s parks, beaches, pools and spray pools be paid from
2580 this item; provided further, that all beaches, pools and spray pools shall remain open and staffed
2581 from Memorial Day through the end of August; provided further, that the beaches, pools and
2582 spray pools shall be fully maintained; provided further, that no funds from this item shall be
2583 expended for year-round seasonal employees; provided further, that seasonal employees who are
2584 hired before the second Sunday before Memorial Day and whose employment continues beyond
2585 the Saturday following Labor Day and who received health insurance benefits in fiscal year 2010
2586 shall continue to receive such benefits in fiscal year 2011 during the period of their seasonal
2587 employment; provided further, that notwithstanding section 1 of chapter 31 of the General Laws,
2588 seasonal positions funded by this item shall be positions requiring the services of an incumbent,
2589 on either a full-time or less than full-time basis beginning not earlier than April 1 and ending not
2590 later than November 30, or beginning not earlier than September 1 and ending not later than
2591 April 30; and provided further, that notwithstanding said section 1 of said chapter 31, seasonal
2592 positions funded by this item shall not be filled by an incumbent for more than 8 months within a
2593 12-month period \$12,439,952

2594 2800-0700 For the office of dam safety; provided, that the department shall, in
2595 collaboration with the department of environmental protection and the department of fish and
2596 game, maintain a comprehensive inventory of all dams, and develop a coordinated permitting
2597 and regulatory approach to dam removal for stream restoration and public safety \$288,602

2598 2810-0100 For the operation of the department’s state and urban parks; provided, that
2599 funds appropriated in this item shall be used to operate all of the division’s parks, parkways,

2600 boulevards, roadways, bridges and related appurtenances under the care, custody, and control of
2601 the division, flood control activities of the division, reservations, campgrounds, beaches and
2602 pools and for the oversight of rinks, to protect and manage the division's lands and natural
2603 resources, including the forest and parks conservation services and the bureau of forestry
2604 development; provided further, that the crossing guards located at department of conservation
2605 and recreation intersections shall continue to perform the duties where state police previously
2606 performed such duties; provided further, that no funds from this item shall be made available for
2607 payment to true seasonal employees; provided further, that the rinks under the control of the
2608 department shall remain open and staffed for the full rink season; and provided further, that the
2609 department may issue grants to public and nonpublic entities from this item; and provided
2610 further, that funds may be expended for the purposes of item 2800-9004 of section 2 of chapter
2611 182 of the acts of 2008\$41,945,776

2612 2810-2041 For the division of state parks and recreation which may expend not more
2613 than \$5,314,030 from revenue collected from fees charged by the division, including revenues
2614 collected from campsite reservation transactions from the automated campground reservation
2615 and registration program for additional expenses, upkeep and improvements to the parks and
2616 recreation system and for the personnel costs of seasonal employees; provided, that no funds
2617 from this item shall be expended for the costs of full-time equivalent personnel; provided further,
2618 that for the purpose of accommodating timing discrepancies between the receipt of retained
2619 revenues and related expenditures, the division may incur expenses and the comptroller may
2620 certify for payment amounts not to exceed the lower of this authorization or the most recent
2621 revenue estimate as reported in the state accounting system; provided further, that no
2622 expenditures made in advance of the receipts shall be permitted to exceed 75 per cent of the

2623 amount of revenues projected by the first quarterly statement required by section 1B; provided
2624 further, that the comptroller shall notify the house and senate committees on ways and means at
2625 the time subsequent quarterly statements are published of the variance between actual and
2626 projected receipts in each such quarter and the implications of that variance for expenditures
2627 made; and provided further, that the division may issue grants to public and nonpublic entities
2628 from this item \$5,314,030

2629 2820-0101 For the costs associated with the department's urban park rangers specific
2630 to the security of the state house; provided, that funds appropriated in this item shall only be
2631 expended for the costs of security and urban park rangers at the state house \$1,292,000

2632 2820-1000 For the division of urban parks and recreation which may expend not more
2633 than \$200,000 from revenue collected pursuant to section 34B of chapter 92 of the General Laws
2634 \$200,000

2635 2820-1001 For the division of urban parks and recreation which may expend not more
2636 than \$50,000 from revenue collected for the operation and maintenance of the division's
2637 telecommunications system from revenues received from the Massachusetts Water Resources
2638 Authority, the Massachusetts Convention Center Authority, the department of highways, the
2639 Central Artery/Ted Williams Tunnel Project, the department of state police and quasi-public and
2640 private entities through a system of user fees and other charges established by the commissioner
2641 of conservation and recreation; provided, that nothing in this item shall impair or diminish the
2642 rights of access and utilization of all current users of the system under agreements previously
2643 entered into; and provided further, that this item may be reimbursed by political subdivisions of

2644 the commonwealth and private entities for direct and indirect costs expended by the division to
2645 maintain the telecommunications system \$50,000

2646 2820-2000 For the operation of street lighting and the expenses of maintaining the
2647 parkways of the department of conservation and recreation \$3,115,033

2648 Commonwealth Transportation Fund....100%

2649 2820-3001 For the division of urban parks and recreation which may expend not more
2650 than \$1,000,000 from revenue collected from skating rink fees and rentals for the operation and
2651 maintenance, including personnel costs, of 4 rinks between September 1, 2010, and April 30,
2652 2011, for an extended rink season; provided, that when assigning time for the use of its rinks, the
2653 division shall give priority to those which qualify under applicable state and federal law as
2654 nonprofit organizations or as a public school \$1,000,000

2655 2820-4420 For the operation and maintenance of the Ponkapoag golf course;
2656 provided, that the division of urban parks and recreation may expend not more than \$1,098,011
2657 from revenue collected from fees generated by the golf course; provided further, that for the
2658 purposes of accommodating discrepancies between the receipt of retained revenue and related
2659 expenditures, the division may incur expenses and the comptroller may certify for payment
2660 amounts not to exceed the lower of this authorization or the most recent revenue estimate as
2661 reported in the state accounting system; and provided further, notwithstanding section 1 of
2662 chapter 31 of the General Laws, seasonal positions funded by this account shall be positions
2663 requiring the services of an incumbent on either a full-time or less than a full-time basis
2664 beginning not earlier than April 1 and ending not later than November 30 \$1,098,011

2665 2820-4421 For the operation and maintenance of the Leo J. Martin golf course;
2666 provided, that the division of urban parks and recreation may expend not more than \$824,790
2667 from revenue collected from fees generated by the golf course; provided further, that for the
2668 purposes of accommodating discrepancies between the receipt of retained revenue and related
2669 expenditures, the division may incur expenses and the comptroller may certify for payment
2670 amounts not to exceed the lower of this authorization or the most recent revenue estimate as
2671 reported in the state accounting system; and provided further, notwithstanding section 1 of
2672 chapter 31 of the General Laws, seasonal positions funded by this account shall be positions
2673 requiring the services of an incumbent on either a full-time or less than a full-time basis
2674 beginning not earlier than April 1 and ending not later than November 30 \$824,790

2675 Department of Energy Resources.

2676 7006-1001 For the residential conservation service program under chapter 465 of the
2677 acts of 1980, and the commercial and apartment conservation service program pursuant to
2678 section 11A of chapter 25A of the General Laws, the assessments levied for fiscal year 2011
2679 under that section shall be made at a rate sufficient to produce the amount expended from this
2680 item as well as the associated fringe benefit costs for personnel paid from this item

2681 \$199,326

2682 7006-1003 For the operation of the department of energy resources; provided, that
2683 notwithstanding any general or special law to the contrary, the amount assessed under section
2684 11H of chapter 25A of the General Laws shall be equal to the amount expended from this item as
2685 well as the associated fringe benefit costs for personnel paid from this item \$2,938,679

2686 Department of Early Education and Care.

2687 3000-1000 For the administration of the department of early education and care and
2688 the costs of field operations and licensing provided through the department; provided, that the
2689 department shall report on the first business day of each month to the joint committee on
2690 education, the joint committee on children, families and persons with disabilities, the house and
2691 senate committees on ways and means, and the secretary of administration and finance on the
2692 unduplicated number of children on waiting lists for state-subsidized early education and care
2693 programs and services, including supportive child care services; and provided further, that
2694 notwithstanding chapter 66A of the General Laws, the department of early education and care,
2695 the lead agencies of community partnership councils, the child care resource and referral
2696 agencies, the department of elementary and secondary education, the department of transitional
2697 assistance, the department of children and families and the department of public health may
2698 share with each other personal data regarding the parents and children who receive services
2699 provided under early education and care programs administered by the commonwealth for
2700 waitlist management, program implementation and evaluation, reporting, and policy
2701 development purposes; provided further, that the department shall report not later than
2702 September 1, 2010, to the joint committee on education and the house and senate committees on
2703 ways and means, on efficiencies and cost savings realized in the department's accounts in fiscal
2704 year 2010 and anticipated cost savings in fiscal year 2011; provided further, that the report shall
2705 include, but not be limited to, an itemized accounting of services transferred between items,
2706 original cost of those services, all transition costs or expenditures and total cost savings realized;
2707 and provided further, that the report shall include an accounting of federal ARRA funding
2708 expended for the services and transition costs \$11,622,212

2709 3000-2000 For regional administration and coordination of services provided by child
2710 care resource and referral agencies; provided, that funding for activities shall include, but not be
2711 limited to, administrative costs of these agencies, program coordination and support, voucher
2712 management, outreach to hard-to-reach populations, intake and eligibility services for families
2713 seeking financial assistance to enroll in early education and care programs, resource and referral
2714 for families including those with disabilities in child care programs, maintenance of the
2715 department's centralized waiting list for state-subsidized early education and care, and walk-in
2716 services for homeless families \$5,933,862

2717 3000-2050 For the administration of the Children's Trust Fund; provided, that the
2718 department shall not exercise any supervision or control with respect to the board \$1,181,850

2719 3000-3050 For supportive early education and care services; provided, that funds
2720 from this item shall only be expended for early education and care costs of children with active
2721 cases at the department of children and families; provided further, that the department of early
2722 education and care, in collaboration with the department of children and families, shall maintain
2723 a centralized list detailing the number of children eligible for services in this item, the number of
2724 supportive slots filled, and the number of supportive slots available; provided further, that no
2725 waiting list for the services shall exist; provided further, that funds may be used to provide
2726 services during a transition period of 6 months for families upon the closure of their case;
2727 provided further, that all children eligible for services under this item shall receive those
2728 services; provided further, that if the department determines that available appropriations for this
2729 program will be insufficient to meet projected expenses, the commissioner shall file with the
2730 house and senate committees on ways and means and the secretary of administration and finance,
2731 a report detailing the amount of appropriation needed to address such deficiency; and provided

2732 further, that the commissioner of early education and care may transfer funds to this item from
2733 items 3000-1000, 3000-4050 and 3000-4060, as necessary, pursuant to an allocation plan, which
2734 shall detail by object class the distribution of the funds to be transferred and which the
2735 commissioner shall file with the house and senate committees on ways and means 30 days before
2736 the transfer \$85,713,747

2737 3000-4050 For financial assistance for families currently involved with or
2738 transitioning from transitional aid to families with dependent children to enroll in an early
2739 education and care program; provided, that early education and care shall be available to former
2740 participants who are working for up to 1 year after termination of their benefits; provided further,
2741 that post-transitional early education and care benefits shall be provided to participants who are
2742 working for up to 1 year after the transitional period; provided further, that the department shall
2743 issue monthly reports detailing the number and average cost of voucher and contracted slots
2744 funded from this item and item 3000-3050; provided further, that the department may provide
2745 early education and care benefits to parents who are under 18 years of age, who are currently
2746 enrolled in a job training program, and who would qualify for benefits under chapter 118 of the
2747 General Laws but for the deeming of the grandparents' income; provided further, that all teens
2748 eligible for year-round, full-time early education and care services shall be participating in
2749 school, education, work and training-related activities or a combination thereof for at least the
2750 minimum number of hours required by regulations; provided further, that recipients shall not be
2751 charged fees for care provided under this item; provided further, that early education and care
2752 slots funded from this item shall be distributed geographically in a manner that provides fair and
2753 adequate access to early education and care for all eligible individuals; provided further, that
2754 informal early education and care benefits may be funded from this item; provided further, that

2755 not more than \$2 per child per hour shall be paid for the services; provided further, that the
2756 commissioner of early education and care may transfer funds to this item from items 3000-1000
2757 and 3000-4060, as necessary, pursuant to an allocation plan, which shall detail by object class the
2758 distribution of the funds to be transferred and which the commissioner shall file with the house
2759 and senate committees on ways and means at least 30 days before the transfer; and provided
2760 further, that not more than 3 per cent of any item may be transferred in fiscal year 2011

2761 \$127,358,313

2762 3000-4060 For income-eligible early education and care programs; provided, that teen
2763 parents at risk of becoming eligible for transitional aid to families with dependent children may
2764 be paid from this item; provided further, that informal early education and care benefits for
2765 families meeting income-eligibility criteria may be funded from this item; provided further, that
2766 not more than \$2 per child per hour shall be paid for the services; provided further, that early
2767 education and care slots funded from this item shall be distributed geographically in a manner
2768 that provides fair and adequate access to early education and care for all eligible
2769 individuals; provided further, that the department may expend funds from this item on grants to
2770 support inclusive learning environments; provided further, that the commissioner of early
2771 education and care may transfer funds to this item from items 3000-1000 and 3000-4050, as
2772 necessary, pursuant to an allocation plan, which shall detail by object class the distribution of the
2773 funds to be transferred and which the commissioner shall file with the house and senate
2774 committees on ways and means at least 30 days before the transfer; provided further, that not
2775 more than 3 per cent of any item may be transferred in fiscal year 2011; provided further, that
2776 said plan shall be forwarded to the house and senate chairs of the joint committee on education,
2777 the chairs of the house and senate committees on ways and means, and the secretary of

2778 administration and finance; and provided further, that any payment made under any such grant
2779 with a school district shall be deposited with the treasurer of such city, town, or regional school
2780 district and held as a separate account and shall be expended by the school committee of such
2781 city, town, or regional school district without municipal appropriation, notwithstanding any
2782 general or special law to the contrary \$233,527,427

2783 3000-5000 For grants to head start programs; provided, that funds from this item may
2784 be expended on early head start programs \$8,000,000

2785 3000-5075 For the Massachusetts Universal Pre-Kindergarten Program; provided, that
2786 funds from this item shall be expended on grants to improve the quality of and expand access to
2787 preschool programs and services to children from the age of 2 years and 9 months until they are
2788 kindergarten eligible; provided further, that in awarding grant funds under this program,
2789 preference shall be given to establishing preschool classrooms in towns and cities with schools
2790 and districts at risk of or determined to be under-performing in accordance with sections 1J and
2791 1K of chapter 69 of the General Laws, schools and districts which have been placed in the
2792 accountability status of identified for improvement, corrective action, or restructuring pursuant to
2793 departmental regulations, or which have been designated commonwealth priority schools or
2794 commonwealth pilot schools pursuant to said regulations, schools or districts with a high
2795 percentage of students scoring in levels 1 and 2 on the Massachusetts Comprehensive
2796 Assessment System exams, or programs which serve children not less than 50 per cent of whom
2797 are from families earning at or below 85 per cent of the state median income; provided further,
2798 that funds may also be used to leverage and enhance community-wide capacity building efforts
2799 within statewide parameters established by the board; provided further, that any newly-funded
2800 programs designated as Massachusetts Universal Pre-Kindergarten Program participants shall

2801 have been accredited by the National Association for the Education of Young Children, the New
2802 England Association of Schools and Colleges, the National Association of Family Child Care or
2803 a Child Development Associate credential or higher; provided further, that programs receiving
2804 grant funds may use the funds to enhance teacher and staff quality and compensation, enhance
2805 program ability to interpret and use assessment data effectively, enhance developmentally-
2806 appropriate practice, incorporate ancillary services into the program, facilitate or provide access
2807 to wrap-around services for working families, or to increase capacity to expand access to age-
2808 eligible children on the centralized waitlist maintained by the department; provided further, that
2809 preference shall be given in awarding grants to those programs which demonstrate affordability
2810 for middle class and working class parents according to standards to be developed by the
2811 department; and provided further, that any payment made under any such grant with a school
2812 district shall be deposited with the treasurer of such city, town, or regional school district and
2813 held as a separate account and shall be expended by the school committee of such city, town, or
2814 regional school district without municipal appropriation, notwithstanding any general or special
2815 law to the contrary \$8,000,000

2816 3000-6000 For the establishment of a statewide network of supports for early
2817 education and care programs to advance the quality of their services to children; provided, that
2818 supports funded through this item shall include, but not be limited to, curriculum development,
2819 child assessment systems, activities that encourage providers to obtain associate and bachelor
2820 degrees, payment of fees and direct assistance to programs seeking accreditation by agencies
2821 approved by the board, and professional development courses; provided further, that eligible
2822 recipients for such grants shall include, but not be limited to, community partnership councils,
2823 municipal school districts, regional school districts, educational collaboratives, head start

2824 programs, licensed child care providers, and child care resource and referral centers; provided
2825 further, that supports funded through this item shall be in alignment with the quality
2826 requirements of the Massachusetts Universal Pre-Kindergarten Program and the development of
2827 the quality rating and improvement system; provided further, that the department shall
2828 encourage and support early childhood education and care providers to obtain associate and
2829 bachelor degrees through professional development programs, including, but not limited to, the
2830 building careers program model; and provided further, that where possible, funds from this line
2831 item shall be coordinated with funding from item 3000-7050; and provided further, that the
2832 department may expend funds from the item on grants for supplemental services for children
2833 with IEPs \$14,032,568

2834 3000-6075 For early childhood mental health consultation services in early education
2835 and care programs in the commonwealth; provided, that preference shall be given to those
2836 services designed to limit the number of expulsions and suspensions from said programs; and
2837 provided further, that eligible recipients for such grants shall include community partnership
2838 councils, municipal school districts, regional school districts, educational collaboratives, head
2839 start programs, licensed child care providers, child care resource and referral centers and other
2840 qualified entities \$750,000

2841 3000-7000 For statewide neonatal and postnatal home parenting education and home
2842 visiting programs for at-risk newborns to be administered by the Children’s Trust Fund;
2843 provided, that the department shall collaborate with the Children’s Trust Fund, whenever feasible
2844 and appropriate, to coordinate services provided through this item with services provided through
2845 item 3000-7050 in order to ensure that parents receiving services through this item are aware of
2846 all opportunities available to them and their children through the department; provided further,

2847 that such services shall be made available statewide to parents under the age of 21 years;
2848 provided further, that notwithstanding any general or special law to the contrary, priority for such
2849 services shall be given to low-income parents; and provided further, that the Children's Trust
2850 Fund shall issue a report to the joint committee on education and the house and senate
2851 committees on ways and means, not later than February 15, 2011, detailing the expenditure of
2852 state funds appropriated herein \$10,621,986

2853 3000-7050 For grants to programs that improve the parenting skills of participants in
2854 early education and care programs in the commonwealth: Mass Family Networks, Parent-Child
2855 Home Program, and Reach Out and Read; provided, that the department shall distribute said
2856 grants no later than August 31, 2010, in order to allow a full year of service for families involved
2857 in these programs; and provided further, that the department shall, to the maximum extent
2858 feasible, coordinate services provided through this item with services provided through items
2859 3000-6000 and 3000-7000 in order to ensure that parents receiving services through this item are
2860 aware of all opportunities available to them and their children through the department
2861 \$5,000,000

2862 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

2863 Office of the Secretary.

2864 4000-0050 For the operation of the personal care attendant quality workforce council
2865 established under section 29 of chapter 118G of the General Laws \$167,708

2866 4000-0265 For a primary care workforce development and loan forgiveness grant
2867 program at community health centers, for the purpose of enhancing recruitment and retention of
2868 primary care physicians and other clinicians at community health centers throughout the

2869 commonwealth; provided, that the grant program shall be administered by the Massachusetts
2870 League of Community Health Centers in consultation with the secretary of health and human
2871 services and relevant member agencies; provided further, that the funds shall be matched by
2872 other public and private funds; and provided further, that the League shall work with said
2873 secretary and said agencies to maximize all sources of public and private funds \$500,000

2874 4000-0300 For the operation of the executive office of health and human services,
2875 including the operation of the managed care oversight board; provided, that the executive office
2876 shall provide technical and administrative assistance to agencies under the purview of the
2877 secretariat receiving federal funds; provided further, that the executive office and its agencies,
2878 when contracting for services on the islands of Martha's Vineyard and Nantucket, shall take into
2879 consideration the increased costs associated with the provision of goods, services, and housing
2880 on said islands; provided further, that the executive office shall continue to develop and
2881 implement the common client identifier; provided further, that the executive office shall ensure
2882 that any collaborative assessments for children receiving services from multiple agencies within
2883 the secretariat shall be performed within existing resources; provided further, that funds
2884 appropriated in this item shall be expended for administrative and contracted services related to
2885 the implementation and operation of programs authorized by chapter 118E of the General Laws;
2886 provided further, that funds may be expended for the operation of the office of health equity
2887 within the executive office of health and human services; provided further, that subject to
2888 appropriation, the executive office of health and human services may employ such additional
2889 staff or consultants as it may deem necessary; provided further, that the office may prepare an
2890 annual health disparities report card with regional disparities data, evaluate effectiveness of
2891 interventions and replicate successful programs across the commonwealth; provided further, that

2892 the office shall work with a disparities reduction program with a focus on supporting efforts by
2893 community-based health agencies and community health workers to eliminate racial and ethnic
2894 health disparities, including efforts addressing social factors integral to such disparities;
2895 provided further, that in consultation with the division of health care finance and policy, no rate
2896 increase shall be provided to existing Medicaid provider rates without taking all measures
2897 possible under Title XIX of the Social Security Act to ensure that rates of payment to providers
2898 do not exceed the rates that are necessary to meet only those costs which must be incurred by
2899 efficiently and economically operated providers in order to provide services of adequate quality;
2900 provided further, that expenditures for the purposes of each item appropriated for programs
2901 authorized by chapter 118E of the General Laws shall be accounted for in the Massachusetts
2902 management accounting and reporting system not more than 10 days after the expenditures have
2903 been made by the Medicaid management information system; provided further, that no
2904 expenditures shall be made that are not federally reimbursable, including those related to Titles
2905 XIX or XXI of the Social Security Act or the MassHealth demonstration waiver approved under
2906 section 1115(a) of the Social Security Act or the community first section 1115 demonstration
2907 waiver, whether made by the executive office or another commonwealth entity, except as
2908 specifically authorized herein, or unless made for cost containment efforts, the purposes and
2909 amounts of which have been submitted to the executive office of administration and finance and
2910 the house and senate committees on ways and means 30 days prior to making such expenditures;
2911 provided further, that the executive office of health and human services may continue to recover
2912 provider overpayments made in the current and prior fiscal years through the Medicaid
2913 management information system, and that these recoveries shall be considered current fiscal year
2914 expenditure refunds; provided further, that the executive office may collect directly from a liable

2915 third party any amounts paid to contracted providers under chapter 118E of the General Laws for
2916 which the executive office later discovers another third party is liable if no other course of
2917 recoupment is possible; provided further, that no funds shall be expended for the purpose of
2918 funding interpretive services directly or indirectly related to a settlement or resolution agreement
2919 with the office of civil rights or any other office, group or entity; provided further, that
2920 interpretive services currently provided shall not give rise to enforceable legal rights for any
2921 party or to an enforceable entitlement to interpretive services; provided further, that
2922 notwithstanding any general or special law to the contrary, the executive office shall require the
2923 commissioner of mental health to approve any prior authorization or other restriction on
2924 medication used to treat mental illness in accordance with written policies, procedures and
2925 regulations of the department of mental health; provided further, that the executive office of
2926 health and human services shall pursue opportunities for grants and other federal funding
2927 available under the Patient Protection and Affordability Act of 2010, Public Law 111-148 and
2928 the Health Care and Education Reconciliation Act of 2010, Public Law 111-152; provided
2929 further, that not later than September 1, 2010, the executive office of health and human services
2930 shall submit a report to the house and senate committees on ways and means detailing planned
2931 fiscal year 2011 expenditures by the executive office as funded by chargebacks to the 17
2932 executive office cluster agencies; provided further, that not later than September 1, 2010, the
2933 executive office of health and human services shall submit a report to the house and senate
2934 committees on ways and means detailing the methodology used for projecting MassHealth
2935 enrollment and utilization in fiscal year 2012 and evaluating the accuracy of the caseload and
2936 utilization projection methodologies used to project caseload and utilization in fiscal year 2010
2937 and fiscal year 2011; provided further, that any projection of deficiency in item 4000-0430,

2938 4000-0500, 4000-0600, 4000-0700, 4000-0870, 4000-0875, 4000-0880, 4000-0890, 4000-0895,
2939 4000-0950, 4000-0990, 4000-1400 or 4000-1405 shall be reported to the house and senate
2940 committees on ways and means not less than 90 days before the projected exhaustion of funding;
2941 and provided further, that any unexpended balance in these accounts shall revert to the General
2942 Fund on June 30, 2011; provided further, that an advisory committee shall be convened to study
2943 the comparative costs and benefits of different care delivery models for the Medicaid program
2944 including, but not limited to, all-managed care, a state-contracted chronic disease management
2945 program and patient-centered medical homes; provided further, that the advisory committee shall
2946 consist of the secretary of administration and finance who shall serve as chair, the secretary of
2947 health and human services, the commissioner of health care finance and policy, the director of
2948 Medicaid, the executive director of the Commonwealth Health Insurance Connector Authority,
2949 the chairs of the house and senate committees on ways and means, the senate and house chairs of
2950 the joint committee on health care financing, the senate and house chairs of the joint committee
2951 on mental health and substance abuse, 1 member representing the house minority party, 1
2952 member representing the senate minority party, 1 member representing the Massachusetts
2953 Association of Health Plans, 1 member of the Massachusetts Medical Society who shall be a
2954 practicing primary care physician, 1 member representing the Massachusetts Hospital
2955 Association, 1 member representing the Association for Behavioral Healthcare, 1 member who
2956 shall be an advocate for individuals with disabilities and 1 member representing a health care
2957 consumer group; provided further, that the advisory committee shall compare the current and
2958 projected impact of the MCO program, the Primary Care Clinician plan, the disease management
2959 program and patient-centered medical homes on the Medicaid budget including, but not limited
2960 to, an estimate of the potential increase or decrease in programmatic costs of transitioning from 1

2961 care delivery system to another and the impact of the different delivery systems on the financial
2962 risk borne by the commonwealth; provided further, that cost estimates and projections shall
2963 adjust for acuity; provided further, that the advisory committee shall compare the current and
2964 projected impact of the MCO program, the Primary Care Clinician plan, the disease management
2965 program and patient-centered medical homes on quality and continuity of care provided to
2966 MassHealth members, access to disease management and care coordination programs, access and
2967 quality of care for MassHealth special populations, access to behavioral health services,
2968 accountability through the reporting of quality data and the potential to address racial and ethnic
2969 disparities; provided further, that in conducting this analysis the organization shall use actual and
2970 projected Medicaid and managed care data; provided further that the executive office of health
2971 and human services shall make any data requested available in a timely manner; provided
2972 further, that for the purpose of conducting this analysis, the executive office of administration
2973 and finance, in consultation with the advisory committee and subject to appropriation, shall
2974 contract with an independent, outside organization with expertise in fiscal analysis of the
2975 Medicaid program and the managed care model within state Medicaid programs by October 2,
2976 2010; provided further, that the advisory committee shall file a report of its findings with the
2977 clerks of the senate and house of representatives, the house and senate committees on ways and
2978 means and the joint committee on health care financing not later than January 15, 2011

2979 \$91,299,259

2980 4000-0301 For the costs of MassHealth provider and member audit and utilization
2981 review activities including, but not limited to, eligibility verification, disability evaluations,
2982 provider financial and clinical audits, and initiatives intended to enhance program integrity

2983 \$1,747,904

2984 4000-0320 For the executive office of health and human services which may expend
2985 for medical care and assistance rendered in the current year an amount not to exceed
2986 \$225,000,000 from the monies received from recoveries and collections of any current or prior
2987 year expenditures; provided, that notwithstanding any general or special law to the contrary, the
2988 balance of any personal needs accounts collected from nursing and other medical institutions
2989 upon a medical assistance member's death and held by the executive office for more than 3 years
2990 may be credited to this item; and provided further, that no funds from this item shall be used for
2991 the purposes of item 4000-0300 \$225,000,000

2992 4000-0430 For the CommonHealth program to provide primary and supplemental
2993 medical care and assistance to disabled adults and children under sections 9A, 16 and 16A of
2994 chapter 118E of the General Laws; provided, that funds may be expended from this item for
2995 health care services provided to the recipients in prior fiscal years; provided further, that the
2996 executive office shall maximize federal reimbursement for state expenditures made on behalf of
2997 such adults and children; provided further, that children shall be determined eligible for the
2998 medical care and assistance if they meet the disability standards as defined by the executive
2999 office, which shall be no more restrictive than the standards in effect on July 1, 1996; and
3000 provided further, that the executive office shall process CommonHealth applications within 45
3001 days of receipt of a completed application or within 90 days if a determination of disability is
3002 required \$133,254,517

3003 4000-0500 For health care services provided to medical assistance recipients under
3004 the executive office's primary care clinician/mental health and substance abuse plan or through a
3005 health maintenance organization under contract with the executive office and for MassHealth
3006 benefits provided to children, adolescents and adults under clauses (a) to (d), inclusive, and

3007 clause (h) of subsection (2) of section 9A of chapter 118E of the General Laws and section 16C
3008 of said chapter 118E; provided, that no funds shall be expended from this item for children and
3009 adolescents under clause (c) of said subsection (2) of said section 9A of said chapter 118E whose
3010 family incomes, as determined by the executive office, exceed 150 per cent of the federal
3011 poverty level; provided further, that funds may be expended from this item for health care
3012 services provided to the recipients in prior fiscal years; provided further, that expenditures from
3013 this item shall be made only for the purposes expressly stated herein; provider further, that funds
3014 may be expended from this item to enhance the ability of hospitals, community health centers,
3015 and primary care clinicians to serve populations in need more efficiently and effectively;
3016 provided further, that the executive office shall maximize federal reimbursements for state
3017 expenditures made to these providers; provided further, that in conjunction with the new
3018 Medicaid management information system, the executive office shall continue to study the
3019 feasibility of modifying its claim payment system, in collaboration with the MassHealth
3020 behavioral health contractor, to routinely process for payment valid claims for medically-
3021 necessary covered medical services to eligible recipients with psychiatric and substance abuse
3022 diagnoses on a timely basis in an effort to avoid delay and expenses incurred by lengthy appeals
3023 processes; and provided further, that notwithstanding any general or special law to the contrary,
3024 the secretary of health and human services shall not, without prior written or verbal consent,
3025 reassign the behavioral health benefit of any eligible person to a managed care plan under
3026 contract with the office of MassHealth if the benefit is already managed by MassHealth's
3027 specialty behavioral health managed care contractor; and provided further, that in fiscal year
3028 2011, the executive office shall include chiropractic care as a covered service in the MassHealth
3029 essential program \$3,757,055,766

3030 Executive Office of Elder Affairs.

3031 4000-0600 For health care services provided to MassHealth members who are
3032 seniors, and for the operation of the senior care options program under section 9D of chapter
3033 118E of the General Laws; provided, that funds may be expended from this item for health care
3034 services provided to these recipients in prior fiscal years; provided further, that funds shall be
3035 expended for the “community choices” program; provided further, that no payment for special
3036 provider costs shall be made from this item without the prior written approval of the secretary of
3037 administration and finance; provided further, that benefits for this demonstration project shall not
3038 be reduced below the services provided in fiscal year 2010; provided further, that the eligibility
3039 requirements for this demonstration project shall not be more restrictive than those established in
3040 fiscal year 2010; provided further, that notwithstanding any general or special law to the
3041 contrary, funds shall be expended from this item for the purpose of maintaining a personal needs
3042 allowance of \$72.80 per month for individuals residing in nursing homes and rest homes who are
3043 eligible for MassHealth, Emergency Aid to the Elderly Disabled and Children program or
3044 Supplemental Security Income; provided further, that notwithstanding any general or special law
3045 to the contrary, for any nursing home or non-acute chronic disease hospital that provides kosher
3046 food to its residents, the executive office of elder affairs, in consultation with the division of
3047 health care finance and policy, in recognition of the unique special innovative program status
3048 granted by the executive office of health and human services, shall continue to make the standard
3049 payment rates established in fiscal year 2006 to reflect the high dietary costs incurred in
3050 providing kosher food; provided further, that funds shall be expended from this item for the pre-
3051 admission counseling and assessment program, which shall be implemented on a statewide basis
3052 through aging and disability resource consortia; and provided further, that the secretary of elder

3053 affairs and the director of the office of Medicaid shall provide bimonthly reports to the secretary
3054 of administration and finance and to the house and senate committees on ways and means
3055 showing Medicaid nursing facility utilization in the current fiscal year compared to Medicaid
3056 nursing facility utilization in the same period for the prior fiscal year; provided further, that not
3057 less than \$2,800,000 shall be expended as fiscal year 2011 incentive payments if funding is
3058 available to support this expenditure as prescribed by section 141A to nursing facilities meeting
3059 the criteria determined by the MassHealth Nursing Facility Pay for Performance (P4P) Program
3060 in 114.2 CMR 6.07 and that have established and participated in a cooperative effort in each
3061 qualifying nursing facility between representatives of employees and management, that is
3062 focused on implementing that criteria and improving the quality of services available to
3063 MassHealth members; and provided further that the MassHealth agency shall adopt regulations
3064 and procedures necessary to carry out section 299 \$2,488,616,244

3065 4000-0640 For nursing facility Medicaid rates; provided, that notwithstanding any
3066 general or special law to the contrary, in fiscal year 2011 the division of health care finance and
3067 policy shall establish nursing facility Medicaid rates that cumulatively total \$288,500,000 more
3068 than the annual payment rates established by the division under the rates in effect as of June 30,
3069 2002; provided further, that funds shall be expended in an amount not less than that appropriated
3070 in fiscal year 2010 for purposes of reimbursing nursing facilities for up to 10 bedhold days for
3071 patients of the facility on medical and non-medical leaves of absence; provided further, that an
3072 amount for expenses related to the collection and administration of section 25 of chapter 118G of
3073 the General Laws shall be transferred to the division of health care finance and policy; and
3074 provided further, that the payments made pursuant to this item shall be allocated in an amount
3075 sufficient to implement section 622 of chapter 151 of the acts of 1996; and provided further, that

3076 effective July 1, 2010 for the fiscal year ending June 30, 2011, the division shall establish
3077 nursing facility supplemental Medicaid rates from funding made available pursuant to section
3078 299 \$288,500,000
3079 Executive Office of Health and Human Services.

3080 4000-0700 For health care services provided to medical assistance recipients under
3081 the executive office's health care indemnity/third party liability plan and medical assistance
3082 recipients not otherwise covered under the executive office's managed care or senior care plans,
3083 and for MassHealth benefits provided to children, adolescents and adults under clauses (a) to (d),
3084 inclusive and clause (h) of subsection (2) of section 9A of chapter 118E of the General Laws and
3085 section 16C of said chapter 118E; provided, that no payments for special provider costs shall be
3086 made from this item without the prior written approval of the secretary of administration and
3087 finance; provided further, that no funds shall be expended from this item for children and
3088 adolescents under clause (c) of said subsection (2) of said section 9A of said chapter 118E whose
3089 family incomes, as determined by the executive office, exceed 150 per cent of the federal
3090 poverty level; provided further, that children who have aged out of the custody of the department
3091 of children and families shall be eligible for benefits until they reach age 21; provided further,
3092 that funds shall be expended from this item for members who qualify for early intervention
3093 services; provided further, that funds may be expended from this item for health care services
3094 provided to the recipients in prior fiscal years; provided further, that \$20,000,000 shall be
3095 expended from this item, or item 4000-0500, if necessary to achieve maximum federal financial
3096 participation, to enhance the ability of hospitals, community health centers and primary care
3097 clinicians to serve populations in need more efficiently and effectively; provided further, that the
3098 executive office shall maximize federal reimbursements for state expenditures made to these

3099 providers; provided further, that the executive office of health and human services may transfer
3100 the coverage of pharmacy services for members enrolled in a Medicaid managed care
3101 organization to this item, but shall make all reasonable efforts to leave coverage of said services
3102 with the Medicaid managed care organizations and collect, in a manner and form authorized by
3103 the federal Centers for Medicare and Medicaid Services, pharmacy rebates that manufacturers
3104 which participate in the federal drug rebate program are required to provide for individuals
3105 enrolled in a Medicaid managed care organization pursuant to the Patient Protection and
3106 Affordable Care Act of 2010, Public Law 111-148 and the Health Care and Education
3107 Reconciliation Act of 2010, Public Law 111-152; provided further, that notwithstanding the
3108 foregoing, funds may be expended from this item for the purchase of third party insurance
3109 including, but not limited to, Medicare for any medical assistance recipient; provided further,
3110 that the executive office may reduce MassHealth premiums or copayments or offer other
3111 incentives to encourage enrollees to comply with wellness goals; and provided further, that funds
3112 may be expended from this item for activities relating to disability determinations or utilization
3113 management and review, including patient screenings and evaluations, regardless of whether
3114 such activities are performed by a state agency, contractor, agent or provider

3115 \$1,711,468,034

3116 4000-0870 For health care services provided to adults participating in the medical
3117 assistance program pursuant to clause (g) of subsection (2) of section 9A of chapter 118E of the
3118 General Laws; provided, that funds may be expended from this item for health care services
3119 provided to the recipients in prior fiscal years \$165,351,318

3120 4000-0875 For the provision of benefits to eligible women who require medical
3121 treatment for either breast or cervical cancer in accordance with section

3122 1902(a)(10)(A)(ii)(XVIII) of the Breast and Cervical Cancer Prevention and Treatment Act of
3123 2000, Public Law 106-354, and in accordance with section 10D of chapter 118E of the General
3124 Laws; provided, that the executive office shall provide those benefits to women whose income,
3125 as determined by the executive office, does not exceed 250 per cent of the federal poverty level,
3126 subject to continued federal approval; provided further, that eligibility for benefits shall be
3127 extended solely for the duration of the cancerous condition; provided further, that before the
3128 provision of any benefits covered by this item, the executive office shall require screening for
3129 either breast or cervical cancer through the comprehensive breast and cervical cancer early
3130 detection program operated by the department of public health, in accordance with item 4570-
3131 1512 of section 2D; and provided further, that funds may be expended from this item for health
3132 care services provided to these recipients in prior fiscal years \$4,770,999

3133 4000-0880 For MassHealth benefits under clause (c) of subsection (2) of section 9A
3134 of chapter 118E of the General Laws and section 16C of said chapter 118E for children and
3135 adolescents whose family incomes as determined by the executive office are above 150 per cent
3136 of the federal poverty level; provided, that funds may be expended from this item for health care
3137 services provided to these children and adolescents in prior fiscal years \$222,090,812

3138 4000-0890 For the cost of health insurance subsidies paid to employees and
3139 employers of small businesses in the insurance reimbursement program under section 9C of
3140 chapter 118E of the General Laws; provided, that funds may be expended from this item for
3141 health care services provided to these persons in prior fiscal years \$58,181,956

3142 4000-0895 For the healthy start program to provide medical care and assistance to
3143 pregnant women and infants residing in the commonwealth pursuant to section 10E of chapter

3144 118E of the General Laws; provided, that funds may be expended from this item for health care
3145 services provided to these persons in prior fiscal years \$14,409,312

3146 4000-0950 For the purposes of administrative and program expenses associated with
3147 the children's behavioral health initiative, in accordance with the settlement agreement in the
3148 case of Rosie D. et al. v. Romney, United States District Court for the District of Massachusetts
3149 civil action No. 01-30199-MAP, to provide comprehensive, community-based behavioral health
3150 services to children suffering from severe emotional disturbances; provided, that funds may be
3151 expended from this item for health care services provided to these persons in prior fiscal years;
3152 provided further, that the secretary of health and human services shall report quarterly to the
3153 house and senate committees on ways and means relative to implementation of the initiative; and
3154 provided further, that such quarterly reports shall include, but not be limited to, details of the
3155 implementation plan, results of the scheduled plan to date, including a schedule detailing
3156 commencement of services and associated costs by service type, an analysis of compliance with
3157 the terms of the settlement agreement to date, a detailed itemization of services and service
3158 utilization by service type, geographical location and the age of the member receiving the
3159 service, data detailing the time that elapses between a member's request for services and
3160 commencement of an initial assessment for services, the time to complete the initial assessment
3161 and the time that elapses between initial assessment for services and commencement of services
3162 and a quarterly update of whether projected expenditures are likely to exceed the amount
3163 appropriated herein \$86,743,865

3164 4000-0990 For the children's medical security plan to provide primary and preventive
3165 health services for uninsured children from birth through age 18; provided, that the executive
3166 office shall prescreen enrollees and applicants for Medicaid eligibility; provided further, that no

3167 applicant shall be enrolled in the program until the applicant has been denied eligibility for the
3168 MassHealth program; provided further, that the MassHealth benefit request shall be used as a
3169 joint application to determine the eligibility for both MassHealth and the children's medical
3170 security plan; provided further, that the executive office shall maximize federal reimbursements
3171 for state expenditures made on behalf of the children; provided further, that the executive office
3172 shall expend all necessary funds from this item to ensure the provision of the maximum benefit
3173 levels for this program, as authorized by section 10F of chapter 118E of the General Laws;
3174 provided further, that the maximum benefit levels for this program shall be made available only
3175 to those children who have been determined by the executive office to be ineligible for
3176 MassHealth benefits; and provided further, that funds may be expended from this item for health
3177 care services provided to these persons in prior fiscal years \$12,089,722

3178 4000-1400 For the purposes of providing MassHealth benefits to persons with a
3179 diagnosis of human immunodeficiency virus with incomes up to 200 per cent of the federal
3180 poverty level; provided, that funds may be expended from this item for health care services
3181 provided to these persons in prior fiscal years \$18,801,714

3182 4000-1405 For the operation of a program of preventive and primary care for
3183 chronically unemployed persons who are not receiving unemployment insurance benefits and
3184 who are not eligible for medical assistance but who are determined by the executive office of
3185 health and human services to be long-term unemployed; provided, that such persons shall meet
3186 the eligibility requirements of the MassHealth program established in section 9A of chapter 118E
3187 of the General Laws; provided further, that persons eligible under subsection (7) of section 16D
3188 of said chapter 118E shall also be eligible to receive benefits under this item; provided further,
3189 that the income of such persons shall not exceed 100 per cent of the federal poverty level;

3190 provided further, that the eligibility requirements shall not exclude from eligibility persons who
3191 are employed intermittently or on a non-regular basis; provided further, that the provision of care
3192 to such persons under this program may, taking into account capacity, continuity of care, and
3193 geographic considerations, be restricted to certain providers; provided further, that the secretary
3194 may limit or close enrollment if necessary in order to ensure that expenditures from this item do
3195 not exceed the amount appropriated herein; provided further, that no such limitation shall be
3196 implemented unless the secretary has given 90 days' notice to the house and senate committees
3197 on ways and means and the joint committee on health care financing; and provided further, that
3198 funds may be expended from this item for health care services provided to recipients in prior
3199 fiscal years \$344,913,540

3200 4000-1420 For the purposes of making payment to the federal Centers for Medicare
3201 and Medicaid Services in compliance with Title XIX of the Social Security Act \$198,273,814

3202 4000-1700 For the provision of information technology services within the executive
3203 office of health and human services \$82,110,075

3204 Office for Refugees and Immigrants.

3205 4003-0122 For a citizenship for new Americans program to assist legal permanent
3206 residents of the commonwealth in becoming citizens of the United States; provided, that the
3207 office for refugees and immigrants shall administer the program; provided further, that the
3208 program funded by this item shall provide assistance to persons who are within 3 years of
3209 eligibility to become citizens of the United States; provided further, that services shall be
3210 designed to include: ESOL/civics classes, citizenship application assistance, interview
3211 preparation and support services including, but not limited to, interpretation and referral services;

3212 provided further, that persons who would qualify for benefits under chapter 118A of the General
3213 Laws but for their status as legal non-citizens shall be given highest priority for services; and
3214 provided further, that persons who currently receive state-funded benefits which could be
3215 replaced, in whole or in part, by federally-funded benefits if these persons become citizens, shall
3216 be given priority for services \$250,000

3217 Division of Health Care Finance and Policy.

3218 4100-0060 For the operation of the division of health care finance and policy and the
3219 administration of the Health Safety Net Trust Fund established in section 36 of chapter 118G of
3220 the General Laws; provided, that notwithstanding any general or special law to the contrary, the
3221 assessment to acute hospitals authorized pursuant to section 5 of chapter 118G for the estimated
3222 expenses of the division shall include in fiscal year 2011, the estimated expenses, including
3223 indirect costs, of the division and shall be equal to the amount appropriated in this item less
3224 amounts projected to be collected in fiscal year 2011 from: (a) filing fees; (b) fees and charges
3225 generated by the division's publication or dissemination of reports and information; and (c)
3226 federal financial participation received as reimbursement for the division's administrative costs;
3227 provided further, that the assessed amount shall not be less than 55 per cent of the total expenses
3228 appropriated for the division and the health safety net office; provided further, for the purposes
3229 of supporting the division's expanded role in developing health care policies that benefit
3230 government entities, providers, purchasers, and consumers, the division shall assess surcharge
3231 payors as defined in section 34 of chapter 118G, not less than 10 per cent of the total estimated
3232 expenses appropriated for the division and the health safety net office, including indirect costs, in
3233 fiscal year 2011, less amounts projected to be collected in fiscal year 2011 from: (a) filing fees;
3234 (b) fees and charges generated by the division's publication or dissemination of reports and

3235 information; and (c) federal financial participation received as reimbursement for the division's
3236 administrative costs; provided further, that the assessment on surcharge payors shall be
3237 calculated in a manner similar to the assessment authorized under section 38 of chapter 118G,
3238 and shall be collected in a manner consistent with the provisions of chapter 118G and deposited
3239 in the General Fund; provided further, that the division, in consultation with the executive office
3240 of health and human services, shall not promulgate any increase in Medicaid provider rates
3241 without taking all measures possible under Title XIX of the Social Security Act or any successor
3242 federal statute to ensure that rates of payment to providers do not exceed such rates as are
3243 necessary to meet only those costs incurred by efficiently and economically operated providers
3244 in order to provide services of adequate quality; provided further, that the division shall meet the
3245 reporting requirements of section 25 of chapter 203 of the acts of 1996; provided further, that
3246 funds may be expended for the purposes of a survey and study of the uninsured and underinsured
3247 in the commonwealth, including the health insurance needs of the residents of the
3248 commonwealth; provided further, that said study shall examine the overall impact of programs
3249 administered by the executive office of health and human services on the uninsured, the
3250 underinsured, and the role of employers in assisting their employees in affording health
3251 insurance pursuant to section 23 of chapter 118G of the General Laws; provided further, that the
3252 division shall publish annual reports on the financial condition of hospitals and other health care
3253 providers through the Health Benchmarks project website, in collaboration with the executive
3254 office of health and human services, the office of the attorney general, and the University of
3255 Massachusetts; provided further, that the division shall submit to the house and senate
3256 committees on ways and means and the joint committee on health care financing not later than
3257 December 8, 2010 a report detailing utilization of the Health Safety Net Trust Fund; provided

3258 further, that the report shall include: (a) the number of persons in the commonwealth whose
3259 medical expenses were billed to the Health Safety Net Trust Fund in fiscal year 2010; (b) the
3260 total dollar amount billed to the Health Safety Net Trust Fund in fiscal year 2010; (c) the
3261 demographics of the population using the Health Safety Net Trust Fund; and (d) the types of
3262 services paid for out of the Health Safety Net Trust Fund in fiscal year 2010; provided further,
3263 that the division shall include in the report an analysis on hospitals' responsiveness to enrolling
3264 eligible individuals into the MassHealth program upon the date of service rather than charging
3265 those individuals to the Health Safety Net Trust Fund; provided further, that the division shall
3266 include in the report possible disincentives the state could provide to hospitals to discourage such
3267 behavior; provided further, that funds shall be expended for the operation of the health care
3268 quality and cost council established in section 16K of chapter 6A of the General Laws to
3269 promote high-quality, cost-effective, patient-centered care; provided further, that the council
3270 shall file quarterly reports with the house and senate committees on ways and means delineating
3271 the progress made pursuant to the goals stated in said section 16K of said chapter 6A; provided
3272 further, that notwithstanding any general or special law or rule or regulation to the contrary, the
3273 division shall not allow any exceptions to the usual and customary charge defining rule as
3274 defined in 114.3 CMR 31.02, for the purposes of drug cost reimbursement to eligible pharmacy
3275 providers for publicly-aided or industrial accident patients; provided further, that the division is
3276 hereby authorized to change the pricing standard used by the division when determining the rate
3277 of payment to pharmacy providers for prescribed drugs for publicly-aided or industrial accident
3278 patients if such a change would financially benefit the commonwealth; provided further, that
3279 within 6 months of the publication date of the federal upper limits for multiple source drugs by
3280 the federal Centers for Medicare and Medicaid Services, the division shall submit a report to the

3281 secretary of administration and finance and the house and senate committees on ways and means
3282 on the savings realized by the MassHealth Pharmacy Program for the first 3 months that the
3283 federal upper limits for multiple source drugs are in place; provided further, that using this data,
3284 the division shall estimate the program savings for the remainder of fiscal year 2011; provided
3285 further, that the division, after consultation with the secretary of health and human services and
3286 the chairs of the senate and house committees on ways and means, may adjust pharmacy
3287 dispensing fees for multiple source prescription drugs to compensate for any reduction as a result
3288 of the upper limits implemented under the Deficit Reduction Act of 2005; provided further, that
3289 the division shall examine the factors that contribute to the cost increases of the health care
3290 delivery system and strategies employed by the provider community to reduce cost growth;
3291 provided further, that in preparing its report, the division shall conduct a public hearing on the
3292 matter; and provided further, that the division shall submit its findings to the joint committees on
3293 health care financing and the house and senate committees on ways and means not later than
3294 February 16, 2011 \$20,957,507

3295 4100-0360 For the health care quality and cost council established pursuant to section
3296 16K of chapter 6A of the General Laws; provided, that the council may expend an amount not to
3297 exceed \$100,000 from the monies received from the sale of data reports \$100,000

3298 OFFICE OF DISABILITIES AND COMMUNITY SERVICES.

3299 Massachusetts Commission for the Blind.

3300 4110-0001 For the office of the commissioner \$963,848

3301 4110-1000 For the community services program; provided, that the Massachusetts
3302 commission for the blind shall work in collaboration with the Massachusetts commission for the

3303 deaf and hard of hearing to provide assistance and services to the deaf-blind community through
3304 the deaf-blind community access network \$3,847,854

3305 4110-1010 For aid to the adult blind; provided, that funds may be expended from this
3306 item for burial expenses incurred in the prior fiscal year and for sheltered workforce employee
3307 retirement benefits \$8,351,643

3308 4110-2000 For the turning 22 program of the commission; provided, that the
3309 commission shall work in conjunction with the department of developmental services to secure
3310 the maximum amount of federal reimbursements available for the care of turning 22 clients and
3311 to secure similar rates for contracted residential services \$10,662,215

3312 4110-3010 For a program of vocational rehabilitation for the blind in cooperation
3313 with the federal government; provided, that no funds from federal vocational rehabilitation
3314 grants or state appropriation shall be deducted for pensions, group health and life insurance, or
3315 any other such indirect costs of federally reimbursed state employees \$3,044,673

3316 Massachusetts Rehabilitation Commission.

3317 4120-1000 For the operation of the commission; provided, that the commissioner
3318 shall report quarterly to the house and senate committees on ways and means and the secretary of
3319 administration and finance on the number of clients served and the amount expended on each
3320 type of service; provided further, that the comptroller shall act in accordance with item 1000-
3321 0001 if each report, with all of its components, is not filed by the end of the following fiscal
3322 quarter; provided further, that upon the written request of the commissioner of revenue, the
3323 commission shall provide lists of individual clients to whom or on behalf of whom payments
3324 have been made for the purpose of verifying eligibility and detecting and preventing fraud, error

3325 and abuse in the programs administered by the commission; and provided further, that the lists
3326 shall include client names and social security numbers and payee names and other identification,
3327 if different from a client's \$457,893

3328 4120-2000 For vocational rehabilitation services operated in cooperation with the
3329 federal government; provided, that no funds from the federal vocational rehabilitation grant or
3330 state appropriation shall be deducted for pensions, group health and life insurance and any other
3331 such indirect cost of the federally-reimbursed state employees; and provided further, that the
3332 commissioner, in making referrals to service providers, shall take into account the client's place
3333 of residence and the geographic proximity of the nearest provider to the residence \$10,013,228

3334 4120-3000 For employment assistance services; provided, that vocational evaluation
3335 and employment services for severely disabled adults may be provided \$2,630,752

3336 4120-4000 For independent living assistance services \$11,897,969

3337 4120-4001 For the housing registry for the disabled..... \$80,000

3338 4120-4010 For the turning 22 program of the commission \$801,551

3339 4120-5000 For homemaking services \$4,770,118

3340 4120-6000 For head injured services; provided, that the commission shall work with
3341 the executive office of health and human services to maximize federal reimbursement for clients
3342 receiving head injured services \$11,184,482

3343 Massachusetts Commission for the Deaf and Hard of Hearing.

3344 4125-0100 For the operation of and services provided by the Massachusetts
3345 commission for the deaf and hard of hearing \$4,895,345

3346 Department of Veterans' Services.

3347 1410-0010 For the operation of the department of veterans' services; provided, that
3348 the department may fund a housing specialist from this item provided further, that not less than
3349 the amount expended in fiscal year 2009 shall be expended for the purpose of maintaining and
3350 rehabilitating Massachusetts Vietnam Veterans memorials; provided further, the secretary of
3351 veterans' services shall submit a report to the joint committee on veterans and federal affairs and
3352 the house and senate committees on ways and means not later than December 1, 2010, on the
3353 effectiveness and efficiency of creating a program of behavioral health career development for
3354 returning veterans under a federal yellow ribbon scholarship entitled "Train Vets To Treat Vets"
3355 in conjunction with the Massachusetts School of Professional Psychology; and provided further,
3356 that the department may expend funds for the Glory 54th Brigade \$2,158,506

3357 1410-0012 For services to veterans, including the maintenance and operation of
3358 outreach centers; provided, that the department shall not reduce the amount allocated to a
3359 program or its successor listed in this item, in section 2 of chapter 27 of the acts of 2009;
3360 provided, further, that funds shall not be expended for the Middleboro Veterans' Outreach
3361 Center; provided further, that an amount equal to the amount of funds expended in fiscal year
3362 2010 for the Middleboro Veterans' Outreach Center shall be transferred to the Nathan Hale
3363 Foundation of Plymouth; provided further, that the centers shall provide counseling to
3364 incarcerated veterans and to Vietnam era veterans and their families who may have been exposed
3365 to agent orange; and provided further, that these centers shall provide services to veterans who

3366 were discharged after September 11, 2001, and their families

3367 \$1,738,686

3368 1410-0015 For the women veterans’ outreach program \$50,000

3369 1410-0018 For the department which may expend not more than \$300,000 for the

3370 maintenance and operation of Agawam and Winchendon veterans’ cemeteries from revenue

3371 collected from fees, grants, gifts or other contributions to the cemeteries; prior appropriations

3372 continued \$300,000

3373 1410-0100 For the revenue maximization project of the executive office of elder

3374 affairs to identify individuals eligible for veterans’ pensions who are currently receiving home

3375 health care services \$96,500

3376 1410-0250 For veterans’ homelessness services; provided, that the department shall

3377 not reduce the amount allocated to a program or its successor in section 2 of chapter 27 of the

3378 acts of 2009; and, provided further, that the Western Massachusetts Bilingual Veterans Outreach

3379 Center shall be the successor to the Springfield Bilingual Veterans Outreach Center at the

3380 YMCA..... \$2,083,073

3381 1410-0251 For the maintenance and operation of homeless shelters and transitional

3382 housing for veterans at the New England Center for Homeless Veterans located in the city of

3383 Boston \$2,278,543

3384 1410-0300 For the payment of annuities to certain disabled veterans and the parents

3385 and un-remarried spouses of certain deceased veterans; provided, that the payments shall be

3386 made pursuant to section 6B of chapter 115 of the General Laws; provided further, that the

3387 department shall take reasonable steps to terminate payments upon the death of a recipient;
3388 provided further, that the department shall prorate annuity payments to ensure that the total
3389 payments in fiscal year 2011 shall not exceed the amount appropriated herein; and provided
3390 further, that the secretary of veterans' services shall file with the house and senate committees on
3391 ways and means a report detailing the number of applications received for annuities offered
3392 under this program at the end of each fiscal quarter \$19,862,118

3393 1410-0400 For reimbursing cities and towns for money paid for veterans' benefits and
3394 for payments to certain veterans under section 6 of chapter 115 of the General Laws; provided,
3395 that notwithstanding any general or special law to the contrary, 100 per cent of the amounts of
3396 veterans' benefits paid by cities and towns to residents of a soldiers' home shall be paid by the
3397 commonwealth to the several cities and towns; provided further, that pursuant to section 9 of said
3398 chapter 115, the department shall reimburse cities and towns for the cost of United States flags
3399 placed on the graves of veterans on Memorial Day; provided further, that notwithstanding any
3400 general or special law to the contrary, the secretary of veterans' services shall continue a training
3401 program for veterans' agents and directors of veterans' services in cities and towns; provided
3402 further, that the department of veterans' services shall provide such training in several locations
3403 across the commonwealth; provided further, that training will be provided annually and on an as
3404 needed basis to veterans services organizations to make them aware of the provisions of said
3405 chapter 115 and all other benefits to which a veteran or the veteran's dependents may be entitled;
3406 provided further, that any person applying for veterans' benefits to pay for services available
3407 under chapter 118E of the General Laws, shall also apply for medical assistance under said
3408 chapter 118E to minimize cost of the commonwealth and its municipalities; provided further,
3409 that veterans' agents shall complete applications authorized by the executive office under said

3410 chapter 118E for any veteran, widow and dependent applying for medical assistance under said
3411 chapter 115; provided further, that the veterans' agent shall file the application for the veteran or
3412 dependent for assistance under said chapter 118E; provided further, that the executive office
3413 shall act on all said chapter 118E applications and advise the applicant and the veterans' agent of
3414 the applicant's eligibility for said chapter 118E healthcare; provided further, that the veterans'
3415 agent shall advise the applicant of the right to assistance for medical benefits under said chapter
3416 115 pending approval of the application for assistance under said chapter 118E by the executive
3417 office; provided further, that the secretary may supplement healthcare pursuant to said chapter
3418 118E with healthcare coverage under said chapter 115 if he determines that supplemental
3419 coverage is necessary to afford the veteran or dependent sufficient relief and support; provided
3420 further, that payments to or on behalf of a veteran or dependent pursuant to said chapter 115 shall
3421 not be considered income for the purposes of determining eligibility under said chapter 118E;
3422 and provided further, that benefits awarded pursuant to section 6B of said chapter 115 shall be
3423 considered countable income \$36,972,473

3424 1410-0630 For the administration of the veterans' cemeteries in the towns of Agawam
3425 and Winchendon \$946,136

3426 Soldiers' Home in Massachusetts.

3427 4180-0100 For the maintenance and operation of the Soldiers' Home in
3428 Massachusetts located in the city of Chelsea, including a specialized unit for the treatment of
3429 Alzheimer's disease patients; provided, that graduates from the LPN school of nursing shall
3430 work in state-operated facilities for at least 1 year; provided further, that no fee, assessment or
3431 other charge shall be imposed upon or required of any person for any outpatient treatment,

3432 admission or hospitalization which exceeds the amount of fees charged in fiscal year 2010;
3433 provided further, that all pharmacy services shall be paid through the state office of pharmacy
3434 services chargeback, item 4510-0108 of section 2B; and provided further, that no charge or
3435 contract shall be made with any alternate vendor to provide pharmacy services other than the
3436 state office of pharmacy services \$25,940,788

3437 4180-1100 For the Soldiers' Home in Massachusetts which may expend not more
3438 than \$360,000 in revenues for facility maintenance and patient care, including personnel costs;
3439 provided, that 60 per cent of all revenues generated pursuant to section 2 of chapter 90 of the
3440 General Laws through the purchase of license plates with the designation VETERAN by eligible
3441 veterans of the commonwealth, upon compensating the registry of motor vehicles for the cost
3442 associated with the license plates, shall be deposited into and for the purposes of this retained
3443 revenue account of the Soldiers' Home; provided further, that the Soldiers' Home may accept
3444 gifts, grants, donations and bequests; and provided further, that notwithstanding any general or
3445 special law to the contrary, for the purpose of accommodating timing discrepancies between the
3446 receipt of retained revenues and related expenditures, the Soldiers' Home may incur expenses
3447 and the comptroller may certify for payment amounts not to exceed the lower of this
3448 authorization or the most recent revenue estimate as reported in the state accounting system,
3449 prior appropriation continued \$360,000

3450 Soldiers' Home in Holyoke.

3451 4190-0100 For the maintenance and operation of the Soldiers' Home in Holyoke,
3452 including the adult day care program, the Maguder House and the Chapin Mansion; provided,
3453 that no fee, assessment or other charge shall be imposed upon or required of any person for any

3454 outpatient treatment, admission or hospitalization which exceeds the amount of fees charged in
3455 fiscal year 2010; provided further, that all pharmacy services shall be paid through the state
3456 office of pharmacy services chargeback, item 4510-0108 of section 2B; and provided further,
3457 that no charge or contract shall be made with any alternate vendor to provide pharmacy services
3458 other than the state office of pharmacy services \$19,438,450

3459 4190-0101 For the Soldiers' Home in Holyoke which may expend for its operation an
3460 amount not to exceed \$5,000 from the licensing of the property for placement of aerial antennas
3461 \$5,000

3462 4190-0102 For the Soldiers' Home in Holyoke which may expend for the outpatient
3463 pharmacy program an amount not to exceed \$110,000 from co-payments which it may charge to
3464 users of the program; provided, that no co-payments shall be imposed or required of any person
3465 which exceed the level of co-payments charged in fiscal year 2010 \$110,000

3466 4190-0200 For the Soldiers' Home in Holyoke which may expend not more than
3467 \$25,000 from fees collected from veterans in its care for the purposes of providing television and
3468 telephone services to residents; provided, that fees from the use of telephones and televisions
3469 shall only be expended for payments to vendors for said services; and provided further, that
3470 notwithstanding any general or special law to the contrary, for the purpose of accommodating
3471 timing discrepancies between the receipt of retained revenues and related expenditures, the
3472 soldiers' home may incur expenses and the comptroller may certify for payment amounts not to
3473 exceed the lower of this authorization or the most recent revenue estimate as reported in the state
3474 accounting system \$25,000

3475 4190-1100 For the Soldiers' Home in Holyoke which may expend not more than
3476 \$240,000 for facility maintenance and patient care, including personnel costs; provided, that 40
3477 per cent of all revenues generated pursuant to section 2 of chapter 90 of the General Laws
3478 through the purchase of license plates with the designation VETERAN by eligible veterans of the
3479 commonwealth, upon compensating the registry of motor vehicles for the cost associated with
3480 the license plates, shall be deposited into and for the purposes of this retained revenue account of
3481 the Soldiers' Home; provided further, that the Soldiers' Home may accept gifts, grants,
3482 donations, and bequests; and provided further, that notwithstanding any general or special law to
3483 the contrary, for the purpose of accommodating timing discrepancies between the receipt of
3484 retained revenues and related expenditures, the Soldiers' Home may incur expenses and the
3485 comptroller may certify for payment amounts not to exceed the lower of this authorization or the
3486 most recent revenue estimate as reported in the state accounting system, prior appropriation
3487 continued \$240,000

3488 Department of Youth Services.

3489 4200-0010 For the administration of the department of youth services; provided, that
3490 the department shall continue to collaborate with the department of elementary and secondary
3491 education in order to align curriculum at the department of youth services with the statewide
3492 curriculum frameworks and to ease the reintegration of youth from facilities at the department of
3493 youth services into regular public school settings; and provided further, that the department shall
3494 continue to execute its education funding initiative \$4,516,910

3495 4200-0100 For supervision, counseling and other community-based services provided
3496 to committed youths in nonresidential care programs of the department; provided, that the

3497 commissioner may transfer up to 5 per cent of the amount appropriated in this item to items
3498 4200-0200 and 4200-0300; and provided further, that 30 days before any such transfer is made,
3499 the commissioner shall file with the secretary of administration and finance and the house and
3500 senate committees on ways and means a plan showing the amounts to be transferred and the
3501 reason for the proposed transfer \$21,936,465

3502 4200-0200 For pretrial detention programs, including purchase-of-service and state-
3503 operated programs; provided, that the commissioner may transfer up to 5 per cent of the amount
3504 appropriated herein to items 4200-0100 and 4200-0300; and provided further, that 30 days before
3505 any transfer is made, the commissioner shall file with the secretary of administration and finance
3506 and the house and senate committees on ways and means a plan showing the amounts to be
3507 transferred and the reason for the proposed transfer \$18,311,369

3508 4200-0300 For secure facilities, including purchase-of-service and state operated
3509 programs incidental to the operations of the facilities; provided, that funds shall be expended to
3510 address the needs of the female population; provided further, that funds shall be expended to
3511 address suicide prevention; provided further, that the commissioner may transfer up to 5 per cent
3512 of the amount appropriated in this item to items 4200-0100 and 4200-0200; and provided further,
3513 that 30 days before any such transfer is made, the commissioner shall file with the secretary of
3514 administration and finance and the house and senate committees on ways and means a plan
3515 showing the amounts to be transferred and the reason for the proposed transfer \$97,430,236

3516 4200-0500 For enhanced salaries for teachers at the department of youth services
3517 \$2,500,000

3518 OFFICE OF CHILDREN, YOUTH AND FAMILY SERVICES.

3519 Department of Transitional Assistance.

3520 4400-1000 For the central administration of the department of transitional assistance;
3521 provided, that all costs associated with verifying disability for all programs of the department
3522 shall be paid from this item; provided further, that the department shall submit on a monthly
3523 basis to the house and senate committees on ways and means and the secretary of administration
3524 and finance a status report on program expenditures, savings and revenues, error rate
3525 measurements, and public assistance caseloads and benefits; provided further, that the
3526 department shall collect all out-of-court settlement restitution payments; provided further, that
3527 the restitution payments shall include, but not be limited to, installment and lump sum payments;
3528 provided further, that notwithstanding any general or special law to the contrary, unless
3529 otherwise expressly provided, federal reimbursements received for the purposes of the
3530 department, including reimbursements for administrative, fringe and overhead costs, for the
3531 current fiscal year and prior fiscal years, shall be credited to the General Fund; provided further,
3532 that an application for assistance under chapter 118 of the General Laws shall be deemed an
3533 application for assistance under chapter 118E of the General Laws; provided further, that if
3534 assistance under said chapter 118 is denied, the application shall be transmitted by the
3535 department to the executive office of health and human services for a determination of eligibility
3536 under said chapter 118E; provided further, that the department shall, to the extent feasible within
3537 the appropriation provided, provide for extended office hours; provided further, that the
3538 department shall accomplish the staffing of these extended office hours to the maximum extent
3539 possible through the use of flex-time that will allow workers to modify their working hours to
3540 accommodate their specific personal and family needs; provided further, that the department
3541 shall, to the extent feasible within the appropriation provided, continue and expand the program

3542 of placing workers at community and human service organizations for the purposes of
3543 facilitating supplemental nutrition assistance program applications and redeterminations; and
3544 provided further, that the department shall report to the house and senate committees on ways
3545 and means no later than December 15, 2010 on the extended office hours and placement of
3546 workers at community and human service organizations that the department has determined is
3547 feasible within the appropriation provided and that the department will provide in the current
3548 fiscal year; provided further, that not later than December 1, 2010, the department shall submit to
3549 the house and senate committees on ways and means, the chairs of the joint committee on
3550 housing and the chairs of the joint committee on children, families and persons with disabilities a
3551 report setting forth: (i) a proposal for the department to offer not less than once annually,
3552 recipients of benefits and services provided by the department with the goal of identifying those
3553 households who are at risk of homelessness and referring them to the department of housing and
3554 community development or other entities or agencies with homelessness prevention resources;
3555 and (ii) an estimate of the amount of any additional administrative resources that would be
3556 needed for the department to implement the proposal in fiscal year 2012; and provided further,
3557 that implementation of the proposal shall be subject to appropriation in fiscal year 2012

3558 \$53,100,830

3559 4400-1001 For programs to increase the commonwealth's participation rate in the
3560 supplemental nutrition assistance program and other federal nutrition programs; provided, that
3561 funds may be expended for a grant with Project Bread-The Walk for Hunger, Inc.; provided
3562 further, that the work of department employees paid for from this item shall be restricted to
3563 processing supplemental nutrition assistance program applications; provided further, that the
3564 department shall not require supplemental nutrition assistance program applicants to provide re-

3565 verification of eligibility factors previously verified and not subject to change; provided further,
3566 that the department shall fund a unit staffed by department employees to respond to supplemental
3567 nutrition assistance program inquiries, and arrange for and conduct telephone interviews for
3568 initial supplemental nutrition assistance program applications from this item; provided further,
3569 that the department shall fund a system to image and catalogue eligibility documents
3570 electronically from this item; and provided further, that funds shall be expended for supplemental
3571 nutrition assistance program outreach \$3,381,632

3572 4400-1025 For domestic violence specialists at local area offices \$726,455

3573 4400-1100 For the payroll of the department's caseworkers; provided, that only
3574 employees of bargaining unit 8 shall be paid from this item \$54,386,089

3575 4401-1000 For employment and training services, including support services, for
3576 recipients of benefits provided under the transitional aid to families with dependent children
3577 program; provided, that funds from this item may be expended on former recipients of the
3578 program for up to 1 year after termination of their benefits; provided further, that on or before
3579 December 1, 2010, the department shall file with the house and senate committees on ways and
3580 means and the joint committee on children, families and persons with disabilities a proposal and
3581 spending plan relative to how equitably and cost efficiently to provide transportation assistance
3582 during fiscal year 2012 to recipients of transitional aid to families with dependent children who
3583 are working or attending an education or training program and to former recipients who are
3584 working during the first year after their benefits terminate, subject to appropriation; provided
3585 further, that funds shall be expended for the Young Parents Program; and provided further, that
3586 certain parents who have not yet reached the age of 18 years, including those who are ineligible

3587 for transitional aid to families with dependent children and who would qualify for benefits under
3588 chapter 118 of the General Laws, but for the deeming of the grandparents' income, shall be
3589 eligible to receive services \$15,979,163

3590 4403-2000 For a program of transitional aid to families with dependent children;
3591 provided, that notwithstanding any general or special law to the contrary, benefits under the
3592 program of transitional aid to families with dependent children shall be paid only to citizens of
3593 the United States and to non-citizens for whom federal funds may be used to provide benefits;
3594 provided further, that notwithstanding any general or special law or any provisions of this act to
3595 the contrary, no benefits under this item shall be made available to illegal or undocumented
3596 aliens; provided further, that the need standard shall be equal to the standard in effect in fiscal
3597 year 2010 unless the department determines that a reduction in the monthly payment standard
3598 should be implemented before the end of the fiscal year to keep program expenditures within the
3599 amounts appropriated in this item; provided further, that the payment standard shall be equal to
3600 the need standard; provided further, that the payment standard for families who do not qualify for
3601 an exempt category of assistance under subsection (e) of section 110 of chapter 5 of the acts of
3602 1995, or any successor statute, shall be 2.75 per cent below the otherwise applicable payment
3603 standard, in fiscal year 2011, pursuant to the state plan required under the Personal
3604 Responsibility and Work Opportunity Reconciliation Act of 1996; provided further, that the
3605 department shall notify parents under the age of 20 receiving benefits from the program of the
3606 requirements found in clause (2) of subsection (i) of said section 110 of said chapter 5 of the acts
3607 of 1995, or any successor statute; provided further, that a \$40 per month rent allowance shall be
3608 paid to all households incurring a rent or mortgage expense and not residing in public housing or
3609 subsidized housing; provided further, that a nonrecurring children's clothing allowance in the

3610 amount of \$150 shall be provided to each child eligible under this program in September 2010;
3611 provided further, that the children's clothing allowance shall be included in the standard of need
3612 for the month of September 2010; provided further, that benefits under this program shall not be
3613 available to those families in which a child has been removed from the household pursuant to a
3614 court order after a care and protection hearing under chapter 119 of the General Laws, nor to
3615 adult recipients otherwise eligible for transitional aid to families with dependent children but for
3616 the temporary removal of the dependent child or children from the home by the department of
3617 children and families in accordance with department procedures; provided further, that
3618 notwithstanding section 2 of chapter 118 of the General Laws, or any other general or special
3619 law to the contrary, the department shall render aid to pregnant women with no other eligible
3620 dependent children only if it has been medically verified that the child is expected to be born
3621 within the month the payments are to be made or within the 3 month period after the month of
3622 payment, and who, if the child had been born and was living with such woman in the month of
3623 payment would be categorically and financially eligible for transitional aid to families with
3624 dependent children benefits; provided further, that certain families that suffer a reduction in
3625 benefits due to a loss of earned income and participation in retrospective budgeting may receive
3626 a supplemental benefit to compensate them for the loss; provided further, that the department
3627 shall review its disability standards to determine the extent to which they reflect the current
3628 medical and vocational criteria and report on the proposed revisions by December 1, 2010, to the
3629 house and senate committees on ways and means and the joint committee on children, families
3630 and persons with disabilities on the results of that review before any changes to the standards are
3631 proposed; provided further, that no funds from this item shall be expended by the department for
3632 child care or transportation services for the employment and training program; provided further,

3633 that no funds from this item shall be expended by the department for family reunification
3634 benefits or informal child care; provided further, that the department shall provide oral and
3635 written notification to all recipients of their child care benefits at the time of application and on a
3636 semi-annual basis; provided further, that the notification shall include the full range of child care
3637 options available, including center-based child care, family-based child care, and in-home
3638 relative child care; provided further, that the notification shall detail available child care benefits
3639 for current and former recipients, including employment and training benefits and transitional
3640 benefits; provided further, that the notice shall further advise recipients of the availability of
3641 supplemental nutrition assistance program benefits; provided further, that in promulgating,
3642 amending or rescinding its regulations with respect to eligibility for, or levels of benefits under
3643 the program, the department shall take into account the amounts available to it for expenditure by
3644 this item so as not to exceed the appropriation; provided further, that notwithstanding any
3645 general or special law to the contrary, 60 days before promulgating any eligibility or benefit
3646 changes, the commissioner shall file with the house and senate committees on ways and means
3647 and with the clerks of the senate and house of representatives a detailed and comprehensive
3648 report setting forth the text of, basis, and reasons for the proposed changes; and provided further,
3649 that the report shall state the department's most accurate assessment of the probable effects of
3650 benefit or eligibility changes upon recipient families \$316,165,900

3651 4403-2119 For the provision of structured settings as provided in subsection (i) of
3652 section 110 of chapter 5 of the acts of 1995, or any successor statute, for parents under the age of
3653 20 who are receiving benefits under the transitional aid to families with dependent children
3654 program \$6,576,576

3655 4405-2000 For the state supplement to the supplemental security income program for
3656 the aged and disabled, including a program for emergency needs for supplemental security
3657 income recipients; provided, that the expenses of special grants recipients residing in rest homes,
3658 as provided in section 7A of chapter 118A of the General Laws, may be paid from this item;
3659 provided further, that the department, in collaboration with the executive office of health and
3660 human services, may fund an optional supplemental living arrangement category under the
3661 supplemental security income program that makes payments to persons living in assisted living
3662 residences certified under chapter 19D of the General Laws who meet the income and clinical
3663 eligibility criteria established by the department and the office; provided further, that the optional
3664 category of payments shall only be administered in conjunction with the Medicaid group adult
3665 foster care benefit; and provided further, that reimbursements to providers for services rendered
3666 in prior fiscal years may be expended from this item \$224,184,854

3667 4408-1000 For a program of cash assistance to certain residents of the
3668 commonwealth, entitled emergency aid to the elderly, disabled and children found by the
3669 department to be eligible for the aid under chapter 117A of the General Laws and regulations
3670 promulgated by the department and subject to the limitations of appropriation therefore;
3671 provided, that benefits under this item shall only be provided to residents who are citizens of the
3672 United States or qualified aliens or non-citizens otherwise permanently residing in the United
3673 States under color of law and shall not be provided to illegal or undocumented aliens; provided
3674 further, that the individual shall not be a subject to sponsor income deeming or related
3675 restrictions; provided further, that the payment standard shall equal the payment standard in
3676 effect under the general relief program in fiscal year 1991; provided further, that the department
3677 may provide benefits to persons age 65 or older who have applied for benefits under chapter

3678 118A of the General Laws, to persons suffering from a medically-determinable impairment or
3679 combination of impairments which is expected to last for a period as determined by department
3680 regulations and which substantially reduces or eliminates such individuals' capacity to support
3681 themselves and which has been verified by a competent authority, to certain persons caring for a
3682 disabled person, to otherwise eligible participants in the vocational rehabilitation program of the
3683 Massachusetts rehabilitation commission and to dependent children who are ineligible for
3684 benefits under both chapter 118 of the General Laws and the separate program created by section
3685 210 of chapter 43 of the acts of 1997 and parents or other caretakers of dependent children who
3686 are ineligible under said chapter 118 and under said separate program; provided further, that no
3687 ex-offender, person over age 45 without a prior work history or person in a residential treatment
3688 facility shall be eligible for benefits under this program unless the person otherwise meets the
3689 eligibility criteria described in this item and defined by regulations of the department; provided
3690 further, that no person incarcerated in a correctional institution shall be eligible for benefits
3691 under the program; provided further, that no funds shall be expended from this item for the
3692 payment of expenses associated with any medical review team, other disability screening process
3693 or costs associated with verifying disability for this program; provided further, that the
3694 department shall adopt emergency regulations under chapter 30A of the General Laws to
3695 implement the changes to this program required by this item promptly and within the
3696 appropriation; provided further, that in initially implementing the program for this fiscal year, the
3697 department shall include all eligibility categories permitted in this item at the payment standard
3698 in effect for the former general relief program in fiscal year 1991; provided further, that in
3699 promulgating, amending or rescinding its regulations with respect to eligibility or benefits,
3700 including the payment standard, medical benefits and any other benefits under this program, the

3701 department shall take into account the amounts available to it for expenditure by this item so as
3702 not to exceed the amount appropriated in this item; provided further, that the department may
3703 promulgate emergency regulations under chapter 30A of the General Laws to implement these
3704 eligibility or benefit changes or both; provided further, that nothing in this item shall be
3705 construed as creating any right accruing to recipients of the former general relief program;
3706 provided further, that reimbursements collected from the Social Security Administration on
3707 behalf of former clients of the emergency aid to the elderly, disabled and children program or
3708 unprocessed payments from the program that are returned to the department shall be credited to
3709 the General Fund; provided further, that notwithstanding any general or special law to the
3710 contrary, the funds made available in this item shall be the only funds available for the program,
3711 and the department shall not spend funds for the program in excess of the amount made available
3712 in this item; and provided further, that, notwithstanding any general or special law to the
3713 contrary, 60 days before implementing any eligibility or benefit changes, the commissioner shall
3714 file with the clerks of the house of representatives and the senate a determination by the secretary
3715 of health and human services that available appropriations for the program will be insufficient to
3716 meet projected expenses and a report setting forth the proposed changes \$88,243,284

3717 OFFICE OF HEALTH SERVICES.

3718 Department of Public Health.

3719 4510-0040 For the department of public health; provided, that the department may
3720 expend for the regulation of all pharmaceutical and medical device companies that market their
3721 products in Massachusetts an amount not to exceed \$500,000 from fees assessed under chapter
3722 111N of the General Laws; and provided further, that for the purpose of accommodating timing

3723 discrepancies between the receipt of retained revenues and related expenditures, the department
3724 may incur expenses and the comptroller may certify for payment amounts not to exceed the
3725 lower of this authorization or the most recent revenue estimate as reported in the state accounting
3726 \$500,000

3727 4510-0100 For the administration and operation of the department, including the
3728 personnel support of programmatic staff within the department, including the health statistics
3729 program, the operation of the registry of vital records and statistics, and the Massachusetts
3730 Cancer Registry \$17,981,355

3731 4510-0110 For community health center services \$915,840

3732 4510-0600 For an environmental and community health hazards program, including
3733 control of radiation and nuclear hazards, consumer products protection, food and drugs, lead
3734 poisoning prevention in accordance with chapter 482 of the acts of 1993, lead-based paint
3735 inspections in day care facilities, inspection of radiological facilities, licensing of x-ray
3736 technologists and the administration of the bureau of environmental health assessment pursuant
3737 to chapter 111F of the General Laws, the 'Right-to-Know' law; provided, that the department
3738 shall file a report with the house and senate committees on ways and means, the joint committee
3739 on public health, and the joint committee on health care financing, on the status of local health
3740 inspections of food establishments, consistent with the department of public health food safety
3741 regulations and a report on the current waiting list for indoor air inspections by October 1, 2010;
3742 provided further, that \$195,000 shall be expended for the purpose of the continuation of an
3743 environmental risk assessment of the health impacts of the General Lawrence Logan Airport in
3744 the East Boston section of the city of Boston on any community that is located within a 5 mile

3745 radius of the airport and is potentially impacted by the airport; provided further, that the
3746 assessment may include, but not be limited to, examining incidences of respiratory diseases and
3747 cancers and performing medical and laboratory tests and examinations of residents of these
3748 communities; provided further, that the bureau shall report its findings, together with any
3749 recommended response actions by the commonwealth, to the house and senate committees on
3750 ways and means not later than June 1, 2011; and provided further, that notwithstanding any
3751 general or special law to the contrary, 100 per cent of the amount appropriated in this item for
3752 the environmental risk assessment shall be assessed upon the Massachusetts Port Authority and
3753 paid within 30 days after receipt of notice of such assessment from the commissioner of public
3754 health \$3,176,362

3755 4510-0615 For the department, which may expend not more than \$180,000 from
3756 assessments collected under section 5K of chapter 111 of the General Laws for services provided
3757 to monitor, survey and inspect nuclear power reactors; provided, that the department may expend
3758 not more than an additional \$1,497,865 from fees collected from licensing and inspecting users
3759 of radioactive material within the commonwealth under licenses presently issued by the Nuclear
3760 Regulatory Commission; provided further, that the revenues may be used for the costs of both
3761 programs, including the compensation of employees; and provided further, that for the purpose
3762 of accommodating timing discrepancies between the receipt of retained revenues and related
3763 expenditures, the department may incur expenses and the comptroller may certify for payment
3764 amounts not to exceed the lower of this authorization for the most recent revenue estimate as
3765 reported in the state accounting system \$1,677,865

3766 4510-0616 For the department which may expend not more than \$1,343,703 for a
3767 drug registration and monitoring program from revenues collected from fees charged to

3768 registered practitioners, including physicians, dentists, veterinarians, podiatrists and optometrists
3769 for controlled substance registration; provided, that funds may be expended from this item for
3770 the costs of personnel; and provided further, that for the purpose of accommodating timing
3771 discrepancies between the receipt of retained revenues and related expenditures, the department
3772 may incur expenses and the comptroller may certify for payment amounts not to exceed the
3773 lower of this authorization or the most recent revenue estimate as reported in the state accounting
3774 system \$1,343,703

3775 4510-0710 For the operation of the division of health care quality and the office of
3776 patient protection; provided, that the division shall be responsible for assuring the quality of
3777 patient care provided by the commonwealth's health care facilities and services, and for
3778 protecting the health and safety of patients who receive care and services in nursing homes, rest
3779 homes, clinical laboratories, clinics, institutions for the mentally retarded and the mentally ill,
3780 hospitals and infirmaries, including the inspection of ambulance services; provided further, that
3781 investigators shall conduct investigations of abuse, neglect, mistreatment and misappropriation;
3782 provided further, that all investigators in the division of health care quality responsible for the
3783 investigations shall receive training by the Medicaid fraud control unit in the office of the
3784 attorney general; provided further, that the division shall continue a comprehensive training,
3785 education and outreach program for nursing home administrators and managers and other
3786 supervisory personnel in long-term care to improve the quality of care in long-term care
3787 facilities; provided further, that the program shall promote the use of best practices, models of
3788 quality care giving and the culture of workforce retention within the facilities and shall focus on
3789 systemic ways to reduce deficiencies; and provided further, that services funded through this

3790 item shall include, but not be limited to: education, training, intervention, support, surveillance
3791 and evaluation \$6,773,156

3792 4510-0712 For the department of public health; provided, that the department may
3793 expend not more than \$538,646 in revenues collected from the licensure of health facilities for
3794 program costs of the division of health care quality; provided further, that the department may
3795 expend not more than \$800,000 from revenues collected from individuals applying for
3796 emergency medical technician licensure and recertification; and provided further, that
3797 notwithstanding any general or special law to the contrary, for the purpose of accommodating
3798 timing discrepancies between the receipt of retained revenue and related expenditures, the
3799 department may incur expenses and the comptroller may certify for payment amounts not to
3800 exceed the lesser of this authorization or the most recent revenue estimate therefore as reported
3801 in the state accounting system \$1,338,646

3802 4510-0715 For the operation of a center for primary care recruitment and placement
3803 to improve access to primary care services; provided, that funds may be expended for primary
3804 care workforce development and loan forgiveness grant program \$157,000

3805 4510-0716 For the operation of an evidence-based outreach and education program
3806 designed to provide information and education on the therapeutic and cost-effective utilization of
3807 prescription drugs to physicians, pharmacists and other health care professionals authorized to
3808 prescribe and diagnose prescription drugs \$93,000

3809 4510-0721 For the operation and administration of the board of registration in
3810 nursing; provided, that the board shall prepare an annual report detailing the total number of
3811 cases referred to and investigated by the board, the resolution of these cases, the approximate

3812 number of cases assigned to each investigator and any increases or decreases in cases referred to
3813 the board in the previous 6 months; and provided further, that the board shall submit the report to
3814 the house and senate committees on ways and means, the joint committee on health care
3815 financing, the joint committee on public health and the commissioner of public health by January
3816 4, 2011 \$1,012,726

3817 4510-0722 For the operation and administration of the board of registration in
3818 pharmacy; provided, that the board shall prepare an annual report detailing the total number of
3819 cases referred to and investigated by the board, the resolution of these cases, the approximate
3820 number of cases assigned to each investigator and any increases or decreases in cases referred to
3821 the board in the previous 6 months; and provided further, that the board shall submit the report to
3822 the house and senate committees on ways and means, the joint committee on health care
3823 financing, the joint committee on public health and the commissioner of the department of public
3824 health by January 4, 2011 \$247,908

3825 4510-0723 For the operation and administration of the board of registration in
3826 medicine and the committee on acupuncture; provided, that the board of registration in medicine
3827 shall prepare an annual report addressing its activities with respect to licensing, enforcement, law
3828 and policy, patient safety and other relevant topics including, but not limited to, the total number
3829 of cases referred to and reviewed by the board, the resolution of such cases, the approximate
3830 number of cases assigned to each investigator, any increases or decreases in cases referred to the
3831 board in the previous 6 months, a compilation of cases from its patient care assessment program
3832 describing incidents involving preventable medical error that resulted in harm to a patient or a
3833 health care provider for the purpose of assisting the providers, hospitals and pharmacies to
3834 modify their practices and techniques to avoid error and any other relevant topics; provided

3835 further, that the board shall submit the report to the general court, house and senate committees
3836 on ways and means and the joint committee on health care financing and the joint committee on
3837 public health by January 4, 2011, and shall make the compilation widely available, including by
3838 electronic means, to the public; and provided further, that the board shall promulgate rules and
3839 regulations to coordinate their patient care assessment program with the boards of registration in
3840 nursing and pharmacy \$1,286,813

3841 4510-0725 For the operation and administration of certain health boards of
3842 registration, including the boards of registration in dentistry, nursing home administrators,
3843 physician assistants, perfusionists, genetic counselors and respiratory care \$347,904

3844 4510-0726 For the board of registration in medicine, including the physician profiles
3845 program; provided, that the board may expend revenues not to exceed \$300,000 from new
3846 revenues associated with increased license and renewal fees \$300,000

3847 4510-0790 For regional emergency medical services; provided, that no funds shall be
3848 expended in the AA object class; and provided further, that the regional emergency medical
3849 services councils, designated under 105 CMR 170.101 and the C-MED medical emergency
3850 communications centers that were in existence on January 1, 1992, shall remain the designated
3851 councils and C-MED communications centers \$955,855

3852 4510-0810 For a statewide sexual assault nurse examiner program and pediatric
3853 sexual assault nurse examiner program for the care of victims of sexual assault; provided, that
3854 funds shall be expended to support children's advocacy centers; and provided further, that the
3855 program shall operate under specific statewide protocols and by an on-call system of nurse
3856 examiners \$3,460,740

3857 4512-0103 For human immunodeficiency virus and acquired immune deficiency
3858 syndrome services and programs and related services for persons affected by the associated
3859 conditions of viral hepatitis and sexually transmitted infections; provided, that particular
3860 attention shall be paid to direct funding proportionately to each of the demographic groups
3861 afflicted by HIV/AIDS and associated conditions; and provided further, that no funds from this
3862 item shall be expended for disease research in fiscal year 2011 \$34,097,810

3863 4512-0106 For the department of public health which may expend for the human
3864 immunodeficiency virus and acquired immune deficiency syndrome drug assistance program an
3865 amount not to exceed \$1,500,000 from revenues received from pharmaceutical manufacturers
3866 participating in the section 340B rebate program of the Public Health Service Act, administered
3867 by the federal Health Resources and Services Administration and Office of Pharmacy Affairs
3868 \$1,500,000

3869 4512-0200 For the division of substance abuse services, including a program to
3870 reimburse driver alcohol education programs for services \$74,515,802

3871 Commonwealth Substance Abuse Treatment and Prevention Fund...100%

3872 4512-0201 For substance abuse step-down recovery services, otherwise known as
3873 level B beds and services, and other critical recovery services with severely reduced capacity;
3874 provided, that no funds shall be expended in the AA object class; and provided further, that the
3875 department shall submit quarterly to the house and senate committees on ways and means a
3876 report on the number of individuals served by the step-down recovery services program
3877 \$4,800,000

3878 Commonwealth Substance Abuse Treatment and Prevention Fund...100%

3879 4512-0202 For pilot jail diversion programs primarily for nonviolent offenders with
3880 OxyContin or heroin addiction to be procured by the department of public health; provided, that
3881 each program shall have at least 60 beds and shall provide clinical assessment services to the
3882 respective courts, inpatient treatment for up to 90 days and ongoing case management services
3883 for up to 1 year; provided further, that individuals may be diverted to this or other programs by a
3884 district attorney in conjunction with the office of the commissioner of probation if: (a) there is
3885 reason to believe that the individual being diverted suffers from an addiction to OxyContin or
3886 heroin, or other substance use disorder; and (b) the diversion of an individual is clinically
3887 appropriate and consistent with established clinical and public safety criteria; provided further,
3888 that programs shall be established in separate counties in locations deemed suitable by the
3889 department of public health; provided further, that the department of public health shall
3890 coordinate operations with the sheriffs, the district attorneys, the office of the commissioner of
3891 probation and the department of correction; provided further, that not more than \$500,000 shall
3892 be used to support the ongoing treatment needs of clients after 90 days for which there is no
3893 other payer; and provided further, that not later than August 1, 2010, the department of public
3894 health shall provide a report to the joint committee on mental health and substance abuse and the
3895 house and senate committees on ways and means as to the outcomes of the program and the cost
3896 of operations \$6,000,000

3897 Commonwealth Substance Abuse Treatment and Prevention Fund...100%

3898 4512-0203 For family intervention and care management services programs, a pilot
3899 young adult treatment program, and early intervention services for individuals who are
3900 dependent on or addicted to alcohol or controlled substances or both alcohol and controlled
3901 substances. \$1,500,000

3902 Commonwealth Substance Abuse Treatment and Prevention Fund...100%

3903 4512-0225 For the department of public health which may expend not more than
3904 \$1,000,000 for a compulsive gamblers' treatment program from unclaimed prize money held in
3905 the State Lottery Fund for more than 1 year from the date of the drawing when the unclaimed
3906 prize money was won, and from the proceeds of a multi-jurisdictional lottery game under
3907 subsection (e) of section 24A of chapter 10 of the General Laws; provided, that the state
3908 comptroller shall transfer the amount to the General Fund; and provided further, that
3909 notwithstanding any general or special law to the contrary, for the purpose of accommodating
3910 timing discrepancies between the receipt of retained revenue and related expenditures, the
3911 department may incur expenses and the comptroller may certify for payment amounts not to
3912 exceed the lesser of this authorization or the most recent revenue estimate therefor as reported in
3913 the state accounting system \$1,000,000

3914 4512-0500 For dental health services; provided, that funds shall be expended to
3915 maintain a program of dental services for the developmentally disabled; and provided further,
3916 that funds may be expended for the Forsyth Institute's Center for Children's Oral Health
3917 \$1,424,477

3918 4513-1000 For the provision of family health services; provided, that funds shall be
3919 provided for comprehensive family planning services, including HIV counseling and testing,
3920 community-based health education and outreach services provided by agencies certified as
3921 comprehensive family planning agencies; and provided further, that funds may be expended for
3922 the Massachusetts birth defects monitoring program \$4,655,623

3923 4513-1002 For women, infants and children's, WIC, nutrition services in addition to
3924 funds received under the federal nutrition program; provided, that all new WIC cases, in excess
3925 of fiscal year 1991 caseload levels, shall be served in accordance with priority categories 1
3926 through 7, as defined by the state WIC program \$12,465,134

3927 4513-1012 For the department of public health which may expend not more than
3928 \$23,600,000 from revenues received from the federal cost-containment initiatives including, but
3929 not limited to, infant formula rebates; provided, that for the purpose of accommodating timing
3930 discrepancies between the receipt of retained revenues and related expenditures, the department
3931 may incur expenses and the comptroller may certify for payment amounts not to exceed the
3932 lesser of this authorization or the most recent revenue estimate as reported in the state accounting
3933 system \$23,600,000

3934 4513-1020 For the early intervention program; provided, that the department shall
3935 report quarterly to the house and senate committees on ways and means the total number of units
3936 of service purchased and the total expenditures for the units of service paid by the department,
3937 the executive office of health and human services and third party payers for early intervention
3938 services for the following services categories: home visit, center-based individual, child-focused
3939 group, parent-focused group and screening and assessment; provided further, that the department
3940 shall make all reasonable efforts to secure third party and Medicaid reimbursements for the
3941 services funded in this item; provided further, that funds from this item shall be expended to
3942 provide respite services to families of children enrolled in early intervention programs who have
3943 complex care requirements, multiple disabilities and extensive medical and health needs;
3944 provided further, that priority shall be given to low and moderate income families; provided
3945 further, that no claim for reimbursement made on behalf of an uninsured person shall be paid

3946 from this item until the program receives notice of a denial of eligibility for the MassHealth
3947 program from the executive office of health and human services; provided further, that nothing
3948 in this item shall give rise to or shall be construed as giving rise to enforceable legal rights to any
3949 such services or an enforceable entitlement to the early intervention services funded in this item;
3950 provided further, that the department shall provide written notification to the senate and house
3951 committees on ways and means 90 days prior to any change to its current eligibility criteria; and
3952 provided further, that these funds may be used to pay for current and prior year claims

3953 \$26,997,264

3954 4513-1023 For the universal newborn hearing screening program; provided, that the
3955 funds appropriated in this item shall be expended for the notification of and follow through with
3956 affected families, primary care providers and early intervention programs upon the department's
3957 receipt of data indicative of potential hearing disorders in newborns \$71,497

3958 4513-1026 For the provision of statewide and community-based suicide prevention,
3959 intervention, post-intervention and surveillance activities and the implementation of a statewide
3960 suicide prevention plan; provided, that funds may be expended for a program to address elder
3961 suicide behavior and attempts with the Geriatric Mental Health Services program within the
3962 department of elder affairs; provided further, that funds may be expended for a Veterans in Crisis
3963 Hotline; provided further, that the hotline shall be for the use of veterans who seek counseling
3964 programs operated by the department of veterans affairs and/or concerned family members of
3965 those veterans so that they may be directed towards the programs and services offered by their
3966 local or regional Veterans Affairs office; and provided further, that the hotline shall be staffed by
3967 counselors or outreach programs contracted by the department and trained in issues of mental
3968 health counseling and veterans services; and provided further, that the SAVE Team in the

3969 department of veterans' services for suicide prevention and intervention services shall receive an
3970 amount that is not less than the amount it received in fiscal year 2010.\$3,228,120

3971 4513-1111 For the promotion of health and disease prevention including, but not
3972 limited to, the following programs: breast cancer prevention; diabetes screening and outreach;
3973 ovarian cancer screening; a statewide STOP stroke program and ongoing stroke prevention and
3974 education; hepatitis C prevention and management; multiple sclerosis screening, information,
3975 education and treatment programs and the Multiple Sclerosis Home Living Navigating Key
3976 Services program administered by the Greater New England Chapter of the National Multiple
3977 Sclerosis Society; colorectal cancer prevention; prostate cancer screening, education and
3978 treatment with a particular focus on African American males; osteoporosis education;
3979 maintenance of the Amyotrophic Lateral Sclerosis registry created pursuant to section 25A of
3980 chapter 111 of the General Laws; and maintenance of the statewide lupus database; provided,
3981 that funds may be expended for the Betsy Lehman Center \$6,300,000

3982 4513-1130 For domestic violence and sexual assault prevention and victim services,
3983 including batterers' intervention and services for immigrants and refugees; provided, that funds
3984 shall be expended for rape prevention and victim services, including the statewide Spanish
3985 language hotline; and provided further, that funds shall be expended for the public health model
3986 of community engagement and intervention services for crisis housing for sexual violence and
3987 intimate partner violence in the gay, lesbian, bisexual and transgender community; and provided
3988 further, that monies may be expended for the classroom-based domestic violence prevention
3989 education program administered in item 0340-0900 in fiscal year 2009 \$5,908,264

3990 4516-0263 For the department of public health; provided, that the department may
3991 expend not more than \$1,442,468 in revenues from blood lead testing fees collected from
3992 insurers and individuals for the purpose of conducting such tests; and provided further, that
3993 notwithstanding any general or special law to the contrary, for the purpose of accommodating
3994 timing discrepancies between the receipt of retained revenues and related expenditures, the
3995 department may incur expenses and the comptroller may certify for payment amounts not to
3996 exceed the lesser of this authorization or the most recent revenue estimate therefor, as reported in
3997 the state accounting system \$1,442,468

3998 4516-1000 For the administration of the center for laboratory and communicable
3999 disease control, including the division of communicable venereal diseases, the division of
4000 tuberculosis control and the state laboratory institute; provided, that funds shall be expended for
4001 an eastern encephalitis testing program and for tuberculosis testing and treatment services;
4002 provided further, that no funds appropriated in this item shall be expended for administrative,
4003 space or energy expenses of the department not directly related to personnel or programs funded
4004 in this item; and provided further, that funds from this item may be expended for the purchase of
4005 equipment for the drug laboratory at the state laboratory institute \$13,293,542

4006 4516-1010 For state matching funds required by the Pandemic and All-Hazards
4007 Preparedness Act \$2,267,426

4008 4516-1022 For the department of public health; provided, that the department may
4009 expend not more than \$300,000 generated by fees collected from insurers for tuberculosis tests
4010 performed at the state laboratory institute; provided further, that revenues collected may be used
4011 to supplement the costs of said laboratory; and provided further, that for the purpose of

4012 accommodating timing discrepancies between the receipt of retained revenues and related
4013 expenditures, the department may incur expenses and the comptroller may certify for payment
4014 amounts not to exceed the lesser of this authorization or the most recent revenue estimate, as
4015 reported in the state accounting system \$300,000

4016 4518-0200 For the department which may expend not more than \$400,000 generated
4017 by fees collected from the following services provided at the registry of vital records and
4018 statistics: amendments of vital records, requests for vital records not issued in person at the
4019 registry, requests for heirloom certificates and research requests performed by registry staff at the
4020 registry; provided, that revenues so collected may be used for all program costs, including the
4021 compensation of employees; provided further, that the registrar of vital records and statistics
4022 shall exempt from payment of a fee any person requesting a verification of birth for the purpose
4023 of establishing eligibility for Medicaid; and provided further, that for the purpose of
4024 accommodating timing discrepancies between the receipt of retained revenues and related
4025 expenditures, the department may incur expenses and the comptroller may certify for payment
4026 amounts not to exceed the lesser of this authorization or the most recent revenue estimate, as
4027 reported in the state accounting system \$400,000

4028 4530-9000 For teenage pregnancy prevention services; provided, that applications for
4029 such funds shall be administered through the department upon receipt and approval of
4030 coordinated community service plans to be evaluated in accordance with guidelines issued by the
4031 department; provided further, that portions of the grants may be used for state agency purchases
4032 of designated services identified by the community service plans; provided further, that funding
4033 shall be expended on those communities with the highest teen birth rates according to an annual
4034 statistical estimate conducted by the department; provided further, that funds shall be expended

4035 on programming directed at children under the care of the department of children and families
4036 who are at high risk for teenage pregnancy; provided further, that the department shall
4037 collaborate with the department of children and families on this programming; and provided
4038 further, that the department of public health shall report to the house and senate committees on
4039 ways and means not later than March 1, 2011, detailing the grant amount awarded to each
4040 recipient \$2,448,327

4041 4570-1502 For the purposes of implementing a statewide infection prevention and
4042 control program \$319,052

4043 4580-1000 For the operation of the universal immunization program; provided, that
4044 no funds appropriated in this item shall be expended for administrative or energy expenses of the
4045 department not directly related to programs funded in this item; provided further, that
4046 notwithstanding any general or special law to the contrary, the costs of purchasing and
4047 distributing childhood vaccines for children in this item may be assessed, in an amount not less
4048 than the amount assessed in fiscal year 2010, on surcharge payers under section 38 of chapter
4049 118G of the General Laws and may be collected in a manner consistent with said chapter 118G.
4050 \$51,110,777

4051 4590-0250 For school health services and school-based health centers in public and
4052 non-public schools; provided, that services shall include, but not be limited to: (a) strengthening
4053 the infrastructure of school health services in the areas of personnel, policy development,
4054 programming and interdisciplinary collaboration; (b) developing linkages between school health
4055 services programs and community health providers; (c) incorporating health education programs,
4056 including tobacco prevention and cessation activities in school curricula and in the provision of

4057 school based health services; and (d) incorporating obesity prevention programs, including
4058 nutrition and wellness programs, in school curricula to address the nutrition and lifestyle habits
4059 needed for healthy development; provided further, that the services shall meet standards and
4060 eligibility guidelines established by the department in consultation with the department of
4061 elementary and secondary education; provided further, that funds may be expended for the
4062 support of the commission on gay, lesbian, bisexual and transgender youth, established in section
4063 67 of chapter 3 of the General Laws, and may be used to address the recommendations of the
4064 commission for reduction of health disparities for gay, lesbian, bisexual and transgender youth;
4065 and provided further, that funds shall be expended for school nurses and school based health
4066 center programs; and provided further, that funds shall be expended for school nurse programs in
4067 an amount not less than that expended in fiscal year 2010; and provided further, that funds may
4068 be expended for the Massachusetts Model of Community Coalitions
4069 \$11,724,925

4070 Commonwealth Substance Abuse Treatment and Prevention Fund...100%

4071 4590-0300 For smoking prevention and cessation programs \$4,501,077

4072 Commonwealth Substance Abuse Treatment and Prevention Fund...100%

4073 4590-0912 For the department of public health, which may expend an amount not to
4074 exceed \$15,650,079 from reimbursements collected for western Massachusetts hospital services,
4075 subject to the approval of the commissioner of public health; provided, that such revenues may
4076 be expended for the purpose of hospital-related costs, including personnel, capital expenditures,
4077 DD object class charge-backs and motor vehicle replacement; provided further, that all revenues
4078 expended shall be pursuant to schedules submitted to the secretary of administration and finance

4079 and the house and senate committees on ways and means; provided further, that notwithstanding
4080 any general or special law to the contrary, the western Massachusetts hospital shall be eligible to
4081 receive and retain full payment under the medical assistance program administered by the
4082 executive office of health and human services pursuant to chapter 118E of the General Laws for
4083 all goods and services provided by the hospital in accordance with all federal requirements;
4084 provided further, that notwithstanding any general or special law to the contrary, the western
4085 Massachusetts hospital shall reimburse the General Fund for a portion of employee benefit
4086 expenses, according to a schedule submitted by the commissioner of public health and approved
4087 by the secretary of administration and finance; provided further, that such reimbursement shall
4088 not exceed 10 per cent of total personnel costs for the hospital; provided further, that for the
4089 purpose of accommodating timing discrepancies between the receipt of retained revenues and
4090 related expenditures, the department may incur expenses and the comptroller may certify for
4091 payment amounts not to exceed the lesser of this authorization or the most recent revenue
4092 estimate as reported in the state accounting system; and provided further, that no funds
4093 appropriated herein shall be expended for administrative, space or energy expenses of the
4094 department not directly related to personnel or programs funded in this item \$16,400,049

4095 4590-0913 For the department of public health which may expend not more than
4096 \$500,000 for payments received for those services provided by the Lemuel Shattuck hospital to
4097 inmates of county correctional facilities; provided, that for the purpose of accommodating timing
4098 discrepancies between the receipt of retained revenues and related expenditures, the department
4099 may incur expenses and the comptroller may certify for payment amounts not to exceed the
4100 lesser of this authorization or the most recent revenue estimate as reported in the state accounting
4101 system \$500,000

4102 4590-0915 For the maintenance and operation of Tewksbury hospital, Massachusetts
4103 hospital school, Lemuel Shattuck hospital and the hospital bureau, including the state office of
4104 pharmacy services; provided, that no funds appropriated in this item shall be expended for
4105 administrative, space or energy expenses of the department not directly related to personnel or
4106 programs funded in this item; provided further, that reimbursements received for medical
4107 services provided at the Lemuel Shattuck hospital to inmates of county correctional facilities not
4108 managed by private health care vendors shall be credited to item 4590-0903 of section 2B;
4109 provided further, that the Massachusetts Hospital School shall maintain not less than 120 beds
4110 for clients in its inpatient setting; and provided further, that notwithstanding any general or
4111 special law to the contrary, the department shall seek to obtain federal financial participation for
4112 care provided to inmates of the department of correction and of county correctional facilities who
4113 are treated at the public health hospitals \$139,429,106

4114 4590-0917 For the department of public health; provided, that the department may
4115 expend an amount not to exceed \$4,160,000 from payments received from the vendor managing
4116 health services for state correctional facilities for inmate medical services provided by the
4117 Lemuel Shattuck hospital; provided further, that the payments may include capitation payments,
4118 fee for service payments, advance payments and other compensation arrangements established
4119 by contract between the vendor and the hospital; and provided further, that notwithstanding any
4120 general or special law to the contrary, for the purpose of accommodating timing discrepancies
4121 between the receipt of retained revenues and related expenditures, the department may incur
4122 expenses and the comptroller may certify for payment amounts not to exceed the lower of this
4123 authorization or the most recent revenue estimate therefor as reported in the state accounting
4124 system \$4,160,000

4125 4590-1503 For the pediatric palliative care program established in section 24K of
4126 chapter 111 of the General Laws \$788,614

4127 4590-1506 For a competitive grant program to be administered by the department of
4128 public health to support the establishment of a comprehensive youth violence prevention
4129 program; provided, that eligibility shall be determined by the criteria set forth in item 4590-1506
4130 of section 2 of chapter 182 of the acts of 2008; provided further, that no grants shall be awarded
4131 to law enforcement agencies; provided further, that the department of public health shall report
4132 to the house and senate committees on ways and means and the executive office of
4133 administration and finance not later than November 1, 2010, detailing the grant amount awarded
4134 to each recipient and a description of each grant; and provided further, that each grant recipient
4135 shall provide the department of public health with a comprehensive list of best practices that
4136 have been instituted as a result of these grants \$1,504,000

4137 4590-1507 For matching grants to the Massachusetts Alliance of Boys & Girls Clubs
4138 and the Alliance of Massachusetts YMCA's; provided, that the department shall award the full
4139 amount of each grant to each organization upon commitment of matching funds from the
4140 organization \$1,360,000

4141 OFFICE OF CHILDREN, YOUTH AND FAMILY SERVICES.

4142 Department of Children and Families.

4143 4800-0015 For central and area office administration; provided, that the associated
4144 expenses of employees whose AA and DD object class costs are paid from item 4800-1100 shall
4145 be paid from this item; provided further, that no funds shall be expended from this item for the
4146 compensation of unit 8 employees; provided further, that the department shall not place a child

4147 or adolescent referred by, or discharged from, the care of the department of mental health until
4148 the latter department forwards an assessment and recommendation as to whether the child or
4149 adolescent may be appropriately placed in foster care or, if due to severe emotional disturbance,
4150 is more appropriate for group care; provided further, that if placement of a child with someone
4151 other than a parent becomes necessary, the department shall place the highest priority on
4152 identifying a family resource within the child's kinship or family circle and shall provide
4153 services and support to partner with the family resource in meeting the child's needs; provided
4154 further, that the department, in consultation with the department of mental health, shall assist the
4155 latter department in making such assessments and recommendations; provided further, that
4156 unless otherwise authorized, all funds, including federal reimbursements received by the
4157 department, shall be credited to the General Fund; provided further, that the department and the
4158 department of early education and care shall provide standards for early education and care
4159 placements made through the supportive child care program; provided further, that the
4160 department of children and families, in collaboration with the department of early education and
4161 care, shall maintain a centralized list detailing the number of children eligible for supportive
4162 child care services, the number of supportive slots filled and the number of supportive slots
4163 available; provided further, that no waiting list for the services shall exist; provided further, that
4164 all children eligible for services under item 3000-3050 shall receive said services; provided
4165 further, that notwithstanding any general or special law to the contrary, the department shall not
4166 reduce recoupment amounts recommended by the state auditor; provided further, that by October
4167 1, 2010, the department shall issue draft revised regulations for public comment which shall
4168 insure that the department maintains an independent, timely and fair administrative hearings
4169 system and shall issue final regulations by December 1, 2010; provided further, that not later

4170 than October 1, 2010, the department shall; (a) revise its procedures to ensure that newly
4171 requested administrative hearings are scheduled and decided upon on a timely basis; and (b)
4172 submit to the joint committee on children, families and persons with disabilities a plan for
4173 eliminating its backlog of administrative hearing requests; provided further, that the plan shall
4174 identify the number of fair hearing requests that were pending as of July 1, 2010, and shall set
4175 quarterly benchmarks for elimination of the backlog; provided further, that the department shall
4176 employ not less than 1 full-time board-certified physician; provided further, that the department
4177 shall employ not less than 4 full-time board certified or board eligible child psychiatrists to serve
4178 the area offices; provided further, that hiring and supervision shall be done in conjunction with
4179 the department of mental health; provided further, that such physicians shall collaborate with the
4180 department's social workers; provided further, that not later than February 15 of the current
4181 fiscal year, the department shall provide to the house and senate committees on ways and means
4182 and the joint committee on children and families a report detailing the number of medical and
4183 psychiatric personnel currently employed by or under contract with the department; provided
4184 further, that the report shall include the number of foster care reviews conducted by the
4185 department and the average length of time in which each review is completed; provided further,
4186 that the report shall contain the number of the department's contracts reviewed by the state
4187 auditor and the number of corrective action plans issued; provided further, that the report shall
4188 also include the number of corrective action plans entered into by the department; provided
4189 further, that the report shall include the number of social workers and supervisors who have
4190 earned a bachelors' or masters' degree in social work; provided further, that the report shall
4191 include the total number of social workers and the total number of social workers holding
4192 licensure, by level; provided further, that the comptroller shall act in accordance with item 1000-

4193 0001 if the report, with all of its components, is not filed within 10 days of the stated due date;
4194 provided further, that the department shall file a report on the first business day of each month to
4195 the senate and house committees on ways and means and the joint committee on children and
4196 families on the caseload of the department; provided further, that caseloads provided in this
4197 report shall include: residential placements, group care, foster care, therapeutic foster care,
4198 adoption, guardianship, 51A reports, substantiated 51A reports, the number of children who die
4199 in the care and custody of the department, the number of children currently eligible for
4200 supportive child care and the number of children presently receiving supportive child care, and
4201 the number of medical and psychiatric consultation requests made by the department's social
4202 workers; provided further, that the report shall include the number of approved foster care
4203 placements; provided further, that the report shall also include the number of children in
4204 psychiatric hospitals and community-based acute treatment programs who remain hospitalized
4205 beyond their medically-necessary stay while awaiting placement and the number of days each
4206 case remains in placement beyond that which is medically-necessary; provided further, that the
4207 report shall include the number of children under the department of children and families care
4208 and custody who are being served in medical or psychiatric care provided through other publicly-
4209 funded sources; provided further, that the report shall also contain the number of children served
4210 by supervised visitation centers and the number of those children who are reunified with their
4211 families; provided further, that the report shall contain information on the total number of
4212 children served, their ages, the number of children served in each service plan, the number of
4213 children in out-of-home placements and the number of placements each child has had before
4214 receiving an out-of-home placement; provided further, that the report shall also contain, for each
4215 area office, the number of kinship guardianship subsidies provided in the month covered by the

4216 report, and the number of kinship guardianship subsidies provided in that month for which
4217 federal reimbursement was received; provided further, that the report shall also contain, for each
4218 area office, the total spending on services other than case management services provided to
4219 families for the purposes of keeping a child with his parents or reunifying the child with his
4220 parents, spending by type of the service, and the unduplicated number of families that receive the
4221 services; provided further, that the report shall also contain for each area office, the total number
4222 of families in the month residing in shelter paid for by the department, a list of where the
4223 families are sheltered, the total cost and average cost per family of those shelters, and a
4224 description of how the department determines who does or does not qualify for shelter; provided
4225 further, that the report shall include, for each area office, broken down by type of service, the
4226 number of requests for voluntary services, whether the request was approved or denied, the
4227 reasons for denying the service, and what, if any, referrals were made for services by other
4228 agencies or entities; provided further, that the report shall also contain the number of families
4229 receiving multiple 51A reports within a 10-month period, the number of cases reopened within 6
4230 months of being closed and the number of children who return home and then re-enter an out-of-
4231 home placement within 6 months; provided further, that not later than November 2, 2010, the
4232 department shall submit a report to the house and senate committees on ways and means and the
4233 chairs of the joint committee on children and families that includes any rules, regulations, or
4234 guidelines established by the department to carry out its duties pursuant to chapter 119 of the
4235 General Laws, including, but not limited to (a) criteria used to determine whether a child has
4236 been abused or neglected; (b) guidelines for removal of a child from the home; and (c) standards
4237 to determine what reasonable efforts are made to keep a child in the home; provided further, that
4238 the commissioner of the department of children and families may transfer funds between items

4239 4800-0030, 4800-0038, and 4800-0041, as necessary, pursuant to an allocation plan, which shall
4240 detail, by object class, the distribution of the funds to be transferred and which the commissioner
4241 shall file with the house and senate committees on ways and means 15 days prior to any such
4242 transfer; and provided further, that not more than 5 per cent of any item shall be transferred in
4243 fiscal year 2011 \$68,680,077

4244 4800-0016 For the department of children and families which may expend for the
4245 operation of the transitional employment program an amount not to exceed \$2,000,000 from
4246 revenues collected from various state, county and municipal government entities, as well as state
4247 authorities, for the costs related to the provision of services by the participants and the overhead
4248 costs and expenses incurred by the not-for-profit managing agent selected by the commissioner
4249 for administering the program; provided, that notwithstanding any general or special law to the
4250 contrary, the commissioner of the department of children and families may enter into a contract
4251 with Roca, Inc., a not-for-profit community-based agency, to manage the transitional
4252 employment program and to provide services to participants from the aging out population,
4253 parolees, probationers, youth service releases, or other community residents considered to have
4254 employment needs \$2,000,000

4255 4800-0025 For foster care review services \$2,671,274

4256 4800-0030 For the continuation of local and regional administration and coordination
4257 of services provided by lead agencies through purchase-of-service contracts; provided, that flex
4258 services man dated by this item and provided by these agencies shall be funded from this item;
4259 and provided further, that funding shall only be expended in the MM object class \$10,858,037

4260 4800-0036 For a sexual abuse intervention network program to be administered in
4261 conjunction with the district attorneys \$697,508

4262 4800-0038 For stabilization, unification, reunification, permanency, adoption,
4263 guardianship and foster care services provided by the department of children and families;
4264 provided, that services funded through this item shall include shelter services, substance abuse
4265 treatment, family reunification networks, young parent programs, parent aides, education and
4266 counseling services, family preservation services, foster care, adoption and guardianship
4267 subsidies, tiered reimbursements used to promote the foster care placement of children with
4268 special medical and social needs, assessment of the appropriateness of adoption for children in
4269 the care of the department for more than 12 months, protective services provided by partnership
4270 agencies, targeted recruitment and retention of foster families, respite care services, post-
4271 adoption services, support services for foster, kinship and adoptive families and juvenile fire
4272 setter programs; provided further, that the regional offices shall work with the contracted entities
4273 for children placed in the intensive foster care system and with the receiving communities of
4274 these children to ensure all necessary services are provided; provided further, that funding may
4275 be expended on the young parent support program, supervised visitation programs, children's
4276 advocacy centers, services for child victims of sexual abuse and assault, family support and
4277 stabilization services, and community-based support and education programs helping low-
4278 income, female-headed families break the cycle of poverty; and provided further, that funds may
4279 be expended on programs that received funding in fiscal year 2010 \$295,282,464

4280 4800-0041 For group care services; provided, that funds may be expended from this
4281 item to provide intensive community-based services, including intensive in-home support and
4282 stabilization services, to children who would otherwise be placed in residential settings; and

4283 provided further, that the department shall oversee area review teams that shall evaluate the
4284 feasibility of maintaining the child in the community in this manner wherever possible before
4285 recommending placement in a residential setting \$205,419,166

4286 4800-0091 For the department of children and families which may expend not more
4287 than \$2,100,000 in federal reimbursements received under Title IV-E of the Social Security Act
4288 during fiscal year 2011 for the purposes of developing a training institute for professional
4289 development at the department of children and families with the University of Massachusetts
4290 Medical School and Salem State College; provided, that for the purposes of accommodating
4291 discrepancies between the receipt of retained revenues and related expenditures, the department
4292 may incur expenses and the comptroller may certify for payment amounts not to exceed the
4293 lesser of this authorization or the most recent revenue estimate as reported in the state accounting
4294 system; and provided further, that notwithstanding section 1 or any other general or special law
4295 to the contrary, federal reimbursements received in excess of \$2,100,000 shall be credited to the
4296 General Fund \$2,100,000

4297 4800-0151 For a program to provide alternative overnight non-secure placements for
4298 status offenders and nonviolent delinquent youths up to the age of 17 in order to prevent the
4299 inappropriate use of juvenile cells in police stations for such offenders, in compliance with the
4300 federal Juvenile Justice and Delinquency Prevention Act of 1974, as amended; provided, that the
4301 programs which provide the alternative non-secure placements shall collaborate with the
4302 appropriate county sheriff's office to provide referrals of those offenders and delinquent youths
4303 to any programs within the sheriff's office designed to positively influence youths or reduce, if
4304 not altogether eliminate, juvenile crime \$270,919

4305 4800-1100 For the AA and DD object class costs of the department’s social workers;
4306 provided, that funds shall be directed toward mitigating social worker caseloads in those area
4307 offices furthest above the statewide weighted caseload standard and toward achieving a social
4308 worker caseload ratio of 18 to 1 statewide; and provided further, that only employees of
4309 bargaining unit 8 as identified in the Massachusetts personnel administrative reporting and
4310 information system shall be paid from this item \$155,572,202

4311 4800-1400 For shelters and support services for people at risk of domestic violence;
4312 provided, that the department shall pursue the establishment of public-private partnership
4313 agreements established for family stabilization services funded from sources other than the
4314 commonwealth; provided further, that services shall include supervised visitation programs, and
4315 scattered site transitional housing programs, including programs to assist victims of domestic
4316 violence in finding and maintaining permanent housing; provided further, that participants in
4317 battered women's programs shall be provided with information regarding local transitional
4318 housing resources; provided further, that funding shall be made available to enhance counseling
4319 services for children who have witnessed domestic violence; provided further, that funding shall
4320 be made available for emergency shelters for substance abusing battered women; provided
4321 further, that funding shall be made available for a statewide domestic violence hotline; provided
4322 further, that the department shall continue to provide any match funding required by federal
4323 program regulations; and provided further, that domestic violence prevention specialists shall be
4324 funded from this item \$21,297,188

4325 OFFICE OF HEALTH SERVICES.

4326 Department of Mental Health.

4327 5011-0100 For the operation of the department; provided, that the department shall
4328 take no steps to terminate any acute inpatient services, partial hospitalization program or
4329 outpatient medication clinic at the John C. Corrigan Mental Health Center or the partial
4330 hospitalization program at the Pocasset Mental Health Center until a study of any reduction or
4331 elimination of services shall be completed, and the General Court shall have approved by law
4332 any such reductions or closing; provided further, that the secretary of administration and finance
4333 shall conduct a study which shall examine the costs, benefits and quality of maintaining said
4334 programs and shall identify alternative methods of providing the services currently provided by
4335 Corrigan Mental Health Center in Greater Fall River and the Pocasset Mental Health Center in
4336 Bourne; provided further, that the said secretary shall report in writing on the findings and
4337 recommendations of said study to the house and senate committee on ways and means and the
4338 joint committee on mental health and substance abuse not later than April 15, 2011 \$27,441,982

4339 5042-5000 For child and adolescent services, including the costs of psychiatric and
4340 related services provided to children and adolescents determined to be medically-ready for
4341 discharge from acute hospital units or mental health facilities and who are experiencing
4342 unnecessary delays in being discharged due to the lack of more appropriate settings; provided,
4343 that for the purpose of funding those services, the commissioner of mental health may allocate
4344 funds from the amount appropriated in this item to other departments within the executive office
4345 of health and human services; provided further, that the department shall not refer or discharge a
4346 child or adolescent to the custody or care of the department of children and families until the
4347 department of mental health forwards its assessment and recommendation as to whether the child
4348 or adolescent is appropriate for foster care or, due to severe emotional disturbance, is more

4349 appropriate for group care; and provided further, that funds may be expended for the Child
4350 Psychiatry Access Project \$72,173,509

4351 5046-0000 For adult mental health and support services; provided, that the
4352 department shall allocate funds in an amount not to exceed \$5,000,000 from item 5095-0015 to
4353 this item, as necessary, pursuant to allocation plans submitted to the house and senate
4354 committees on ways and means 30 days prior to any such transfer, for residential and day
4355 services for clients formerly receiving care at department facilities; provided further, that the
4356 department shall report to the house and senate committees on ways and means on the
4357 distribution of funds per adult and child planning population and the types of services received in
4358 each region for fiscal year 2011, not later than February 1, 2011 \$325,755,802

4359 5046-2000 For homelessness services \$20,134,424

4360 5046-4000 For the department of mental health; provided, that the department may
4361 expend not more than \$125,000 in revenue collected from occupancy fees charged to the tenants
4362 in the creative housing option in community environments, the CHOICE program authorized by
4363 chapter 167 of the acts of 1987; and provided further, that all fees collected under that program
4364 shall be expended for the routine maintenance and repair of facilities in the CHOICE program
4365 including the costs of personnel \$125,000

4366 5047-0001 For emergency service programs and acute inpatient mental health care
4367 services; provided, that the department shall continue an interagency service agreement with the
4368 executive office of health and human services for the purchase of services and for such other
4369 services as the agreement may provide; provided further, that the department shall require a
4370 performance specification to be developed for safe aftercare options for adults upon release from

4371 acute inpatient mental health care services; and provided further, that the emergency service
4372 programs shall take all reasonable steps to identify and invoice the third party insurer of all
4373 persons serviced by the programs \$34,122,197

4374 5055-0000 For forensic services provided by the department; provided, that funds
4375 may be expended for juvenile court clinics \$8,081,928

4376 5095-0015 For the operation of hospital facilities and community-based mental health
4377 services; provided, that in order to comply with the decision in *Olmstead v. L.E.* 527 U.S. 581
4378 and to enhance care within available resources to clients served by the department, the
4379 department shall take steps to consolidate or close psychiatric hospitals managed by the
4380 department and shall endeavor within available resources to discharge clients residing in the
4381 inpatient facilities to residential services in the community when the following criteria are met:
4382 (a) the client is deemed clinically suited for a more integrated setting; (b) community residential
4383 service capacity and resources available are sufficient to provide each client with an equal or
4384 improved level of service; and (c) the cost to the commonwealth of serving the client in the
4385 community is less than or equal to the cost of serving the client in inpatient care; provided
4386 further, that any client transferred to another inpatient facility as the result of a facility closure
4387 shall receive a level of care that is equal to or better than the care that had been received at the
4388 closed facility; provided further, that the department may allocate funds in an amount not to
4389 exceed \$5,000,000 from this item to item 5046-0000, as necessary, under allocation plans
4390 submitted to the house and senate committees on ways and means 30 days before any transfer,
4391 for residential and day services for clients formerly receiving inpatient care at the centers and
4392 facilities; and provided further, that the department of mental health shall notify the joint
4393 committee on mental health and substance abuse and the house and senate committees on ways

4394 and means 60 days prior to the closure of any inpatient state hospital beds or community mental
4395 health programs \$143,900,803

4396 Department of Developmental Services.

4397 5911-1003 For the administration and operations of the department of developmental
4398 services; provided, that the department shall not charge user fees for transportation or community
4399 day services; and provided further, that the department shall not charge fees for eligibility
4400 determination for services provided by the department or for applications of requests for transfer
4401 of guardianship \$62,866,194

4402 5911-2000 For transportation costs associated with the adult services program;
4403 provided, that the department shall provide transportation on the basis of priority of need as
4404 determined by the department \$11,641,431

4405 5920-2000 For vendor-operated, community-based, residential adult services,
4406 including intensive individual supports; provided, that annualized funding shall be expended for
4407 turning 22 clients who began receiving the services in fiscal year 2010 pursuant to item 5920-
4408 5000 of section 2 of chapter 27 of the acts of 2009; provided further, that the commissioner of
4409 the department of developmental services shall transfer funds from this item to item 5920-2010,
4410 as necessary, pursuant to an allocation plan, which shall detail, by object class, the distribution of
4411 said funds to be transferred and which the commissioner shall file with the house and senate
4412 committees on ways and means 15 days before any such transfer; and provided further, that not
4413 more than \$5,000,000 shall be transferred from this item in fiscal year 2011 \$720,703,042

4414 5920-2002 For court monitor costs in compliance with the terms of the Rolland
4415 settlement agreement, dated June 16, 2008, Civil Action No. 98-30208-KPN, filed in the United

4416 States District Court of Massachusetts in order to provide active services for class members
4417 \$400,000

4418 5920-2010 For state-operated, community-based, residential services for adults,
4419 including community-based health services; provided, that the department shall maximize
4420 federal reimbursement, whenever possible under federal regulation, for the direct and indirect
4421 costs of services provided by the employees funded in this item \$145,583,697

4422 5920-2025 For community-based day and work programs for adults \$116,267,971

4423 5920-3000 For respite services and intensive family supports; provided, that the
4424 department shall maximize federal reimbursement, whenever possible under federal regulation
4425 \$45,004,298

4426 5920-3010 For contracted support services for families with autistic children through
4427 the autism division at the department of developmental services; provided, that funds shall be
4428 expended for the purposes of providing services under the Children's Autism Spectrum Disorder
4429 Waiver; provided further, that the department shall expend not less than the amount authorized in
4430 fiscal year 2010 on the Children's Autism Spectrum Disorder Waiver; provided further, that at a
4431 minimum, this waiver shall include children with autism spectrum disorder ages 0 to 8, inclusive,
4432 including children with autism spectrum disorder ages 0 to 3, inclusive, receiving services
4433 through the department of public health's early intervention program; provided further, that the
4434 income eligibility for the waiver shall not be any lower than MassHealth standard income
4435 eligibility for children; provided further, that the department shall take all steps necessary to
4436 ensure that eligible children with autism immediately begin to receive services pursuant to such
4437 waiver; provided further, that the department shall immediately file any waiver amendments

4438 necessary to comply with the requirements of this item with the Centers for Medicare and
4439 Medicaid services; provided further, that the department shall report to the house and senate
4440 committees on ways and means, the joint committee on education and the joint committee on
4441 children, families and persons with disabilities on the number of contracted support services
4442 provided for families with autistic children under this item and the costs associated with such
4443 services, not later than January 4, 2011; provided further, that such report shall include, but not
4444 be limited to, the services provided by the Children's Autism Spectrum Disorder Waiver, with
4445 information regarding the number of children enrolled in the waiver and receiving services,
4446 linguistic and cultural diversity, age, gender and geographic representation of the applicants and
4447 the children enrolled in the program, and department plans to continue to assess the demand for
4448 waiver services, any executive office of health and human services plans to expand the waiver
4449 for children on the autism spectrum of all ages in the future and any other information
4450 determined relevant by the department; and provided further, that the department shall submit
4451 copies of any amended waiver to the house and senate committees on ways and means, the joint
4452 committee on education and the joint committee on children, families and persons with
4453 disabilities upon submission of the amendment \$4,130,229

4454 5920-5000 For services to clients of the department who turn 22 years of age during
4455 state fiscal year 2011; provided, that the department shall report to the house and senate
4456 committees on ways and means not later than January 4, 2011, on the use of any funds
4457 encumbered or expended from this item including, but not limited to the number of clients served
4458 in each region and the types of services purchased in each region \$5,000,000

4459 5930-1000 For the operation of facilities for individuals with intellectual disabilities;
4460 provided, that in order to comply with the decision in *Olmstead v. L.E.* 527 U.S. 581 and to

4461 enhance care within available resources to clients served by the department, the department shall
4462 take steps to consolidate or close intermittent care facilities for the individuals with intellectual
4463 disabilities, in this item called ICF/MRs, managed by the department and shall endeavor, within
4464 available resources, to discharge clients residing in the ICF/MRs to residential services in the
4465 community if the following criteria are met: (a) the client is deemed clinically suited for a more
4466 integrated setting; (b) community residential service capacity and resources available are
4467 sufficient to provide each client with an equal or improved level of service; and (c) the cost to the
4468 commonwealth of serving the client in the community is less than or equal to the cost of serving
4469 the client in ICF/MRs; provided further, that any client transferred to another ICF/MR as the
4470 result of a facility closure shall receive a level of care that is equal to or better than the care that
4471 had been received at the closed ICF/MR; provided further, that the department may allocate
4472 funds from this item to items 5920-2000, 5920-2010, and 5920-2025, as necessary, under
4473 allocation plans submitted to the house and senate committees on ways and means 30 days
4474 before any transfer, for residential and day services for clients formerly receiving inpatient care
4475 at ICF/MRs; provided further, that the department shall maximize federal reimbursement,
4476 whenever possible under federal regulation, for the direct and indirect costs of services provided
4477 by the employees funded in this item; provided further, that the department shall take no action
4478 to reduce the client population of the Glavin Regional Center, the Monson Development Center
4479 and the Templeton Development Center, including intensive individual supports, for the purpose
4480 of closing those state institutions until a study of such reductions or closings by the secretary of
4481 administration and finance shall be completed and the general court shall have approved by law
4482 any such reductions or closings; provided further, that the study shall examine the costs and
4483 benefits of maintaining the institutions and shall identify alternative methods of providing the

4484 services currently provided by those institutions; provided further, that the study shall identify
4485 the number and names of all private non-profit vendors who contract with the department to
4486 provide direct care in the community, the amount of state and federal resources paid to those
4487 vendors in fiscal years 2008, 2009 and 2010 and the amount of clients served by these private
4488 non-profit vendors in each of those fiscal years; provided further, that nothing in this item shall
4489 preclude an individual from exercising his rights to transfer to a community-based residential
4490 placement either state or vendor operated; provided further, that the secretary shall report its
4491 findings in and its recommendations to the house and senate committees on ways and means not
4492 later than January 1, 2011; provided further, that the department shall not close the Fernald
4493 Development Center until a report is submitted to the house and senate committees on ways and
4494 means detailing the prospective costs and benefits of maintaining the facility and provided
4495 further, that at least 3 months prior to closing each of the aforementioned ICF/MRs, the secretary
4496 of housing and economic development or his designee and the commissioner of capital asset
4497 management and maintenance or his designee shall meet jointly with affected municipal
4498 officials and produce a plan for the timely demolition of buildings, remediation of hazardous
4499 materials and future use of the property, including disposition by the commonwealth for
4500 redevelopment or conservation, if appropriate \$150,208,702

4501 5982-1000 For the department of developmental services; provided, that the
4502 department may expend not more than \$150,000 accrued through the sale of milk and other
4503 farm-related and forestry products at the Templeton Developmental Center for program costs of
4504 the center, including supplies, equipment, and maintenance of the facility; and provided further,
4505 that notwithstanding any general or special law to the contrary and for the purpose of
4506 accommodating timing discrepancies between the receipt of retained revenues and related

4507 expenditures, the department may incur expenses and the comptroller may certify for payment
4508 amounts not to exceed the lower of this authorization or the most recent revenue estimate
4509 therefore as reported in the state accounting system \$150,000

4510 Board of Library Commissioners.

4511 7000-9101 For the operation of the board of library commissioners \$938,042

4512 7000-9401 For state aid to regional public libraries; provided, that the board of library
4513 commissioners may provide quarterly advances of funds for purposes authorized by clauses (1)
4514 and (2) of section 19C of chapter 78 of the General Laws, as it considers proper, to regional
4515 public library systems throughout each fiscal year, in compliance with the office of the
4516 comptroller's regulations on state grants, 815 CMR 2.00; and provided further, that
4517 notwithstanding any general or special law to the contrary, in calculating the fiscal year 2011
4518 distribution of funds appropriated in this item, the board of library commissioners shall employ
4519 population figures used to calculate the fiscal year 2010 distribution; and provided further, that
4520 the board shall provide funds for the continued operation of a single regional library system to
4521 serve the different geographic regions of the commonwealth and requiring that physical locations
4522 be maintained in both eastern and western Massachusetts to serve the residents of those regions;
4523 and provided further, that said section 19C of said chapter 78 shall not apply to a municipality
4524 with more than 150,000 residents during fiscal year 2011 unless such municipality operates all
4525 branch libraries in service as of January 1, 2010; and provided further, that said section 19C of
4526 said chapter 78 shall not apply to a municipality with more than 150,000 residents during fiscal
4527 year 2011 unless such municipality operates all branch libraries in service as of January 1,
4528 2010\$8,781,475

4529 7000-9402 For the talking book library at the Worcester public library \$421,143

4530 7000-9406 For the Braille and talking book library at Watertown, including the

4531 operation of the machine lending agency \$2,241,016

4532 7000-9501 For state aid to public libraries; provided, that notwithstanding any general

4533 or special law to the contrary, no city or town shall receive any money under this item in any

4534 year when the appropriation of the city or town for free public library services is below an

4535 amount equal to 102.5 per cent of the average of the appropriations for free public library service

4536 for the 3 years immediately preceding; provided further, that notwithstanding any general or

4537 special law to the contrary, the board of library commissioners may grant waivers in excess of

4538 the waiver limit set forth in the second paragraph of section 19A of chapter 78 of the General

4539 Laws in fiscal year 2011 for a period of not more than 1 year; provided further, that

4540 notwithstanding any general or special law to the contrary, of the amount by which this item

4541 exceeds the amount appropriated in chapter 194 of the acts of 1998, funds shall be distributed

4542 under the guidelines of the municipal equalization grant program, the library incentive grant

4543 program and the nonresident circulation offset program; and provided further, that any payment

4544 made under this item shall be deposited with the treasurer of the city or town and held in a

4545 separate account and shall be expended by the public library of that city or town without

4546 appropriation, notwithstanding any general or special law to the contrary \$6,823,657

4547 7000-9506 For the technology and automated resource sharing networks

4548 \$1,929,238

4549 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT.

4550 Office of the Secretary.

4551 7002-0010 For the operation of the office of the secretary of housing and economic
4552 development and the Massachusetts business-to-business program; provided, that agencies
4553 within the executive office may, with the prior approval of the secretary, streamline and improve
4554 administrative operations pursuant to interdepartmental service agreements; and provided
4555 further, that a report shall be submitted to the house and senate committees on ways and means
4556 not later than January 31, 2011, which shall include, but not be limited to, the following: (1) the
4557 number of businesses that have used the Massachusetts business-to-business program in fiscal
4558 year 2011, including both businesses located in the commonwealth and those that were attracted
4559 to the commonwealth by the program; (2) the number of jobs the commonwealth has retained as
4560 a result of the funding of this program; and (3) the amount of private investment that has
4561 occurred as a result of the funding of this program \$434,216

4562 7002-0014 For the Massachusetts international trade office in the Massachusetts
4563 marketing partnership and for general marketing of the commonwealth \$100,000

4564 Massachusetts Tourism Fund...100%

4565 7002-0016 For the office of travel and tourism in the Massachusetts marketing
4566 partnership \$2,205,493

4567 Massachusetts Tourism Fund...100%

4568 7002-0017 For the provision of information technology services within the executive
4569 office of housing and economic development, including the homeless management information
4570 system \$2,067,930

4571 7002-0019 For the services and operations of the Massachusetts cultural council,
4572 including grants to or contracts with public and non-public entities; provided, that the council
4573 shall exist under the Mass Marketing Partnership, but shall not be subject to its control; provided
4574 further, that notwithstanding any general or special law to the contrary, the council may expend
4575 the amounts herein appropriated for the purposes of the council as provided in sections 52 to 58,
4576 inclusive, of chapter 10 of the General Laws in amounts and at times as the council may
4577 determine pursuant to section 54 of said chapter 10; provided further, that 25 per cent of the
4578 amount appropriated herein shall be transferred quarterly from the Arts Lottery Fund to the
4579 General Fund; provided further, that any funds expended from this item for the benefit of
4580 schoolchildren shall be expended for the benefit of all schoolchildren and on the same terms and
4581 conditions; provided further, that the council shall not expend funds from this item for any grant
4582 or contract recipient that, in any program or activity for schoolchildren, does not apply the same
4583 terms and conditions to all such schoolchildren; and provided further, that a person employed
4584 under this item shall be considered an employee within the meaning of section 1 of chapter 150E
4585 of the General Laws and shall be placed in the appropriate bargaining unit \$6,249,712

4586 Department of Housing and Community Development.

4587 7004-0001 For the commission on Indian affairs \$99,010

4588 7004-0099 For the operation of the department of housing and community
4589 development; provided, that notwithstanding any general or special law to the contrary, the
4590 department may make expenditures for the purposes of the department against federal grants for
4591 certain direct and indirect costs under a cost overhead allocation plan approved by the
4592 comptroller; provided further, that the comptroller shall maintain an account on the

4593 Massachusetts management accounting and reporting system for the purpose of making these
4594 expenditures; provided further, that expenditures made against the account shall not be subject to
4595 appropriation and may include the cost of personnel; provided further, that notwithstanding any
4596 general or special law, rule, or regulation to the contrary, the department shall conduct annual
4597 verifications of household income levels based upon state tax returns for the purposes of
4598 administering the state and federal housing subsidy programs funded in items 7004-9005, 7004-
4599 9024, 7004-9030, 7004-9033, 7004-9316 and items 7004-9009, 7004-9014, 7004-9019, 7004-
4600 9020 of section 2D; provided further, that as a condition of eligibility or continued occupancy by
4601 an applicant or a tenant, the department may require disclosure of the social security number of
4602 an applicant or tenant and members of the applicant's or tenant's household for use in
4603 verification of income eligibility; provided further, that the department may deny or terminate
4604 participation in subsidy programs for failure by an applicant or a tenant to provide a social
4605 security number for use in verification of income eligibility; provided further, that the
4606 department may also consult with the department of revenue, the department of transitional
4607 assistance or any other state or federal agency to conduct this income verification; provided
4608 further, that notwithstanding any general or special law to the contrary, these state agencies shall
4609 consult and cooperate with the department and furnish any information in the possession of the
4610 agencies including, but not limited to, tax returns and applications for public assistance or
4611 financial aid; provided further, that for the purposes of conducting this income verification, the
4612 director of the department may enter into an interdepartmental service agreement with the
4613 commissioner of revenue to utilize the department of revenue's wage reporting and bank match
4614 system for the purpose of verifying the income and eligibility of participants in federally assisted
4615 housing programs and that of members of the participants' households; and provided further, that

4616 for the purposes of clarification only, notwithstanding section 12 of chapter 490 of the acts of
4617 1980, the department may authorize neighborhood housing services corporations to retain, re-
4618 assign and reloan funds received in repayment of loans made under the neighborhood housing
4619 services rehabilitation program and provided further, that the department shall, not later than
4620 September 1, 2010, promulgate regulations clarifying that a household that otherwise qualifies
4621 for any preference or priority for state subsidized housing or rental assistance based on homeless
4622 or at-risk status shall retain that preference or priority notwithstanding receipt of rental assistance
4623 that is intended to be temporary including, but not limited to, any temporary or bridge subsidies
4624 provided with state or federal funds

4625 \$6,895,257

4626 7004-0100 For the operations of the homeless shelter and services unit, including the
4627 compensation of caseworkers and support personnel \$5,271,968

4628 7004-0101 For certain expenses of the emergency assistance program pursuant to
4629 section 30 of chapter 23B of the General Laws as follows: (i) contracted family shelters; (ii)
4630 transitional housing that may include temporary rental assistance and stabilization services to
4631 bridge families to permanent housing at a lesser cost than shelter; (iii) short-term housing
4632 assistance; (iv) programs to reduce and prevent the loss of housing and homelessness; (v)
4633 residential education centers for single mothers with children; (vi) intake centers; and (vii)
4634 voucher shelters; provided, that eligibility shall be limited to families with income at or below
4635 115 per cent of the 2009 or a later-issued higher federal poverty level provided further, however,
4636 that any family whose income exceeds 115 per cent of the federal poverty level while the family
4637 is receiving assistance funded by this item shall not become ineligible for assistance due to

4638 exceeding the income limit for a period of 6 months from the date that the 115 per cent level was
4639 exceeded; provided further, that the department shall establish reasonable requirements for such
4640 families to escrow a portion of their income; provided further, that the escrowed funds shall be
4641 exempt from otherwise applicable asset limits; provided further, that the family may withdraw
4642 the amount placed in escrow upon transition to permanent housing or the loss of eligibility for
4643 shelter services; provided further, that no emergency assistance expenditures shall be paid from
4644 this item unless explicitly authorized; provided further, that eligible households who are
4645 approved for shelter placement shall be placed in shelters as close as possible to their home
4646 community unless a household requests otherwise; provided further, that if the closest available
4647 placement is not within 20 miles of the household's home community, the household shall be
4648 transferred to an appropriate shelter within 20 miles of its home community at the earliest
4649 possible date unless the household requests otherwise; provided further, that the department shall
4650 use its best efforts to ensure that a family placed by the emergency assistance program shall be
4651 provided with access to refrigeration and basic cooking facilities; provided further, that in
4652 promulgating, amending or rescinding regulations with respect to eligibility or benefits under
4653 this program, the department shall take into account the amounts available to it for expenditure in
4654 this item so as not to exceed the amount appropriated in this item; provided further, that
4655 notwithstanding any general or special law to the contrary, 60 days before promulgating any
4656 such eligibility or benefits changes, the undersecretary shall file with the house and senate
4657 committees on ways and means and the clerks of the senate and house of representatives a
4658 determination by the secretary of housing and economic development that available
4659 appropriations for the program will be insufficient to meet projected expenses and a report
4660 setting forth such proposed changes; provided further, that in fiscal year 2011, no such

4661 determination and report shall be filed prior to December 5, 2010; provided further, that all of
4662 this item shall be subject to appropriation and, in the event of a deficiency, nothing in this item
4663 shall give rise to or shall be construed as giving rise to any enforceable right or entitlement to
4664 services in excess of the amounts appropriated in this item; provided further, that not less than
4665 \$3,500,000 shall be expended from this item to: (i) aid eligible families in finding temporary and
4666 permanent housing; (ii) gradually reduce the reliance of the emergency assistance program on
4667 hotels and motels; and (iii) more rapidly move families into permanent sustainable housing
4668 provided further, that the department shall report quarterly to the house and senate committees
4669 on ways and means on the emergency assistance program; and provided further, that the report
4670 shall contain the same data required in item 4403-2120 of section 2 of chapter 139 of the acts of
4671 2006; and provided further, said report shall include the number of families served with
4672 transitional housing or short-term housing assistance, the nature of such assistance provided, the
4673 average cost per family of such assistance, the number of families served who required further
4674 assistance at a later date, the type of assistance later required and provided and the current
4675 housing stability of each family who received transitional housing or short-term housing
4676 assistance within the prior 18 months\$116,995,478

4677 7004-0102.. For the homelessness program to assist individuals who are homeless or in
4678 danger of becoming homeless, including assistance to organizations which provide shelter,
4679 transitional housing and services that help individuals avoid entry into shelter or successfully exit
4680 shelter; provided, that no organization providing services to the homeless shall receive less than
4681 an average per bed/per night rate of \$12.92; provided further, that the department may allocate
4682 funds to other agencies for the purposes of this program; and provided further, that no funds shall
4683 be expended for costs associated with the homeless management information system; and

4684 provided further, that organizations which received funds through this item in fiscal year 2010
4685 may receive up to that same funding amount in fiscal year 2011 \$37,292,852

4686 7004-0104 For the home and healthy for good program operated by the Massachusetts
4687 Housing and Shelter Alliance for the purpose of reducing the incidence of chronic homelessness
4688 in the commonwealth; provided, that the Massachusetts Housing and Shelter Alliance shall be
4689 solely responsible for the administration of this program; provided further, that the
4690 Massachusetts Housing and Shelter Alliance shall file a report with the clerks of the house and
4691 senate, the undersecretary of the department of housing and community development and the
4692 chairs of the house and senate committees on ways and means not later than March 1, 2011,
4693 detailing the implementation of this program; and provided further, that the report shall include
4694 information on the number of people served, the average cost per participant, the demographics
4695 of those served, whether participants have previously received government services and any
4696 projected cost-savings in other state-funded programs \$1,200,000

4697 7004-3036 For housing services and counseling; provided, that funds shall be
4698 expended as grants to 9 regional housing consumer education centers operated by the regional
4699 nonprofit housing authorities; provided further, that the grants shall be through a competitive
4700 application process under criteria created by the department; provided further, that the
4701 department shall submit annual reports to the secretary of administration and finance, the house
4702 and senate committees on ways and means and the joint committee on housing detailing all
4703 expenditures of the program, including each regional housing consumer education center, the
4704 total number of persons who received information and referral services, the costs for such
4705 services rendered per consumer and the identification of consumer issues and trends; provided
4706 further, that the department shall report to the house and senate committees on ways and means

4707 not later than March 1, 2011 on possible savings and efficiencies that may be realized through
4708 the consolidation of said services; and provided further, that no funds shall be expended from
4709 this item in the AA object class for the compensation of state employees \$1,495,996

4710 7004-3045 For a tenancy preservation program for neutral party consultation services
4711 in eviction cases before the housing court department of the trial court for individuals with
4712 disabilities and for families with members with disabilities if the disability is directly related to
4713 the reason for eviction \$250,000

4714 7004-4314 For the expenses of a service coordinators program established by the
4715 department to assist tenants residing in housing developed pursuant to sections 39 and 40 of
4716 chapter 121B of the General Laws to meet tenancy requirements in order to maintain and
4717 enhance the quality of life in that housing \$350,401

4718 7004-9005 For subsidies to housing authorities and nonprofit organizations including
4719 funds for deficiencies caused by certain reduced rentals in housing for the elderly, handicapped,
4720 veterans and relocated persons under sections 32 and 40 of chapter 121B of the General Laws;
4721 provided, that notwithstanding any general or special law to the contrary, all housing authorities
4722 operating elderly public housing shall offer first preference for elderly public housing units
4723 which are vacant on the effective date of this act, and thereafter, to those persons 60 years of age
4724 or older as of June 30, 2010, receiving rental assistance from the Massachusetts rental voucher
4725 program; provided further, that the department may expend funds appropriated in this item for
4726 deficiencies caused by certain reduced rentals which may be anticipated in the operation of
4727 housing authorities for the first quarter of the subsequent fiscal year; provided further, that no
4728 monies shall be expended from this item for the purpose of reimbursing the debt service reserve

4729 included in the budgets of housing authorities; provided further, that no funds shall be expended
4730 from this item in the AA object class for the compensation of state employees; provided further,
4731 that the amount appropriated in this item shall be considered to meet any and all obligations
4732 under said sections 32 and 40 of said chapter 121B; provided further, that any new reduced rental
4733 units developed in fiscal year 2011 eligible for subsidies under this item shall not cause any
4734 annualization that results in an amount exceeding the amount appropriated in this item; provided
4735 further, that not less than \$2,000,000 shall be expended from this item to fund repairs necessary
4736 for the re-occupation of family units vacant for more than 60 days due to repair needs; and
4737 provided further, that all funds in excess of normal utilities, operations and maintenance costs
4738 may be expended for capital repairs \$64,500,000

4739 7004-9024 For a program of rental assistance for low-income families and elderly
4740 persons through mobile and project-based vouchers; provided, that rental assistance shall only be
4741 paid under a program to be known as the Massachusetts rental voucher program; provided
4742 further, that the income of the households shall not exceed 200 per cent of the federal poverty
4743 level; provided further, that the department may award mobile vouchers to eligible households
4744 currently occupying project-based units that shall expire due to the nonrenewal of project-based
4745 rental assistance contracts; provided further, that the department, as a condition of continued
4746 eligibility for vouchers and voucher payments, may require disclosure of social security numbers
4747 by participants and members of participants' households in the Massachusetts rental voucher
4748 program for use in verification of income with other agencies, departments and executive offices;
4749 provided further, that any household in which a participant or member of a participant's
4750 household shall fail to provide a social security number for use in verifying the household's
4751 income and eligibility shall no longer be eligible for a voucher or to receive benefits from the

4752 voucher program; provided further, that the vouchers shall be in varying dollar amounts and shall
4753 be set by the department based on considerations, including, but not limited to, family size,
4754 composition, income level and geographic location; provided further, that notwithstanding any
4755 general or special law to the contrary, the monthly dollar amount of each voucher shall be the
4756 department-approved total monthly rent of the unit less the monthly amount paid for rent by the
4757 household; provided further, that notwithstanding any general or special law to the contrary, the
4758 use of rent surveys shall not be required in determining the amounts of the mobile vouchers or
4759 the project-based units; provided further, that any household which is proven to have caused
4760 intentional damage to its rental unit in an amount exceeding 2 month's rent during any 1-year
4761 lease period shall be terminated from the program; provided further, that notwithstanding any
4762 general or special law to the contrary, a mobile voucher whose use is or has been discontinued
4763 shall be re-assigned within 90 days; provided further, that the department shall pay agencies
4764 \$32.50 per voucher per month for the costs of administering the program; provided further, that
4765 subsidies shall not be reduced for the cost of accommodating the cost of the inspections;
4766 provided further, that notwithstanding any general or special law to the contrary, each household
4767 holding a project-based voucher or mobile voucher shall pay at least 30 per cent but not more
4768 than 40 per cent of its income as rent; provided further, that the department shall establish the
4769 amounts of the mobile vouchers and the project-based vouchers so that the appropriation in this
4770 item is not exceeded by payments for rental assistance and administration; provided further, that
4771 the department shall not enter into commitments which shall cause it to exceed the appropriation
4772 set forth in this item; provided further, that the households holding mobile vouchers shall have
4773 priority for occupancy of the project-based dwelling units in the event of a vacancy; provided
4774 further, that the department may impose certain obligations for each participant in the

4775 Massachusetts rental voucher program through a 12-month contract which shall be executed by
4776 the participant and the department; provided further, that such obligations may include, but shall
4777 not be limited to, job training, counseling, household budgeting and education, as defined in
4778 regulations promulgated by the department and to the extent these programs are available;
4779 provided further, that each participant shall be required to undertake and meet these contractually
4780 established obligations as a condition for continued eligibility in the program; provided further,
4781 that for continued eligibility, each participant shall execute this 12-month contract on or before
4782 September 1, 2010, if the participant's annual eligibility recertification date occurs between June
4783 30, 2010 and September 1, 2010, and otherwise on or before the annual eligibility recertification
4784 date; provided further, that any participant who is over the age of 60 years or who is disabled
4785 may be exempted from any obligations unsuitable under particular circumstances; provided
4786 further, that no funds shall be expended from this item in the AA object class for the
4787 compensation of state employees; provided further, that the department may assist housing
4788 authorities, at their written request, in the immediate implementation of a homeless prevention
4789 program utilizing alternative housing resources available to them for low-income families and
4790 the elderly by designating participants in the Massachusetts rental voucher program as at risk of
4791 displacement by public action through no fault of their own; provided further, that participating
4792 local housing authorities may take all steps necessary to enable them to transfer mobile voucher
4793 program participants from the Massachusetts rental voucher program into another housing
4794 subsidy program; and provided further, that the department of housing and community
4795 development shall strive to avoid a reduction in the value of the Massachusetts rental voucher
4796 from its value as of June 30, 2010 \$35,200,000

4797 7004-9030 For the transitional rental assistance program established under section 16
4798 of chapter 179 of the acts of 1995; provided, that notwithstanding any general or special law to
4799 the contrary, the transitional rental assistance shall be in the form of mobile vouchers; provided
4800 further, that the vouchers shall be in varying dollar amounts set by the department based on
4801 considerations including, but not limited to, household size, composition, household income and
4802 geographic location; provided further, that any household which is proven to have caused
4803 intentional damages to its rental unit in an amount exceeding 2 months' rent during any 1 year
4804 shall be terminated from the program; provided further, that the department shall pay agencies
4805 that administer this program an allowance not to exceed \$25 per voucher per month for the costs
4806 of administration; provided further, that notwithstanding any general or special law to the
4807 contrary, there shall be no maximum percentage applicable to the amount of income paid for rent
4808 by each household holding a mobile voucher, but each household shall be required to pay not
4809 less than 25 per cent of its net income, as defined in regulations promulgated by the department,
4810 for units if payment of utilities is not provided by the unit owner, or, not less than 30 per cent of
4811 its income for units if payment of utilities is provided by the unit owner; provided further, that
4812 payments for the transitional rental assistance may be provided in advance; provided further, that
4813 the department shall establish the amounts of the mobile vouchers, so that the appropriation in
4814 this item is not exceeded by payments for rental assistance and administration; provided further,
4815 that the department shall not enter into commitments which will cause it to exceed the
4816 appropriation set forth in this item; provided further, that the amount of a rental assistance
4817 voucher payment for an eligible household shall not exceed the rent less the household's
4818 minimum rent obligation; provided further, that the word rent, as used in this item, shall mean
4819 payments to the landlord or owner of a dwelling unit under a lease or other agreement for a

4820 tenant's occupancy of the dwelling unit, but shall not include payments made by the tenant
4821 separately for the cost of heat, cooking fuel, and electricity; provided further, that the department
4822 shall submit an annual report to the secretary of administration and finance, and the house and
4823 senate committees on ways and means detailing expenditures, the number of outstanding rental
4824 vouchers and the number and types of units leased; provided further, that consistent with said
4825 chapter 179, the amount appropriated in this item shall not annualize to more than \$4,000,000 in
4826 fiscal year 2012; and provided further, that the program shall provide funding for not more than
4827 800 mobile vouchers \$3,450,000

4828 7004-9033 For rental subsidies to eligible clients of the department of mental health;
4829 provided, that the department shall establish the amounts of such subsidies so that payment
4830 thereof and of any other commitments from this item shall not exceed the amount appropriated
4831 herein \$4,000,000

4832 7004-9315 For the low-income housing tax credit program; provided, that the
4833 department may expend not more than \$2,323,853 from revenue collected from fees collected
4834 under Executive Order No. 291, pertaining to low-income housing tax credits, for the costs of
4835 administering and monitoring the programs, including the costs of personnel, subject to the
4836 approval of the director of the department; and provided further, that notwithstanding any
4837 general or special law to the contrary and for the purpose of accommodating timing
4838 discrepancies between the receipt of retained revenues and related expenditures, the department
4839 may incur expenses and the comptroller may certify for payment amounts not to exceed the
4840 lower of this authorization or the most recent revenue estimate as reported in the state accounting
4841 system \$2,323,853

4842 7004-9316 For a program to provide assistance for homeless families moving into
4843 subsidized or private housing and families at risk of becoming homeless due to a significant
4844 reduction of income or increase in expenses; provided, that the amount of financial assistance
4845 shall not exceed \$2,000 per family; provided further, that funds may be used for security
4846 deposits, first and last month's rent, electric, gas, sewer and water utility payments for utility
4847 arrearages incurred on or after December 1, 2007; provided further, that assistance shall be
4848 administered by the department through contracts with the regional non-profit housing agencies;
4849 provided further, that no assistance shall be provided to any family with an income in excess of
4850 50 per cent of the area median income; provided further, that prior to authorizing a residential
4851 assistance payment for a family, the non-profit housing agency shall make a finding that the
4852 family experienced a significant reduction of income or increase in expenses and has secured
4853 new income or a change in circumstances and that the payment will enable the family to retain
4854 its current housing, obtain new housing, or otherwise avoid homelessness; provided further, that
4855 in making these findings the agency shall, unless the facts of the case warrant otherwise, apply a
4856 presumption that the payment will enable a family to retain its housing, obtain new housing, or
4857 otherwise avoid homelessness if the family is paying less than or equal to 50 per cent of its
4858 income for that housing; provided further, that a family who is paying more than 50 per cent of
4859 its income for its housing shall be provided a fair opportunity to establish that a residential
4860 assistance payment will enable it to retain its housing, obtain new housing, or otherwise avoid
4861 homelessness; provided further, that residential assistance payments may be made through direct
4862 vendor payments according to standards to be established by the department; provided further,
4863 that the agencies shall establish a system for referring families approved for residential assistance
4864 payments who the agencies determine would benefit from these services to existing community-

4865 based programs that provide additional housing stabilization supports, including assistance in
4866 obtaining housing subsidies and locating alternative housing that is safe and affordable for those
4867 families; provided further, that the program shall be administered under guidelines established by
4868 the department; and provided further, that the department shall provide a status report to the
4869 secretary of administration and finance and the house and senate committees on ways and means
4870 not later than March 1, 2011, that includes, but is not limited to, all program expenditures, the
4871 number of recipients of the funds, the housing status of the recipients before and after receiving
4872 assistance, the purposes for which each family used the assistance, the administrative costs and
4873 other related costs of the program, including whether such recipient resided or continues to
4874 reside in state or federal public housing and any other information necessary to determine the
4875 effectiveness of the program \$1,000,000

4876 Office of Consumer Affairs and Business Regulation.

4877 7006-0000 For the office of the director of consumer affairs and business regulation,
4878 including expenses of an administrative services unit \$872,258

4879 7006-0043 For the office of consumer affairs which may expend for the
4880 administration and enforcement of the home improvement contractor program an amount not to
4881 exceed \$500,000 from the revenue collected from fees for the registration and renewal of home
4882 improvement contractor registrations under section 11 of chapter 142A of the General Laws;
4883 provided, that notwithstanding any general or special law to the contrary, for the purpose of
4884 accommodating timing discrepancies between the receipt of revenues and related expenditures,
4885 the department may incur expenses and the comptroller may certify for payment the amounts not

4886 to exceed the lower of this authorization or the most recent revenue estimate, as reported in the
4887 state accounting system \$500,000

4888 Division of Banks.

4889 7006-0010 For the operation of the division of banks; provided, that notwithstanding
4890 any general or special law to the contrary, the division shall assess 100 per cent of the amount
4891 appropriated in this item, and the associated fringe benefits costs for personnel paid from this
4892 item, upon financial institutions which the division currently regulates under section 2 of chapter
4893 167 of the General Laws \$12,870,548

4894 7006-0011 For the costs incurred by the division of banks associated with licensure of
4895 loan originators pursuant to chapter 255F of the General Laws; provided, that the division may
4896 expend revenues in an amount not to exceed \$2,650,000 from the revenue received from
4897 administrative fees associated with the licensure fees and from civil administrative penalties
4898 pursuant to said chapter 255F; provided further, that the division may expend from such revenue
4899 an amount to be determined by the commissioner of banks as grants for the operation of a pilot
4900 program for best lending practices, first-time homeowner counseling for non-traditional loans
4901 and 10 or more foreclosure education centers pursuant to section 16 of chapter 206 of the acts of
4902 2007 and that the grants shall be awarded through a competitive application process under
4903 criteria created by the division and that no funds shall be expended from this item in the AA
4904 object class for the compensation of state employees for such program; and provided further, that
4905 notwithstanding any general or special law to the contrary, for the purpose of accommodating
4906 timing discrepancies between the receipt of revenues and related expenditures, the commissioner
4907 may incur expenses and the comptroller may certify for payment the amounts not to exceed the

4908 lower of this authorization or the most recent revenue estimate, as reported in the state
4909 accounting system \$2,650,000

4910 Division of Insurance.

4911 7006-0020 For the operation of the division of insurance, including the expenses of
4912 the board of appeal on motor vehicle liability policies and bonds and the associated fringe
4913 benefits costs for personnel paid from this item and certain other costs of supervising motor
4914 vehicle liability insurance and the expenses of the fraudulent claims board; provided, that the
4915 positions of counsel I and counsel II shall not be subject to chapter 31 of the General Laws;
4916 provided further, that contracts or orders for the purchase of statement blanks for the making of
4917 annual reports to the commissioner of insurance shall not be subject to the restrictions prescribed
4918 by section 1 of chapter 5 of the General Laws; provided further, that the division shall designate
4919 an employee to handle all incoming calls relative to chapter 218 of the acts of 1995 or
4920 regulations promulgated under section 51 of chapter 111 of the General Laws; provided further,
4921 that notwithstanding any general or special law to the contrary, 100 per cent of the amount
4922 appropriated in this item, and the associated fringe costs of personnel paid from this item, shall
4923 be assessed upon the institutions which the division currently regulates except for licensed
4924 business entity producers under powers granted to the division by general or special law or
4925 regulation; and provided further, that such assessment shall be in addition to any and all
4926 assessments that the division currently assessed upon such institutions \$11,448,908

4927 7006-0029 For the operation of the health care access bureau of the division of
4928 insurance; provided, that under section 7A of chapter 26 of the General Laws, the full amount
4929 appropriated in this item, as well as the associated fringe benefits costs for personnel paid from

4930 this item, shall be assessed upon the carriers licensed under chapters 175, 176A, 176B and 176G
4931 of the General Laws \$1,300,000

4932 Division of Professional Licensure.

4933 7006-0040 For the operation and administration of the division of professional
4934 licensure; provided, that of the funds appropriated in this item, sufficient monies shall be
4935 expended for the reduction of case backlog at the boards of registration; provided further, that the
4936 division shall at all times employ not less than 2 hearing officers to facilitate the processing of
4937 cases pending before the various boards; provided further, that the position of investigator of
4938 radio and television technicians shall not be subject to chapter 31 of the General Laws; and
4939 provided further, that the division shall maintain and staff an office in the city of Springfield
4940 \$3,010,824

4941 7006-0110 For the operation of the state racing commission \$1,600,253

4942 7006-0140 For distribution to each city and town within which racing meetings are
4943 conducted under section 18D of chapter 58 of the General Laws; provided, that said section 18D
4944 of said chapter 58 shall not apply to a municipality with more than 150,000 residents during
4945 fiscal year 2011 unless such municipality operates all branch libraries in service as of January 1,
4946 2010\$962,000

4947 Division of Standards.

4948 7006-0060 For the operation of the division of standards \$547,722

4949 7006-0066 For the support of the division of standards' municipal inspection efforts;
4950 provided, that up to 12 per cent of the amount appropriated herein may be expended for
4951 administrative costs of the division \$160,372

4952 7006-0067 For the division of standards; provided, that the division may expend for
4953 enforcement of weights and measures laws an amount not to exceed \$133,751 from revenues
4954 received from item pricing violations collected through municipal inspection efforts, and from
4955 weights and measures fees and fines collected from cities and towns \$133,751

4956 7006-0068 For the division of standards; provided, that the division may expend an
4957 amount not to exceed \$360,000 from revenue received from license fees assessed to owners of
4958 motor vehicle repair shops \$360,000

4959 Department of Telecommunications and Cable.

4960 7006-0071 For the operation of the department of telecommunications and cable;
4961 provided, that notwithstanding the second sentence of section 7 of chapter 25C of the General
4962 Laws, the assessments levied for fiscal year 2011 under this section shall be made at a rate
4963 sufficient to produce 100 per cent of the amount appropriated in this item and the associated
4964 fringe benefits costs for personnel paid from this item \$2,678,328

4965 Massachusetts Office of Business Development.

4966 7007-0150 For a competitive grant program to provide regional economic
4967 development services through the awarding of contracts to up to 12 eligible organizations;
4968 provided, that if a region is not served by any eligible economic development organization, the
4969 director of the Massachusetts office of business development shall transfer funds from this item

4970 to item 7007-0300, as necessary, pursuant to an allocation plan, which shall detail, by object
4971 class, the distribution of said funds to be transferred and which the director shall file with the
4972 house and senate committees on ways and means 15 days before any such transfer

4973 \$800,000

4974 7007-0300 For the operation of the Massachusetts office of business development,
4975 which shall include the operation and support of capital grants programs, including the
4976 Massachusetts Opportunity Relocation and Expansion Jobs Capital Program, established in
4977 chapter 123 of the acts of 2006; provided, that the operations of the former office of small
4978 business and entrepreneurship shall be paid for by this item \$1,821,455

4979 7007-0800 For a grant for the state match for a small business development center;
4980 provided, that no funds shall be expended from this item until such time as the United States
4981 Small Business Administration has made a payment or has executed a contract to pay the
4982 University of Massachusetts at Amherst for the operation of the center; provided further, that the
4983 funds expended from this item shall not exceed 25 per cent of the gross operating cost of said
4984 center; provided further, that not more than 25 per cent of the amount appropriated herein shall
4985 be expended for the purpose of operating federal procurement technical assistance services
4986 within said center; provided further, that the services shall include, but not be limited to, assisting
4987 businesses in securing federal contracts, obtaining contract financing, responding to requests-for-
4988 proposals, interpreting bid documents, providing educational workshops and seminars and for
4989 the electronic identification and tracking of federal bid opportunities; provided further, that funds
4990 expended for the purpose of operating federal procurement technical assistance services within
4991 said center shall be subject to the receipt of matching funds from federal or private sources,
4992 including the United States Department of Defense; and provided further, that quarterly

4993 expenditure reports shall be filed with the house and senate committees on ways and means
4994 \$1,204,286

4995 7007-0951 For the operation of the Commonwealth Zoological Corporation pursuant
4996 to chapter 92B of the General Laws; provided, that funds appropriated in this item shall be
4997 expended for the purposes of promoting private fundraising, achieving self-sufficiency and
4998 serving as a catalyst for urban economic development and job opportunities for local residents;
4999 provided further, that the corporation shall take all steps necessary to increase the amount of
5000 private funding available for the operation of the zoos; provided further, that funding in this item
5001 may not be transferred through interdepartmental service agreements; and provided further, that
5002 the corporation shall report to the house and senate committees on ways and means not later than
5003 January 31, 2011, on the status of, and amounts collected from, the private fundraising and
5004 enhanced revenue efforts identified in the draft Massachusetts Zoos Business and Operations
5005 Plan, dated December, 1996 \$2,000,000

5006 7007-1000 For assistance to regional tourist councils under section 14 of chapter 23A
5007 of the General Laws; provided, that notwithstanding any general or special law or rule or
5008 regulation to the contrary, each of the councils may expend an amount not to exceed 20 per cent
5009 of the funds appropriated in this item for the cost of administrative services \$4,500,000

5010 Massachusetts Tourism Fund..... 100%

5011 EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.

5012 Office of the Secretary.

5013 7002-0100 For the operation of the executive office of labor and workforce
5014 development, including the divisions under the control of the department; provided, that not later
5015 than January 3, 2011, the director of workforce development shall submit to the house and senate
5016 committees on ways and means a report describing the job training services, including labor
5017 exchange, skills training and remedial education services related thereto which have been
5018 provided during the course of the fiscal year, systems for delivery, the costs and the sources of
5019 revenue for such services \$931,588

5020 7002-0170 For the provision of information technology services within the executive
5021 office of labor and workforce development \$185,070

5022 Department of Workforce Development.

5023 7002-0012 For a youth-at-risk program targeted at reducing juvenile delinquency in
5024 high risk areas; provided, that these funds may be expended for the development and
5025 implementation of a year-round employment program for at-risk youth as well as existing year-
5026 round employment programs; provided further, that \$500,000 of these funds shall be matched by
5027 private organizations; and provided further, that funds shall be available for expenditure through
5028 September 1, 2011 \$4,000,000

5029 7002-0101 For the operation of the apprentice training program; provided, that no
5030 position in the apprentice training division shall be subject to chapter 31 of the General Laws;
5031 provided further, that notwithstanding any general or special law to the contrary, the deputy
5032 director shall require each apprentice entering into a written agreement to submit an application
5033 to the division for an apprentice identification card; provided further, that an apprentice shall
5034 keep an apprentice identification card on his person during hours of employment; provided

5035 further that the apprentice identification card shall contain all information deemed relevant by
5036 the department; provided further, that any apprentice who is determined by the deputy director
5037 not to be enrolled in related classroom instruction classes shall be paid at the journey level rate
5038 for the duration of the public works project; and provided further, that for every week in which
5039 an apprentice is employed by a contractor, subcontractor or public body subject to this item, a
5040 photocopy of the apprentice's apprentice identification card shall be attached to the records
5041 submitted under this item \$267,909

5042 7003-0605 For the operation and maintenance of the Massachusetts Manufacturing
5043 Extension Partnership for the purpose of maintaining and promoting manufacturing as an integral
5044 part of the economy of the commonwealth and for programs designed to assist small and mid-
5045 sized manufacturing companies \$325,000

5046 7003-0701 For grants and technical assistance administered by the department of
5047 workforce development, under section 2RR of chapter 29 of the General Laws and for the cost of
5048 collecting the assessment established in section 14L of chapter 151A of the General Laws;
5049 provided, that the department of workforce development shall provide a report on the grants and
5050 technical assistance programs authorized in this item detailing the firms receiving grants, by
5051 number of employees, revenues, and industry, to the house and senate committees on ways and
5052 means not later than January 14, 2011; provided further, that the report shall include measures of
5053 how grant recipients were able to increase job growth, retention rates, and productivity as a result
5054 of the grants; provided further, that the report shall include measures of whether training
5055 participants received promotions and increased incomes as a result of training; provided further,
5056 that the director shall demonstrate that each dollar expended generates not less than \$5 in private
5057 investment in job training; and provided further, that grants may be administered by the

5058 department of workforce development to recruit and provide career support and workforce
5059 development retention of graduate students training for careers in public sector behavioral health
5060 service delivery \$15,000,000

5061 Workforce Training Fund..... 100%

5062 7003-0702 For State Service Corps grants to be administered by the Massachusetts
5063 Service Alliance; provided, that funds may be administered by the department of workforce
5064 development for the Just-A-Start Corporation to provide training for entry level employment in
5065 the biotechnology and medical fields for 30 unemployed, underemployed or displaced workers
5066 or persons receiving benefits from transitional aid to families with dependent children ; provided,
5067 that funds may be expended for education, career development and employment service
5068 programs operated by the Urban League of Eastern Massachusetts \$750,000

5069 7003-0803 For the one-stop career centers provided that not less than \$2,750,000
5070 shall be expended for one-stop centers that were in existence on May 1, 1997, located in the city
5071 of Boston, Hampden county and Metro North service delivery areas and any satellite offices of
5072 the centers which opened on or before December 1, 1997 \$5,500,000

5073 Department of Labor.

5074 7002-0200 For the operation of the division of occupational safety; provided, that the
5075 division may employ staff not subject to chapter 31 of the General Laws for a program to
5076 evaluate asbestos levels in public schools and other public buildings \$1,750,652

5077 7002-0201 For the division of occupational safety; provided, that the division may
5078 expend an amount not to exceed \$452,850 received from fees authorized under section 3A of

5079 chapter 23 of the General Laws and civil fines issued under section 197B of chapter 111 of the
5080 General Laws, section 46R of chapter 140 of the General Laws and section 6F1/2 of chapter 149
5081 of the General Laws \$452,850

5082 7002-0500 For the operation and administrative expenses of the division of industrial
5083 accidents; provided, that the General Fund shall be reimbursed the amount appropriated in this
5084 item and for associated indirect and direct fringe benefit costs from assessments levied pursuant
5085 to section 65 of chapter 152 of the General Laws \$19,906,544

5086 7002-0900 For the operation of the division of labor relations \$1,805,890

5087 7002-0901 For the division of labor relations which may expend for the operation of
5088 the division an amount not to exceed \$100,000 from fees collected under section 3B of chapter 7
5089 of the General Laws or section 6 of chapter 150 of the General Laws; provided, that the first
5090 \$100,000 of such fees collected by the division shall be deposited into the General Fund and any
5091 fees collected in excess of \$200,000 shall be deposited into the General Fund; and provided
5092 further, that notwithstanding any general or special law to the contrary, for the purpose of
5093 accommodating discrepancies between the receipt of retained revenues and related expenditures,
5094 the department may incur expenses and the comptroller may certify for payment amounts not to
5095 exceed the lower of this authorization or the most recent revenue estimate, as reported in the
5096 state accounting system \$100,000

5097 EXECUTIVE OFFICE OF EDUCATION.

5098 Office of the Secretary of Education.

5099 7009-1700 For the operation of information technology services within the executive
5100 office of education \$6,897,190

5101 7009-6379 For the operation of the office of the secretary of education \$741,822
5102 Department of Elementary and Secondary Education.

5103 7010-0005 For the operation of the department of elementary and secondary
5104 education; provided that not less than \$100,000 shall be allocated for the purposes of offering a
5105 no-cost method to schools and districts for professional development to build the skills of all
5106 staff members, including but not limited to, educators, administrators, school nurses, cafeteria
5107 workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities and
5108 paraprofessionals to prevent, identify and respond to bullying; provided further, that the content
5109 of such professional development shall include, but not be limited to: developmentally
5110 appropriate strategies to prevent bullying incidents; developmentally appropriate strategies for
5111 immediate, effective interventions to stop bullying incidents; information regarding the complex
5112 interaction and power differential that may take place between and among a perpetrator, victim
5113 and witnesses to the bullying; research findings on bullying, including information about specific
5114 categories of students who have been shown to be particularly at risk for bullying in the school
5115 environment; information on the incidence and nature of cyber-bullying; and internet safety
5116 issues as they relate to cyber-bullying; and provided further that the no-cost method may also
5117 include a train-the-trainer model, so-called, with demonstrated success \$13,200,000

5118 7010-0012 For grants to cities, towns and regional school districts for payments of
5119 certain costs and related expenses for the program to eliminate racial imbalance established
5120 under section 12A of chapter 76 of the General Laws; provided, that funds shall be made

5121 available for payment for services rendered by METCO, Inc. and Springfield public schools
5122 \$18,491,758

5123 7010-0033 For literacy and early literacy programs including, but not limited to, the
5124 Bay State Reading Institute program, the John Silber early literacy program, and the Reading
5125 Recovery program; provided, that said programs shall provide ongoing evaluation of the
5126 outcomes thereof and shall document said outcomes annually to the department and to the house
5127 and senate committees on ways and means; provided further, that the Bay State Reading Institute
5128 may be administered under contract to Middlesex Community College in programmatic
5129 collaboration with Framingham State College and Fitchburg State College; provided further, that
5130 the department shall distribute grants under this item no later than September 1, 2010; and
5131 provided further, that funds appropriated in this item for said Institute may be expended through
5132 June 30, 2012 \$4,075,489

5133 7027-0019 For school-to-career connecting activities; provided, that notwithstanding
5134 any general or special law to the contrary, the board of elementary and secondary education, in
5135 cooperation with the department of workforce development and the state workforce investment
5136 board, may establish and support a public-private partnership to link high school students with
5137 economic and learning opportunities on the job as part of the school-to-work transition program;
5138 provided further, that such program may include the award of matching grants to workforce
5139 investment boards or other local public-private partnerships involving local community job
5140 commitments and work site learning opportunities for students; provided further, that the grants
5141 shall require at least a 200 per cent match in wages for the students from private sector
5142 participants; provided further, that the program shall include, but not be limited to, a provision
5143 that business leaders commit resources to pay salaries, to provide mentoring and instruction on

5144 the job and to work closely with teachers; provided further, that public funds shall assume the
5145 costs of connecting schools and businesses to ensure that students serve productively on the job;
5146 and provided further, that no funds shall be expended for personnel costs \$2,100,000

5147 7027-1004 For English language acquisition professional development to improve the
5148 academic performance of English language learners and effectively implement sheltered English
5149 immersion as outlined in chapter 71A of the General Laws; provided, that the department shall
5150 only approve professional development courses and offerings with proven, replicable results in
5151 improving teacher performance, and which shall have demonstrated the use of best practices, as
5152 determined by the department, including data comparing pre-training and post-training
5153 knowledge; provided further, that the department shall, not later than February 15, 2011, provide
5154 a report on the number of educators who have received such training since passage of said
5155 chapter 71A, the estimated number who need such additional training, and a review and analysis
5156 of the most effective types of professional development and the most common gaps in the
5157 knowledge base of educators implementing English immersion and teaching English language
5158 acquisition, along with legislative or regulatory recommendations of the department; provided
5159 further, that said report shall be provided to the secretary of administration and finance, the
5160 senate president, the speaker of the house, the chairs of the house and senate committees on ways
5161 and means and the house and senate chairs of the joint committee on education; provided further,
5162 that funds may be expended through August 31, 2011; and provided further, that no funds shall
5163 be expended for personnel costs \$397,937

5164 7028-0031 For the expenses of school age children in institutional schools under
5165 section 12 of chapter 71B of the General Laws; provided, that the department may provide
5166 special education services to eligible inmates in county houses of correction; provided further,

5167 that the department of youth services shall continue to collaborate with the department of
5168 elementary and secondary education in order to align curriculum at the department of youth
5169 services with the statewide curriculum frameworks and to ease the reintegration of youth from
5170 facilities at the department of youth services into regular public school settings; and provided
5171 further, that the department of elementary and secondary education, in conjunction with the
5172 commissioner of youth services, shall submit a report on progress made to the house and senate
5173 committees on ways and means not later than December 1, 2010 \$7,586,386

5174 7030-1002 For kindergarten development grants to provide ongoing grant awards to
5175 continue quality enhancement of existing full-day kindergarten classrooms; provided, that the
5176 department shall administer a grant program to encourage the voluntary expansion of high
5177 quality, full-day kindergarten education throughout the commonwealth; provided further, that
5178 grants funded through this appropriation shall not annualize to more than \$18,000 per classroom
5179 in subsequent fiscal years; provided further, that preference shall be given to grant applicants
5180 with high percentages of students scoring in levels 1 or 2 on the Massachusetts Comprehensive
5181 Assessment System exam, as determined by the department based on available data; provided
5182 further, that any grant funds distributed from this item shall be deposited with the treasurer of
5183 such city, town or regional school district and held in a separate account and shall be expended
5184 by the school committee of such city, town or regional school district without further
5185 appropriation, notwithstanding any general or special law to the contrary; provided further, that
5186 such program shall supplement and shall not supplant currently funded local, state and federal
5187 programs at the school or district; provided further, that not later than January 14, 2011, the
5188 department shall report to the house and senate committees on ways and means on the total
5189 number of grants requested and awarded; provided further, that the report shall detail common

5190 factors associated with both successful and unsuccessful applications and shall include the total
5191 number of full-day and half-day kindergarten classrooms projected to be in operation in public
5192 schools in fiscal year 2012; provided further, that all kindergarten programs previously funded
5193 through community partnership councils at the department of early education and care shall
5194 receive grants from this item in amounts equal to the amounts they received in fiscal year 2010,
5195 reduced in proportion to the overall reduction of this item from fiscal year 2010 to fiscal year
5196 2011; and provided further, that no funds shall be expended for personnel costs \$25,948,947

5197 7035-0002 For the provision and improvement of adult basic education services,
5198 including reading, writing and mathematics; provided, that grants shall be distributed to a diverse
5199 network of organizations which have demonstrated commitment and effectiveness in the
5200 provision of such services, and that are selected competitively by the department of elementary
5201 and secondary education; provided further, that such grants shall support the successful transition
5202 of students from other adult basic education programs to community college certificate and
5203 degree-granting programs; provided further, that such grants shall be contingent upon
5204 satisfactory levels of performance as defined and determined by the department; provided
5205 further, that in no case shall grants be considered an entitlement to a grant recipient; provided
5206 further, that the department shall consult with the community colleges and other service
5207 providers in establishing and implementing content, performance and professional standards for
5208 adult basic education programs and services; and provided further, that no funds shall be
5209 expended for personnel costs at the department of elementary and secondary education
5210 \$27,957,357

5211 7035-0006 For reimbursements to regional school districts for the transportation of
5212 pupils, and for reimbursements to cities, towns, regional vocational or county agricultural school

5213 districts, independent vocational schools, or collaborative for certain expenditures for
5214 transportation of nonresident pupils to any approved vocational-technical program of any
5215 regional or county agricultural school district, city, town, independent school or collaborative
5216 pursuant to section 8A of chapter 74 of the General Laws; provided, that notwithstanding any
5217 general or special law to the contrary, the commonwealth's obligation for those reimbursements
5218 shall not exceed the amount appropriated in this item \$44,574,024

5219 7051-0015 For operating funds to distribute food for the Massachusetts emergency
5220 food assistance program \$1,239,518

5221 7053-1909 For reimbursements to cities and towns for partial assistance in the
5222 furnishing of lunches to school children, including partial assistance in the furnishing of lunches
5223 to school children as authorized by chapter 538 of the acts of 1951, and for supplementing funds
5224 allocated for the special milk program; provided, that notwithstanding any general or special law
5225 to the contrary, payments so authorized in the aggregate for partial assistance in the furnishing of
5226 lunches to school children shall not exceed the required state revenue match contained in Public
5227 Law 79-396, as amended, cited as the National School Lunch Act and in the regulations
5228 implementing the act \$5,426,986

5229 7053-1925 For the school breakfast program for public and nonpublic schools and for
5230 grants to improve summer food programs during the summer school vacation period; provided,
5231 that funds shall be expended for the summer food service outreach program and the school
5232 breakfast outreach program; provided further, that within the summer food program, priority
5233 shall be given to extending such programs for the full summer vacation period and promoting
5234 increased participation in such programs; provided further, that the department of elementary and

5235 secondary education shall solicit proposals from returning sponsors and school food authorities
5236 in time for implementation of such grant program during the summer of 2011; provided further,
5237 that such grants shall only be awarded to sponsors who can demonstrate their intent to offer full
5238 summer programs or increase participation; provided further, that the department shall require
5239 sufficient reporting from each grantee to measure the success of such grant program; provided
5240 further, that the department shall select grantees for the program authorized by this item not later
5241 than March 30, 2011; provided further, that funds shall be expended for the universal school
5242 breakfast program in which all children in schools receiving funds under the program shall be
5243 provided free, nutritious breakfasts at no cost to them; provided further, that subject to
5244 regulations of the board that specify time and learning standards, breakfasts shall be served
5245 during regular school hours; provided further, that participation shall be limited to those
5246 elementary schools mandated to serve breakfast under section 1C of said chapter 69 of the
5247 General Laws where 60 per cent or more of the students are eligible for free or reduced-price
5248 meals under the federally-funded school meals program; provided further, that the department
5249 shall select school sites for programs authorized by this item not later than November 16, 2010,
5250 and shall report to the house and senate committees on ways and means on the preliminary
5251 results of these grants not later than January 8, 2011; provided further, that nothing in the
5252 universal school breakfast program shall give rise to enforceable legal rights in any party or
5253 enforceable entitlement to services; and provided further, that the department shall select
5254 grantees for the program authorized by this item not later than March 30, 2011, prior
5255 appropriation continued \$4,177,632

5256 7061-0008 For school aid to cities, towns, regional school districts, counties
5257 maintaining agricultural schools, independent vocational schools and independent agricultural

5258 and technical schools to be distributed under chapters 70 and 76 of the General Laws and section
5259 3; provided, that each school district shall report annually to the department of elementary and
5260 secondary education on its professional development expenditures, in a manner and form
5261 prescribed by the commissioner and consistent with the accountability requirements of the
5262 federal No Child Left Behind Act Public Law 107-110; provided further, that the department of
5263 elementary and secondary education shall report annually to the house and senate committees on
5264 ways and means on school districts' professional development spending; and provided further,
5265 that the governor may allocate \$47,999,997 made available through the American Recovery and
5266 Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein
5267 \$3,878,464,421

5268 7061-0012 For the reimbursement of extraordinary special education costs under
5269 section 5A of chapter 71B of the General Laws; provided, that reimbursements shall be prorated
5270 so that expenses of this item do not exceed the amount appropriated in this item; provided
5271 further, that upon receipt by the department of elementary and secondary education of required
5272 special education cost reports from school districts, the department shall reimburse districts
5273 based on fiscal year 2010 claims; provided further, that the department may expend funds to
5274 continue and expand voluntary residential placement prevention programs between the
5275 department of elementary and secondary education and other departments within the executive
5276 office of health and human services that develop community-based support services for children
5277 and their families; provided further, that the department shall make funds available to the
5278 department of developmental services for the voluntary residential placement prevention
5279 program administered by that department; provided further, that the department shall expend
5280 funds not less than \$4,000,000 to provide books in accessible synthetic audio format made

5281 available through the federal NIMAS-NIMAC book repository for the outreach and training of
5282 teachers and students for the use of NIMAS-NIMAC and human speech audio digital textbooks;
5283 provided further, that the department shall expend funds for the costs of borrowing audio
5284 textbooks by special education students; provided further, that funds may be expended for the
5285 monitoring and follow-up activities of the department's complaint management system, review
5286 and approval of local educational agency applications, and local school districts' compliance
5287 with the part B requirements of the federal Special Education Law, known as the Individuals
5288 with Disabilities Education Act, in the provision of special education and related services to
5289 children with disabilities; provided further, that funds may be expended to administer the
5290 reimbursements funded herein; provided further, that funds may be expended to reimburse
5291 districts for extraordinary increases in costs incurred during fiscal year 2011 which would be
5292 reimbursable under said section 5A of said chapter 71B; provided further, that reimbursements
5293 for current year costs shall be limited to school districts which experience increases of greater
5294 than 25 per cent from costs reimbursable under said section 5A of said chapter 71B and incurred
5295 during fiscal year 2010 to costs reimbursable under said section 5A of said chapter 71B and
5296 incurred during fiscal year 2011 or other cases of extraordinary hardship where special education
5297 costs increase in relationship to total district costs as the department may define through
5298 regulation or guidelines; provided further, that reimbursements for current year costs shall be
5299 allocated as one-time grants and shall not decrease reimbursements in the following fiscal year;
5300 provided further, that the department shall conduct audits of fiscal year 2010 claims; provided
5301 further, that if the claims are found to be inaccurate, the department shall recalculate the fiscal
5302 year 2011 reimbursement amount and adjust the third and fourth quarter payments to the districts
5303 to reflect the new reimbursement amount; and provided further, that the department shall file a

5304 report with the house and senate committees on ways and means not later than February 15,
5305 2011, on the results of the audit\$146,431,076

5306 7061-0029 For the office of school and district accountability, established in section
5307 55A of chapter 15 of the General Laws; provided, that notwithstanding said 55A of said chapter
5308 15 of the General Laws, the office shall perform not less than 20 school district audits for fiscal
5309 year 2011; provided further, that the district of Randolph shall join the 10 districts of Boston,
5310 Brockton, Fall River, Holyoke, Lawrence, Lowell, Lynn, New Bedford, Springfield, and
5311 Worcester, in the cohort known as the commissioner's districts \$989,083

5312 7061-0033 For a reserve to assist towns negatively impacted by shortfalls in federal
5313 impact aid for the education of children in families employed by the federal government on
5314 military reservations located within the town's limits; provided, that grants provided in this item
5315 shall be expended by a school committee without further appropriation; provided further, that
5316 funds from this item shall be expended for the fiscal year 2011 costs associated with bonus aid
5317 payments to school districts in accordance with subsection (g) of section 16D of chapter 71 of
5318 the General Laws; provided further, that the department of elementary and secondary education
5319 shall submit a letter specifying the fiscal year 2012 cost for these payments to the secretary of
5320 administration and finance as well as the chairs of both the house and senate committees on ways
5321 and means not later than December 1, 2010 \$1,700,000

5322 7061-9010 For fiscal year 2011 reimbursements to certain cities, towns and regional
5323 school districts of charter school tuition and the per pupil capital needs component included in
5324 the charter school tuition amount for commonwealth charter schools, as calculated under
5325 subsections (nn) and (oo) of section 89 of chapter 71 of the General Laws; provided, that

5326 notwithstanding said subsection (nn) of said section 89 of said chapter 71 or any other general or
5327 special law to the contrary, the per pupil capital needs component of the commonwealth charter
5328 school tuition rate for fiscal year 2011 shall be \$893; and provided further, that if the amount
5329 appropriated is insufficient to fully fund all reimbursements required by said section 89 of said
5330 chapter 71, the department shall fully reimburse the cost of such per pupil capital needs
5331 component and shall prorate the tuition reimbursements calculated under said subsection (oo) of
5332 said section 89 of said chapter 71 \$71,554,914

5333 7061-9200 For the education technology program \$813,352

5334 7061-9400 For student and school assessment including the administration of the
5335 Massachusetts Comprehensive Assessment System exam established by the board of elementary
5336 and secondary education pursuant to sections 1D and 1I of chapter 69 of the General Laws and
5337 for grants to school districts to develop portfolio assessments for use in individual classrooms as
5338 an enhancement to student assessment; provided, that as much as is practicable, especially in the
5339 case of students whose performance is difficult to assess using conventional methods, such
5340 instruments shall include consideration of work samples and projects and shall facilitate
5341 authentic and direct gauges of student performance; provided further, that such portfolio
5342 assessments shall not replace the statewide standardized assessment based on the curriculum
5343 frameworks; provided further, that all school assessments shall center on the academic standards
5344 in the curriculum frameworks and shall involve measures which shall be relevant and meaningful
5345 to pursuant to the first paragraph of section 1L of said chapter 69; and provided further, that
5346 notwithstanding any general or special law to the contrary, assessment of proficiency in English
5347 shall be administered in English \$24,862,278

5348 7061-9404 For grants to cities, towns and regional school districts to provide targeted
5349 remediation programs for students in the classes of 2004 to 2015, inclusive, scoring in level 1 or
5350 2 on the Massachusetts Comprehensive Assessment System, or MCAS, exam established by the
5351 board of elementary and secondary education pursuant to the provisions of sections 1D and 1I of
5352 chapter 69 of the General Laws; provided, that the department and districts shall ensure that
5353 services are available to students with disabilities; provided further, that in awarding remediation
5354 funds, preference may be given to schools and districts at risk of or determined to be under-
5355 performing in accordance with said sections 1J and 1K of said chapter 69; provided further, that
5356 the purpose of this program shall be to improve students' performance on the MCAS exam
5357 through replication of services and educational strategies with proven results as determined by
5358 the department of elementary and secondary education; provided further, that such programs
5359 shall supplement currently funded local, state, and federal programs at the school or district;
5360 provided further, that funds shall be expended for a competitive grant program to fund academic
5361 support and college transition services to be implemented in fiscal year 2011, and operated by
5362 public institutions of higher learning or by public-private partnerships in the commonwealth, for
5363 students in the graduating classes of 2004 to 2011, inclusive, who have completed high school
5364 but have not yet obtained a competency determination as defined in said section 1D of said
5365 chapter 69 as measured by the MCAS assessment instrument authorized by said section 1I of
5366 said chapter 69, but who are working to pass the English and math MCAS tests, obtain a
5367 competency determination, and earn a high school diploma; provided further, that for the
5368 purpose of the programs, appropriated funds may be expended through August 31, 2011, to
5369 allow for summer remediation programs; provided further, that funds shall be expended for a
5370 competitive grant program to fund Pathways programs targeting eleventh and twelfth graders,

5371 instituted by local school districts, public institutions of higher education and qualified public
5372 and private educational services organizations and One Stop Career Centers including, but not
5373 limited to, school-to-work connecting activities, creating worksite learning experiences for
5374 students as an extension of the classroom, outreach programs for students who will need post-
5375 twelfth grade remediation to attain the skills necessary to pass the MCAS exam, and counseling
5376 programs to educate parents and high school students on post-twelfth grade remediation options;
5377 provided further, that funds shall be expended for a competitive grant program, guidelines for
5378 which shall be developed by the department of elementary and secondary education, for
5379 intensive remediation programs in communities with students in the graduating classes of 2004
5380 to 2015, inclusive, who have not obtained a competency determination or have scored in levels 1
5381 or 2 on either the English or math MCAS exams; provided further, that the department of
5382 elementary and secondary education may give preference for such assistance to those districts
5383 with a high percentage of high school students scoring in level 1 on the MCAS exam in English
5384 and math; provided further, that eligible applicants shall include individual high schools, and
5385 those institutions which shall have partnered with a high school or group of high schools;
5386 provided further, that no district shall receive a grant from this appropriation until said district
5387 submits to the department of elementary and secondary education a comprehensive district plan
5388 pursuant to the provisions of said section 11 of said chapter 69, to improve performance of all
5389 student populations including, but not limited to, students with disabilities; provided further, that
5390 any evaluation will examine the likelihood and efficiency of replication of these programs and
5391 practices in school districts with a large percentage of English language learners; provided
5392 further, that these funds may be expended for professional development related to these
5393 programs; provided further, that the department shall issue a report not later than February 2,

5394 2011, and annually thereafter as a condition of continued funding under this account, in
5395 collaboration with the department of higher education, describing MCAS support programs for
5396 the graduating classes of 2004 to 2015, inclusive, funded by items 7061-9404 and 7027-0019,
5397 school to work accounts, institutions of public higher education, and other sources, including
5398 federal sources; provided further, that such report shall include, but not be limited to, the number
5399 of students eligible to participate in such programs, the number of students participating in such
5400 programs, the number of students who have passed the MCAS assessment and obtained a
5401 competency determination through these programs but not met local graduation requirements,
5402 and the number of students who have passed the MCAS assessment and obtained a competency
5403 determination through these programs and met local graduation requirements; provided further,
5404 that said report shall be provided to the chairs of the house and senate committees on ways and
5405 means and the house and senate chairs of the joint committee on education; provided further, that
5406 any grant funds distributed from this item to a city, town or regional school district shall be
5407 deposited with the treasurer of such city, town, or regional school district and held in a separate
5408 account and shall be expended by the school committee of such city, town, or regional school
5409 district without further appropriation, notwithstanding any general or special law to the contrary;
5410 and provided further, that no costs shall be expended for personnel costs \$9,294,804

5411 7061-9408 For targeted intervention to schools and districts at risk of or determined to
5412 be underperforming under sections 1J and 1K of chapter 69 of the General Laws, schools and
5413 districts which have which have been placed in the accountability status of identified for
5414 improvement, corrective action, or restructuring pursuant to departmental regulations, or which
5415 have been designated Commonwealth priority schools or Commonwealth pilot schools pursuant
5416 to said regulations; provided, that no money shall be expended in any school or district that fails

5417 to file a comprehensive district plan pursuant to the provisions of section 1I of said chapter 69;
5418 provided further, that the department shall only approve reform plans with proven, replicable
5419 results in improving student performance; provided further, that in carrying out the provisions of
5420 this item, the department may contract with school support specialists, turnaround partners, and
5421 such other external assistance as is needed in the expert opinion of the commissioner, to
5422 successfully turn around failing school and district performance; provided further, that no funds
5423 shall be expended on targeted intervention unless the department shall have approved, as part of
5424 the comprehensive district improvement plan, a professional development plan which addresses
5425 the needs of the district as determined by the department; provided further, that eligible
5426 professional development activities for purposes of this item shall include, but not be limited to:
5427 professional development among teachers of the same grade levels and teachers of the same
5428 subject matter across grade levels, professional development focused on improving the teacher's
5429 content knowledge in the field or subject area in which the teacher is practicing, professional
5430 development which provides teachers with research based strategies for increasing student
5431 success, professional development teaching the principles of data driven instruction, and funding
5432 which helps provide common planning time for teachers within a school and within the school
5433 district; provided further, that preference in the awarding of such funds shall be given to
5434 professional development in math and English content skills; provided further, that funds from
5435 any targeted intervention grant may be used to partially offset the cost of said professional
5436 development and common planning time; provided further, that funds may be expended for the
5437 purchase of instructional materials pursuant to section 57 of chapter 15 of the General Laws;
5438 provided further, that no funds shall be expended on instructional materials except where the
5439 purchase of such materials is part of a comprehensive plan to align the school or district

5440 curriculum with the Massachusetts curriculum frameworks; provided further, that preference in
5441 distributing funds shall be made for proposals which coordinate reform efforts within all schools
5442 of a district in order to prevent conflicts between multiple reforms and interventions among the
5443 schools; provided further, that the department shall issue a report not later than February 2, 2011,
5444 and annually thereafter describing and analyzing all intervention and targeted assistance efforts
5445 funded by this item; provided further, that such report shall include but not be limited to: the
5446 number of school and school districts eligible to receive such assistance, the number of students
5447 attending school in said districts, the nature and type of intervention activities funded through
5448 this item, by school and school district, the number of teachers in professional development
5449 funded in part through this item, the number of districts with curricula or professional
5450 development systems aligned with the curriculum frameworks, and the number that are
5451 undertaking that effort with grants funded by this item, the number of outside vendors with
5452 whom the department has contracted to provide intervention and turnaround services, the amount
5453 each vendor has received, and the results obtained in each instance, the number of students who
5454 have passed the Massachusetts Comprehensive Assessment System exam assessment and
5455 obtained a competency determination through these programs, before, and during the period of
5456 intervention and turnaround, and any other data relative to the successes achieved or challenges
5457 faced by the effort to turn around schools, along with any legislative or budgetary
5458 recommendations for improving the initiative and increasing the success of all intervention
5459 efforts; provided further, that said report shall include an analysis of the number of districts with
5460 curriculum plans not aligned to the curriculum frameworks, along with any legislative and
5461 regulatory recommendations to address the issue; provided further, that said report shall be
5462 provided to the secretary of administration and finance, the senate president, the speaker of the

5463 house, the chairs of the house and senate committees on ways and means and the house and
5464 senate chairs of the joint committee on education; provided further, that no funds shall be
5465 expended on recurring school or school district expenditures unless the department and school
5466 district have developed a long term plan to fund such expenditures from the district's operational
5467 budget; provided further, that for the purpose of this item, appropriated funds may be expended
5468 through August 31, 2011, to allow for intervention and school and district improvement planning
5469 in the summer months; and provided further, that any funds distributed from this item to a city,
5470 town or regional school district shall be deposited with the treasurer of such city, town, or
5471 regional school district and held in a separate account and shall be expended by the school
5472 committee of such city, town, or regional school district without further appropriation,
5473 notwithstanding any general or special law to the contrary; provided further, that funds may be
5474 expended for a middle school pilot program between school districts and partner organizations
5475 with an established record of partnering with middle schools to increase learning time and
5476 student performance; provided, that preference shall be given to the partner organizations that: (i)
5477 have the capacity to serve not less than 25 per cent of a district's middle school population; (ii)
5478 make available documentation of \$1 in private sector, local or federal funds for every \$1 in state
5479 funds; (iii) have conducted at least 1 independent longitudinal study showing significant gains in
5480 student performance in the Massachusetts Comprehensive Assessment System scores, school
5481 attendance, student grades or long-term high school graduation rates, employs student family
5482 engagement practices, delivers services to schools as either an expanded learning time or after-
5483 school partner and has data sharing agreements and memoranda of understanding in place with
5484 middle schools to ensure the timely and effective sharing of grade progress and other formative
5485 or diagnostic measurement of student progress; and provided further, that funds may be

5486 expended for the continuation of a parent engagement program pursuant to item 7061-9408 of
5487 section 2 of chapter 182 of the acts of 2008 \$6,874,476

5488 7061-9412 For grants to cities, towns, and regional school districts for the purpose of
5489 planning for and implementing expanded learning time in the form of longer school days or
5490 school years at selected schools; provided, that implementation grants shall only be provided
5491 under this item to schools and districts which submitted qualifying applications which were
5492 approved by the department in fiscal year 2010 and which include a minimum of an additional
5493 300 hours on a mandatory basis for all children attending that school; provided further, that in
5494 approving expanded learning time implementation grant applications, preference shall be given
5495 to districts with high poverty rates or a high percentage of students scoring in levels I or II on the
5496 Massachusetts Comprehensive Assessment System exam, those districts with proposals that have
5497 the greatest potential for district-wide impact, those districts that plan to utilize partnerships with
5498 community-based organizations and institutions of higher education, and those districts with
5499 proposals that include a comprehensive restructuring of the entire school day and/or year to
5500 maximize the use of the additional learning time; provided further, that the department shall
5501 approve implementation proposals that include an appropriate mix of additional time spent on
5502 core academics, additional time spent on enrichment opportunities such as small group tutoring,
5503 homework help, music, arts, sports, physical activity, health and wellness programs, project-
5504 based experiential learning and additional time for teacher preparation and professional
5505 development; provided further, that the department shall only approve implementation proposals
5506 that assume not more than \$1,300 per pupil per year in future state appropriations of expanded
5507 learning time implementation funds; provided further, that in extraordinary cases the department
5508 may exceed the \$1,300 per pupil per year limit; provided further, that the department shall

5509 review all qualified proposals and award approved grants not later than August 16, 2010;
5510 provided further, that in carrying out the provisions of this item, funds may be expended by the
5511 department to evaluate the impact and effectiveness of the program; provided further, that the
5512 department shall issue an annual report, not later than February 2, 2011, on the implementation
5513 of plans in all participating districts; provided further, that said report shall include, but not be
5514 limited to the names of schools and school districts participating, the number of students
5515 attending these schools and the nature and type of changes made in participating schools as a
5516 result of this program; provided further, that the report shall also include an anticipated budget
5517 for this program for the next fiscal year and a breakdown of the distribution of the \$1,300 per
5518 student by school; provided further, that said report shall be provided to the secretary of
5519 administration and finance, the senate president, the speaker of the house, the chairs of the house
5520 and senate committees on ways and means and the house and senate chairs of the joint
5521 committee on education; provided further, that for this item, appropriated funds may be
5522 expended through August 31, 2011, to allow for planning and implementation during the
5523 summer months; provided further, that any grant funds distributed from this item to a city, town,
5524 or regional school district shall be deposited with the treasurer of such city, town, or regional
5525 school district and held in a separate account and shall be expended by the school committee of
5526 such city, town or regional school district without further appropriation, notwithstanding any
5527 general or special law to the contrary; and provided further, that no funds shall be expended for
5528 personnel costs at the department of elementary and secondary education \$15,672,374

5529 7061-9600 For a discretionary grant pilot program to provide monies to school
5530 districts and state public institutions of higher education partnering together to offer inclusive
5531 concurrent enrollment programs for students with disabilities as defined in section 1 of chapter

5532 71B of the General Laws ages 18 to 22, inclusive; provided, that the grant program shall be
5533 limited to said students who are considered to have severe disabilities and, in the case of students
5534 ages 18 and 19, shall be limited to students with severe disabilities who have been unable to
5535 achieve the competency determination necessary to pass the Massachusetts Comprehensive
5536 Assessment System exam; provided further, that said students with disabilities shall be offered
5537 enrollment in credit and noncredit courses that include nondisabled students, including
5538 enrollment in noncredit courses and credit bearing courses in audit status for students who may
5539 not meet course prerequisites and requirements, and that the partnering school districts will
5540 provide supports, services and accommodations necessary to facilitate a student's enrollment;
5541 provided further, that the department, in consultation with the department of higher education,
5542 shall develop guidelines to ensure that the grant program promotes civic engagement and
5543 mentoring of faculty in state institutions of higher education, and supports college success, work
5544 success, participation in student life of the college community, and provision of a free
5545 appropriate public education in the least restrictive environment; provided further, that the
5546 department, in consultation with the department of higher education, shall develop strategies and
5547 procedures to help sustain and replicate the inclusive concurrent enrollment programs; provided
5548 further, that funds may be distributed to the department of higher education in order to increase
5549 the capacity of public institutions of higher education to include students with severe disabilities
5550 in the concurrent enrollment pilot program; provided further, that funds may be allocated to the
5551 department of elementary and secondary education to provide training and technical assistance to
5552 school districts for program implementation; provided further, that the department of elementary
5553 and secondary education, in consultation with the department of higher education, shall report to
5554 the house and senate committees on ways and means, the joint committee on education and the

5555 joint committee on higher education on said discretionary grant program not later than February
5556 15, 2011; provided further, that no funds shall be expended from this item for personnel
5557 employed by the department of elementary and secondary education; and provided further, that
5558 for the purpose of this item, appropriated funds may be expended through August 31, 2011

5559 \$500,000

5560 7061-9604 For teacher preparations and certification \$1,367,409

5561 7061-9611 For grants or subsidies for after-school and out-of-school programs;
5562 provided, that preference shall be given to after-school proposals developed collaboratively by
5563 public and non-public schools and private community based programs; provided further, that the
5564 department shall fund only those applications which contain accountability systems and
5565 measurable outcomes, under guidelines to be determined by the department in consultation with
5566 the department of early education and care; provided further, that applicants shall detail funds
5567 received from all public sources for existing after-school and out-of-school programs and the
5568 types of programs and type of students served by said funds; provided further, that funds may be
5569 directed to increase comprehensive after-school and out-of-school time programming to school
5570 age children and youth during the school year and the summer, including but not limited to 21st
5571 century community learning centers programs; provided further, that funds from this item may
5572 be used for a variety of activities, including but not limited to: (1) academic tutoring and
5573 homework centers where content is linked to and based on the curriculum guidelines
5574 promulgated by said department, (2) programs which improve the health of students, including
5575 physical activities, athletics, nutrition and health education, and exercise, (3) art, theater, and
5576 music programs developed in collaboration with the Massachusetts cultural council, local
5577 cultural councils, or cultural organizations in the Commonwealth funded by the Massachusetts

5578 cultural council, (4) enrichment activities not otherwise provided during the school day, (5)
5579 advanced study for the gifted and talented, and (6) community service programs; provided
5580 further, that funds shall be expended for services that actively include children with disabilities
5581 in after-school programs that also serve non-disabled children and services that include children
5582 where English is a second language, including but not limited to: increased per-child
5583 reimbursement rates, additional staff, technical assistance, training and transportation; provided
5584 further, that the department of elementary and secondary education shall consult the executive
5585 office of health and human services and the department of early education and care to maximize
5586 the provision of wrap-around services and to coordinate programs and services for children and
5587 youth during after-school and out-of-school time programs; provided further, that the department
5588 shall select grant recipients not later than September 30, 2010, and shall report on the
5589 preliminary results of said grants not later than February 15, 2011, to the secretary of
5590 administration and finance, the house and senate chairs of the joint committee on education, and
5591 the chairs of the house and senate committees on ways and means; provided further, that for the
5592 purpose of this item, appropriated funds may be expended through August 31, 2011, to allow for
5593 implementation of said programs during the summer months; and provided further, funds shall
5594 be expended to convene regional networks, to work with the department of elementary and
5595 secondary education and the department of early education and care to support the
5596 implementation of school-community partnerships and to submit a report by October 15, 2010,
5597 to the general court and the administration making recommendations on how to enhance school-
5598 community partnerships and positive outcomes for children and youth through funding as
5599 provided in this item \$1,500,000

5600 7061-9614 For the alternative education grant program established pursuant to section
5601 1N of chapter 69 of the General Laws; provided, that the commissioner shall allocate funds for
5602 both subsections (a) and (b) of said section 1N of said chapter 69; and provided further, that no
5603 funds shall be expended for personnel costs \$146,140

5604 7061-9619 For the purpose of funding the Benjamin Franklin Institute of Technology;
5605 provided, that the institute shall have access to the Massachusetts education computer system;
5606 and provided further, that the institute may join the state buying consortium \$1

5607 7061-9626 For grants and contracts with youth-build programs for the purposes of
5608 providing comprehensive youth-build services \$1,600,000

5609 7061-9634 For a transfer of this item to the Massachusetts Service Alliance, which
5610 shall be responsible for administering a competitive statewide grant program for public and
5611 private agencies to start or expand youth mentoring programs according to current best practices
5612 and for purposes including advancing academic performance, self-esteem, social competence and
5613 workforce development; provided, that the department of elementary and secondary education
5614 shall transfer the amount appropriated in this item to the Massachusetts Service Alliance for the
5615 purpose of these grants; provided further, that in order to be eligible to receive funds from this
5616 item, each public or private agency shall provide a matching amount equal to \$1 for every \$1
5617 disbursed from this item; and provided further, that the Massachusetts Service Alliance shall
5618 submit a report detailing the impact of grants, expenditure of funds and the amount and source of
5619 matching funds raised to the department of elementary and secondary education \$250,000

5620 7061-9804 For teacher content training in math and science; provided, that said
5621 training shall include math specialist and Massachusetts test for educator licensure preparation;

5622 provided further, that funds from this item shall be expended on content-based professional
5623 development in math and science, with a focus on increasing the content knowledge of
5624 elementary and middle school math and science teachers in districts with a high percentage of
5625 students scoring in level 1 or 2 on the math or science Massachusetts comprehensive assessment
5626 system exams, or in districts which are at risk of or determined to be underperforming in
5627 accordance with sections 1J and 1K of chapter 69 of the General Laws; provided further, that
5628 such professional development courses shall demonstrate proven, replicable results in improving
5629 teacher and student performance, and shall demonstrate the use of best practices, as determined
5630 by the department, including data comparing pre-training and post-training content knowledge;
5631 provided further, that the department shall report, not later than February 15, 2010, on the
5632 number of educators provided content training under this item, the estimated number of math and
5633 science teachers currently teaching without certification, and any legislative or regulatory
5634 recommendations necessary to make middle school and elementary math and science education
5635 more rigorous and data-driven; provided further, that said report shall be provided to the
5636 secretary of administration and finance, the senate president, the speaker of the house, the chairs
5637 of the house and senate committees on ways and means and the house and senate chairs of the
5638 joint committee on education; provided further, that no funds shall be expended for personnel
5639 costs; and provided further, that for the purpose of this item, appropriated funds may be
5640 expended through August 31, 2011 \$386,227

5641 Department of Higher Education.

5642 7066-0000 For the operation of the department of higher education; provided, that the
5643 department shall recommend savings proposals that permit institutions of public higher
5644 education to achieve administrative and program cost reductions, resource re-allocation and

5645 program re-assessment and to utilize resources otherwise available to such institutions; and
5646 provided further, that in order to meet the estimated costs of employee fringe benefits provided
5647 by the commonwealth on account of employees of the Massachusetts State College Building
5648 Authority and the University of Massachusetts Building Authority, and in order to meet the
5649 estimated cost of heat, light, power and other services, if any, to be furnished by the
5650 commonwealth to projects of these authorities, the boards of trustees of the state colleges and the
5651 University of Massachusetts shall transfer to the General Fund from the funds received from the
5652 operations of the projects such costs, if any, as shall be incurred by the commonwealth for these
5653 purposes in the current fiscal year, as determined by the appropriate building authority, verified
5654 by the commissioner of higher education and approved by the secretary of administration and
5655 finance; provided, that funds shall be expended for a program in math, science, engineering and
5656 technology for academically accelerated students in their final 2 years of high school pursuant to
5657 item 7061-9612 of chapter 182 of the acts of 2008; provided further, that not more than \$200,000
5658 shall be expended by the department of higher education on a review conducted by an external
5659 entity of the capacities and sustainability of the community colleges in the commonwealth in the
5660 context of the current fiscal climate and rapidly increasing student enrollments, and the overall
5661 role of the colleges in contributing to the economic, social and educational progress of the
5662 commonwealth; provided further, that said review shall include but not be limited to an analysis
5663 of the sufficiency of program and course availability, faculty and administrative staffing
5664 including, but not limited to, the use of adjunct faculty, academic and other student support
5665 services and academic facilities in relation to student demand, the sustainability of the current
5666 funding mechanisms and patterns, ability of community colleges to respond to the needs of
5667 employers for workforce development, overall course and program affordability at each college;

5668 provided further, that the department of higher education shall solicit private grants supporting
5669 said review; provided further, that said review shall include a comprehensive report to be
5670 completed not later than November 15, 2010 and submitted to the speaker of the house, the
5671 senate president, the co-chairs of the joint committee on higher education, the chairs of the house
5672 and senate committees on ways and means, the house and senate minority leaders, the secretary
5673 of education, the secretary of administration and finance and the secretary of workforce and
5674 economic development 2,290,529

5675 7066-0005 For the commonwealth's share of the cost of the compact for education
5676 \$82,620

5677 7066-0009 For the New England board of higher education \$367,500

5678 7066-0015 For the community college workforce training incentive grant program
5679 established in section 15F of chapter 15A of the General Laws \$1,350,000

5680 7066-0016 For a program of financial aid to support the matriculation of certain
5681 persons at public and private institutions of higher learning; provided, that only persons in the
5682 custody of the department of children and families under a care and protection petition upon
5683 reaching the age of 18, or persons in the custody of the department matriculating at such an
5684 institution at an earlier age, shall qualify for such aid; provided further, that no such person shall
5685 be required to remain in the custody of the department beyond age 18 to qualify for such aid;
5686 provided further, that this aid shall not exceed \$6,000 per recipient per year; and provided
5687 further, that this aid shall be granted after exhausting all other sources of financial support
5688 \$1,149,561

5689 7066-0019 For the department of higher education to support the dual enrollment
5690 program allowing qualified high school students to take college courses; provided, that public
5691 higher education institutions may offer courses in high schools in addition to courses offered at
5692 the institutions or online if the number of students is sufficient \$750,000

5693 7066-0020 For the nursing and allied health workforce development initiative, to
5694 develop and support strategies that increase the number of public higher education faculty
5695 members and students who participate in programs that support careers in fields related to
5696 nursing and allied health; provided, that the amount appropriated in this item shall be transferred
5697 to the Massachusetts Nursing and Allied Health Workforce Development Trust Fund established
5698 in section 33 of chapter 305 of the acts of 2008; provided further, that funds shall be transferred
5699 to the Trust Fund according to an allotment schedule adopted by the executive office for
5700 administration and finance; and provided further, that the department of higher education shall
5701 provide monthly expenditure reports to the executive office for administration and finance and
5702 the house and senate committees on ways and means. \$750,000

5703 7066-0021 For reimbursements to public institutions of higher education for foster
5704 and adopted child fee waivers under section 19 of chapter 15A of the General Laws; provided,
5705 that no funds shall be distributed from this line item prior to certification by the state and
5706 community colleges and the University of Massachusetts of the actual amount of tuition and fees
5707 waived for foster and adopted children attending public institutions of higher education under
5708 said section 19 of said chapter 15A that would otherwise have been retained by the campuses,
5709 according to procedures and regulations promulgated by the board of higher education
5710 \$1,000,000

5711 7066-0024 For the school of excellence program at the Worcester Polytechnic Institute;
5712 provided, that every effort shall be made to recruit and serve equal numbers of male and female
5713 students; provided further, that sending districts of students attending the Institute shall not be
5714 required to expend any funds for the cost of these students while in attendance at the
5715 Institute.....\$1,300,000

5716 7070-0065 For a scholarship program to provide financial assistance to Massachusetts
5717 students enrolled in and pursuing a program of higher education in any approved public or
5718 independent college, university, school of nursing, or any other approved institution furnishing a
5719 program of higher education; provided, that funds from this item may be expended on the
5720 administration of the scholarship program; and provided further, that the commissioner of higher
5721 education, in coordination with the Massachusetts state scholarship office, shall adopt
5722 regulations governing the eligibility and the awarding of financial assistance; and provided
5723 further, that the board shall continue to administer all programs funded in this item at an amount
5724 not less than that expended in the prior fiscal year\$89,837,028

5725 7077-0023 For a contract with the Tufts School of Veterinary Medicine; provided,
5726 that funds appropriated in this item shall be expended under the resident veterinary tuition
5727 remission plan submitted January 8, 1998, for supportive veterinary services provided to the
5728 commonwealth; provided further, that prior year costs may be paid from this item; provided
5729 further, that funds appropriated in this item shall support bioterrorism prevention research related
5730 to diseases that can be transmitted from animals to humans, in consultation with Massachusetts
5731 emergency authorities; provided further, that not less than \$500,000 shall be expended for a
5732 program in collaboration with a community college to educate and train veterinary technicians;

5733 and provided further, that the school shall work in consultation with the Norfolk County
5734 Agricultural School on veterinary programs \$3,000,000

5735 7520-0424 For a health and welfare reserve for eligible personnel employed at the
5736 community and state colleges. \$5,494,616

5737 University of Massachusetts.

5738 7100-0200 For the operation of the University of Massachusetts; provided, that
5739 notwithstanding any general or special law to the contrary, the university may establish and
5740 organize auxiliary organizations, subject to policies, rules and regulations adopted by the board,
5741 to provide essential functions which are integral to the educational mission of the university;
5742 provided further, that notwithstanding any general or special law to the contrary, the university
5743 may enter into leases of real property without prior approval of the division of capital asset
5744 management and maintenance; provided further, that the University of Massachusetts shall
5745 expend funds for the operation of the department of higher education's commonwealth college
5746 honors program at the University of Massachusetts Amherst, , for the operation of the office of
5747 dispute resolution at the University of Massachusetts Boston, for capital lease payments from the
5748 University of Massachusetts to the Massachusetts Development Finance Agency and for annual
5749 operations of the advanced technology and manufacturing center in Fall River and for the
5750 University of Massachusetts Amherst Cranberry Station; provided further, that the University of
5751 Massachusetts shall expend \$2,700,000 for facilities costs associated with the college of visual
5752 and performing arts at the University of Massachusetts Dartmouth; provided further that funds
5753 may be expended for the operation of the University of Massachusetts Boston's Edward J.
5754 Collins Center for Public Management, for the University of Massachusetts Medical School to

5755 enhance efforts to increase the number of graduating medical students in primary care specialties
5756 and for the operation of an inner-city youth collaborative at the UMass Field Station on
5757 Nantucket to learn about nature, ecology, environment, science and history on the island;
5758 provided further, that the governor may allocate \$24,658,888, made available through the
5759 American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount
5760 appropriated herein; and provided further, that this appropriation assumes \$11,363,273 in out-of-
5761 state student tuition retained by the university \$437,515,270

5762 State Colleges.

5763 7109-0100 For Bridgewater State College; provided, that the governor may allocate
5764 \$1,979,345, made available through the American Recovery and Reinvestment Act of 2009, Pub.
5765 L. No. 111-5, in addition to the amount appropriated herein; and provided further, that this
5766 appropriation assumes \$878,799 in out-of-state tuition retained by the college \$34,697,800

5767 7110-0100 For Fitchburg State College; provided, that the governor may allocate
5768 \$1,392,298, made available through the American Recovery and Reinvestment Act of 2009, Pub.
5769 L. No. 111-5, in addition to the amount appropriated herein; and provided further, that this
5770 appropriation assumes \$850,000 in out-of-state tuition retained by the college \$24,175,058

5771 7112-0100 For Framingham State College; provided, that the governor may allocate
5772 \$1,244,229, made available through the American Recovery and Reinvestment Act of 2009, Pub.
5773 L. No. 111-5, in addition to the amount appropriated herein; and provided further, that this
5774 appropriation assumes \$521,510 in out-of-state tuition retained by the college \$21,842,143

5775 7113-0100 For the Massachusetts College of Liberal Arts; provided, that the governor
5776 may allocate \$719,575, made available through the American Recovery and Reinvestment Act of
5777 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein \$12,933,581

5778 7114-0100 For Salem State College; provided, that the governor may allocate
5779 \$1,993,840, made available through the American Recovery and Reinvestment Act of 2009, Pub.
5780 L. No. 111-5, in addition to the amount appropriated herein, and provided further, that this
5781 appropriation assumes \$1,661,456 in out-of-state tuition retained by the college \$34,175,679

5782 7115-0100 For Westfield State College; provided, that the governor may allocate
5783 \$1,162,652 made available through the American Recovery and Reinvestment Act of 2009, Pub.
5784 L. No. 111-5, in addition to the amount appropriated herein; and provided further, that this
5785 appropriation assumes \$1,242,400 in out-of-state tuition retained by the college \$19,655,021

5786 7116-0100 For Worcester State College; provided, that the governor may allocate
5787 \$1,184,958, made available through the American Recovery and Reinvestment Act of 2009, Pub.
5788 L. No. 111-5, in addition to the amount appropriated herein; and provided further, that this
5789 appropriation assumes \$746,066 in out-of-state tuition retained by the college \$20,552,274

5790 7117-0100 For the Massachusetts College of Art; provided, that the governor may
5791 allocate \$761,101, made available through the American Recovery and Reinvestment Act of
5792 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein \$13,679,959

5793 7118-0100 For the Massachusetts Maritime Academy; provided, that the governor
5794 may allocate \$704,799, made available through the American Recovery and Reinvestment Act of
5795 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein \$12,667,991

5796 Community Colleges.

5797 7502-0100 For Berkshire Community College; provided, that the governor may
5798 allocate \$469,773, made available through the American Recovery and Reinvestment Act of
5799 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein; and provided further,
5800 that this appropriation assumes \$78,190 in out-of-state tuition retained by the college

5801 \$8,365,479

5802 7503-0100 For Bristol Community College; provided, that the governor may allocate
5803 \$809,876, made available through the American Recovery and Reinvestment Act of 2009, Pub.
5804 L. No. 111-5, in addition to the amount appropriated herein; and provided further, that this
5805 appropriation assumes \$57,106 in out-of-state tuition retained by the college \$14,499,535

5806 7504-0100 For Cape Cod Community College; provided, that the governor may
5807 allocate \$579,285, made available through the American Recovery and Reinvestment Act of
5808 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein; and provided further,
5809 that this appropriation assumes \$120,914 in out-of-state tuition retained by the college

5810 \$10,291,113

5811 7505-0100 For Greenfield Community College; provided, that the governor may
5812 allocate \$461,684, made available through the American Recovery and Reinvestment Act of
5813 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein; and provided further,
5814 that this appropriation assumes \$78,961 in out-of-state tuition retained by the college

5815 \$8,219,312

5816 7506-0100 For Holyoke Community College; provided, that the governor may
5817 allocate \$938,788, made available through the American Recovery and Reinvestment Act of

5818 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein; and provided further,
5819 that this appropriation assumes \$103,500 in out-of-state tuition retained by the college
5820 \$16,770,209

5821 7507-0100 For Massachusetts Bay Community College; provided, that the governor
5822 may allocate \$703,091, made available through the American Recovery and Reinvestment Act of
5823 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein; and provided further,
5824 that this appropriation assumes \$210,820 in out-of-state tuition retained by the college
5825 \$12,426,484

5826 7508-0100 For Massasoit Community College; provided, that the governor may
5827 allocate \$1,018,625, made available through the American Recovery and Reinvestment Act of
5828 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein; and provided further,
5829 that this appropriation assumes \$119,830 in out-of-state tuition retained by the college
5830 \$18,188,847

5831 7509-0100 For Mount Wachusett Community College; provided, that the governor
5832 may allocate \$642,585, made available through the American Recovery and Reinvestment Act of
5833 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein; and provided further,
5834 that this appropriation assumes \$54,440 in out-of-state tuition retained by the college
5835 \$11,495,336

5836 7510-0100 For Northern Essex Community College; provided, that the governor may
5837 allocate \$959,474, made available through the American Recovery and Reinvestment Act of
5838 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein; and provided further,

5839 that this appropriation assumes \$55,062 in out-of-state tuition retained by the college
5840 \$17,190,441

5841 7511-0100 For North Shore Community College, including the post-secondary
5842 programs of the Essex Agricultural and Technical Institute operated by North Shore Community
5843 College; provided, that the governor may allocate \$1,031,492, made available through the
5844 American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount
5845 appropriated herein; and provided further, that this appropriation assumes \$91,640 in out-of-state
5846 tuition retained by the college \$18,448,321

5847 7512-0100 For Quinsigamond Community College; provided, that the governor may
5848 allocate \$762,743, made available through the American Recovery and Reinvestment Act of
5849 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein; and provided further,
5850 that this appropriation assumes \$117,300 in out-of-state tuition retained by the college
5851 \$13,592,175

5852 7514-0100 For Springfield Technical Community College; provided, that the
5853 governor may allocate \$1,236,442, made available through the American Recovery and
5854 Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein; and
5855 provided further, that this appropriation assumes \$188,575 in out-of-state tuition retained by the
5856 college \$22,035,132

5857 7515-0100 For Roxbury Community College; provided, that the governor may
5858 allocate \$569,305, made available through the American Recovery and Reinvestment Act of
5859 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein; and provided further,

5860 that this appropriation assumes \$74,288 in out-of-state tuition retained by the college

5861 \$10,158,353

5862 7515-0121 For the Reggie Lewis Track and Athletic Center at Roxbury Community
5863 College; provided, that the college may expend an amount not to exceed \$529,843 received from
5864 fees, rentals, and facility expenses associated with the running and operation of national track
5865 meets, high school track meets, high school dual meets, Roxbury Community College athletic
5866 events, other special athletic events, conferences, meetings and programs; and provided further,
5867 that only expenses for contracted services associated with these events and for the capital needs
5868 of the facility shall be funded from this item \$529,843

5869 7516-0100 For Middlesex Community College; provided, that the governor may
5870 allocate \$1,005,260, made available through the American Recovery and Reinvestment Act of
5871 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein; and provided further,
5872 that this appropriation assumes \$245,478 in out-of-state tuition retained by the college

5873 \$17,822,982

5874 7518-0100 For Bunker Hill Community College; provided, that the governor may
5875 allocate \$1,045,288, made available through the American Recovery and Reinvestment Act of
5876 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein; and provided further,
5877 that this appropriation assumes \$593,500 in out-of-state tuition retained by the college

5878 \$18,194,424

5879 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY.

5880 Office of the Secretary.

5881 8000-0000 For the office of the secretary, including the administration of the
5882 committee on criminal justice and the highway safety bureau to provide matching funds for a
5883 federal planning and administration grant pursuant to 23 U.S.C. section 402 and the costs
5884 associated with the implementation of chapter 228 of the acts of 2000; provided, that the
5885 secretary shall, to the fullest extent consistent with the duties of the office, prioritize the
5886 development and implementation of a real-time data-sharing system between federal, state and
5887 municipal law enforcement to facilitate interdepartmental cooperation and assistance; provider,
5888 that the secretary may enter into an agreement with a state college or university to provide for the
5889 expansion of a comprehensive law enforcement and emergency response training program for
5890 local, state and federal criminal justice and homeland security professionals, subject to the
5891 receipt of federal matching funds \$2,080,688

5892 8000-0038 For the operation of a witness protection program pursuant to chapter
5893 263A of the General Laws \$94,245

5894 8000-0040 For police career incentives to reimburse certain cities and towns for
5895 career incentive salary increases for police officers; provided, however, that regular full-time
5896 members of municipal police departments hired on or after July 1, 2009 shall not be eligible to
5897 participate in the career incentive pay program established pursuant to section 108L of chapter
5898 41 of the General Laws; provided further, that any current regular full-time member of a
5899 municipal police department who has not enrolled in an education program for the purposes of
5900 participating in the career incentive pay program pursuant to said section 108L of said chapter 41
5901 of the General Laws, as of October 1, 2009, shall not be eligible to participate in the career
5902 incentive pay program established pursuant to said section 108L of said chapter 41 of the
5903 General Laws; provided further, that any current regular full-time member of a municipal police

5904 department who has begun to accumulate credit hours pursuant to said section 108L of said
5905 chapter 41 of the General Laws as of October 1, 2009 shall be allowed to accumulate the
5906 maximum number of credit hours for any eligible degree permitted pursuant to said section 108L
5907 of said chapter 41 of the General Laws; provided further, that any current regular full-time
5908 member of a municipal police department on active duty in the armed forces of the United States
5909 in any theater of operations from July 1, 2008 through September 1, 2009 who enrolls in an
5910 education program for the purposes of participating in the career incentive pay program pursuant
5911 to said section 108L of said chapter 41 no later than 4 months from the date of his return from
5912 active duty shall be allowed to accumulate the maximum number of credit hours for any eligible
5913 degree permitted pursuant to said section 108L of said chapter 41; and provided further, that any
5914 permanent employee of a municipal police department appointed prior to October 1, 2009 and
5915 separated from employment pursuant to section 39 of chapter 31 of the General Laws may enroll
5916 in an education program for the purposes of participating in the career incentive pay program
5917 pursuant to said section 108L of said chapter 41 no later than 4 months from the date of his
5918 reinstatement \$5,000,000

5919 8000-1700 For the provision of information technology services within the executive
5920 office of public safety and security \$18,077,757

5921 Office of Chief Medical Examiner.

5922 8000-0105 For the operation of the office of the chief medical examiner established
5923 pursuant to chapter 38 of the General Laws; provided, that the agency shall submit a report to the
5924 house and senate committees on ways and means not later than January 17, 2011 detailing the
5925 caseload of the office; and provided further, that the report shall include, but not be limited to,

5926 the number of toxicology tests, the reduction of turnaround time of toxicology tests and the
5927 reduction of the case backlog, the number of autopsies performed, the number of cases under the
5928 office's jurisdiction, the number of external exams performed, the number of cases determined to
5929 be homicides, and the number of cremations performed under the office's jurisdiction in 2009
5930 and 2010 \$7,627,153

5931 State Police Crime Laboratory.

5932 8000-0106 For the operation and related costs of the state police crime laboratory;
5933 provided, that the analysis of narcotic drug synthetic substitutes, poisons, drugs, medicines, and
5934 chemicals shall be funded in this item in order to support the law enforcement efforts of the
5935 district attorneys, the state police and municipal police departments; provided further, that the
5936 practices and procedures of the state police crime laboratory shall be informed by the
5937 recommendations of the Forensic Sciences Advisory Board; and provided further, that the
5938 agency shall report to the house and senate committees on ways and means and the joint
5939 committee on public safety and homeland security, not later than December 31, 2010,
5940 concerning, but not limited to, the number of cases introduced to the CODIS database, the
5941 number of confirmations attained from the CODIS database, and the number of cases referred to
5942 district attorney delineated by county \$13,357,856

5943 Criminal History Systems Board

5944 8000-0110 For the criminal history systems board, including the operation of the
5945 department of criminal justice information services; including criminal justice information
5946 services, criminal offender record information services, firearms support services, and victim
5947 services; provided, that funds may be expended for the purpose of enabling local housing

5948 authorities' access to criminal offender record information when qualifying applicants for state-
5949 assisted housing \$2,600,000

5950 Chief Medical Examiner

5951 8000-0122 For the office of the chief medical examiner which may expend for its
5952 operations an amount not to exceed \$1,700,000 in revenues collected from fees for services
5953 provided by the chief medical examiner; provided, that notwithstanding any general or special
5954 law to the contrary, for the purposes of accommodating timing discrepancies between the receipt
5955 of retained revenues and related expenditures, the agency may incur expenses and the
5956 comptroller may certify for payment amounts not to exceed the lower of this authorization or the
5957 most recent revenue estimate as reported in the state accounting system \$2,100,000

5958 Sex Offender Registry.

5959 8000-0125 For the operation of the sex offender registry program including, but not
5960 limited to, the costs of maintaining a computerized registry system and the classification of
5961 persons subject to the registry; provided, that notwithstanding any general or special law to the
5962 contrary, that the registration fee paid by convicted sex offenders under section 178Q of chapter
5963 6 of the General Laws shall be retained and expended by the Sex Offender Registry Board
5964 \$3,492,440

5965 8000-0202 For the purchase and distribution of sexual assault evidence collection kits
5966 \$86,882

5967 Department of State Police.

5968 8100-0000 For the administration and operation of the department of state police;
5969 provided, that the department shall expend funds from this item for the purpose of maximizing
5970 federal grants for the operation of a counter-terrorism unit and the payment of overtime for state
5971 police officers; provided further, that the department shall maintain the division of field services
5972 which shall include, but not be limited to, the bureau of metropolitan district operations;
5973 provided further, that not fewer than 40 officers may be provided to the department of
5974 conservation and recreation for the purpose of patrolling the watershed property of the
5975 department of conservation and recreation; provided further, that funds shall be expended from
5976 this item for the administration and operation of an automated fingerprint identification system
5977 and the motor carrier safety assistance program; provided further, that not fewer than 5 officers
5978 shall be provided to the disabled persons protection commission for the purpose of investigating
5979 cases of criminal abuse; provided further, that the department shall enter into an interagency
5980 agreement with the department of conservation and recreation to provide police coverage on
5981 department properties and parkways; provided further, that the creation of a new or the
5982 expansion of the existing statewide communications network shall include the office of law
5983 enforcement in the executive office of energy and environmental affairs at no cost to, or
5984 compensation from, that office; provided further, that there shall be a study submitted to the
5985 house and senate committees on ways and means not later than January 31, 2011, on traffic
5986 details worked by the department of state police, including troops A, B, C, D, E, F, and H, over
5987 the last year, which shall detail, on a monthly basis: the total number of hours worked on traffic
5988 details by state police officers, the total amount paid to state police officers for traffic details, the
5989 standard hourly rates for traffic details done by state police officers and the city or town in which
5990 traffic details are performed by state police officers; and provided further, that the department

5991 may expend funds from this item for the administration of budgetary, procurement, fiscal, human
5992 resources, payroll and other administrative services of the office of the chief medical examiner,
5993 the municipal police training committee and the criminal history systems board; provided
5994 further, that the department shall conduct a pilot program that shall utilize idle reduction
5995 technology that reduces fuel consumption and emissions in not fewer than 100 patrol cruisers to
5996 evaluate the potential to reduce fuel consumption throughout the fleet; and provided further, that
5997 the department shall report on the results of the program to the senate and house committees on
5998 ways and means not later than June 30, 2011 \$234,763,845

5999 8100-0006 For private police details; provided, that the department may expend up to
6000 \$27,500,000 in revenues collected from fees charged for private police details and for the costs
6001 of administering such details; and provided further, that notwithstanding any general or special
6002 law to the contrary, the department may incur, and the comptroller may certify for payment,
6003 expenses and liabilities during fiscal year 2011 to be charged to this item in an amount not to
6004 exceed the lower of this authorization or the most recent revenue estimate as reported in the state
6005 accounting system for the purposes stated in this item to accommodate the delayed receipt of
6006 revenues authorized to be retained in this item during fiscal year 2011 \$27,500,000

6007 8100-0011 For the department of state police which may expend an amount not to
6008 exceed \$3,100,000 for certain police activities provided pursuant to agreements authorized in this
6009 item; provided, that for fiscal year 2011, the colonel of state police may enter into service
6010 agreements with the commanding officer or other person in charge of a military reservation of
6011 the United States located in the Massachusetts Development Finance Agency, established in
6012 chapter 23G of the General Laws; provided further, that such agreements shall establish the
6013 responsibilities pertaining to the operation and maintenance of police services including, but not

6014 limited to: (a) provisions governing payment to the department for the cost of regular salaries,
6015 overtime, retirement and other employee benefits; and (b) provisions governing payment to the
6016 department for the cost of furnishings and equipment necessary to provide such police services;
6017 provided further, that the department may charge any recipients of police services for the cost of
6018 such services, as authorized by this item; provided further, that the department may retain the
6019 revenue so received and expend such revenue as necessary pursuant to this item to provide the
6020 agreed level of services; provided further, that the colonel may enter into service agreements as
6021 may be necessary to enhance the protection of persons, as well as assets and infrastructure
6022 located within the commonwealth, from possible external threat or activity; provided further, that
6023 such agreements shall establish the responsibilities pertaining to the operation and maintenance
6024 of police services including, but not limited to: (a) provisions governing payment to the
6025 department for the cost of regular salaries, overtime, retirement and other employee benefits; and
6026 (b) provisions governing payment to the department for the cost of equipment necessary to
6027 provide such police services; provided further, that the department may charge any recipients of
6028 police services for the cost of such services, as authorized by this item; provided further, that the
6029 department may retain the revenue so received and expend such revenue as necessary pursuant to
6030 this item to provide the agreed level of services; provided further, that the colonel may expend
6031 from this item costs associated with joint federal and state law enforcement activities from
6032 federal reimbursements received therefore; and provided further, that notwithstanding any
6033 general or special law to the contrary, for the purposes of accommodating discrepancies between
6034 the receipt of retained revenues and related expenditures, the department may incur expenses and
6035 the comptroller may certify for payment amounts not to exceed the lower of this authorization or
6036 the most recent revenue estimate \$3,100,000

6037 8100-0012 For the department of state police; provided, that the department may
6038 expend for the costs of security services provided by state police officers, including overtime and
6039 administrative costs, an amount not to exceed \$1,050,000 from fees charged for these services;
6040 provided further, that notwithstanding any general or special law to the contrary, for the purpose
6041 of accommodating timing discrepancies between the receipt of retained revenues and related
6042 expenditures, the department may incur expenses and the comptroller may certify for payment
6043 amounts not to exceed the lower of this authorization or the most recent revenue estimate
6044 therefore as reported in the state accounting system \$1,050,000

6045 8100-0020 For the department of state police which may expend an amount not to
6046 exceed \$35,000 in fees charged for the use of the statewide telecommunications system for the
6047 maintenance of the system \$35,000

6048 8100-0101 For the department of state police which may expend for the Governor's
6049 Auto Theft Strike Force an amount not to exceed \$331,200 from fees for services performed
6050 through the auto etching program and from assessments upon the insurance industry
6051 \$331,200

6052 8100-0111 For a grant program to be known as the Senator Charles E. Shannon, Jr.
6053 Community Safety Initiative, to be administered by the executive office of public safety and
6054 security, to support regional, multidisciplinary approaches to combat gang violence through
6055 coordinated programs for prevention and intervention, coordinated law enforcement, including
6056 regional gang task forces and regional crime mapping strategies, focused prosecutions and
6057 reintegration strategies for ex-convicts; provided, that the secretary of public safety and security
6058 shall distribute grant funds through a competitive grant program that gives preference to

6059 applications that: (a) demonstrate high levels of youth violence, gang problems and substance
6060 abuse in a region; (b) demonstrate a commitment to regional, multijurisdictional strategies to
6061 deal with such community safety issues, including written commitments for municipalities, law
6062 enforcement agencies, community-based organizations and government agencies to work
6063 together; (c) clearly outline a comprehensive plan for municipalities to work with law
6064 enforcement, community-based organizations and government agencies to address gang activity;
6065 (d) make a written commitment to match grant funds with a 25 per cent match provided by either
6066 municipal or private contributions; and (e) identify a local governmental unit to serve as fiscal
6067 agent; provided further, that clusters of municipalities, in partnership with nonprofit
6068 organizations and other agencies, including district attorney's offices, may apply for such funds;
6069 provided further, that such funds shall be considered one-time and grants awarded to public
6070 agencies and shall not annualize into fiscal year 2012 or subsequent years; provided further, that
6071 administrative costs for successful grant applications shall not exceed 3 per cent of the value of
6072 the grant; provided further, that no grants shall be awarded to the department of state police;
6073 provided further, that no grant funds shall be expended on food or beverages; provided further,
6074 that the executive office of public safety and security shall publish guidelines and an application
6075 for the competitive portion of the grant program not later than August 16, 2010; provided further,
6076 that awards shall be made to applicants not later than December 15, 2010; and provided further,
6077 that the executive office of public safety and security may expend not more than \$100,000 of the
6078 sum appropriated in this item for its costs in administering programs
6079 \$6,500,000

6080 Municipal Police Training Committee.

6081 8200-0200 For the operation of veteran, reserve and in-service training programs
6082 conducted by the municipal police training committee; provided, that no expenditures authorized
6083 by this item shall be charged to item 8200-0222; and provided further, that no expenditures shall
6084 be made, on or after the effective date of this act, which would cause the commonwealth's
6085 obligation for the purpose of this item to exceed the amount appropriated in this item
6086 \$2,476,460

6087 8200-0222 For the committee, which may collect and expend an amount not to
6088 exceed \$600,000 for the purposes of providing training to new recruits; provided, that the
6089 committee shall charge \$2,500 per recruit for the training; provided further, that notwithstanding
6090 any general or special law to the contrary, the committee shall charge a fee of \$2,500 per person
6091 for training programs operated by the committee for all persons who begin training on or after
6092 July 1, 2010; provided further, that the fee shall be retained and expended by the committee;
6093 provided further, that the trainee, or, if the trainee is a recruit, the municipality in which the
6094 recruit shall serve, shall provide the fee in full to the committee no later than the first day of
6095 orientation for the program in which such trainee or recruit has enrolled; provided further, that no
6096 recruit or person shall begin training unless the municipality or the person has provided the fee in
6097 full to the committee; provided further, that for recruits of municipalities, upon the completion of
6098 the program, the municipality shall deduct the fee from the recruit's wages in 23 equal monthly
6099 installments, unless otherwise negotiated between the recruit and the municipality in which the
6100 recruit shall serve; provided further, that if a recruit withdraws from the training program before
6101 graduation, the committee shall refund the municipality in which the recruit was to have served a
6102 portion of the fee according to the following schedule: if a recruit withdraws from the program
6103 before the start of week 2, 75 per cent of the payment shall be refunded; if a recruit withdraws

6104 from the program after the start of week 2 but before the start of week 3, 50 per cent of the fee
6105 shall be refunded; if a recruit withdraws from the program after the start of week 3 but before the
6106 start of week 4, 25 per cent of the fee shall be refunded; if a recruit withdraws after the start of
6107 week 4, the fee shall not be refunded; provided further, that a recruit who withdraws from the
6108 program shall pay the municipality in which he was to have served the difference between the
6109 fee and the amount forfeited by the municipality according to the schedule; provided further, that
6110 the schedule shall also apply to trainees other than recruits who enroll in the program; provided
6111 further, that no expenditures shall be charged to this item that are not directly related to new
6112 recruit training; provided further, that no expenditures shall be charged to this item that are
6113 related to chief, veteran, in-service, or reserve training, or any training not directly related to new
6114 recruits; provided further, that the committee shall submit a report on the status of recruit
6115 training, including the number of classes, start and end dates of each class, total number of
6116 recruits enrolled and graduating in each class, cost per recruit and cost per class for fiscal years
6117 2010 and 2011; provided further, that the report shall be submitted to the house and senate
6118 committees on ways and means no later than January 3, 2011; and provided further, that for the
6119 purposes of accommodating discrepancies between the receipt of retained revenues and related
6120 expenditures, the committee may incur expenses and the comptroller may certify for payments
6121 not to exceed the lower of this authorization or the most recent revenue estimate as reported in
6122 the state accounting system \$600,000

6123 Department of Public Safety.

6124 8311-1000 For the administration of the department of public safety, including the
6125 board of building regulations and standards and the architectural access board; provided, that the
6126 department may charge fees for permitting the operation of amusement devices and to support

6127 the department's participation in the National Council for Amusement and Recreational
6128 Equipment Safety; provided further, that the department may charge fees for amusement
6129 operator certification; and provided further, that the salaries of the commissioner and the deputy
6130 commissioner of the department of public safety shall be paid from this item \$1,381,164

6131 8315-1000 For the administrative costs of the division of inspections; provided, that
6132 the expenses of the state boxing commission shall be paid from this item; provided further, that a
6133 doctor's certificate from another state shall be accepted as evidence of an eye examination;
6134 provided further, that no funds shall be expended from this item for the salaries of the
6135 commissioner or deputy commissioner of public safety; provided further, that the department
6136 shall employ not less than 42 full-time equivalent elevator inspectors, including an additional
6137 engineer inspector; provided further, that such additional engineer inspector's duties shall
6138 include, but not be limited to, administering pipefitter license examinations; provided further,
6139 that such an additional engineer inspector and elevator inspectors shall be regular state
6140 employees compensated from the AA object class of this item; provided further, that such
6141 additional engineer inspector position shall be in addition to any such positions added during
6142 fiscal year 1995; provided further, that the division shall develop reasonable rules or promulgate
6143 regulations for the granting of hardship fee exemptions to certain owners or persons in control of
6144 a building or domicile in which an elevator is operated; provided further, that the division shall
6145 report to the house and senate committees on ways and means on the elevator inspection backlog
6146 not later than October 1, 2010; provided further, that the division shall develop and maintain an
6147 electronic database that shall include, but not be limited to, the location and a categorical
6148 classification of buildings in which inspections are conducted; and provided further, that the

6149 division shall inspect all elevators in the state house and the McCormack office building
6150 \$3,540,854

6151 8215-1012 For the State Athletic Commission Fund which may not expend more than
6152 \$100,000 in revenues collected from the monies from any fees and fines collected pursuant to
6153 sections 32 to 35, inclusive, 40 and 40A of chapter 147 of the General Laws and section 12 of
6154 chapter 265 of the General Laws; provided, that the amounts credited to the fund shall be
6155 available for expenditure without further appropriation by the department of public safety up to
6156 an amount not to exceed \$100,000 each fiscal year for the costs of operating and administering
6157 the state athletic commission; provided further, that if the amount credited to the fund exceeds
6158 \$100,000, the excess amount shall be deposited into the General Fund; and provided further that
6159 for the purposes of accommodating discrepancies between the receipt of retained revenues and
6160 related expenditures, the department may incur expense and the comptroller may certify for
6161 payment amounts not to exceed the lower of this authorization or the most recent revenue
6162 estimate as reported in the state accounting system \$100,000

6163 8315-1020 For the department of public safety which may expend not more than
6164 \$4,000,000 in revenues collected from fees for annual elevator and amusement park ride
6165 inspections; provided, that funds shall be expended for the operation of the department and for
6166 the purposes of addressing the existing elevator inspection backlog; provided further, that funds
6167 shall be expended for hiring additional elevator inspectors or engineers; provided further, that the
6168 department shall conduct an analysis to improve efficiency in use of department resources and
6169 shall report the findings of its analysis to the house and senate committees on ways and means
6170 and the joint committee on public safety not later than 90 days after the effective date of this act;
6171 provided further, that the department shall make efforts to employ inspectors that will perform

6172 overnight and weekend inspections as their regular work shift; provided further, that the
6173 department shall provide a full waiver of the inspection fee for an individual who requires a
6174 wheelchair lift as a medical necessity and whose annual income does not exceed the maximum
6175 allowable federal SSI benefit, or \$7,236 a year, whichever is greater; and provided further, that
6176 notwithstanding any general or special law to the contrary, for the purpose of accommodating
6177 timing discrepancies between the receipt of retained revenues and related expenditures, the
6178 department may incur expenses and the comptroller may certify for payment amounts not to
6179 more than the lesser of this authorization or the most recent revenue estimate as reported in the
6180 state accounting system \$5,500,000

6181 8315-1025 For the department of public safety which may collect and expend an
6182 amount not to exceed \$90,182 for the purposes of providing state building code training and
6183 courses for instruction; provided, that the agency may charge fees for the classes and education
6184 materials associated with administering training; and provided further, that for the purposes of
6185 accommodating discrepancies between the receipt of retained revenues and related expenditures,
6186 the department may incur expenses and the comptroller may certify for payment amounts not to
6187 exceed the lower of this authorization or the most recent revenue estimate as reported in the state
6188 accounting system. \$90,182

6189 Department of Fire Services.

6190 8324-0000 For the administration of the department of fire services, including the state
6191 fire marshal's office, the hazardous materials emergency response program, the board of fire
6192 prevention regulations established in section 4 of chapter 22D of the General Laws, the expenses
6193 of the fire safety commission and the Massachusetts firefighting academy, including the

6194 Massachusetts fire training council certification program, municipal and nonmunicipal fire
6195 training and expenses of the council; provided, that the fire training program shall use the split
6196 days option; provided further, that the amount allocated for programs providing information
6197 about the fire risks caused by smoking, the regional dispatch center, critical incident stress
6198 intervention programs and fire department training academies listed in item 8324-0000 of section
6199 2 of chapter 182 of the acts of 2008 shall be allocated to each program in fiscal year 2011;
6200 provided further, that the amount allocated for critical incident stress management residential
6201 services in item 8000-0000 of said section 2 of said chapter 182 shall be allocated to the program
6202 in fiscal year 2011; provided further, that the amount allocated for hazardous material response
6203 teams specifically listed item 8324-0000 of section 2 of chapter 27 of the acts of 2009 shall be
6204 allocated to each program in fiscal year 2011; provided further, that notwithstanding any general
6205 or special law to the contrary, 100 per cent of the amount appropriated in this item for the
6206 administration of the department of fire services, the state fire marshal's office, critical incident
6207 stress programs, the Massachusetts and fire department training academies and the regional
6208 dispatch center, shall be assessed upon insurance companies writing fire, homeowners' multiple
6209 peril or commercial multiple peril policies on property situated in the commonwealth and paid
6210 within 30 days after receipt of notice of such assessment from the commissioner of insurance;
6211 provided further, that notwithstanding any general or special law to the contrary, 100 per cent of
6212 the amount appropriated in this item for hazardous materials emergency response shall be
6213 assessed upon insurance companies writing commercial multiple peril, nonliability portion,
6214 policies on property situated in the commonwealth and commercial auto liability policies as
6215 referenced in line 5.1 and line 19.4, respectively, in the most recent annual statement on file with
6216 the commissioner of insurance; and provided further, that not more than 10 per cent of the

6217 amount designated for the arson prevention program shall be expended for the administrative
6218 cost of the program.....\$16,861,169

6219 8324-0304 For the department of fire services; provided, that the department may
6220 expend for the purposes of enforcement and training an amount not to exceed \$25,000 from
6221 revenue generated under chapter 148A of the General Laws and section 7 of chapter 304 of the
6222 acts of 2004 \$25,000

6223 Merit Rating Board

6224 8400-0100 For the operation of the motor vehicle insurance merit rating board,
6225 including the rent, related parking and utility expenses of the board; provided, that
6226 notwithstanding any general or special law to the contrary, no safe driver insurance plan shall
6227 require the payment of an unsafe driver point surcharge for the first offense for non-criminal
6228 motor vehicle traffic violations as described in chapter 90C of the General Laws \$7,606,503

6229 Military Division.

6230 8700-0001 For the operation of the military division, including the offices of the
6231 adjutant general and state quartermaster, the operation of the armories, the camp Curtis Guild
6232 rifle range and certain national guard aviation facilities; provided, that notwithstanding chapter
6233 30 of the General Laws, certain military personnel in the military division may be paid salaries
6234 according to military pay grades; provided further, that the division may expend funds
6235 appropriated in this item for the administration of budgetary, procurement, fiscal, human
6236 resources, payroll and other administrative services; and provided further, that the adjutant
6237 general shall maintain a roster of Massachusetts veterans as directed by section 15 of chapter 33
6238 of the General Laws \$7,779,239

6239 8700-1140 For the military division, which may expend for the costs of national
6240 guard missions and division operations an amount not to exceed \$1,400,000 from fees charged
6241 for the non-military rental or use of armories and from reimbursements generated by national
6242 guard missions \$1,400,000

6243 8700-1150 For reimbursement of the costs of the Massachusetts national guard tuition
6244 and fee waivers under section 19 of chapter 15A of the General Laws; provided, that no funds
6245 shall be distributed from this item prior to certification by the state and community colleges and
6246 the University of Massachusetts of the actual amount of tuition and fees waived for national
6247 guard members attending public institutions of higher education under said section 19 of said
6248 chapter 15A that would otherwise have been retained by the campuses, according to procedures
6249 and regulations promulgated by the military division of the Massachusetts national guard;
6250 provided further, that funds from this item may be expended through August 31, 2011 for the
6251 reimbursement of the tuition and fees waived for classes taken during the summer months;
6252 provided further, that the military division of the Massachusetts national guard and the board of
6253 higher education shall issue a joint report not later than February 15, 2011 on the implementation
6254 of this waiver; provided further, that the report shall be submitted to the secretary of
6255 administration and finance, the chairs of the house and senate committees on ways and means,
6256 the house and senate chairs of the joint committee on veterans and federal affairs and the house
6257 and senate chairs of the joint committee on higher education; and provided further, that the
6258 military division may expend funds from this item for administrative services \$3,350,000

6259 8700-1160 For life insurance premiums under section 88B of chapter 33 of the
6260 General Laws \$1,275,000

6261 Massachusetts Emergency Management Agency.

6262 8800-0001 For the operations of the Massachusetts emergency management agency;
6263 provided, that expenditures from this item shall be contingent upon the prior approval of the
6264 proper federal authorities \$1,267,999

6265 8800-0100 For the Pilgrim Nuclear Power Plant Nuclear Safety Preparedness
6266 Program of the Massachusetts emergency management agency; provided, that the costs of the
6267 program, including fringe benefits and indirect costs, shall be assessed upon Nuclear Regulatory
6268 Commission licensees operating nuclear power generating facilities in the commonwealth;
6269 provided further, that the department of public utilities shall develop an equitable method of
6270 apportioning such assessments among such licensees; and provided further, that such
6271 assessments shall be paid during the current fiscal year as provided by the department
6272 \$429,268

6273 8800-0200 For the Seabrook and Vermont Yankee Power Plants Nuclear Safety
6274 Preparedness Program; provided, that the cost of the program, including associated fringe
6275 benefits and indirect costs, shall be assessed on electric companies in the commonwealth which
6276 own, in whole or in part, or purchase power from, nuclear power plants located outside the
6277 commonwealth whose nuclear power plant areas, as defined in section 2B of chapter 639 of the
6278 acts of 1950 include communities located within the commonwealth and shall be credited to the
6279 General Fund; provided further, that the department of public utilities shall develop an equitable
6280 method of apportioning such assessments among the licensees; provided further, that such
6281 assessments shall be paid during the current fiscal year as provided by the department; and
6282 provided further, that for the purposes of this item, "electric companies" shall mean all persons,

6283 firms, associations and private corporations which own or operate works or a distributing plant
6284 for the manufacture and sale or distribution and sale of electricity within the commonwealth, but
6285 shall not include municipalities or municipal light plants \$280,753

6286 Department of Correction.

6287 8900-0001 For the operation of the commonwealth's department of correction;
6288 provided, that before closing any correctional facility, the commissioner of corrections and the
6289 secretary of public safety and homeland security shall report to the house and senate committees
6290 on ways and means and public safety on the per-inmate cost of incarceration in the closing
6291 facility, and the per-inmate cost in the facilities to which inmates will be moved; provided
6292 further, that the commissioner of corrections and the secretary of public safety and homeland
6293 security shall report to the house and senate committees on ways and means and public safety
6294 before January 1 of each year the point score compiled by the department of correction's
6295 objective classification system for all prisoners confined in each prison operated by the
6296 department; provided further, that funds shall be expended for programs providing support,
6297 counseling and family reunification services to women in prison and women reentering the
6298 community from prison; and provided further, that in an effort to monitor and reduce current
6299 levels of over-classification, the department of correction shall provide quarterly reports to the
6300 joint committee on public safety and the house and senate committees on ways and means with
6301 data on the number of prisoners at each security level; and provided further, that the department
6302 shall expend not less than \$500,000 for cities and towns hosting facilities \$500,247,571

6303 8900-0002 For the operation of the Massachusetts Alcohol and Substance Abuse
6304 Center; provided, that the commissioner of the department of correction and the commissioner

6305 of the department of public health, or their designees, shall jointly issue a report to the house and
6306 senate committees on ways and means, the joint committee on mental health and substance abuse
6307 and the joint committee on public safety and homeland security on the feasibility of transferring
6308 the operations of the center from the department of correction to the department of public health;
6309 provided further, that the report shall include a detailed timeline for transition, costs and savings
6310 related to the transition, potential for federal reimbursement under the department of public
6311 health, siting and location details, staffing plans, changes to patient care, necessary changes to
6312 state statute, oversight and governance, security and comparisons to other state practices;
6313 provided further that in writing the report, the department of public health and the department of
6314 correction shall consult with the judiciary to ensure that any proposed transfer shall conform with
6315 current sentencing and civil commitment guidelines and practices; and provided further, that the
6316 report shall include recommendations for the funding and operations of MASAC should the
6317 commissioners determine that the transfer to the department of public health is not feasible

6318 \$5,000,000

6319 Commonwealth Substance Abuse Treatment and Prevention Fund... 100%

6320 8900-0006 For the provision of substance abuse treatment, prevention and testing
6321 services; provided, that the commissioner of corrections shall transfer funds from this item to
6322 item 8900-0001, as necessary, pursuant to an allocation plan, which shall detail, by object class,
6323 the distribution of said funds to be transferred and which the commissioner shall file with the
6324 house and senate committees on ways and means 15 days before any such transfer \$3,360,468

6325 Commonwealth Substance Abuse Treatment and Prevention Fund... 100%

6326 8900-0010 For prison industries and farm services \$2,075,758

6327 8900-0011 For the department of correction, which may expend not more than
6328 \$2,600,000 for the prison industries and farm services programs from revenues collected from
6329 the sales of products; provided, that all expenditures from this item shall be subject to chapter 29
6330 of the General Laws and recorded on the Massachusetts management accounting and reporting
6331 system \$2,600,000

6332 8900-0045 For the department of correction, which may expend for the operation of
6333 the department, including personnel-related expenses, an amount not to exceed \$3,000,000 from
6334 revenues received from federal inmate reimbursements; provided, that \$900,000 from these
6335 reimbursements shall not be available for expenditure and shall be deposited in the General Fund
6336 before the retention by the department of any of these reimbursements; and provided further, that
6337 notwithstanding any general or special law to the contrary, for the purpose of accommodating
6338 timing discrepancies between the receipt of retained revenues and related expenditures, the
6339 department may incur expenses and the comptroller may certify for payment amounts not to
6340 exceed the lower of this authorization or the most recent revenue estimate as reported in the state
6341 accounting system \$3,000,000

6342 8900-1100 For re-entry programs at the department of correction intended to reduce
6343 recidivism rates; provided, that said programs shall be in addition to those provided in fiscal year
6344 2006; provided further, that the department shall report to the house and senate committees on
6345 ways and means not later than January 20, 2011 on re-entry programming at the department of
6346 correction; and provided further that the report shall include information on the type of programs
6347 provided and the recidivism rate of the offenders who successfully complete the programs
6348 \$550,139

6349 County Correction.

6350 8910-0003 For 2 regional behavioral evaluation and stabilization units to provide
6351 forensic mental health services within existing physical facilities for incarcerated persons in the
6352 care of correctional facilities; provided, that 1 unit shall be located in Hampden county to serve
6353 the needs of incarcerated persons in the care of Berkshire, Franklin, Hampden, Hampshire and
6354 Worcester counties; provided further, that 1 unit shall be located in Middlesex county to serve
6355 the needs of incarcerated persons in the care of Barnstable, Bristol, Dukes, Essex, Nantucket,
6356 Middlesex, Norfolk, Plymouth and Suffolk counties; provided further, that the services of these
6357 units shall be made available to incarcerated persons in the care of the department of correction;
6358 provided further, that the Massachusetts sheriffs' association, in conjunction with the department
6359 of correction, shall prepare a report that shall include, but not be limited to: (a) the number of
6360 incarcerated persons in facilities located in counties that were provided services in each unit; (b)
6361 the number of incarcerated persons in department of correction facilities that were provided
6362 services in each unit; (c) the alleviation in caseload at Bridgewater state hospital associated with
6363 fewer incarcerated persons in the care of counties being attended to at the hospital; and (d) the
6364 estimated and projected cost-savings in fiscal year 2011 to the sheriff departments and the
6365 department of correction associated with the regional units; provided further, that this report shall
6366 be submitted to the house and senate committees on ways and means not later than March 15,
6367 2011"; and provided further, that the department of mental health shall maintain monitoring and
6368 quality review functions of the units \$1,886,335

6369 SHERIFFS

6370 Hampden Sheriff's Department.

6371 8910-0102 For the operation of the Hampden sheriff's department; provided, that the
6372 sheriff shall report to the house and senate committees on ways and means on the average
6373 monthly inmate population in the county starting not later than August 1, 2010 \$65,023,431

6374 8910-1000 For the Hampden sheriff's department, which may expend for prison
6375 industries programs an amount not to exceed \$1,844,458 from revenues collected from the sale
6376 of products, for materials, supplies, equipment, maintenance of facilities, reimbursement for
6377 community service projects and compensation of employees of the program; and provided
6378 further, that all expenditures from this item shall be subject to chapter 29 of the General Laws
6379 and recorded on the Massachusetts management accounting and reporting system \$2,005,423

6380 8910-2222 For the Hampden sheriff's department which may expend for the
6381 operation of the department an amount not to exceed \$1,500,000 from federal inmate
6382 reimbursements; provided, that \$312,000 from the reimbursements shall not be available for
6383 expenditure and shall be deposited into the General Fund before the retention by the department
6384 of any of these reimbursements; and provided further, that notwithstanding any general or special
6385 law to the contrary, for the purpose of accommodating timing discrepancies between the receipt
6386 of retained revenues and related expenditures, the department may incur expenses and the
6387 comptroller may certify for payment amounts not to exceed the lower of this authorization or the
6388 most recent revenue estimate as reported in the state accounting system \$1,500,000

6389 Worcester Sheriff's Department.

6390 8910-0105 For the operation of the Worcester sheriff's department; provided, that the
6391 sheriff shall report to the house and senate committees on ways and means on the average
6392 monthly inmate population in the county starting not later than August 1, 2010 \$40,341,283

6393 Middlesex Sheriff's Department.

6394 8910-0107 For the operation of the Middlesex sheriff's department; provided, that the
6395 sheriff shall report to the house and senate committees on ways and means on the average
6396 monthly inmate population in the county starting not later than August 1, 2010 \$59,614,670

6397 8910-0160 For a retained revenue account for the Middlesex sheriff's department for
6398 reimbursements from the federal government for costs associated with the incarceration of
6399 federal inmates at the Billerica house of correction; provided, that the department may expend
6400 for the operation of the department an amount not to exceed \$850,000 from revenues collected
6401 from the incarceration of federal inmates; provided further, that notwithstanding any general or
6402 special law to the contrary, for the purpose of accommodating timing discrepancies between the
6403 receipt of retained revenues and related expenditures, the department may incur expenses and the
6404 comptroller may certify for payment amounts not to exceed the lower of this authorization or the
6405 most recent revenue estimate therefore as reported in the state accounting system; and provided
6406 further, that all expenditures from this item shall be subject to chapter 29 of the General Laws
6407 and recorded on the Massachusetts management accounting and reporting system \$850,000

6408 8910-1100 For the Middlesex sheriff's department, which may expend for the
6409 operation of a prison industries program an amount not to exceed \$100,000 from revenues
6410 collected from the sale of products, for materials, supplies, equipment, maintenance of facilities
6411 and compensation of employees of the program; and provided further, that all expenditures from
6412 this item shall be subject to chapter 29 of the General Laws and recorded in the Massachusetts
6413 management accounting and reporting system \$100,000

6414 Franklin Sheriff's Department.

6415 8910-0108 For the operation of the Franklin Sheriff's Department; provided, that the
6416 sheriff shall report to the house and senate committees on ways and means on the average
6417 monthly inmate population in the county starting not later than August 1, 2010 \$8,701,145

6418 8910-0188 For the Franklin sheriff's department, which may expend for the operation
6419 of the department an amount not to exceed \$2,100,000 from revenues received from any state or
6420 federal inmate reimbursements; provided, that notwithstanding any general or special law to the
6421 contrary, for the purpose of accommodating timing discrepancies between the receipt of retained
6422 revenues and related expenditures, the department may incur expenses and the comptroller may
6423 certify for payment amounts not to exceed the lower of this authorization or the most recent
6424 revenue estimate therefore as reported in the state accounting system \$2,100,000

6425 Hampshire Sheriff's Department.

6426 8910-0110 For the operation of the Hampshire sheriff's department; provided, that the
6427 sheriff shall report to the house and senate committees on ways and means on the average
6428 monthly inmate population in the county starting not later than August 1, 2010 \$11,692,665

6429 8910-1112 For the Hampshire sheriff's department, which may expend for the
6430 operation of the Hampshire county regional lockup at the Hampshire county jail an amount not
6431 to exceed \$175,000 in revenue; provided, that that the sheriff shall enter into agreements to
6432 provide detention services to various law enforcement agencies and municipalities and shall
6433 determine and collect fees for those detentions from the law enforcement agencies and
6434 municipalities \$250,000

6435 Berkshire Sheriff's Department.

6436 8910-0145 For the operation of the Berkshire sheriff's department; provided, that the
6437 sheriff shall report to the house and senate committees on ways and means on the average
6438 monthly inmate population in the county starting not later than August 1, 2010 \$14,292,924

6439 8910-0445 For the Berkshire sheriff's department, which may expend an amount not
6440 to exceed \$250,000 from revenues generated from the operation of the Berkshire county
6441 communication center's 911 dispatch operations and other law enforcement related activities,
6442 including the Berkshire county sheriff prison industries program; provided, that all expenditures
6443 from this item shall be subject to chapter 29 of the General Laws and recorded on the
6444 Massachusetts management accounting and reporting system \$250,000

6445 8910-0446 For the Berkshire sheriff's department which may expend an amount not to
6446 exceed \$400,000 from revenues collected from Berkshire County public schools; provided, that
6447 funds shall be expended for the operation of the Juvenile Resource Center; provided further, that
6448 notwithstanding any general or special law to the contrary, for the purpose of accommodating
6449 timing discrepancies between the receipt of retained revenues and related expenditures, the
6450 sheriff's office may incur expenses and the comptroller may certify for payment amounts not to
6451 exceed the lower of this authorization or the most recent revenue estimate, as reported in the
6452 state accounting system; and provided further, that expenditures from this item shall be subject to
6453 chapter 29 of the General Laws and recorded on the Massachusetts management accounting and
6454 reporting system.....\$400,000

6455 Essex Sheriff's Department.

6456 8910-0619 For the operation of the Essex sheriff's department; provided, that the
6457 sheriff shall report to the house and senate committees on ways and means on the average
6458 monthly inmate population in the county starting not later than August 1, 2010 \$44,237,906

6459 8910-6619 For the Essex sheriff's department, which may expend for the operation of
6460 the department an amount not to exceed \$2,000,000 from revenues received from federal inmate
6461 reimbursements; provided, that \$150,000 from the reimbursements shall not be available for
6462 expenditure and shall be deposited quarterly into the General Fund before the retention by the
6463 department of any of these revenues as certified by the comptroller; provided further, that the
6464 quarterly payments shall total \$600,000 in fiscal year 2011; provided further, that said sheriff
6465 may expend from this item costs associated with joint federal and state law enforcement
6466 activities from federal reimbursements received; and provided further, that notwithstanding any
6467 general or special law to the contrary, for the purpose of accommodating timing discrepancies
6468 between the receipt of retained revenues and related expenditures, the department may incur
6469 expenses and the comptroller may certify for payment amounts not to exceed the lower of this
6470 authorization or the most recent revenue estimate as reported in the state accounting system
6471 \$2,000,000

6472 Massachusetts Sheriff's Association.

6473 8910-7100 For the Massachusetts Sheriffs Association, which may expend for its
6474 operation an amount not to exceed \$150,000 in revenue collected from voluntary contributions
6475 from all sheriffs; provided, that the sheriffs shall appoint persons to serve as executive director,
6476 assistant executive director and research director and other staff positions as necessary for the
6477 purpose of coordination and standardization of services and programs, the collection and analysis

6478 of data related to incarceration and recidivism and generation of reports, technical assistance and
6479 training to ensure standardization in organization, operations, and procedures; provided further,
6480 that this staff shall not be subject to section 45 of chapter 30 of the General Laws or chapter 31
6481 of the General Laws and shall serve at the will and pleasure of a majority of sheriffs; provided
6482 further, that the executive director of the association shall submit a report that shows the amounts
6483 of all grants awarded to each sheriff in fiscal year 2010; and provided further, that the report
6484 shall be submitted to the house and senate committees on ways and means not later than
6485 February 1, 2011 \$150,000

6486 Barnstable Sheriff's Department.

6487 8910-8200 For the operation of the Barnstable sheriff's department; provided, that the
6488 sheriff shall report to the house and senate committees on ways and means on the average
6489 monthly inmate population in the county starting not later than August 1, 2010 \$20,810,275

6490 8910-8210 For the Barnstable sheriff's department, which may expend for the
6491 operation of the department an amount not to exceed \$250,000 from revenues received from
6492 federal inmate reimbursements; provided, that notwithstanding any general or special law to the
6493 contrary, for the purpose of accommodating timing discrepancies between the receipt of retained
6494 revenues and related expenditures, the department may incur expenses and the comptroller may
6495 certify for payment amounts not to exceed the lower of this authorization or the most recent
6496 revenue estimate as reported in the state accounting system \$250,000

6497 Bristol Sheriff's Department.

6498 8910-8300 For the operation of the Bristol sheriff's department; provided, that the
6499 sheriff shall report to the house and senate committees on ways and means on the average
6500 monthly inmate population in the county starting not later than August 1, 2010 26,711,207

6501 8910-8310 For the Bristol sheriff's department, which may expend for the operation
6502 of the department an amount not to exceed \$6,500,000 from revenues received from federal
6503 inmate reimbursements; provided, that notwithstanding any general or special law to the
6504 contrary, for the purpose of accommodating timing discrepancies between the receipt of retained
6505 revenues and related expenditures, the department may incur expenses and the comptroller may
6506 certify for payment amounts not to exceed the lower of this authorization or the most recent
6507 revenue estimate as reported in the state accounting system \$6,500,000

6508 Dukes Sheriff's Department.

6509 8910-8400 For the operation of the Dukes sheriff's department; provided, that the
6510 sheriff shall report to the house and senate committees on ways and means on the average
6511 monthly inmate population in the county starting not later than August 1, 2010 2,516,407

6512 Nantucket Sheriff's Department.

6513 8910-8500 For the operation of the Nantucket sheriff's department; provided, that the
6514 sheriff shall report to the house and senate committees on ways and means on the average
6515 monthly inmate population in the county starting not later than August 1, 2010 \$766,940

6516 Norfolk Sheriff's Department.

6517 8910-8600 For the operation of the Norfolk sheriff's department; provided, that the
6518 sheriff shall report to the house and senate committees on ways and means on the average
6519 monthly inmate population in the county starting not later than August 1, 2010 \$22,796,453

6520 8910-8610 For the Norfolk sheriff's department, which may expend for the operation
6521 of the department an amount not to exceed \$2,500,000 from revenues received from federal
6522 inmate reimbursements; provided, that notwithstanding any general or special law to the
6523 contrary, for the purpose of accommodating timing discrepancies between the receipt of retained
6524 revenues and related expenditures, the department may incur expenses and the comptroller may
6525 certify for payment amounts not to exceed the lower of this authorization or the most recent
6526 revenue estimate as reported in the state accounting system \$2,500,000

6527 Plymouth Sheriff's Department.

6528 8910-8700 For the operation of the Plymouth sheriff's department; provided, that the
6529 sheriff shall report to the house and senate committees on ways and means on the average
6530 monthly inmate population in the county starting not later than August 1, 2010 \$23,679,154

6531 8910-8710 For the Plymouth sheriff's department, which may expend for the
6532 operation of the department an amount not to exceed \$16,000,000 from revenues received from
6533 federal inmate reimbursements; provided, that notwithstanding any general or special law to the
6534 contrary, for the purpose of accommodating timing discrepancies between the receipt of retained
6535 revenues and related expenditures, the department may incur expenses and the comptroller may
6536 certify for payment amounts not to exceed the lower of this authorization or the most recent
6537 revenue estimate as reported in the state accounting system \$16,000,000

6538 Suffolk Sheriff's Department.

6539 8910-8800 For the operation of the Suffolk sheriff's department; provided, that the
6540 sheriff shall report to the house and senate committees on ways and means on the average
6541 monthly inmate population in the county starting not later than August 1, 2010 \$84,956,188

6542 8910-8810 For the Suffolk sheriff's department, which may expend for the operation
6543 of the department an amount not to exceed \$8,000,000 from revenues received from federal
6544 inmate reimbursements; provided, that notwithstanding any general or special law to the
6545 contrary, for the purpose of accommodating timing discrepancies between the receipt of retained
6546 revenues and related expenditures, the department may incur expenses and the comptroller may
6547 certify for payment amounts not to exceed the lower of this authorization or the most recent
6548 revenue estimate as reported in the state accounting system \$8,000,000

6549 Parole Board.

6550 8950-0001 For the operation of the parole board \$17,857,722

6551 8950-0002 For the victim and witness assistance program of the parole board under
6552 chapter 258B of the General Laws \$210,670

6553 8950-0008 For the operation of the parole board's sex offender management program
6554 and the supervision of high-risk offenders; provided, that the parole board may expend an
6555 amount not more than \$600,000 from revenues collected from fees charged for parolee
6556 supervision; provided, that the parole board shall file a report with the house and senate
6557 committees on ways and means not later than February 1, 2011, which shall include, but not be
6558 limited to, the number of parolees participating in the program and the re-incarceration rate of
6559 participating parolees \$600,000

6560 EXECUTIVE OFFICE OF ELDER AFFAIRS.

6561 Office of the Secretary.

6562 9110-0100 For the operation of the executive office of elder affairs and regulation of
6563 assisted living facilities; provided, that the secretary shall continue to support community care
6564 ombudsman services; and provided further, that the executive office of elder affairs shall report
6565 annually to the house and senate committees on ways and means on the number of assisted living
6566 units certified and the total revenues generated from application and certification fees for such
6567 units \$2,000,000

6568 9110-1455 For the costs of the drug insurance program authorized by section 39 of
6569 chapter 19A of the General Laws; provided, that amounts received by the executive office of
6570 elder affairs' vendor as premium revenue for this program may be retained and expended by the
6571 vendor for the purposes of the program; provided further, that funds shall be expended for the
6572 operation of the pharmacy outreach program established in section 4C of chapter 19A of the
6573 General Laws; provided further, that notwithstanding any general or special law to the contrary,
6574 unless otherwise prohibited by state or federal law, prescription drug coverage or benefits
6575 payable by the executive office of elder affairs and the entities with which it has contracted for
6576 administration of the subsidized catastrophic drug insurance program pursuant to section 39 of
6577 said chapter 19A, shall be the payer of last resort for this program for eligible persons with
6578 regard to any other third-party prescription coverage or benefits available to such eligible
6579 persons; provided further, that the executive office shall notify the house and senate committees
6580 on ways and means not less than 90 days in advance of any action to limit or cap the number of
6581 enrollees in the program; provided further, that this program shall be subject to appropriation

6582 and, in fiscal year 2011, expenditures shall not be more than the amount authorized in this item;
6583 provided further, that no action shall be taken to expand the benefits of the program, extend
6584 benefits to additional populations or reduce cost sharing in the program without approval of the
6585 general court; provided further, that the executive office shall submit drafts of legislation
6586 required to implement such actions for review and analysis by the general court; provided
6587 further, that any cost savings to this item realized pursuant to the Patient Protection and
6588 Affordability Act of 2010, Public Law 111-148 and the Health Care and Education
6589 Reconciliation Act of 2010, Public Law 111-152, shall be used to expand coverage and benefits
6590 available under this program upon the prior written approval of the secretary of administration
6591 and finance; provided further, that notification shall be given to the house and senate committees
6592 on ways and means at least 30 days prior to said coverage or benefits expansions; provided
6593 further, that the department shall seek to obtain maximum federal funding for discounts on
6594 prescription drugs available to the department and to prescription advantage enrollees; provided
6595 further, that the executive office shall take steps for the coordination of benefits with the
6596 Medicare prescription drug benefit created under the federal Medicare Prescription Drug
6597 Improvement and Modernization Act of 2003 to ensure that Massachusetts residents take
6598 advantage of this benefit; provided further, that the executive office shall provide assistance for
6599 prescription drug costs to enrollees who qualify for Medicare Part D as well as assistance for
6600 premiums, deductibles, payments and co-payments required by the Part D or Medicare
6601 Advantage plans or by other plans which provide creditable prescription drug coverage as
6602 defined by section 104 of the Medicare Modernization Act and which provide coverage of the
6603 cost of prescription drugs actuarially equal to or better than that provided by Medicare Part D;
6604 provided further, that a person shall also be eligible to enroll in the program at any time within a

6605 year after reaching age 65; and provided further, that the executive office shall allow those who
6606 meet the program eligibility criteria to enroll in the program at any time during the year; and
6607 provided further, that not more than \$4,000,000 shall be directed towards wrap-around coverage
6608 of out-of-pocket expenses prior to the donut hole coverage period for members with income
6609 levels at or below 188 per cent of the federal poverty level \$35,542,765

6610 9110-1500 For the provision of enhanced home care services, including case
6611 management to elders who meet the eligibility requirements of the home care program and need
6612 services above the level customarily provided under the program to remain safely at home,
6613 including elders previously enrolled in the managed care in housing, enhanced community
6614 options, and chronic care enhanced services programs; provided, that the secretary shall seek to
6615 obtain federal financial participation for all services provided to seniors who qualify for
6616 Medicaid benefits under the section 1915C waiver; provided further, that the executive office
6617 shall collect income data on persons receiving services provided in this item; provided further,
6618 that the executive office shall submit a report to the house and senate committees on ways and
6619 means detailing the population served by this item delineated by both 2010 federal poverty
6620 income levels and 2010 social security income standards; provided further, that the report shall
6621 be submitted not later than February 1, 2011; and provided further, that the executive office shall
6622 submit a report not later than October 15, 2010, to the house and senate committees on ways and
6623 means which shall include the number of individuals on a waiting list for these services on
6624 October 1, 2010, compared to the number of individuals on a waiting list on July 1, 2010
6625 \$45,789,340

6626 9110-1604 For the operation of the supportive senior housing program at state or
6627 federally-assisted housing sites; provided, that funds shall be expended to fully fund existing
6628 sites \$4,123,201

6629 9110-1630 For the operation of the elder home care program, including contracts with
6630 aging service access points or other qualified entities for the home care program, home care,
6631 health aides, home health and respite services, geriatric mental health services and other services
6632 provided to the elderly; provided, that sliding-scale fees shall be charged to qualified elders;
6633 provided further, that the secretary of elder affairs may waive collection of sliding-scale fees in
6634 cases of extreme financial hardship; provided further, that not more than \$11,500,000 in
6635 revenues accrued from sliding-scale fees shall be retained by the individual home care
6636 corporations without re-allocation by the executive office of elder affairs, and shall be expended
6637 for the purposes of the home care program, consistent with guidelines to be issued by the
6638 executive office; provided further, that the executive office shall report quarterly to the house
6639 and senate committees on ways and means on the receipt and expenditure of revenues accrued
6640 from the sliding-scale fees; provided further, that the executive office shall report quarterly to the
6641 house and senate committees on ways and means and the executive office for administration and
6642 finance on the amount expended from this item for purchase of service expenditures by category
6643 of service as set forth in 651 C.M.R. 3.01 and 651 C.M.R. 3.06; provided further, that no rate
6644 increase shall be awarded in fiscal year 2011 which would cause a reduction in client services or
6645 the number of clients served; provided further, that no funds shall be expended from this item to
6646 pay for salary increases for direct service workers who provide state-funded homemaker and
6647 home health aid services which would cause a reduction in client services; and provided further,
6648 that the secretary of elder affairs may transfer an amount not to exceed 3 per cent of the funds

6649 appropriated in this item to item 9110-1633 for case management services and the administration
6650 of the home care program \$103,251,164

6651 9110-1633 For the operation of the elder home care case management program,
6652 including contracts with aging service access points, or other qualified entities for home care
6653 case management services and the administration of the home care corporations funded through
6654 item 9110-1630 and item 9110-1500; provided, that such contracts shall include the costs of
6655 administrative personnel, home care case managers, travel, rent and other costs deemed
6656 appropriate by the executive office of elder affairs; provided further, that no funds appropriated
6657 in this item shall be expended for the enhancement of management information systems; and
6658 provided further, that the secretary of elder affairs may transfer an amount not to exceed 3 per
6659 cent of the funds appropriated in this item to item 9110-1630. \$37,164,926

6660 9110-1636 For the elder protective services program, including, but not limited to,
6661 protective services case management, guardianship services, the statewide elder abuse hotline,
6662 money management services and the elder-at-risk program \$16,733,776

6663 9110-1660 For congregate and shared housing services and naturally-occurring
6664 retirement communities for the elderly \$1,644,214

6665 9110-1900 For the elder nutrition program \$6,367,970

6666 9110-9002 For grants to the councils on aging and for grants to or contracts with non-
6667 public entities which are consortia or associations of councils on aging; provided, that
6668 notwithstanding the foregoing, all monies appropriated in this item shall be expended in
6669 accordance with the distribution schedules for formula and incentive grants established by the
6670 secretary of elder affairs; provided further that funding shall be expended for provider training

6671 and outreach for LGBT elders and caregivers; and provided further, that such distribution
6672 schedules shall be submitted to the house and senate committees on ways and means

6673 \$8,315,068

6674 LEGISLATURE.

6675 Senate.

6676 9500-0000 For the operation of the senate \$17,067,606

6677 9510-0000 For expenses incurred by the senate related to the joint committee on
6678 redistricting, prior appropriation continued \$750,000

6679 House of Representatives.

6680 9600-0000 For the operation of the house of representatives \$30,292,914

6681 9610-0000 For expenses incurred by the house of representatives related to the joint
6682 committee on redistricting, prior appropriation continued \$750,000

6683 Joint Legislative Expenses.

6684 9700-0000 For the joint operations of the legislature \$6,333,424

6685 SECTION 2B. Notwithstanding any general or special law to the contrary, the agencies
6686 listed in this section may expend the amounts listed in this section for the provision of services to
6687 agencies listed in section 2. All expenditures made under this section shall be accompanied by a
6688 corresponding transfer of funds from an account listed in section 2 to the Intragovernmental
6689 Service Fund, established by section 2Q of chapter 29 of the General Laws. All revenues and
6690 other inflows shall be based on rates published by the seller agency that are developed in

6691 accordance with cost principles established by the United States Office of Management and
6692 Budget Circular A-87, "Cost Principles for State, Local and Indian Tribal Governments." All
6693 rates shall be published within 30 days of the enactment of this section. No expenditures shall be
6694 made from the Intragovernmental Service Fund which would cause that fund to be in deficit at
6695 the close of fiscal year 2011. All authorizations in this section shall be charged to the
6696 Intragovernmental Service Fund and shall not be subject to section 5D of chapter 29 of the
6697 General Laws. Any balance remaining in that fund at the close of fiscal year 2011 shall be
6698 transferred to the General Fund.

6699 OFFICE OF THE SECRETARY OF STATE.

6700 0511-0003 For the costs of providing electronic and other publications purchased
6701 from the state bookstore, for commission fees, notary fees and for direct access to the secretary's
6702 computer library \$16,000

6703 0511-0235 For the costs of obsolete records destruction incurred by the office of the
6704 secretary of state; provided, that state agencies, including the judicial branch, may be charged for
6705 the destruction of their obsolete records by the records center where appropriate; provided
6706 further, that the secretary of state may expend revenues not to exceed \$100,000 of the funds
6707 received for the costs of the obsolete record destruction; and provided further, that the fees shall
6708 be charged on an equitable basis \$100,000

6709 OFFICE OF THE STATE COMPTROLLER.

6710 1000-0005 For the cost of the single state audit for the fiscal year ending June 30,
6711 2011; provided, that the comptroller may charge other appropriations and federal grants for the
6712 cost of the audit \$750,000

6713 1000-0008 For the costs of operating and managing the MMARS and New MMARS
6714 accounting system for fiscal year 2011 \$2,679,189

6715 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

6716 Office of the Secretary.

6717 1100-1701 For the cost of information technology services provided to agencies of
6718 the executive office for administration and finance \$20,771,507

6719 Division of Capital Asset Management and Maintenance.

6720 1102-3224 For the costs for the Leverett Saltonstall building lease and occupancy
6721 payments; provided, that the division of capital asset management and maintenance shall submit
6722 to the house and senate committees on ways and means on or before the first of each month
6723 beginning July 1, 2010, a monthly report on the agencies that currently, or will during fiscal year
6724 2011, occupy space in the Saltonstall building, the agencies' rental costs, utility costs, parking
6725 space allocation, floor space, lease dates, all services included in the lease and all services that
6726 the agencies are obligated to fund beyond the lease payments; and provided further, that the
6727 report shall include both estimated payments and prior expenditures \$11,217,734

6728 1102-3225 For the costs of utilities and management services provided by the
6729 division, including the payment of electrical, fuel oil and natural gas purchases that are centrally
6730 billed to the commonwealth and for the purchase, delivery, handling of and contracting for
6731 supplies, postage and related equipment and other incidental expenses provided under section 51
6732 of chapter 30 of the General Laws; provided, that any balance remaining unspent at the close of
6733 fiscal year 2011 in an amount not to exceed 5 per cent of the amount authorized shall remain in

6734 the Intergovernmental Service Fund and may be expended from this item in fiscal year 2012 for
6735 energy efficiency projects; and provided further, that the division, in consultation with the
6736 department of energy resources, the operational services division and the executive office for
6737 administration and finance, shall implement a program for centralized energy management by
6738 July 1, 2011 \$255,500,000

6739 Bureau of State Office Buildings.

6740 1102-3333 For the operation and maintenance of state buildings, including
6741 reimbursement for overtime expenses, materials and contract services purchased in performing
6742 renovations and related services for agencies occupying state buildings or for services rendered
6743 to approved entities using state facilities \$165,000

6744 1102-3336 For the operation and maintenance of the space in the Hurley state office
6745 building occupied by the division of unemployment assistance \$3,133,900

6746 Reserves.

6747 1599-2040 For the payment of prior year deficiencies based upon schedules provided
6748 to the house and senate committees on ways and means; provided, that the comptroller may
6749 charge departments' current fiscal year appropriations and transfer to such items amounts
6750 equivalent to the amounts of any prior year deficiency, subject to the conditions stated in this
6751 item; provided further, that the comptroller shall only assess chargebacks to those current fiscal
6752 year appropriations when the account to which the chargeback is applied is the same account to
6753 which the prior year deficiency pertains or, if there is no such account, to the current fiscal year
6754 appropriation for the general administration of the department that administered the account to
6755 which the prior year deficiency pertains; provided further, that no chargeback shall be made

6756 which would cause a deficiency in any current fiscal year item; provided further, that the
6757 comptroller shall report with such schedule a detailed reason for the prior year deficiency on all
6758 chargebacks assessed that exceed \$1,000 including the amount of the chargeback, the item and
6759 object class charged; and provided further, that the comptroller shall report on a quarterly basis
6760 on all chargebacks assessed, including the amount of the chargeback, the item, object class
6761 charged and the reason for the prior year deficiency \$10,000,000

6762 1599-3100 For the cost of the commonwealth's employer contributions to the
6763 Unemployment Compensation Fund and the Medical Security Trust Fund; provided, that the
6764 secretary of administration and finance shall authorize the collection, accounting and payment of
6765 such contributions; and provided further, that in executing these responsibilities the comptroller
6766 may charge, in addition to individual appropriation accounts, certain non-appropriated funds in
6767 amounts that are computed on the same basis as the commonwealth's contributions are
6768 determined, including expenses, interest expense or related charges \$34,000,000

6769 Division of Human Resources.

6770 1750-0101 For the cost of goods and services rendered in administering training
6771 programs, including the cost of training unit staff; provided, that the division shall charge to
6772 other items for the cost of participants enrolled in programs sponsored by the division or to state
6773 agencies employing such participants; provided further, that the division may collect from
6774 participating state agencies a fee sufficient to cover administrative costs of the commonwealth's
6775 performance recognition programs and to expend such fees for goods and services rendered in
6776 the administration of these programs; and provided further, that the division may charge and
6777 collect from participating state agencies a fee sufficient to cover administrative costs and expend

6778 such fees for goods and services rendered in the administration of information technology
6779 services related to the human resources compensation management system program

6780 \$400,000

6781 1750-0105 For the costs of workers' compensation paid to public employees and for
6782 the workers' compensation litigation unit, including the costs of personnel; provided, that the
6783 secretary of administration and finance shall charge other items or state agencies for costs
6784 incurred on behalf of these state agencies; provided further, that the secretary may transfer
6785 workers' compensation-related fringe benefit assessments from federal grants and trust accounts
6786 to this item; provided further, that no funds shall be expended from this item that would cause
6787 the item to be deficient; provided further, that the secretary shall provide projected costs of
6788 workers' compensation costs incurred by agencies in fiscal year 2011 to the house and senate
6789 committees on ways and means no later than March 2, 2011; provided further, that in accordance
6790 with chapter 177 of the acts of 2001, the secretary of administration and finance shall charge
6791 state agencies in fiscal year 2011 as provided in this item for workers' compensation costs,
6792 including related administrative expenses incurred on behalf of the employees of the agencies;
6793 provided further, that administrative expenses shall be allocated; provided further, that the
6794 personnel administrator shall administer the charges on behalf of the secretary, and may establish
6795 such rules and procedures as deemed necessary to implement this item; provided further, that the
6796 personnel administrator shall: (1) notify agencies regarding the chargeback methodology to be
6797 used in fiscal year 2011; (2) notify agencies of the amount of their estimated workers
6798 compensation charges for the fiscal year; and (3) require agencies to encumber funds in an
6799 amount sufficient to meet the estimated charges; provided further, that the estimated charges for
6800 each agency in the fiscal year shall be not less than the amount of the actual workers'

6801 compensation costs, including related administrative expenses, incurred by each such agency in
6802 fiscal year 2010, and may include such additional amounts as the human resources division finds
6803 necessary under regulations adopted under this item; provided further, that the division may
6804 adopt a program of incentives for agencies to reduce their claims; provided further, that for any
6805 agency that fails within 30 days of the effective date of this act to encumber funds sufficient to
6806 meet the estimated charges, the comptroller shall so encumber funds on behalf of that agency;
6807 provided further, that the personnel administrator shall: (1) determine the amount of the actual
6808 workers' compensation costs incurred by each agency in the preceding month, including related
6809 administrative expenses; (2) notify each agency of the amounts; and (3) charge the amounts to
6810 each agency's accounts as estimates of the costs to be incurred in the current month; provided
6811 further, that notwithstanding any general or special law to the contrary, any balance remaining in
6812 the Intergovernmental Service Fund, at the close of fiscal year 2010 shall be transferred to the
6813 General Fund; provided further, that any unspent balance at the close of fiscal year 2010 in an
6814 amount not to exceed 5 per cent of the amount authorized shall remain in the Intergovernmental
6815 Service Fund and is hereby re-authorized for expenditures for such item in fiscal year 2011;
6816 provided further, that the personnel administrator may expend in fiscal year 2011 for hospital,
6817 physician, benefit, and other costs related to workers' compensation for employees of state
6818 agencies, including administrative expenses; and provided further, that such expenditures may
6819 include payments for medical services provided to claimants in prior fiscal years, as well as
6820 compensation benefits and associated costs for prior fiscal years \$57,271,355

6821 1750-0600 For the cost of core human resources administrative processing functions
6822 \$2,500,000

6823 Operational Services Division.

6824 1775-0800 For the purchase, operation and repair of certain vehicles and for the costs
6825 of operating and maintaining all vehicles that are leased by other agencies, including the costs of
6826 personnel \$7,600,000

6827 1775-1000 For printing, photocopying, and related graphic art or design work,
6828 including all necessary incidental expenses and liabilities; provided, that the secretary of
6829 administration and finance shall charge to other items of appropriation within the agencies of the
6830 executive branch for such services, including the costs of personnel\$1,000,000

6831 Information Technology Division.

6832 1790-0200 For the cost of computer resources and services provided by the
6833 information technology division in accordance with the policies, procedures and rates approved
6834 by the secretary of administration and finance, including the purchase, lease or rental of
6835 telecommunications lines, services and equipment that are centrally billed to the commonwealth;
6836 provided, that the secretary shall charge other items of appropriation for the costs of the
6837 resources and services; provided further, that notwithstanding any general or special law to the
6838 contrary, charges for the costs of computer resources and services provided by the bureau of
6839 computer services for the design, development, and production of reports and information related
6840 to the analysis, development and production of appropriations bills and other legislation shall not
6841 be charged to any item of appropriation of the executive office for administration and finance,
6842 the house of representatives, the senate or any joint legislative account in fiscal year 2011;
6843 provided further, that the bureau shall submit quarterly reports to the house and senate
6844 committees on ways and means summarizing the total charges, payments and services provided
6845 for the preceding quarter from each department charged to this item; provided further, that the

6846 reports shall include, but not be limited to, a delineation of the rates charged to each department
6847 as approved by the secretary for administration and finance for each service performed by the
6848 division; provided further, that the secretary for administration and finance shall establish
6849 regulations, procedures and a schedule of fees including, but not limited to, the development and
6850 distribution of forms and instructions, including the costs of personnel; and provided further, that
6851 any unspent balance at the close of fiscal year 2011 in an amount not to exceed 5 per cent of the
6852 amount authorized shall remain in the Intergovernmental Service Fund and may be expended for
6853 the item in fiscal year 2012 \$63,000,000

6854 1790-0400 For the purchase, delivery, handling of and contracting for supplies,
6855 postage and related equipment and other incidental expenses provided pursuant to section 51 of
6856 chapter 30 of the General Laws \$2,349,000

6857 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS.

6858 2000-1701 For the cost of information technology services provided to agencies of
6859 the executive office of energy and environment \$4,502,616

6860 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

6861 Office of the Secretary.

6862 4000-0102 For the cost of transportation services for health and human services
6863 clients and the operation of the health and human services transportation office \$7,282,744

6864 4000-0103 For the costs of core administrative functions performed within the
6865 executive office of health and human services; provided, that the secretary of the executive office
6866 of health and human services may, notwithstanding any general or special law to the contrary,

6867 identify administrative activities and functions common to the separate agencies, departments,
6868 offices, divisions, and commissions within the executive office and may designate such functions
6869 as core administrative functions in order to improve administrative efficiency and preserve fiscal
6870 resources; provided further, that common functions that may be designated core administrative
6871 functions include human resources, financial management and leasing and facility management;
6872 provided further, that all employees performing functions so designated may be employed by the
6873 executive office, and the executive office shall charge the agencies, departments, offices,
6874 divisions and commissions for such services; provided further, that upon the designation of a
6875 function as a core administrative function, the employees of each agency, department, office or
6876 commission who perform such core administrative functions may be transferred to the executive
6877 office of health and human services; provided further, that the reorganization shall not impair the
6878 civil service status of any such transferred employee who immediately before the effective date
6879 of this act either holds a permanent appointment in a position classified under chapter 31 of the
6880 General Laws or has tenure in a position by reason of section 9A of chapter 30 of the General
6881 Laws; and provided further, that nothing in this item shall impair or change an employee's status,
6882 rights, or benefits under chapter 150E of the General Laws \$18,600,977

6883 4000-1701 For the cost of information technology services provided to agencies of
6884 the executive office of health and human services \$31,152,563

6885 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

6886 Massachusetts Commission for the Deaf and Hard of Hearing.

6887 4125-0122 For the costs of interpreter services provided by commission staff;
6888 provided, that the costs of personnel may be charged to this item; and provided further, that for

6889 the purpose of accommodating discrepancies between the receipt of retained revenues and
6890 related expenditures, the commission may incur expenses and the comptroller may certify for
6891 payment amounts not to exceed the lower of this authorization or the most recent revenue
6892 estimate as reported in the state accounting system \$250,000

6893 Department of Public Health.

6894 4510-0108 For the costs of pharmaceutical drugs and services provided by the state
6895 office for pharmacy services, in this section called SOPS; provided, that SOPS shall notify in
6896 writing all agencies listed below of their obligations under this item by July 15, 2010; provided
6897 further, that SOPS shall continue to be the sole provider of pharmacy services for the following
6898 agencies currently under SOPS: the department of public health, the department of mental health,
6899 the department of developmental services, the department of correction, the department of youth
6900 services, the sheriff's departments of Bristol, Essex, Franklin, Hampden, Hampshire, Worcester,
6901 Middlesex, Berkshire, Suffolk, Norfolk, Barnstable, Dukes and Plymouth, and the Soldiers'
6902 Homes in Holyoke and Chelsea; provided further, that SOPS shall be the sole provider of
6903 pharmacy services for all said agencies and all costs for pharmacy services shall be charged by
6904 this item; provided further, that said agencies shall not charge or contract with any other
6905 alternative vendor for pharmacy services other than SOPS with the exception of sheriffs
6906 transitioning to the state system under chapter 61 of the acts of 2009 and chapter 102 of the acts
6907 of 2009; provided further, that said sheriffs shall contract with SOPS following the expiration of
6908 existing pharmacy service contracts; provided further, that SOPS shall validate previously-
6909 submitted pharmacy expenditures including HIV Drug Assistance Program drug reimbursements
6910 during fiscal year 2011; provided further, that SOPS shall continue to work to reduce medication
6911 costs, provide standardized policies and procedures in a clinically responsible manner, provide

6912 comprehensive data analysis and improve the quality of clinical services; provided further, that
6913 SOPS shall report to the house and senate committees on ways and means no later than April 15,
6914 2011 detailing the projected savings realized by each transitioning agency in comparison to their
6915 pharmacy costs in fiscal year 2010 and their projected savings for fiscal year 2012; and provided
6916 further, that the report shall also provide recommendations for the inclusion of other entities that
6917 may realize cost savings by joining SOPS \$47,865,393

6918 4590-0901 For the costs of medical services provided at public health hospitals
6919 pursuant to a schedule of services and fees approved by the commissioner of public health,
6920 which may be expended for the purposes of hospital related costs, including, but not limited to,
6921 capital repair and the maintenance and motor vehicle replacement; provided, that
6922 notwithstanding any general or special law to the contrary, for the purpose of accommodating
6923 timing discrepancies between the receipt of retained revenue and related expenditures, the
6924 department may incur expenses and the comptroller may certify for payment amounts not to
6925 exceed the lower of this authorization or the most recent revenue estimate thereof as reported in
6926 the state accounting system \$150,000

6927 4590-0903 For the costs of medical services provided at the department of public
6928 health Lemuel Shattuck hospital to inmates of the county correctional facilities; provided, that
6929 the costs shall be charged to items 8910-0102, 8910-0105, 8910-0107, 8910-0108, 8910-0110,
6930 8910-0145, 8910-0619, 8910-8200, 8910-8300, 8910-8400, 8910-8500, 8910-8600, 8910-8700
6931 and 8910-8800 of section 2 pursuant to the provisions thereof; provided further, that
6932 expenditures from this item shall be for hospital-related costs including, but not limited to,
6933 capital repair and the maintenance and motor vehicle replacement; and provided further, that
6934 notwithstanding any general or special law to the contrary, for the purpose of accommodating

6935 timing discrepancies between the receipt of retained revenue and related expenditures, the
6936 department may incur expenses and the comptroller may certify for payment amounts not to
6937 exceed the lower of this authorization or the most recent revenue estimate thereof as reported in
6938 the state accounting system \$3,800,000

6939 Department of Developmental Services.

6940 5948-0012 For a program providing alternatives to residential placements for children
6941 with intellectual disabilities, including the costs of intensive home-based supports, provided in
6942 item 7061-0012 of section 2 \$4,000,000

6943 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT.

6944 Office of the Secretary.

6945 7002-0018 For the cost of information technology services provided to agencies of
6946 the executive office of housing and economic development \$3,649,696

6947 EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.

6948 Office of the Secretary.

6949 7002-0171 For the cost of information technology services provided to agencies of
6950 the executive office of labor and workforce development \$17,708,505

6951 EXECUTIVE OFFICE OF EDUCATION.

6952 Office of the Secretary.

6953 7009-1701 For the cost of information technology services provided to agencies of
6954 the executive office of education \$1,837,477

6955 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY.

6956 8000-1701 For the cost of information technology services provided to agencies of
6957 the executive office of public safety and security \$11,454,657

6958 State Police.

6959 8100-0002 For the costs of overtime associated with requested police details;
6960 provided, that for the purpose of accommodating discrepancies between the receipt of revenues
6961 and related expenditures, the department may incur expenses and the comptroller may certify for
6962 payment amounts not to exceed the lower of this authorization or the most recent revenue
6963 estimate thereof as reported in the state accounting system \$33,000,000

6964 8100-0003 For the costs associated with the use of the statewide telecommunications
6965 system for the maintenance of the system \$156,375

6966 Military Division.

6967 8700-1145 For the costs of utilities and maintenance and for the implementation of
6968 energy conservation measures with regard to the state armories \$300,000

6969 Department of Correction.

6970 8900-0021 For the cost of products produced by the prison industries and farm
6971 program and for the cost of services provided by inmates, including the costs of moving, auto
6972 repair, culinary and renovation and construction services; provided, that the costs for renovation

6973 and construction services shall not exceed the amount established by the operational services
6974 division; and provided further, that such revenues may also be expended for materials, supplies,
6975 equipment, maintenance of facilities and compensation of employees and for the inmate
6976 employment and training program \$6,050,000

6977 SECTION 2D. The amounts set forth in this section are hereby appropriated from the
6978 General Federal Grants Fund. Federal funds received in excess of the amount appropriated in this
6979 section shall be expended only in accordance with section 6B of chapter 29 of the General Laws.
6980 The amount of any unexpended balance of federal grant funds received prior to June 30, 2010,
6981 and not included as part of an appropriation item in this section, is hereby made available for
6982 expenditure during fiscal year 2011, in addition to any amount appropriated in this section.

6983 JUDICIARY

6984 0320-1700 For the purposes of a federally funded grant entitled, State Court
6985 Improvement Program Basic Grant..... \$436,615

6986 0320-1701 For the purpose of a federally funded grant entitled, CIP Data Sharing
6987 Grant \$295,130

6988 0320-1703 For the purpose of a federally funded grant entitled, CIP Training Grant
6989 \$392,682

6990 DISTRICT ATTORNEYS.

6991 Plymouth District Attorney.

6992 0340-0806 For the purposes of a federally funded grant entitled, Weed and Seed
6993 Campello \$142,000

6994 0340-0816 For the purposes of a federally funded grant entitled, Drug Free
6995 Communities \$65,804

6996 0340-0821 For the purposes of a federally funded grant entitled, Brockton's Promise-
6997 Youth Mentoring \$107,995

6998 0340-0823 For the purposes of a federally funded grant entitled, Child Sexual
6999 Predator Program \$65,804

7000 0340-0825 For the purposes of a federally funded grant entitled, ARRA-Justice
7001 Assistance Grant Local Solicitation \$263,000

7002 Cape and Islands District Attorney.

7003 0340-1013 For the purposes of a federally funded grant entitled, Federal Forfeiture
7004 Trust Account \$60,000

7005 SECRETARY OF STATE.

7006 0521-0800 For the purpose of a federally funded grant entitled, Election Assistance
7007 for Disabled Individuals \$700,041

7008 0526-0114 For the purposes of a federally funded grant entitled, Historic Preservation
7009 Survey and Planning \$908,000

7010 ATTORNEY GENERAL.

7011 0810-0026 For the purposes of a federally funded grant entitled, Crime Victim
7012 Compensation \$1,000,000

7013 Victim and Witness Assistance Board.

7014 0840-0110 For the purposes of a federally funded grant entitled, Victims of Crime

7015 Assistance Programs \$6,960,526

7016 0840-4611 For the purposes of a federally funded grant entitled, Byrne Federal Grant

7017 \$334,384

7018 0840-4620 For the purposes of a federally funded grant entitled, VAWA Federal

7019 Grant \$358,012

7020 EXECUTIVE OFFICE OF ADMINISTRATION AND FINANCE

7021 Massachusetts Developmental Disabilities Council.

7022 1100-1703 For the purposes of a federally funded grant entitled, Implementation of

7023 the Federal Developmental Disabilities Act; provided, that in order to qualify for this grant, this

7024 item shall be exempt from the first \$290,000 of fringe benefit and indirect cost charges under

7025 section 6B of chapter 29 of the General Laws \$3,280,078

7026 1100-1704 For the purposes of a federally funded grant entitled, Implementation of

7027 the Federal Developmental Disabilities Act; provided, that in order to qualify for this grant, this

7028 item shall be exempt from the first \$10,000 of indirect cost charges pursuant to section 6B of

7029 chapter 29 of the General Laws \$100,000

7030 Massachusetts Office on Disability

7031 1107-2450 For the purposes of a federally funded grant entitled, Client Assistance

7032 Program \$239,000

7033 Department of Revenue.

7034 1201-0109 For the purposes of a federally funded grant entitled, Access and

7035 Visitation - Parent Education Program \$222,169

7036 1201-0126 For the purposes of a federally funded grant entitled, Family Centered

7037 Services for Unwed Parents in the IVD Caseload \$149,511

7038 1201-0127 For the purposes of a federally funded grant entitled, Health Care-Medical

7039 Support in Child Support Enforcement \$38,060

7040 1201-0128 For the purposes of a federally funded grant entitled, CSE Modification

7041 Grant \$100,000

7042 1201-0412 For the purposes of federally funded grants entitled, Child Support

7043 Enforcement Grants, Child Support IVD Companion account to CSE Demonstration Grants

7044 \$660,788

7045 DISABLED PERSONS PROTECTION COMMISSION.

7046 1107-2509 For the purposes of a federally funded grant entitled, Disabled Persons

7047 Protection Commission, Multi-Disciplinary Responses to Crime \$200,000

7048 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS.

7049 Office of the Secretary.

7050 2000-0141 For the purposes of a federally funded grant entitled, Coastal Zone

7051 Management and Development \$2,419,883

7052	2000-0179	For the purposes of a federally funded grant entitled, Eel River Restoration
7053	\$100,000	
7054	2000-0186	For the purposes of a federally funded grant entitled, Aquatic Nuisance
7055	Species Management Plan	\$68,210
7056	2000-0248	For the purposes of a federally funded grant entitled, Mass Bays Program
7057	II	\$644,275
7058	2000-0550	For the purposes of a federally funded grant entitled, Pollution Prevention
7059	\$40,000	
7060	2000-9600	For the purposes of a federally funded grant entitled, Narragansett Bay
7061	\$73,370	
7062	2000-9701	For the purposes of a federally funded grant entitled, Outdoor Recreation
7063	Projects - Political Subdivisions	\$2,430,217
7064	2000-9735	For the purposes of a federally funded grant entitled, Buzzards Bay
7065	Estuary Program	\$589,382
7066	2030-0013	For the purposes of a federally funded grant entitled, Fisheries
7067	Enforcement	\$910,230
7068	2030-9701	For the purposes of a federally funded grant entitled, Safe Boating
7069	Program	\$1,795,732
7070	Department of Public Utilities.	

7071	7006-9002	For the purposes of a federally funded grant entitled, Pipeline Security	
7072			\$646,000
7073		Department of Environmental Protection.	
7074	2200-9706	For the purposes of a federally funded grant entitled, Water Quality	
7075	Management Planning		\$215,047
7076	2200-9712	For the purposes of a federally funded grant entitled, Cooperative	
7077	Agreement-Leaking Underground Storage Tanks		\$1,234,281
7078	2200-9717	For the purposes of a federally funded grant entitled, D.O.D. Environment	
7079	Restoration Program for Department of Defense		\$1,329,165
7080	2200-9724	For the purposes of a federally funded grant entitled, Superfund Block	
7081	Grant		\$875,942
7082	2200-9728	For the purposes of a federally funded grant entitled, Brownfields	
7083	Assessment Program - Multi-Site Cooperative Agreement.		\$232,238
7084	2200-9731	For the purposes of a federally funded grant entitled, Brownfield Response	
7085			\$1,496,457
7086	2200-9732	For the purposes of a federally funded grant entitled, Brownfield Support	
7087	Team – Statewide		\$333,598
7088	2230-9702	For the purposes of a federally funded grant entitled, Air, Water and	
7089	Hazardous Waste Management Regulatory Programs		\$16,335,826

7090	2230-9711	For the purposes of a federally funded grant entitled, Environmental	
7091	Information Exchange Network		\$69,992
7092	2230-9712	For the purposes of a federally funded grant entitled, FY09 Exchange	
7093	Network – NPDES		\$224,990
7094	2230-9713	For the purposes of a federally funded grant entitled, Exchange Network	
7095			\$157,000
7096	2240-9762	For the purposes of a federally funded grant entitled, Reimbursement to	
7097	Operators to Small Water Systems for Training and Certification		\$107,994
7098	2240-9764	For the purposes of a federally funded grant entitled, Special	
7099	Appropriation Set-Aside Administration		\$83,844
7100	2240-9773	For the purposes of a federally funded grant entitled, Technical Assistance	
7101	and Training for Drinking Water		\$57,506
7102	2250-9712	For the purposes of a federally funded grant entitled, Clean Air Act-Fine	
7103	Particulate Matter Air Monitoring		\$425,357
7104	2250-9716	For the purposes of a federally funded grant entitled, Ambient Air Toxics	
7105	Pilot Project.		\$140,626
7106	2250-9726	For the purposes of a federally funded grant entitled, Homeland Security	
7107	Co-op Agreement		\$657,106
7108	2250-9732	For the purposes of a federally funded grant entitled, Underground Storage	
7109			\$570,254

7110	2290-3000	For the purposes of a federally funded grant entitled, State Clean Diesel	
7111	Grant Program		\$400,860
7112	2290-3001	For the purposes of a federally funded grant entitled, Natural Diesel –	
7113	State Fleet Retrofit		\$126,000
7114	2290-4000	For the purposes of a federally funded grant entitled, ARRA LUST Trust	
7115	Fund Program		\$1,162,587
7116	2290-5000	For the purposes of a federally funded grant entitled, MA Water Quality	
7117	Management Plan		\$304,441
7118	Department of Fish and Game.		
7119	2300-0114	For the purposes of a federally funded grant entitled, USFWS Partnership	
7120	Program		\$100,000
7121	2300-0115	For the purposes of a federally funded grant entitled, US Fish and Wildlife	
7122	Service Eastern Brook Trout Joint Venture		\$15,000
7123	2300-0116	For the purposes of a federally funded grant entitled, Riverways - Natural	
7124	Resource Conservation Services Wildlife Habitat Incentive Program		\$149,382
7125	2300-0117	For the purposes of a federally funded grant entitled, USFWS – Coastal	
7126	Program		\$10,000
7127	2300-0179	For the purposes of a federally funded grant entitled, National Coastal	
7128	Wetland Conservation		\$450,000

7129 2310-0115 For the purposes of a federally funded grant entitled, Land Owner
7130 Incentive Program – Tier I \$65,000

7131 2310-0116 For the purposes of a federally funded grant entitled, Land Owner
7132 Incentive Program – Tier II \$200,000

7133 2310-0117 For the purposes of a federally funded grant entitled, Chronic Wasting
7134 Disease \$60,000

7135 2330-9222 For the purposes of a federally funded grant entitled, Clean Vessel
7136 \$850,000

7137 2330-9712 For the purposes of a federally funded grant entitled, Commercial
7138 Fisheries Statistics \$150,000

7139 2330-9713 For the purposes of a federally funded grant entitled, Right Whale
7140 Conservation \$420,000

7141 2330-9714 For the purposes of a federally funded grant entitled, Commercial
7142 Fisheries Extension \$4,000

7143 2330-9721 For the purposes of a federally funded grant entitled, Anadromous
7144 Fisheries Management. \$41,000

7145 2330-9725 For the purposes of a federally funded grant entitled, Boating
7146 Infrastructure \$100,000

7147 2330-9730 For the purposes of a federally funded grant entitled, Interstate Fisheries
7148 Management Support \$240,000

7149	2330-9732	For the purposes of a federally funded grant entitled, ACCSP	
7150	Implementation Strategic Plan		\$125,000
7151	2330-9736	For the purposes of a federally funded grant entitled, Marine Fisheries	
7152	Institute		\$600,000
7153	2330-9738	For the purposes of a federally funded grant entitled, Red Tide Economic	
7154	Relief		\$800,000
7155	2330-9739	For the purposes of a federally funded grant entitled, Turtle	
7156	Disengagement.		\$25,000
7157	2330-9740	For the purposes of a federally funded grant entitled, Lobster Gear	
7158	Removal/Rope Work		\$40,000
7159	2330-9741	For the purposes of a federally funded grant entitled, MA Fisheries	
7160	Economic Assistance Program		\$145,000
7161	2330-9742	For the purpose of a federally funded grant entitled, Age and Growth	
7162	Project – Segment One		\$250,000
7163	Department of Agricultural Resources.		
7164	2511-0310	For the purposes of a federally funded grant entitled, Pesticide	
7165	Enforcement.		\$337,500
7166	2511-0400	For the purposes of a federally funded grant entitled, Cooperative Pest	
7167	Survey Program		\$112,300

7168	2511-0401	For the purposes of a federally funded grant entitled, Cooperative	
7169		Pesticide Recordkeeping Program	\$20,000
7170	2511-0972	For the purposes of a federally funded grant entitled, Farmland Protection	
7171			\$4,571,076
7172	2511-1025	For the purposes of a federally funded grant entitled, Country of Origin	
7173		Labeling.	\$101,000
7174	2515-1002	For the purposes of a federally funded grant entitled, Animal Disease	
7175		Surveillance Homeland Security	\$52,659
7176	2515-1004	For the purposes of a federally funded grant entitled, Scrapie Disease	
7177		Surveillance and Flock Certification	\$5,461
7178	2515-1006	For the purposes of a federally funded grant entitled, National Animal	
7179		Identification System	\$14,359
7180	2515-1008	For the purposes of a federally funded grant entitled, Highly Pathogenic	
7181		Avian Influenza	\$98,000
7182	2516-9002	For the purposes of a federally funded grant entitled, Development of	
7183		Institutional Marketing	\$716,072
7184	2516-9003	For the purposes of a federally funded grant entitled, Farmer's Market	
7185		Coupon Program	\$474,000
7186	2516-9004	For the purposes of a federally funded grant entitled, Senior Farmers	
7187		Market Nutrition Program	\$581,000

7188	2516-9007	For the purposes of a federally funded grant entitled, Organic Certification
7189	Cost-Share Program	\$60,000
7190	Department of Conservation and Recreation.	
7191	2800-9707	For the purposes of a federally funded grant entitled, National Flood
7192	Insurance Program	\$184,000
7193	2800-9709	For the purposes of a federally funded grant entitled, FEMA Flood Map
7194	Modernization	\$110,000
7195	2800-9726	For the purposes of a federally funded grant entitled, FEMA National Dam
7196	Safety Program	\$75,293
7197	2800-9729	For the purposes of a federally funded grant entitled, Reconnect
7198		\$145,306
7199	2820-9702	For the purposes of a federally funded grant entitled, Rural Community
7200	Fire Protection	\$70,000
7201	2820-9704	For the purposes of a federally funded grant entitled, NRCS Wildlife
7202	Habitat Incentives Program	\$7,320
7203	2820-9705	For the purposes of a federally funded grant entitled, Animal and Plant
7204	Health Inspections	\$6,010,000
7205	2821-9705	For the purposes of a federally funded grant entitled, Urban and
7206	Community Forestry Program	\$285,223

7207 2821-9709 For the purposes of a federally funded grant entitled, Forestry
7208 Stewardship, Forest Legacy and Conservation Education \$4,605,575

7209 2821-9711 For the purposes of a federally funded grant entitled, Rural Fire Prevention
7210 and Control \$226,964

7211 2821-9713 For the purposes of a federally funded grant entitled, Wildland Urban
7212 Interface Fuels Management \$192,962

7213 2821-9726 For the purposes of a federally funded grant entitled, Forest Health
7214 Management - US Forest Service \$76,147

7215 2821-9800 For the purposes of a federally funded grant entitled, USFS Native Species
7216 Ecological Restoration \$292,500

7217 2821-9801 For the purposes of a federally funded grant entitled, USFS Southeast
7218 Massachusetts Fuels Mitigation \$914,431

7219 2821-9802 For the purposes of a federally funded grant entitled, USFS Asian
7220 Longhorn Beetle Area Watershed Health and Ecological Enhancement \$2,191,024

7221 2830-9705 For the purposes of a federally funded grant entitled, SUASCO Watershed
7222 Flood Control Reservoir \$3,507

7223 2840-9709 For the purposes of a federally funded grant entitled, Waquoit Bay
7224 National Estuarine Research Reserve Consolidated Funding \$523,887

7225 2840-9715 For the purposes of a federally funded grant entitled, NOAA CECLP
7226 Grant \$1,986,750

7227	2850-9701	For the purposes of a federally funded grant entitled, Recreational Trails
7228	Program	\$850,000
7229	Department of Energy Resources.	
7230	7006-9237	For the purposes of a federally funded grant entitled, Rebuild Mass –
7231	Energy Smart Communities	\$41,281
7232	7006-9243	For the purposes of a federally funded grant entitled, BIOMASS –
7233	Sustainable Forest	\$284,391
7234	7006-9301	For the purposes of a federally funded grant entitled, How Cost-Effective
7235	Energy Efficiency	\$39,168
7236	7006-9302	For the purposes of a federally funded grant entitled, State Industrial
7237	Assessment Projects	\$49,572
7238	7006-9303	For the purposes of a federally funded grant entitled, SEP Advance Energy
7239	Codes	\$464,689
7240	7006-9800	For the purposes of a federally funded grant entitled, Energy Ramp Up
7241		\$8,904,723
7242	7006-9801	For the purposes of a federally funded grant entitled, Energy Assistance
7243	Planning	\$292,707
7244	7006-9802	For the purposes of a federally funded grant entitled, State Energy Rebate
7245	Program	\$623,500

7246	7006-9803	For the purposes of a federally funded grant entitled, Energy Efficiency	
7247		and Conservation Block Grant Program	\$1,500,000
7248	7006-9720	For the purposes of a federally funded grant entitled, State Heating Oil	
7249			\$22,288
7250	7006-9730	For the purposes of a federally funded grant entitled, SEP II	\$753,000
7251	7006-9757	For the purposes of a federally funded grant entitled, BIOMASS	\$9,376
7252		EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.	
7253		Office of the Secretary.	
7254	4000-0544	For the purposes of a federally funded grant entitled, CHIPRA Quality	
7255		Demonstration Grant	\$1,496,542
7256	4000-0122	For the purposes of a federally funded grant entitled, USDA – Direct	
7257		Certification and Verification for School Lunch Eligibility	\$583,200
7258	4000-7560	For the purposes of a federally funded grant entitled, Medicaid ER	
7259		Diversion Grant.	\$103,445
7260	4000-7570	For the purposes of a federally funded grant entitled, Medicaid	
7261		Transformation Grant	\$67,937
7262	4000-9058	For the purposes of a federally funded grant entitled, My Child	
7263			\$1,365,589

7264	4000-9401	For the purposes of a federally funded grant entitled, Community Mental	
7265	Health Services		\$8,058,984
7266		Office for Refugees and Immigrants.	
7267	4003-0801	For the purposes of a federally funded grant entitled, Achieving Self-	
7268	Sufficiency in a Short Time (ASSIST)		\$335,000
7269	4003-0803	For the purposes of a federally funded grant entitled, Refugee School	
7270	Impact		\$287,500
7271	4003-0804	For the purposes of a federally funded grant entitled, refugee Targeted	
7272	Assistance Grant		\$836,407
7273	4003-0805	For the purposes of a federally funded grant entitled, Refugee	
7274	Resettlement Program		\$1,430,488
7275	4003-0806	For the purposes of a federally funded grant entitled, Refugee Cash,	
7276	Medical, and Administration		\$9,632,403
7277	4003-0810	For the purposes of a federally funded grant entitled, Refugee Agriculture	
7278	Partnership Program (RAPP)		\$93,518
7279	4003-0811	For the purposes of a federally funded grant entitled, Brand New Grant	
7280	Refugee Micro Enterprise Program		\$250,000
7281		Massachusetts Commission for the Blind.	

7282 4110-3020 For the purposes of a federally funded grant entitled, Vocational
7283 Rehabilitation; provided, that no funds shall be deducted for pensions, group health and life
7284 insurance or any other such indirect cost of federally reimbursed state employees \$150,000

7285 4110-3021 For the purposes of a federally funded grant entitled, Basic Support Grant
7286 \$8,171,900

7287 4110-3023 For the purposes of a federally funded grant entitled, Independent Living
7288 — Adaptive Housing \$65,550

7289 4110-3026 For the purposes of a federally funded grant entitled, Independent Living
7290 — Services to Older Blind Americans \$774,609

7291 4110-3027 For the purposes of a federally funded grant entitled, Rehabilitation
7292 Training \$29,280

7293 4110-3028 For the purposes of a federally funded grant entitled, Supported
7294 Employment \$128,100

7295 Massachusetts Rehabilitation Commission.

7296 4120-0020 For the purposes of a federally funded grant entitled, Vocational
7297 Rehabilitation; provided, that no funds shall be deducted for pensions, group health and life
7298 insurance or any other such indirect cost of federally reimbursed state employees \$40,119,565

7299 4120-0021 For the purposes of a federally funded program entitled, Basic Vocational
7300 Rehabilitation Support \$2,998,320

7301 4120-0040 For the purposes of a federally funded grant entitled, Vocational
7302 Rehabilitation and Comprehensive Systems of Personnel Development Training \$110,200

7303 4120-0187 For the purposes of a federally funded grant entitled, Supported
7304 Employment Program \$516,463

7305 4120-0191 For the purposes of a federally funded grant entitled, Informed Members
7306 Planning and Assessing Choices Together (IMPACT) \$165,637

7307 4120-0511 For the purposes of a federally funded grant entitled, Disability Services -
7308 Determination . \$42,095,044

7309 4120-0603 For the purposes of a federally funded grant entitled, Innovation Strategies
7310 for Transition Youth with Disabilities \$350,000

7311 4120-0608 For the purposes of a federally funded grant entitled, TBI Implementation
7312 Grant \$250,000

7313 4120-0760 For the purposes of a federally funded grant entitled, Independent Living
7314 \$1,750,000

7315 4120-0761 For the purposes of a federally funded grant entitled, Centers for
7316 Independent Living Recovery Act FY11 Spending and State Independent Living Services,
7317 Recovery Act FY11 Spending \$1,200,000

7318 4120-0768 For the purposes of a federally funded grant entitled, Assistive
7319 Technology Act \$500,938

7320 Department of Veterans' Services.

7321 1410-0054 For the purposes of a federally funded grant entitled, Non-Urban
7322 Homeless Veterans Reintegration \$200,000

7323 1410-0055 For the purposes of a federally funded grant entitled, Urban Homeless
7324 Veterans Reintegration \$300,000

7325 1410-0056 For the purposes of a federally funded grant entitled, Veterans' Workforce
7326 Investment Program \$500,000

7327 Department of Transitional Assistance.

7328 4400-1999 For the purposes of a federally funded grant entitled, ARRA Supplemental
7329 Nutrition Assistance Program \$400,000

7330 4400-3067 For the purposes of a federally funded grant entitled, Food Stamp
7331 Employment and Training \$2,100,000

7332 4400-3068 For the purposes of a federally funded grant entitled, Reaching
7333 Underserved Elderly and Working Poor in SNAP \$350,000

7334 4400-3069 For the purposes of a federally funded grant entitled, Full Employment
7335 Food Stamp Cash-Out \$15,000

7336 4400-1998 For the purposes of a federally funded grant entitled, DoD Supplemental
7337 Nutrition Assistance Program \$9,126,837

7338 Department of Public Health.

7339 4500-1000 For the purposes of a federally funded grant entitled, Preventive Health
7340 Services Block Grant \$2,749,602

7341	4500-1050	For the purposes of a federally funded grant entitled, Rape Prevention and
7342	Education	\$842,169
7343	4500-1051	For the purposes of a federally funded grant entitled, Sexual Assault
7344	Services Program	\$141,192
7345	4500-1059	For the purposes of a federally funded grant entitled, Health Equity
7346		\$238,000
7347	4500-1060	For the purposes of a federally funded grant entitled, the Rape Prevention
7348	Program Planning and Evaluation Capacity Building	\$100,000
7349	4500-1065	For the purposes of a federally funded grant entitled, State Partnership to
7350	Improve Minority Health	\$14,876
7351	4500-2000	For the purposes of a federally funded grant entitled, Maternal and Child
7352	Health Services Block Grant	\$11,758,404
7353	4502-1012	For the purposes of a federally funded grant entitled, Cooperative Health
7354	Statistics System	\$531,239
7355	4510-0109	For the purposes of a federally funded grant entitled, State Loan
7356	Repayment Project	\$250,000
7357	4510-0111	For the purposes of a federally funded grant entitled, State Loan
7358	Repayment Program	\$100,000
7359	4510-0113	For the purposes of a federally funded grant entitled, Office of Rural
7360	Health.	\$171,236

7361	4510-0115	For the purposes of a federally funded grant entitled, State Primary Care	
7362	Offices		\$42,470
7363	4510-0118	For the purposes of a federally funded grant entitled, Primary Care	
7364	Cooperative Agreement		\$110,923
7365	4510-0119	For the purposes of a federally funded grant entitled, Rural Hospital	
7366	Flexibility Program		\$303,900
7367	4510-0219	For the purposes of a federally funded grant entitled, Small Rural Hospital	
7368	Improvement Program		\$81,000
7369	4510-0221	For the purposes of a federally funded grant entitled, Targeted Oral Health	
7370	Services		\$160,000
7371	4510-0222	For the purposes of a federally funded grant entitled, Massachusetts Oral	
7372	Health Workforce in New Sites II		\$398,775
7373	4510-0400	For the purposes of a federally funded grant entitled, Medicare and	
7374	Medicaid Survey and Certification		\$9,282,552
7375	4510-0404	For the purposes of a federally funded grant entitled, Bioterrorism	
7376	Hospital Preparedness.		\$8,301,006
7377	4510-0405	For the purposes of a federally funded grant entitled, Pandemic Flu	
7378	Healthcare Preparation Improvement		\$7,500
7379	4510-0407	For the purpose of a federally funded grant entitled, Healthcare Inquired	
7380	Infections		\$39,431

7381 4510-0500 For the purposes of a federally funded grant entitled, Clinical Laboratory
7382 Improvement \$295,153

7383 4510-0609 For the purposes of a federally funded grant entitled, NRC Security
7384 Inspections \$5,000

7385 4510-0619 For the purposes of a federally funded grant entitled, FDA Inspection of
7386 Food Establishments \$317,833

7387 4510-0626 For the purposes of a federally funded grant entitled, Statewide
7388 Surveillance of Health Concerns and Toxic Algae Blooms \$150,000

7389 4510-0630 For the purposes of a federally funded grant entitled, Enabling Electronic
7390 Prescribing and Enhancement\$230,150

7391 4510-0636 For the purposes of a federally funded grant entitled, Childhood Lead
7392 Paint Poisoning Prevention \$1,100,320

7393 4510-0638 For the purposes of a federally funded grant entitled, Edward Byrne
7394 Memorial State and Local Law Enforcement Assistance \$60,236

7395 4510-0639 For the purposes of a federally funded grant entitled, Food Protection
7396 Rapid Response Team\$497,617

7397 4510-0641 For the purpose of a federally funded grant entitled, Harold Rogers Drug
7398 Monitoring Program \$252,600

7399 4510-9014 For the purposes of a federally funded grant entitled, Mammography
7400 Quality Standards Act Inspections. \$174,629

7401	4510-9043	For the purposes of a federally funded grant entitled, Demonstration	
7402		Program to Conduct Toxic Waste Site Health Impact Assessments	\$411,815
7403	4510-9048	For the purposes of a federally funded grant entitled, Indoor Radon	
7404		Development Program	\$155,000
7405	4510-9053	For the purposes of a federally funded grant entitled, Beaches	
7406		Environmental Assessment	\$271,790
7407	4510-9056	For the purposes of a federally funded grant entitled, National	
7408		Environmental Public Health Tracking.	\$939,098
7409	4512-0102	For the purposes of a federally funded grant entitled, Sexually Transmitted	
7410		Disease Control	\$1,566,298
7411	4512-0178	For the purposes of a federally funded grant entitled, Immunization	
7412			\$461,924
7413	4512-0179	For the purposes of a federally funded grant entitled, Vaccination	
7414		Assistance Project	\$5,872,112
7415	4512-0180	For the purposes of a federally funded grant entitled, Epidemiology and	
7416		Lab Surveillance	\$1,048,637
7417	4512-0181	For the purposes of a federally funded grant entitled, Meningococcal	
7418			\$99,500
7419	4512-0182	For the purposes of a federally funded grant entitled, Preventing	
7420		Healthcare Associated Infections	\$730,466

7421	4512-9065	For the purposes of a federally funded grant entitled, State Outcomes	
7422	Measurement and Management System		\$150,000
7423	4512-9067	For the purposes of a federally funded grant entitled, Screening and Brief	
7424	Intervention		\$2,800,000
7425	4512-9068	For the purposes of a federally funded grant entitled, Collaborative for	
7426	Action, Leadership, and Learning.		\$2,093,000
7427	4512-9069	For the purposes of a federally funded grant entitled, Substance Abuse	
7428	Prevention and Treatment Block Grant		\$37,030,730
7429	4512-9070	For the purposes of a federally funded grant entitled, Promoting Safe and	
7430	Stable Families		\$500,000
7431	4512-9426	For the purposes of a federally funded grant entitled, Uniform Alcohol and	
7432	Drug Abuse Data Collection		\$82,226
7433	4513-0111	For the purposes of a federally funded grant entitled, Housing	
7434	Opportunities - People with AIDS		\$180,474
7435	4513-1123	For the purposes of a federally funded grant entitled, Adult Viral Hepatitis	
7436	Prevention Coordinator		\$106,790
7437	4513-9007	For the purposes of a federally funded grant entitled, Nutritional Status of	
7438	Women, Infants, and Children (WIC)		\$94,944,088
7439	4513-9018	For the purposes of a federally funded grant entitled, Augmentation and	
7440	Evaluation of Established Health Education - Risk Reduction		\$11,092,885

7441 4513-9020 For the purposes of a federally funded grant entitled, Expanded and
7442 Integrated HIV Testing \$677,946

7443 4513-9021 For the purposes of a federally funded grant entitled, Program for Infants
7444 and Toddlers with Handicaps \$7,606,943

7445 4513-9022 For the purposes of a federally funded grant entitled, Prevention Disability
7446 State Based Project \$275,000

7447 4513-9023 For the purposes of a federally funded grant entitled, Mass HIV/AIDS
7448 National Behavioral Surveillance \$402,797

7449 4513-9027 For the purposes of a federally funded grant entitled, MassCare -
7450 Community AIDS Resource Enhancement \$879,806

7451 4513-9030 For the purposes of a federally funded grant entitled, Planning a
7452 Comprehensive Primary Care System for All Mass Children and Youth \$100,000

7453 4513-9035 For the purposes of a federally funded grant entitled, AIDS Surveillance
7454 and Seroprevalence Project \$972,639

7455 4513-9037 For the purposes of a federally funded grant entitled, Ryan White
7456 Comprehensive AIDS Resources \$21,225,000

7457 4513-9038 For the purposes of a federally funded grant entitled, Shelter Plus Care –
7458 Worcester \$298,836

7459 4513-9046 For the purposes of a federally funded grant entitled, Congenital
7460 Anomalies Center of Excellence \$1,000,000

7461 4513-9051.. For the purposes of a federally funded grant entitled, Rural Domestic
7462 Violence and Children Victimization Project \$400,000

7463 4513-9060 For the purposes of a federally funded grant entitled, Residential Fire
7464 Injury Prevention — Mass Injury Intervention and Surveillance \$100,000

7465 4513-9066 For the purposes of a federally funded grant entitled, Universal Newborn
7466 Hearing Screening-Enhancement Project \$300,000

7467 4513-9071 For the purposes of a federally funded grant entitled, Early Hearing
7468 Detection and Intervention (EHDI) Tracking and Research \$194,579

7469 4513-9076 For the purposes of a federally funded grant program entitled, Early
7470 Childhood Comprehensive Systems \$140,000

7471 4513-9077 For the purposes of a federally funded grant entitled, Emergency Medical
7472 Services for Children Partnership II \$130,000

7473 4513-9078 For the purposes of a federally funded grant entitled, Asthma Planning
7474 Collaborative \$375,000

7475 4513-9082 For the purpose of a federally funded grant entitled, CAPTA Requirement
7476 to Identify and Serve Substance Exposed Newborns \$65,859

7477 4513-9083 For the purposes of a federally funded grant entitled, Massachusetts Youth
7478 Suicide Prevention Program \$542,270

7479 4513-9085 For the purposes of a federally funded grant entitled, Massachusetts
7480 Pregnancy Risk \$173,864

7481 4513-9088 For the purposes of a federally funded grant entitled, Helping Hands for
7482 Infants and their Families \$475,000

7483 4513-9089 For the purposes of a federally funded grant entitled, First Time
7484 Motherhood- New Parents Initiative \$92,706

7485 4513-9091 For the purposes of a federally funded grant entitled, NHI Health
7486 Disparities (READY) \$431,245

7487 4513-9092 For the purposes of a federally funded grant entitled, Addressing Asthma
7488 From A Public Health Perspective \$450,000

7489 4513-9093 For the purposes of a federally funded grant entitled, Massachusetts
7490 LAUNCH \$850,000

7491 4513-9094 For the purposes of a federally funded grant entitled, MassCARE Data
7492 Systems Improvement (SPNS) \$15,000

7493 4514-1006 For the purposes of a federally funded grant entitled, Getting to the Heart
7494 of the Matter \$51,400

7495 4514-1007 For the purposes of a federally funded grant entitled, WICMIS
7496 \$624,969

7497 4515-0115 For the purposes of a federally funded grant entitled, Tuberculosis Control
7498 Project \$1,553,501

7499 4515-0121 For the purposes of a federally funded grant entitled, Tuberculosis
7500 Epidemiological Studies and Consortium. \$472,549

7501	4515-0200	For the purposes of a federally funded grant entitled, STD/HIV Prevention	
7502	Training Centers		\$367,993
7503	4515-0204	For the purposes of a federally funded grant entitled, Strengthening	
7504	Surveillance for Infectious Disease		\$176,376
7505	4515-0205	For the purposes of a federally funded grant entitled, HIV Training	
7506	through Prevention Training Centers		\$46,672
7507	4515-0206	For the purposes of a federally funded grant entitled, Health Literacy and	
7508	Oral Health Status of African Refugees		\$522,202
7509	4516-1021	For the purposes of a federally funded grant entitled, Public Health	
7510	Preparedness and Response for Bioterrorism		\$14,050,475
7511	4516-1028	For the purposes of a federally funded grant entitled, State Local Public	
7512	Health Infrastructure		\$1,049,486
7513	4518-0505	For the purposes of a federally funded grant entitled, Tech Data & Mass	
7514	Birth/Infant Death File Linkage/Analysis Assistive Reproductive		\$26,399
7515	4518-0514	For the purposes of a federally funded grant entitled, National Violent	
7516	Death Reporting System		\$263,348
7517	4518-0534	For the purposes of a federally funded grant entitled, Public Health Injury	
7518	Surveillance and Prevention		\$745,793
7519	4518-1000	For the purposes of a federally funded grant entitled, Procurement of	
7520	Information for the National Death Index		\$27,500

7521 4518-1002 For the purposes of a federally funded grant entitled, Massachusetts Death
7522 File - Social Security Administration \$42,500

7523 4518-1003 For the purposes of a federally funded grant entitled, Massachusetts Birth
7524 Records — Social Security Administration \$242,033

7525 4518-9023 For the purposes of a federally funded grant entitled, Census of Fatal
7526 Occupational Injuries \$48,645

7527 4518-9030 For the purpose of a federally funded grant entitled, Public Health Injury
7528 Surveillance and Prevention Program \$135,488

7529 4518-9033 For the purposes of a federally funded grant entitled, Teen Dating
7530 Violence Prevention \$40,000

7531 4518-9041 For the purpose of a federally funded grant entitled, Amputation/CTS
7532 Project \$143,250

7533 4570-1509 For the purposes of a federally funded grant entitled, Massachusetts
7534 Cardiovascular Disease Prevention. \$1,144,041

7535 4570-1512 For the purposes of a federally funded grant entitled, National Cancer
7536 Prevention Control \$4,979,553

7537 4570-1513 For the purposes of a federally funded grant entitled, Colorectal Cancer
7538 Screening \$1,000,000

7539 4570-1514 For the purposes of a federally funded grant entitled, Wise Woman
7540 \$900,000

7541	4570-1516	For the purposes of a federally funded grant entitled, Paul Coverdell Acute
7542	Stroke Registry	\$600,000
7543	4570-1517	For the purposes of a federally funded grant entitled, Nutrition Obesity
7544	\$1,000,152	
7545	4570-1520	For the purposes of a federally funded grant entitled, Mass Integrated
7546	Chronic Disease	\$2,482,222
7547	4570-1521	For the purpose of a federally funded grant entitled, Physical Activity,
7548	Nutrition and Tobacco (Wellness)	\$509,368
7549	4570-1522	For the purpose of a federally funded grant entitled, Tobacco Retail
7550	Environment	\$600,000
7551	4570-1523	For the purpose of a federally funded grant entitled, Tobacco Quitline
7552	\$423,700	
7553	Department of Children and Families.	
7554	4800-0005	For the purposes of a federally funded grant entitled, Children's Justice
7555	Act	\$332,604
7556	4800-0007	For the purposes of a federally funded grant entitled, The Family Violence
7557	Prevention and Support Services Act	\$1,817,225
7558	4800-0009	For the purposes of a federally funded grant entitled, Title IV-E
7559	Independent Living	\$2,813,371

7560 4800-0013 For the purposes of a federally funded grant entitled, Family Preservation
7561 and Support Services \$4,737,454

7562 4800-0085 For the purposes of a federally funded grant entitled, Educational &
7563 Training Voucher Program \$946,051

7564 4899-0001 For the purposes of a federally funded grant entitled, Title IV-B Child
7565 Welfare Services \$4,182,270

7566 4899-0022 For the purposes of a federally funded grant entitled, Child Abuse and
7567 Neglect Prevention and Treatment \$503,227

7568 Department of Mental Health.

7569 5012-9121 For the purposes of a federally funded grant entitled, Project for
7570 Assistance in Transition from Homelessness \$1,544,000

7571 5012-9160 For the purposes of a federally funded grant entitled, Jail Diversion and
7572 Trauma Recovery \$710,000

7573 5012-9161 For the purposes of a federally funded grant entitled, Community Re-
7574 Entry for Women \$75,000

7575 5046-9102.. For the purposes of a federally funded grant entitled, Shelter Plus Care
7576 Program \$201,120

7577 5047-9102 For the purposes of a federally funded grant entitled, Comprehensive
7578 Mental Health Services for Children and their Families. \$1,375,000

7579 Department of Developmental Services.

7580 5947-0011 For the purposes of a federally funded grant entitled, Real Choice Systems

7581 Change Grant \$41,425

7582 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION..

7583 6440-0088 For the purposes of a federally funded grant entitled, Performance

7584 Registry Information Systems Management \$259,478

7585 6440-0090 For the purposes of a federally funded grant entitled, CDL Information

7586 System Enhancement \$1,132,125

7587 6440-0096 For the purposes of a federally funded grant entitled, State Donor Registry

7588 Support Program \$3,000

7589 6440-0097 For the purposes of a federally funded grant entitled, Commercial Driver

7590 License Information System \$107,267

7591 6440-0098 For the purposes of a federally funded grant entitled, Safety Data

7592 Improvement Program \$365,982

7593 6440-0099 For the purposes of a federally funded grant entitled, Real ID

7594 Demonstration Grant Program \$1,579,474

7595 6642-0018 For the purposes of a federally funded grant entitled, Section 5311 Non-

7596 Urbanized Area Formula Program \$4,515,625

7597 6642-0020 For the purposes of a federally funded grant entitled, Section 5316 Job

7598 Access and Reverse Commute \$1,785,130

7599	6642-0022	For the purposes of a federally funded grant entitled, Transit Planning	
7600	Research Grant	\$9,054	
7601	6642-0023	For the purposes of a federally funded grant entitled, Section 5303 & 5304	
7602	Metropolitan Transportation Planning	\$4,537,265	
7603	6642-0026	For the purposes of a federally funded grant entitled, Section 5317 New	
7604	Freedom Operating Segment	\$2,232,253	
7605	6642-0027	For the purposes of a federally funded grant entitled, Transit Capital	
7606	Assistance Non-Urbanized Apportionments - ARRA	\$41,542	
7607	6642-0028	For the purposes of a federally funded grant entitled, Intermodal	
7608	Transportation Center - ARRA	\$800,000	
7609	6642-0049	For the purposes of a federally funded grant entitled, Section 5310 Capital	
7610	Equipment for Elderly and Disabled Program	\$6,314,215	
7611	Board of Library Commissioners.		
7612	7000-9702	For the purposes of a federally funded grant entitled, Library Service	
7613	Technology Act	\$3,538,865	
7614	EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.		
7615	7002-1625	For the purposes of a federally funded grant entitled, Veterans Workforce	
7616	Investment Program FY11	\$757,412	
7617	7002-4203	For the purposes of a federally funded grant entitled, Occupational	
7618	Substance and Health Administration Statistical Survey	\$117,400	

7619	7002-4204	For the purposes of a federally funded grant entitled, Adult Blood Lead	
7620	Levels Surveillance		\$20,486
7621	7002-4212	For the purposes of a federally funded grant entitled, Asbestos Licensing	
7622	and Monitoring		\$139,969
7623	7002-4213	For the purposes of a federally funded grant entitled, Lead Licensing and	
7624	Monitoring		\$284,244
7625	7002-4215	For the purposes of a federally funded grant entitled, Occupational Illness	
7626	and Injury		\$86,848
7627	7002-4216	For the purposes of a federally funded grant entitled, Lead Enforcement	
7628	Cooperative Agreement		\$70,000
7629	7002-6621	For the purposes of a federally funded grant entitled, Department of	
7630	Workforce Development Administrative Services & Technology		\$18,170,477
7631	7002-6624	For the purposes of a federally funded grant entitled, Unemployment	
7632	Insurance Administration		\$79,000,000
7633	7002-6626	For the purposes of a federally funded grant entitled, Employment Service	
7634	Programs Administration		\$16,269,778
7635	7002-6627	For the purposes of a federally funded grant entitled, Occupational	
7636	Substance and Health Administration On-site Consultation Program		\$1,406,000
7637	7002-6628	For the purposes of a federally funded grant entitled, Disabled Veterans	
7638	Outreach		\$1,600,000

7639 7002-6629 For the purposes of a federally funded grant entitled, Local Veterans
7640 Employment Representative \$2,100,000

7641 7002-6646 For the purposes of a federally funded grant entitled, WIA Recovery Act
7642 Employer Services \$4,500,000

7643 7002-9701 For the purposes of a federally funded grant entitled, Federal Bureau of
7644 Labor Statistics Grant \$2,569,258

7645 7003-1010 For the purposes of a federally funded grant entitled, Trade Expansion Act
7646 Program \$18,541,849

7647 7003-1630 For the purposes of a federally funded grant entitled, Adult Activities –
7648 Workforce Investment Act Title I - Adult Activities \$21,077,233

7649 7003-1631 For the purposes of a federally funded grant entitled, Youth Formula
7650 Grants – Workforce Investment Act Title I - Youth Formula Grants \$24,370,973

7651 7003-1632 For the purposes of a federally funded grant entitled, Dislocated Workers
7652 – Workforce Investment Act Title I –Dislocated Workers \$28,612,463

7653 7003-1633 For the purposes of a federally funded grant entitled, Work Incentive
7654 Grant Access to Employment for All \$450,000

7655 7003-1640 For the purposes of a federally funded grant entitled, WIA Recovery Act
7656 Adult Workers. \$4,500,000

7657 7003-1642 For the purposes of a federally funded grant entitled, WIA Recovery Act
7658 Dislocated Workers \$14,000,000

7659	7003-1651	For the purposes of a federally funded grant entitled, WIA Recovery Act
7660	Youth Workers	\$12,000,000
7661	7003-2013	For the purposes of a federally funded grant entitled, Mine Safety and
7662	Health Training	\$79,636
7663	EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT.	
7664	Massachusetts Cultural Council.	
7665	0640-9716	For the purposes of a federally funded grant entitled, Folk and Traditional
7666	Arts Initiative	\$25,000
7667	0640-9717	For the purposes of a federally funded grant entitled, Basic State Plan
7668		\$672,400
7669	0640-9718	For the purposes of a federally funded grant entitled, Arts Education
7670		\$62,200
7671	0640-9724	For the purposes of a federally funded grant entitled, Arts in Underserved
7672	Communities	\$162,600
7673	Department of Housing and Community Development.	
7674	7004-0305	For the purposes of a federally funded grant entitled, Lead Hazard Control
7675		\$1,000,800
7676	7004-2030	For the purposes of a federally funded grant entitled, Weatherization
7677	Assistance for Low Income Persons; provided, that, consistent with applicable federal	

7678 regulations and the state plan, the department of housing and community development may
7679 provide monthly payments in advance to participating agencies \$10,132,330

7680 7004-2031 For the purposes of a federally funded grant entitled, Weatherization
7681 Assistance for Low Income \$29,193,995

7682 7004-2032 For the purposes of a federally funded grant entitled, Community Services
7683 Block Grant – Stimulus \$4,984,517

7684 7004-2033 For the purposes of a federally funded grant entitled, Low Income Home
7685 Energy Assistance Program; provided, that consistent with applicable federal regulations and the
7686 state plan, the department of housing and community development shall provide monthly
7687 payments in advance to participating agencies. \$212,825,235

7688 7004-2034 For the purposes of a federally funded grant entitled, Community Services
7689 Block Grant; provided, that consistent with applicable federal regulations and the state plan, the
7690 department of housing and community development may provide monthly payments in advance
7691 to participating agencies \$17,722,616

7692 7004-2361 For the purposes of a federally funded grant entitled, Section 8 Substantial
7693 Rehabilitation Administrative Fee. \$298,000

7694 7004-2363 For the purposes of a federally funded grant entitled, Section 8
7695 Administrative Fee Housing Voucher \$2,420,000

7696 7004-2364 For the purposes of a federally funded grant entitled, Section 8
7697 Administrative Fee Moderate Rehabilitation \$229,732

7698 7004-2365 For the purposes of a federally funded grant entitled, Section 8
7699 Administrative Fee New Construction \$577,798

7700 7004-3037 For the purposes of a federally funded grant entitled, Small Cities
7701 Community Development Block Grant Program; provided, that consistent with applicable
7702 federal regulations and the state plan, the department of housing and community development
7703 may provide monthly payments in advance to participating agencies \$36,922,454

7704 7004-3038 For the purposes of a federally funded grant entitled, Neighborhood
7705 Stabilization \$21,000,000

7706 7004-3041 For the purposes of a federally funded grant entitled, Community
7707 Development Block Grant – ARRA \$3,000,000

7708 7004-3051 For the purposes of a federally funded grant entitled, Homeless Prevention
7709 and Rapid Rehousing Program \$9,000,000

7710 7004-9009 For the purposes of a federally funded grant entitled, Section 8 Substantial
7711 Rehabilitation Program; provided, that the department of housing and community development
7712 may provide monthly payments in advance to participating agencies \$9,910,759

7713 7004-9014 For the purposes of a federally funded grant entitled, Section 8 Federal
7714 Housing Voucher Program; provided, that the department of housing and community
7715 development may provide monthly payments in advance to participating agencies \$229,799,032

7716 7004-9019 For the purposes of a federally funded grant entitled, Section 8 Moderate
7717 Rehabilitation; provided, that the department of housing and community development may
7718 provide monthly payments in advance to participating agencies \$9,402,000

7719 7004-9020 For the purposes of a federally funded grant entitled, Section 8 New
7720 Construction Program; provided, that the department of housing and community development
7721 may provide monthly payments in advance to participating agencies \$6,567,758

7722 7004-9028 For the purposes of a federally funded grant entitled, Home Investment
7723 Partnerships; provided, that, consistent with applicable federal regulations and the state plan, the
7724 department of housing and community development may provide monthly payments in advance
7725 to participating agencies \$20,000,000

7726 7004-9039 For the purposes of a federally funded grant entitled, Home Technical
7727 Assistance \$75,000

7728 7004-9051 For the purposes of a federally funded grant entitled, Shelter Plus Care-
7729 Lowell; provided, that, consistent with applicable federal regulations and the state plan, the
7730 department of housing and community development may provide monthly payments in advance
7731 to participating agencies \$82,000

7732 4400-0705 For the purposes of a federally funded grant entitled, Emergency Shelter
7733 Grants \$2,900,000

7734 4400-0707 For the purposes of a federally funded grant entitled, Continuum of Care
7735 \$6,000,000

7736 4400-9404 For the purposes of a federally funded grant entitled, McKinney Shelter
7737 Plus Care \$3,400,000

7738 EXECUTIVE OFFICE OF EDUCATION.

7739 Department of Early Education and Care.

7740 3000-0708 For the purposes of a federally funded grant entitled, Head Start
7741 Collaboration. \$175,000

7742 3000-5050 For the purposes of a federally funded grant entitled, the State Advisory
7743 Council on Early Childhood Education ARRA Head Start Grant \$379,183

7744 3000-9002 For the purposes of a federally funded grant entitled, Child Abuse
7745 Prevention and Treatment Activities \$585,000

7746 Department of Elementary and Secondary Education.

7747 7010-9706 For the purposes of a federally funded grant entitled, Common Core Data
7748 Project \$355,000

7749 7032-0217 For the purposes of a federally funded grant entitled, Robert C. Byrd
7750 Honors Scholarship Program — Distribution \$810,000

7751 7035-0166 For the purposes of a federally funded grant entitled, Even Start Family
7752 Literacy — Distribution \$1,020,500

7753 7035-0210 For the purposes of a federally funded grant entitled, Advanced Placement
7754 Fee Program \$250,000

7755 7038-0107 For the purposes of a federally funded grant entitled, Adult Basic
7756 Education Distribution \$10,268,705

7757 7038-9004 For the purposes of a federally funded grant entitled, School Based
7758 Programs Distribution \$385,250

7759 7043-1001 For the purposes of a federally funded grant entitled, Title I Grants to
7760 Local Educational Agencies \$244,326,143

7761 7043-1004 For the purposes of a federally funded grant entitled, Migrant Education
7762 \$1,620,000

7763 7043-1005 For the purposes of a federally funded grant entitled, Title I Neglected and
7764 Delinquent Children \$2,150,000

7765 7043-1006 For the purposes of a federally funded grant entitled, School Improvement
7766 Grant \$8,122,058

7767 7043-2001 For the purposes of a federally funded grant entitled, Teacher and
7768 Principal Training and Recruiting \$50,476,400

7769 7043-2002 For the purposes of a federally funded grant entitled, Enhancing Education
7770 through Technology \$5,150,000

7771 7043-2003 For the purposes of a federally funded grant entitled, Title I Math and
7772 Science Partnerships \$2,450,000

7773 7043-3001 For the purposes of a federally funded grant entitled, English Language
7774 Acquisition \$11,648,109

7775 7043-4001 For the purposes of a federally funded grant entitled, Safe and Drug Free
7776 Schools and Communities \$4,575,000

7777 7043-4002 For the purposes of a federally funded grant entitled, After School
7778 Learning Centers \$18,170,311

7779 7043-6001 For the purposes of a federally funded grant entitled, Grants for State
7780 Assessments and Related Activities \$7,850,000

7781 7043-6002 For the purposes of a federally funded grant entitled, Rural and Low-
7782 Income Schools \$49,500

7783 7043-6501 For the purposes of a federally funded grant entitled, Education for
7784 Homeless Children/Youth \$1,200,000

7785 7043-7001 For the purposes of a federally funded grant entitled, Special Education
7786 Grants \$295,000,000

7787 7043-7002 For the purposes of a federally funded grant entitled, Preschool Grants
7788 \$11,350,000

7789 7043-8001 For the purposes of a federally funded grant entitled, Vocational
7790 Education Basic Grants \$19,250,000

7791 7043-8002 For the purposes of a federally funded grant entitled, Technical
7792 Preparation Education \$1,725,000

7793 7044-0020 For the purposes of a federally funded grant entitled, Project Focus
7794 Academy \$1,200,000

7795 7044-0210 For the purposes of a federally funded grant entitled, Advanced Placement
7796 Fee Program \$250,000

7797 7047-9008 For the purposes of a federally funded grant entitled, Learn and Serve
7798 America Competitive \$1,150,000

7799 7048-0228 For the purposes of a federally funded grant entitled, IMP Health and
7800 Education Outcomes- Young People \$1,110,000

7801 7048-1616 For the purposes of a federally funded grant entitled, College Access
7802 Challenge Grant Program \$850,000

7803 7048-9200 For the purposes of a federally funded grant entitled, Statewide
7804 Longitudinal Data Systems Grant \$2,450,000

7805 7053-2008 For the purposes of a federally funded grant entitled, Nuts, Fresh Fruit and
7806 Vegetables \$1,550,000

7807 7053-2112 For the purposes of a federally funded grant entitled, Special Assistance
7808 Funds \$155,833,146

7809 7053-2117 For the purposes of a federally funded grant entitled, Child Care Program
7810 \$51,545,189

7811 7053-2126 For the purposes of a federally funded grant entitled, Temporary
7812 Emergency Food Assistance \$690,200

7813 7053-2202 For the purposes of a federally funded grant entitled, Special Summer
7814 Food Service Program for Children \$5,490,849

7815 7062-0008 For the purposes of a federally funded grant entitled, Office of School
7816 Lunch Programs — Child Care Program Administration \$2,520,000

7817 7062-0017 For the purposes of a federally funded grant entitled, Charter Schools
7818 Assistance Distribution \$2,800,000

7819 7062-0019 For the purposes of a federally funded grant entitled, Career Resource
7820 Network State Grant \$70,000

7821 Department of Higher Education.

7822 7066-1574 For the purposes of a federally funded grant entitled, Improving Teacher
7823 Quality Grants \$1,600,000

7824 7066-6033 For the purposes of a federally funded grant entitled, Gaining Early
7825 Awareness and Readiness for Undergraduate Programs \$3,500,000

7826 7070-0017 For the purposes of a federally funded grant entitled, Leveraging
7827 Educational Assistance Program— Department of Higher Education 966,853

7828 7110-6019 For the purposes of a federally funded grant entitled, Upward Bound
7829 Payroll and Benefits— Fitchburg State College \$270,000

7830 7110-6030 For the purposes of a federally funded grant entitled, Expanding Horizons
7831 Student Support Services — Fitchburg State College \$230,000

7832 7110-6048 For the purposes of a federally funded grant entitled, Special Education
7833 Personnel Preparation— Fitchburg State College \$50,000

7834 7410-3093 For the purposes of a federally funded grant entitled, Polymer Building
7835 Construction — University of Massachusetts Amherst \$2,711,376

7836 7503-6557 For the purposes of a federally funded grant entitled, Trio Talent Search –
7837 Bristol Community College \$169,950

7838 7503-9711 For the purposes of a federally funded grant entitled, Special Services for
7839 Disadvantaged Students — Bristol Community College \$370,607

7840 7503-9714 For the purposes of a federally funded grant entitled, Upward Bound
7841 Program — Bristol Community College \$259,073

7842 7509-1490 For the purposes of a federally funded grant entitled, Educational
7843 Opportunities Centers Payroll — Mount Wachusett Community College \$235,000

7844 7509-9714 For the purposes of a federally funded grant entitled, Special Services for
7845 Disadvantaged Students — Mount Wachusett Community College \$230,000

7846 7509-9717 For the purposes of a federally funded grant entitled, Upward Bound Math
7847 and Science Program – Mount Wachusett Community College \$123,000

7848 7509-9718 For the purposes of a federally funded grant entitled, Talent Search —
7849 Mount Wachusett Community College. \$240,000

7850 7509-9720 For the purposes of a federally funded grant entitled, Gaining Early
7851 Awareness and Readiness for Undergraduate Programs 2011— Mount Wachusett Community
7852 College \$530,000

7853 7511-9711 For the purposes of a federally funded grant entitled, Special Services for
7854 Disadvantaged Students — North Shore Community College \$550,000

7855 7511-9740 For the purposes of a federally funded grant entitled, Upward Bound —
7856 North Shore Community College \$380,000

7857 7511-9750 For the purposes of a federally funded grant entitled, Talent Search—
7858 North Shore Community College. \$230,000

7859 7518-6127 For the purposes of a federally funded grant entitled, College Work Study
7860 Program— Bunker Hill Community College \$292,693

7861 EXECUTIVE OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY.

7862 Office of the Secretary.

7863 8000-4602.. For the purposes of a federally funded grant entitled, Juvenile Justice
7864 Delinquency and Prevention Act — Planning \$150,000

7865 8000-4603.. For the purposes of a federally funded grant entitled, Juvenile Justice
7866 Delinquency and Prevention Act \$1,200,000

7867 8000-4608.. For the purposes of a federally funded grant entitled, Drug-Free Schools and
7868 Communities Act of 1986 \$1,200,000

7869 8000-4609.. For the purposes of a federally funded grant entitled, Narcotics Control
7870 Assistance \$866,000

7871 8000-4610.. For the purposes of a federally funded grant entitled, Statistical Analysis
7872 Center \$60,000

7873 8000-4611.. For the purposes of a federally funded grant entitled, Byrne Justice
7874 Assistance \$4,000,000

7875 8000-4613.. For the purposes of a federally funded grant entitled, Project Safe
7876 Neighborhood Anti-Gang Initiative \$500,000

7877 8000-4614.. For the purposes of a federally funded grant entitled, Encourage Arrests

7878 Violence to Women \$1,000,000

7879 8000-4619.. For the purposes of a federally funded grant entitled, Title V \$75,000

7880 8000-4620.. For the purposes of a federally funded grant entitled, Stop Violence Against

7881 Women Formula Grants Program \$2,000,000

7882 8000-4623.. For the purposes of a federally funded grant entitled, Criminal History

7883 Improvement. \$50,000

7884 8000-4624.. For the purposes of a federally funded grant entitled, Prisoner Substance

7885 Abuse Treatment \$100,000

7886 8000-4692.. For the purposes of a federally funded grant entitled, State Homeland

7887 Security Program \$45,000,000

7888 8000-4693.. For the purposes of a federally funded grant entitled, Project Safe

7889 Neighborhood. \$700,000

7890 8000-4695.. For the purposes of a federally funded grant entitled, Homeland Security

7891 Buffer Zone Protection \$2,000,000

7892 8000-4696.. For the purposes of a federally funded grant entitled, Transportation Security

7893 Grant \$12,000,000

7894 8000-4697.. For the purposes of a federally funded grant entitled, Homeland Security

7895 Interoperable Communication. \$8,000,000

7896 8000-4698.. For the purposes of a federally funded grant entitled, Highway Safety
7897 Initiatives. \$3,000,000

7898 8000-4804.. For the purposes of a federally funded grant entitled, State Agency Programs
7899 \$12,000,000

7900 8000-4839.. For the purposes of a federally funded grant entitled, Enforcing Underage
7901 Drinking Law IV. \$125,000

7902 8000-4840.. For the purposes of a federally funded grant entitled, 2006 Enforcing
7903 Underage Drinking Laws \$350,000

7904 8000-4841.. For the purposes of a federally funded grant entitled, Fatality Analysis
7905 Reporting \$150,000

7906 8000-6612.. For the purposes of a federally funded grant entitled, Special Event Trust
7907 \$150,000

7908 8000-6613.. For the purposes of a federally funded grant entitled, Juvenile Accountability
7909 II \$600,000

7910 8000-6615.. For the purposes of a federally funded grant entitled, Community Security
7911 Expendable Trust \$150,000

7912 Department of State Police.

7913 8100-0200.. For the purposes of a federally funded grant entitled, Motor Vehicle Data
7914 Quality\$405,196

7915 8100-0209.. For the purposes of a federally funded grant entitled, Region 1 Training
7916 Academy Motor Carrier Safety Assistance \$150,500

7917 8100-0210.. For the purposes of a federally funded grant entitled, MCSAP-CVE New
7918 Entrant Audit \$630,213

7919 8100-0217.. For the purposes of a federally funded grant entitled, Federal Motor Carrier
7920 Safety Assistance \$2,466,476

7921 8100-0218.. For the purposes of a federally funded grant entitled, Federal Motor Carrier
7922 Safety FY09 \$1,758,595

7923 8100-2058.. For the purposes of a federally funded grant entitled, New England State
7924 Police Administrator’s Conference — Regional Investigation \$703,335

7925 8100-2638.. For the purposes of a federally funded grant entitled, Internet Crimes
7926 Against Children \$250,000

7927 8100-9706.. For the purposes of a federally funded grant entitled, Cannabis Eradication
7928 Controlled Substance Prosecution DEA Cooperative Agreement \$39,680

7929 8100-9730.. For the purposes of a federally funded grant entitled, Forensic Casework
7930 DNA Backlog FFY05 \$127,332

7931 8100-9733.. For the purposes of a federally funded grant entitled, Forensic Casework
7932 DNA Backlog. \$267,342

7933 8100-9735.. For the purposes of a federally funded grant entitled, Paul Coverdell
7934 National Forensic Science Improvement Act FY09 \$55,200

7935 8100-9736.. For the purposes of a federally funded grant entitled, Forensic Casework
7936 DNA Backlog \$140,000

7937 8100-9738.. For the purposes of a federally funded grant entitled, Operation Clean Sweep
7938 Byrne FY09 \$440,481

7939 8100-9739.. For the purposes of a federally funded grant entitled, Statewide Firearms
7940 Intelligence Byrne \$220,630

7941 Department of Fire Services.

7942 8324-1505.. For the purposes of a federally funded grant entitled, USFA/NFA State Fire
7943 Training Program \$28,000

7944 8324-9707.. For the purposes of a federally funded grant entitled, Underground Storage
7945 Tank Registry Program \$236,329

7946 Military Division.

7947 8700-0006.. For the purposes of a federally funded grant entitled, Military Construction
7948 Costs in Methuen \$21,301,000

7949 8700-0143.. For the purposes of an expendable trust entitled, Friends of Massachusetts
7950 National Guard and Reserve Families \$585,586

7951 8700-0302.. For the purposes of a federally funded grant entitled, Military Construction
7952 Costs in Reading \$831,499

7953 Massachusetts Emergency Management Agency.

7954 8800-0042.. For the purposes of a federally funded grant entitled, Hazardous Materials
7955 Transportation Act \$214,283

7956 8800-0048.. For the purposes of a federally funded grant entitled, Flood Mitigation
7957 Assistance Program \$987,679

7958 8800-0064.. For the purposes of a federally funded grant entitled, Hazard Mitigation
7959 1364. \$470,105

7960 8800-0080.. For the purposes of a federally funded grant entitled, Local Emergency Plan
7961 Assistance \$22,656

7962 8800-0086.. For the purposes of a federally funded grant entitled, Pre-Disaster
7963 Mitigation/Disaster Resistant University \$220,375

7964 8800-0087.. For the purposes of a federally funded grant entitled, Pre-Disaster Mitigation
7965 Competitive Grant \$4,386,097

7966 8800-1512.. For the purposes of a federally funded grant entitled, Hazard Mitigation
7967 Program, HMPG for FEMA-DR1512 \$180,667

7968 Department of Correction.

7969 8903-9709.. For the purposes of a federally funded grant entitled, Grants to States for
7970 Workplace and Community Transition Training for Incarcerated Youth Offenders \$128,799

7971 EXECUTIVE OFFICE OF ELDER AFFAIRS.

7972 Office of the Secretary.

7973 9110-1074 For the purposes of a federally funded grant entitled, Older Americans
7974 Assistance, Title III and Title VII \$9,475,299

7975 9110-1077 For the purposes of a federally funded grant entitled, National Family
7976 Caregiver Support Program \$89,860

7977 9110-1095 For the purposes of a federally funded grant entitled, Health Information
7978 Counseling and Assistance \$1,128,491

7979 9110-1150 For the purposes of a federally funded grant entitled, Empowering Older
7980 People \$253,469

7981 9110-1173 For the purposes of a federally funded grant entitled, Older Americans
7982 Act, Title III Nutritional Program \$14,289,338

7983 9110-1178 For the purposes of a federally funded grant entitled, Community Service
7984 Employment Program \$2,772,882

7985 9110-3000 For the purposes of a federally funded grant entitled, Senior Medicare
7986 Patrol Integration \$100,898

7987 9110-3031 For the purposes of a federally funded grant entitled, ADRC Strategic
7988 Planning \$250,000

7989 9110-3037 For the purposes of a federally funded grant entitled, Massachusetts
7990 Community Living Program \$500,000

7991 9110-3200 For the purposes of a federally funded grant entitled, Community Based
7992 Alzheimer Care Project \$234,627

7993 9110-3300 For the purposes of a federally funded grant entitled, MA Next Generation
7994 Performance Outcome Measurement Project \$107,353

7995 SECTION 2E. The sums set forth in this section are hereby appropriated for transfer from
7996 the General Fund to the trust funds named within each item unless specifically designated
7997 otherwise in this section, for the purposes and subject to the conditions specified in this section
7998 and subject to the laws regulating the disbursement of public funds for the fiscal year ending
7999 June 30, 2011. Items in this section shall not be subject to allotment under section 9B of chapter
8000 29 of the General Laws or reduction under section 9C of said chapter 29, without express
8001 authorization from the general court. Notwithstanding section 19A of said chapter 29, any
8002 transfer under this section shall be made by the comptroller in accordance with a transfer
8003 schedule to be developed for each item by the comptroller, after consulting with the appropriate
8004 agency secretary, the secretary of administration and finance and the state treasurer. The
8005 schedule for each appropriation shall provide for transfers in increments considered appropriate
8006 to meet the cash flow needs of each fund and all transfers under the schedule shall be completed
8007 not later than June 30, 2011. Not later than 7 days after the schedules receive final approval by
8008 the comptroller, they shall be reported to the house and senate committees on ways and means.

8009 Health and Human Services.

8010 Office of the Secretary of Health and Human Services.

8011 1595-1068 For an operating transfer to the MassHealth provider payment account in
8012 the Medical Assistance Trust Fund, established under section 2QQQ of chapter 29 of the General
8013 Laws; provided, that these funds may be expended only for services provided during state or
8014 federal fiscal year 2011, and no amounts previously or subsequently transferred into the Medical

8015 Assistance Trust Fund may be expended on payments described in the section 1115
8016 demonstration waiver for services provided during state fiscal year 2011, or payments described
8017 in the state plan for services provided during federal fiscal year 2011; provided further, that all
8018 payments from the Medical Assistance Trust Fund shall be subject to the availability of federal
8019 financial participation, shall be made only in accordance with federally-approved payment
8020 methods, shall be consistent with federal funding requirements and all federal payment limits as
8021 determined by the secretary of health and human services and shall be subject to the terms and
8022 conditions of an agreement with the executive office of health and human services; provided
8023 further, that any increase in payment made from the trust fund totaling an amount greater than
8024 \$251,000,000 in fiscal year 2011 shall be made only after the secretary of health and human
8025 services certifies that any increase in payments from the trust fund shall not exceed the
8026 negotiated limit for section 1115 waiver spending; provided further, that the secretary of health
8027 and human services shall notify, in writing, the house and senate committees on ways and means
8028 and the joint committee on health care financing of any increases in payments within 15 days;
8029 and provided further, that the secretary of health and human services shall make a payment of up
8030 to \$247,605,130 from the Medical Assistance Trust Fund to the Cambridge Public Health
8031 Commission for dates of service in state and federal fiscal year 2011, only after the Cambridge
8032 Public Health Commission transfers up to \$95,105,130 of its funds to the Medical Assistance
8033 Trust Fund using a federally permissible source of funds which shall fully satisfy the nonfederal
8034 share of such payment\$392,500,000

8035 1595-5819 For an operating transfer to the Commonwealth Care Trust Fund,
8036 established under section 2000 of chapter 29 of the General Laws; provided, that up to
8037 \$30,000,000 shall be transferred from the Commonwealth Care Trust Fund to the Health Safety

8038 Net Trust Fund, established under section 36 of chapter 118G of the General Laws; provided
8039 further, that the hospital fiscal year 2011 payment amount to each hospital shall be funded by the
8040 Health Safety Net Trust Fund; provided further, that payments may be made either as safety net
8041 care payments under the commonwealth's section 1115 waiver, or as an adjustment to Title XIX
8042 service rate payments, or a combination thereof; provided further, that the executive office of
8043 health and human services and the health safety net office may use other federally permissible
8044 funding mechanisms available for public service hospitals, as defined in 114.1 CMR 36.02, to
8045 reimburse up to \$70,000,000 of uncompensated care at the hospitals using sources distinct from
8046 the funding made available to the Health Safety Net Trust Fund; provided further, that the
8047 secretary of administration and finance, in consultation with the secretary of health and human
8048 services and the executive director of the commonwealth health insurance connector, shall on a
8049 quarterly basis evaluate the revenue needs of the health safety net program funded by the Health
8050 Safety Net Trust Fund and the Commonwealth Care subsidized health insurance program funded
8051 by the Commonwealth Care Trust Fund, and if necessary, transfer monies between these funds
8052 for the purpose of ensuring that sufficient revenues are available to support projected program
8053 expenditures; provided further, that the secretary of administration and finance shall report any
8054 transfers made between the Health Safety Net Trust Fund and the Commonwealth Care Trust
8055 Fund to the house and senate committees on ways and means and the joint committee on
8056 healthcare financing within 30 days of the proposed transfer; and provided further, that
8057 notwithstanding any general or special law to the contrary, if the secretary of administration and
8058 finance determines that amounts transferred from the General Fund to the Commonwealth Care
8059 Trust Fund are not needed to support the costs of the Commonwealth Care and Commonwealth
8060 Care Bridge subsidized health insurance programs in fiscal year 2011, the secretary of

8061 administration and finance shall notify the comptroller and the house and senate committees on
8062 ways and means of this determination and the comptroller shall transfer such amounts from the
8063 Commonwealth Care Trust Fund back to the General Fund \$788,341,780

8064 Transportation.

8065 Department of Transportation.

8066 1595-6368 For an operating transfer to the Massachusetts Transportation Trust Fund,
8067 established under section 4 of chapter 6C of the General Laws \$200,126,756

8068 Commonwealth Transportation Fund..... 100%

8069 1595-6369 For an operating transfer to the Massachusetts Bay Transportation
8070 Authority pursuant to clause (1) of subsection (d) of section 2ZZZ of chapter 29 of the General
8071 Laws \$160,000,000

8072 Commonwealth Transportation Fund..... 100%

8073 1595-6370 For an operating transfer to the regional transit authorities organized under
8074 chapter 161B of the General Laws or predecessor statutes pursuant to clause (2) of subsection (d)
8075 of section 2ZZZ of chapter 29 of the General Laws \$15,000,000

8076 Commonwealth Transportation Fund..... 100%

8077 Administration and Finance.

8078 Group Insurance Commission.

8079 1599-6152 For an operating transfer to the State Retiree Benefits Trust Fund,
8080 established pursuant to section 24 of chapter 32A of the General Laws \$399,151,979

8081 SECTION 3. Notwithstanding any general or special law to the contrary, for the fiscal
8082 year ending June 30, 2011, the distribution to cities and towns of the balance of the State Lottery
8083 Fund, as paid from the General Fund in accordance with clause (c) of the second paragraph of
8084 section 35 of chapter 10 of the General Laws and additional funds from the General Fund shall
8085 be \$898,980,293 and shall be apportioned to the cities and towns in accordance with this section.

8086 Notwithstanding section 2 of chapter 70 of the General Laws or any other general or
8087 special law to the contrary, except for section 12B of chapter 76 of the General Laws and section
8088 89 of chapter 71 of the General Laws, for fiscal year 2011, the total amounts to be distributed
8089 and paid to each city and town from item 7061-0008 of section 2 shall be as set forth in the
8090 following lists. The specified amounts to be distributed from said item 7061-0008 of said section
8091 2 shall be in full satisfaction of the amounts due under said chapter 70.

8092 Notwithstanding any general or special law to the contrary, the governor may allocate, at
8093 his full discretion, funds from the State Fiscal Stabilization Fund established by Title XIV of the
8094 American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5 (ARRA); provided
8095 further, that the potential allocation shall be reflected in the following chart in the column
8096 entitled "Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund";
8097 and provided further, that the funds set forth in said column are an estimated apportionment and
8098 shall not appear on the cherry sheet produced by the department of revenue.

8099 For fiscal year 2011, when calculating the foundation budget for each district, the fiscal
8100 year 2011 chapter 70 aid shall be valued at the greater of: (a) 96 per cent of the total of fiscal

8101 year 2010 chapter 70 aid and state fiscal stabilization fund allocations as outlined in section 3 of
8102 chapter 27 of the acts of 2009, which figure shall then be subtracted by the proportional potential
8103 allocation of state fiscal stabilization funds as listed below to determine chapter 70 aid; or (b)
8104 foundation aid minus the proportional potential allocation of state fiscal stabilization funds as
8105 listed below. Non-operating districts shall receive the greater of: (a) 96 per cent of the total of
8106 fiscal year 2010 chapter 70 aid and State Fiscal Stabilization Fund allocations as outlined in said
8107 section 3 of said chapter 27; or (b) foundation aid; provided, however, that non-operating
8108 districts shall not receive state fiscal stabilization funds. The target local share shall be calculated
8109 using the same methodology used in fiscal year 2010. Preliminary local contribution shall be the
8110 municipality's fiscal year 2010 minimum required local contribution, increased or decreased by
8111 the municipal revenue growth factor. The minimum required local contribution for fiscal year
8112 2011 shall be, for any municipality with a fiscal year 2011 preliminary contribution less than its
8113 fiscal year 2011 target contribution, the fiscal year 2010 minimum required contribution
8114 increased by municipal revenue growth factors; provided, however, that if a municipality's
8115 preliminary contribution as a percentage of its foundation budget is more than 5 percentage
8116 points lower than the target local share, the preliminary contribution shall be recalculated using
8117 the municipality's revenue growth factor plus 1 percentage point; and provided further, that if a
8118 municipality's preliminary contribution as a percentage of its foundation budget is more than 10
8119 percentage points lower than the target local share, the preliminary contribution shall be
8120 recalculated using the municipality's revenue growth factor plus 2 percentage points. Minimum
8121 required local contribution for fiscal year 2011 shall be, for any municipality with a fiscal year
8122 2011 preliminary contribution greater than its fiscal year 2011 target contribution, the
8123 preliminary local contribution reduced by 30 per cent of the gap between the preliminary local

8124 contribution and the target local contribution. Required local contribution shall be allocated
8125 among the districts to which a municipality belongs in direct proportion to the foundation
8126 budgets for the municipality's pupils at each of those districts.

8127 If any provision of this section conflicts with the distribution listed below, the
8128 distribution below shall control.

8129 The department of elementary and secondary education shall not consider health care
8130 costs for retired teachers to be part of net school spending for any district in which such costs
8131 were not considered part of net school spending in fiscal year 1994.

8132 No payments to cities, towns or counties maintaining an agricultural school pursuant to
8133 this section shall be made after November 30 of the fiscal year until the commissioner of revenue
8134 certifies acceptance of the prior fiscal year's annual financial reports submitted pursuant to
8135 section 43 of chapter 44 of the General Laws. Advance payments shall be made for some or all
8136 of periodic local reimbursement or assistance programs to a city, town, regional school district or
8137 independent agricultural and technical school that demonstrates an emergency cash shortfall, as
8138 certified by the commissioner of revenue and approved by the secretary of administration and
8139 finance pursuant to guidelines established by the secretary.

8140 Municipality

8141 7061-0008 Chapter 70

8142 Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund

8143 Unrestricted General Government Aid

8144 Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds)

8145	ABINGTON
8146	7,256,422
8147	89,887
8148	1,663,872
8149	9,010,181
8150	ACTON
8151	5,197,103
8152	64,378
8153	1,183,155
8154	6,444,636
8155	ACUSHNET
8156	6,050,136
8157	74,945
8158	1,282,445
8159	7,407,526
8160	ADAMS
8161	0

8162	0
8163	1,980,179
8164	1,980,179
8165	AGAWAM
8166	16,738,059
8167	207,338
8168	3,116,003
8169	20,061,400
8170	ALFORD
8171	0
8172	0
8173	11,869
8174	11,869
8175	AMESBURY
8176	8,437,189
8177	104,514
8178	1,645,476

8179	10,187,179
8180	AMHERST
8181	5,823,580
8182	72,138
8183	7,120,842
8184	13,016,560
8185	ANDOVER
8186	6,939,905
8187	85,966
8188	1,511,358
8189	8,537,229
8190	ARLINGTON
8191	6,679,063
8192	82,735
8193	6,416,909
8194	13,178,707
8195	ASHBURNHAM

8196	6,269
8197	0
8198	672,501
8199	678,770
8200	ASHBY
8201	18,505
8202	0
8203	370,356
8204	388,861
8205	ASHFIELD
8206	93,413
8207	0
8208	157,026
8209	250,439
8210	ASHLAND
8211	4,534,014
8212	56,164

8213	1,143,808
8214	5,733,986
8215	ATHOL
8216	0
8217	0
8218	2,239,276
8219	2,239,276
8220	ATTLEBORO
8221	28,813,336
8222	356,918
8223	4,825,303
8224	33,995,557
8225	AUBURN
8226	6,506,756
8227	80,601
8228	1,448,540
8229	8,035,897

8230	AVON
8231	818,104
8232	10,134
8233	586,234
8234	1,414,472
8235	AYER
8236	3,952,437
8237	48,960
8238	640,306
8239	4,641,703
8240	BARNSTABLE
8241	7,197,015
8242	89,151
8243	1,779,132
8244	9,065,298
8245	BARRE
8246	0

8247	0
8248	760,702
8249	760,702
8250	BECKET
8251	76,563
8252	0
8253	76,812
8254	153,375
8255	BEDFORD
8256	2,811,233
8257	34,823
8258	970,936
8259	3,816,992
8260	BELCHERTOWN
8261	13,073,553
8262	161,945
8263	1,439,150

8264	14,674,648
8265	BELLINGHAM
8266	8,042,029
8267	99,619
8268	1,435,208
8269	9,576,856
8270	BELMONT
8271	5,580,851
8272	69,131
8273	1,909,790
8274	7,559,772
8275	BERKLEY
8276	5,145,625
8277	63,740
8278	514,636
8279	5,724,001
8280	BERLIN

8281	500,959
8282	6,205
8283	170,528
8284	677,692
8285	BERNARDSTON
8286	11,308
8287	0
8288	246,005
8289	257,313
8290	BEVERLY
8291	6,741,776
8292	83,512
8293	4,939,380
8294	11,764,668
8295	BILLERICA
8296	17,405,290
8297	215,604

8298	4,925,266
8299	22,546,160
8300	BLACKSTONE
8301	84,251
8302	0
8303	1,157,715
8304	1,241,966
8305	BLANDFORD
8306	42,726
8307	0
8308	107,398
8309	150,124
8310	BOLTON
8311	0
8312	0
8313	166,996
8314	166,996

8315	BOSTON
8316	205,765,736
8317	2,548,871
8318	160,247,301
8319	368,561,908
8320	BOURNE
8321	4,692,068
8322	58,122
8323	1,239,900
8324	5,990,090
8325	BOXBOROUGH
8326	1,296,230
8327	16,057
8328	213,357
8329	1,525,644
8330	BOXFORD
8331	1,536,936

8332	19,038
8333	411,171
8334	1,967,145
8335	BOYLSTON
8336	431,280
8337	5,342
8338	289,720
8339	726,342
8340	BRAINTREE
8341	11,547,867
8342	143,046
8343	4,840,026
8344	16,530,939
8345	BREWSTER
8346	889,403
8347	11,017
8348	333,966

8349	1,234,386
8350	BRIDGEWATER
8351	36,107
8352	0
8353	3,080,637
8354	3,116,744
8355	BRIMFIELD
8356	1,106,756
8357	13,710
8358	329,768
8359	1,450,234
8360	BROCKTON
8361	130,922,264
8362	1,621,766
8363	17,709,906
8364	150,253,936
8365	BROOKFIELD

8366	1,305,317
8367	16,169
8368	417,618
8369	1,739,104
8370	BROOKLINE
8371	6,944,706
8372	86,026
8373	5,370,029
8374	12,400,761
8375	BUCKLAND
8376	6,202
8377	0
8378	258,986
8379	265,188
8380	BURLINGTON
8381	5,133,751
8382	63,593

8383	2,215,064
8384	7,412,408
8385	CAMBRIDGE
8386	8,657,904
8387	107,248
8388	18,170,690
8389	26,935,842
8390	CANTON
8391	3,555,129
8392	44,038
8393	1,813,812
8394	5,412,979
8395	CARLISLE
8396	791,580
8397	9,805
8398	185,546
8399	986,931

8400	CARVER
8401	9,589,430
8402	118,787
8403	1,235,613
8404	10,943,830
8405	CHARLEMONT
8406	96,287
8407	0
8408	147,847
8409	244,134
8410	CHARLTON
8411	7,269
8412	0
8413	1,225,401
8414	1,232,670
8415	CHATHAM
8416	649,672

8417	8,048
8418	127,294
8419	785,014
8420	CHELMSFORD
8421	9,897,750
8422	122,606
8423	4,292,998
8424	14,313,354
8425	CHELSEA
8426	51,719,988
8427	640,668
8428	6,946,677
8429	59,307,333
8430	CESHIRE
8431	298,092
8432	0
8433	519,594

8434	817,686
8435	CHESTER
8436	125,551
8437	0
8438	152,278
8439	277,829
8440	CHESTERFIELD
8441	121,562
8442	0
8443	116,778
8444	238,340
8445	CHICOPEE
8446	51,548,695
8447	638,546
8448	9,739,822
8449	61,927,063
8450	CHILMARK

8451	0
8452	0
8453	3,172
8454	3,172
8455	CLARKSBURG
8456	1,752,827
8457	21,713
8458	307,692
8459	2,082,232
8460	CLINTON
8461	10,482,164
8462	129,845
8463	1,991,079
8464	12,603,088
8465	COHASSET
8466	1,662,325
8467	20,592

8468	435,162
8469	2,118,079
8470	COLRAIN
8471	0
8472	0
8473	244,112
8474	244,112
8475	CONCORD
8476	2,002,416
8477	24,804
8478	981,239
8479	3,008,459
8480	CONWAY
8481	593,567
8482	7,353
8483	151,164
8484	752,084

8485 CUMMINGTON

8486 66,390

8487 0

8488 70,560

8489 136,950

8490 DALTON

8491 205,657

8492 0

8493 962,329

8494 1,167,986

8495 DANVERS

8496 4,276,313

8497 52,972

8498 2,409,018

8499 6,738,303

8500 DARTMOUTH

8501 8,998,939

8502	111,472
8503	2,132,179
8504	11,242,590
8505	DEDHAM
8506	3,657,509
8507	45,306
8508	2,765,940
8509	6,468,755
8510	DEERFIELD
8511	1,028,349
8512	12,738
8513	406,247
8514	1,447,334
8515	DENNIS
8516	0
8517	0
8518	460,638

8519	460,638
8520	DEVENS
8521	308,588
8522	0
8523	0
8524	308,588
8525	DIGHTON
8526	0
8527	0
8528	654,018
8529	654,018
8530	DOUGLAS
8531	8,254,660
8532	102,253
8533	617,250
8534	8,974,163
8535	DOVER

8536	602,565
8537	7,464
8538	162,705
8539	772,734
8540	DRACUT
8541	17,744,362
8542	219,804
8543	2,963,502
8544	20,927,668
8545	DUDLEY
8546	0
8547	0
8548	1,511,226
8549	1,511,226
8550	DUNSTABLE
8551	4,358
8552	0

8553	208,034
8554	212,392
8555	DUXBURY
8556	4,395,394
8557	54,447
8558	749,739
8559	5,199,580
8560	EAST BRIDGEWATER
8561	10,125,739
8562	125,430
8563	1,266,059
8564	11,517,228
8565	EAST BROOKFIELD
8566	60,179
8567	0
8568	245,303
8569	305,482

8570 EAST LONGMEADOW

8571 8,737,008

8572 108,227

8573 1,224,304

8574 10,069,539

8575 EASTHAM

8576 316,456

8577 3,920

8578 126,013

8579 446,389

8580 EASTHAMPTON

8581 7,581,616

8582 93,915

8583 2,377,410

8584 10,052,941

8585 EASTON

8586 9,208,256

8587	114,065
8588	1,852,233
8589	11,174,554
8590	EDGARTOWN
8591	423,411
8592	5,245
8593	56,341
8594	484,997
8595	EGREMONT
8596	0
8597	0
8598	53,367
8599	53,367
8600	ERVING
8601	409,344
8602	5,071
8603	56,849

8604	471,264
8605	ESSEX
8606	0
8607	0
8608	207,087
8609	207,087
8610	EVERETT
8611	38,361,258
8612	475,190
8613	5,843,460
8614	44,679,908
8615	FAIRHAVEN
8616	7,230,309
8617	89,564
8618	1,907,302
8619	9,227,175
8620	FALL RIVER

8621	89,892,322
8622	1,113,518
8623	20,156,220
8624	111,162,060
8625	FALMOUTH
8626	4,854,985
8627	60,140
8628	1,172,624
8629	6,087,749
8630	FITCHBURG
8631	39,559,760
8632	490,037
8633	7,218,116
8634	47,267,913
8635	FLORIDA
8636	530,333
8637	6,569

8638	42,100
8639	579,002
8640	FOXBOROUGH
8641	8,362,988
8642	103,594
8643	1,259,852
8644	9,726,434
8645	FRAMINGHAM
8646	19,773,269
8647	244,936
8648	8,415,039
8649	28,433,244
8650	FRANKLIN
8651	26,903,566
8652	333,261
8653	2,089,973
8654	29,326,800

8655	FREETOWN
8656	1,484,854
8657	18,393
8658	803,160
8659	2,306,407
8660	GARDNER
8661	17,903,817
8662	221,779
8663	3,584,191
8664	21,709,787
8665	AQUINNAH
8666	0
8667	0
8668	1,976
8669	1,976
8670	GEORGETOWN
8671	5,103,733

8672	63,221
8673	605,914
8674	5,772,868
8675	GILL
8676	0
8677	0
8678	205,734
8679	205,734
8680	GLOUCESTER
8681	5,765,427
8682	71,418
8683	3,378,096
8684	9,214,941
8685	GOSHEN
8686	96,111
8687	0
8688	67,666

8689	163,777
8690	GOSNOLD
8691	16,414
8692	0
8693	1,774
8694	18,188
8695	GRAFTON
8696	8,574,281
8697	106,212
8698	1,322,498
8699	10,002,991
8700	GRANBY
8701	4,463,189
8702	55,287
8703	746,820
8704	5,265,296
8705	GRANVILLE

8706	1,249,600
8707	15,479
8708	135,608
8709	1,400,687
8710	GREAT BARRINGTON
8711	0
8712	0
8713	641,908
8714	641,908
8715	GREENFIELD
8716	9,333,224
8717	115,613
8718	2,685,303
8719	12,134,140
8720	GROTON
8721	3,201
8722	0

8723	655,194
8724	658,395
8725	GROVELAND
8726	0
8727	0
8728	615,686
8729	615,686
8730	HADLEY
8731	734,461
8732	9,098
8733	383,877
8734	1,127,436
8735	HALIFAX
8736	2,649,565
8737	32,821
8738	767,798
8739	3,450,184

8740	HAMILTON
8741	0
8742	0
8743	568,272
8744	568,272
8745	HAMPDEN
8746	0
8747	0
8748	581,924
8749	581,924
8750	HANCOCK
8751	190,786
8752	2,363
8753	47,754
8754	240,903
8755	HANOVER
8756	5,977,721

8757	74,048
8758	1,791,747
8759	7,843,516
8760	HANSON
8761	31,588
8762	0
8763	1,083,133
8764	1,114,721
8765	HARDWICK
8766	0
8767	0
8768	393,766
8769	393,766
8770	HARVARD
8771	1,721,566
8772	21,325
8773	1,252,599

8774	2,995,490
8775	HARWICH
8776	1,738,945
8777	21,541
8778	364,333
8779	2,124,819
8780	HATFIELD
8781	754,600
8782	9,347
8783	263,917
8784	1,027,864
8785	HAVERHILL
8786	34,867,449
8787	431,912
8788	8,312,994
8789	43,612,355
8790	HAWLEY

8791	28,250
8792	0
8793	36,605
8794	64,855
8795	HEATH
8796	0
8797	0
8798	70,768
8799	70,768
8800	HINGHAM
8801	5,423,132
8802	67,178
8803	1,334,874
8804	6,825,184
8805	HINSDALE
8806	104,683
8807	0

8808	188,327
8809	293,010
8810	HOLBROOK
8811	4,605,650
8812	57,051
8813	1,248,008
8814	5,910,709
8815	HOLDEN
8816	0
8817	0
8818	1,617,133
8819	1,617,133
8820	HOLLAND
8821	891,666
8822	11,045
8823	170,719
8824	1,073,430

8825	HOLLISTON
8826	6,557,889
8827	81,234
8828	1,309,824
8829	7,948,947
8830	HOLYOKE
8831	64,823,280
8832	802,982
8833	8,590,161
8834	74,216,423
8835	HOPEDALE
8836	5,825,240
8837	72,159
8838	551,538
8839	6,448,937
8840	HOPKINTON
8841	5,481,393

8842	67,899
8843	664,434
8844	6,213,726
8845	HUBBARDSTON
8846	0
8847	0
8848	381,006
8849	381,006
8850	HUDSON
8851	8,881,666
8852	110,019
8853	1,686,649
8854	10,678,334
8855	HULL
8856	3,616,646
8857	44,800
8858	1,792,503

8859	5,453,949
8860	HUNTINGTON
8861	205,922
8862	0
8863	291,504
8864	497,426
8865	IPSWICH
8866	2,563,878
8867	31,759
8868	1,357,726
8869	3,953,363
8870	KINGSTON
8871	3,828,063
8872	47,419
8873	811,851
8874	4,687,333
8875	LAKEVILLE

8876	2,265,421
8877	28,062
8878	692,065
8879	2,985,548
8880	LANCASTER
8881	0
8882	0
8883	808,506
8884	808,506
8885	LANESBOROUGH
8886	800,955
8887	9,922
8888	291,766
8889	1,102,643
8890	LAWRENCE
8891	136,492,594
8892	1,690,767

8893	16,607,385
8894	154,790,746
8895	LEE
8896	1,921,450
8897	23,801
8898	526,757
8899	2,472,008
8900	LEICESTER
8901	9,210,588
8902	114,094
8903	1,468,595
8904	10,793,277
8905	LENOX
8906	1,133,149
8907	14,037
8908	450,838
8909	1,598,024

8910	LEOMINSTER
8911	39,699,515
8912	491,768
8913	4,840,828
8914	45,032,111
8915	LEVERETT
8916	267,462
8917	3,313
8918	150,975
8919	421,750
8920	LEXINGTON
8921	7,063,576
8922	87,498
8923	1,296,276
8924	8,447,350
8925	LEYDEN
8926	0

8927	0
8928	69,641
8929	69,641
8930	LINCOLN
8931	719,739
8932	8,916
8933	575,819
8934	1,304,474
8935	LITTLETON
8936	3,509,618
8937	43,474
8938	601,236
8939	4,154,328
8940	LONGMEADOW
8941	4,116,293
8942	50,990
8943	1,181,711

8944	5,348,994
8945	LOWELL
8946	115,306,614
8947	1,428,332
8948	21,304,471
8949	138,039,417
8950	LUDLOW
8951	12,828,911
8952	158,915
8953	2,583,866
8954	15,571,692
8955	LUNENBURG
8956	4,530,279
8957	56,118
8958	894,449
8959	5,480,846
8960	LYNN

8961	113,942,496
8962	1,411,434
8963	18,937,447
8964	134,291,377
8965	LYNNFIELD
8966	3,806,184
8967	47,148
8968	879,672
8969	4,733,004
8970	MALDEN
8971	39,746,143
8972	492,345
8973	10,611,641
8974	50,850,129
8975	MANCHESTER
8976	0
8977	0

8978	188,099
8979	188,099
8980	MANSFIELD
8981	17,904,180
8982	221,784
8983	1,886,682
8984	20,012,646
8985	MARBLEHEAD
8986	4,556,741
8987	56,445
8988	963,171
8989	5,576,357
8990	MARION
8991	432,408
8992	5,356
8993	190,849
8994	628,613

8995	MARLBOROUGH
8996	13,153,909
8997	162,941
8998	4,604,312
8999	17,921,162
9000	MARSHFIELD
9001	13,590,254
9002	168,346
9003	1,832,321
9004	15,590,921
9005	MASHPEE
9006	4,207,694
9007	52,122
9008	311,192
9009	4,571,008
9010	MATTAPOISETT
9011	527,857

9012	6,539
9013	342,810
9014	877,206
9015	MAYNARD
9016	3,540,324
9017	43,855
9018	1,328,816
9019	4,912,995
9020	MEDFIELD
9021	5,629,825
9022	69,738
9023	1,226,088
9024	6,925,651
9025	MEDFORD
9026	10,855,325
9027	134,468
9028	10,259,690

9029	21,249,483
9030	MEDWAY
9031	9,915,431
9032	122,825
9033	1,031,914
9034	11,070,170
9035	MELROSE
9036	7,309,377
9037	90,543
9038	4,337,759
9039	11,737,679
9040	MENDON
9041	26,131
9042	0
9043	345,651
9044	371,782
9045	MERRIMAC

9046	0
9047	0
9048	711,660
9049	711,660
9050	METHUEN
9051	38,890,215
9052	481,743
9053	4,598,863
9054	43,970,821
9055	MIDDLEBOROUGH
9056	16,538,643
9057	204,868
9058	2,085,358
9059	18,828,869
9060	MIDDLEFIELD
9061	18,050
9062	0

9063	44,965
9064	63,015
9065	MIDDLETON
9066	1,485,893
9067	18,406
9068	462,794
9069	1,967,093
9070	MILFORD
9071	15,096,909
9072	187,009
9073	2,583,471
9074	17,867,389
9075	MILLBURY
9076	6,578,180
9077	81,486
9078	1,497,772
9079	8,157,438

9080	MILLIS
9081	3,994,422
9082	49,480
9083	885,551
9084	4,929,453
9085	MILLVILLE
9086	41,056
9087	0
9088	344,528
9089	385,584
9090	MILTON
9091	5,513,699
9092	68,300
9093	2,717,762
9094	8,299,761
9095	MONROE
9096	84,262

9097	0
9098	15,552
9099	99,814
9100	MONSON
9101	7,272,266
9102	90,083
9103	1,104,115
9104	8,466,464
9105	MONTAGUE
9106	0
9107	0
9108	1,212,188
9109	1,212,188
9110	MONTEREY
9111	0
9112	0
9113	39,107

9114	39,107
9115	MONTGOMERY
9116	21,042
9117	0
9118	73,404
9119	94,446
9120	MOUNT WASHINGTON
9121	32,776
9122	0
9123	25,355
9124	58,131
9125	NAHANT
9126	441,495
9127	5,469
9128	319,586
9129	766,550
9130	NANTUCKET

9131	1,336,455
9132	16,555
9133	67,017
9134	1,420,027
9135	NATICK
9136	7,074,090
9137	87,628
9138	3,223,110
9139	10,384,828
9140	NEEDHAM
9141	6,637,672
9142	82,222
9143	1,476,550
9144	8,196,444
9145	NEW ASHFORD
9146	179,597
9147	0

9148	17,180
9149	196,777
9150	NEW BEDFORD
9151	106,875,814
9152	1,323,897
9153	19,457,251
9154	127,656,962
9155	NEW BRAINTREE
9156	0
9157	0
9158	111,657
9159	111,657
9160	NEW MARLBOROUGH
9161	0
9162	0
9163	49,535
9164	49,535

9165	NEW SALEM
9166	0
9167	0
9168	87,758
9169	87,758
9170	NEWBURY
9171	0
9172	0
9173	438,043
9174	438,043
9175	NEWBURYPORT
9176	3,148,536
9177	39,002
9178	2,157,204
9179	5,344,742
9180	NEWTON
9181	13,438,078

9182	166,461
9183	4,970,628
9184	18,575,167
9185	NORFOLK
9186	3,240,407
9187	40,140
9188	811,132
9189	4,091,679
9190	NORTH ADAMS
9191	13,441,906
9192	166,508
9193	3,752,495
9194	17,360,909
9195	NORTH ANDOVER
9196	6,135,214
9197	75,998
9198	1,733,403

9199	7,944,615
9200	NORTH ATTLEBOROUGH
9201	19,562,177
9202	242,322
9203	2,433,430
9204	22,237,929
9205	NORTH BROOKFIELD
9206	4,136,825
9207	51,244
9208	673,975
9209	4,862,044
9210	NORTH READING
9211	6,470,306
9212	80,149
9213	1,501,819
9214	8,052,274
9215	NORTHAMPTON

9216	6,854,766
9217	84,912
9218	3,717,624
9219	10,657,302
9220	NORTHBOROUGH
9221	3,316,838
9222	41,086
9223	943,470
9224	4,301,394
9225	NORTHBRIDGE
9226	13,541,692
9227	167,744
9228	1,785,406
9229	15,494,842
9230	NORTHFIELD
9231	0
9232	0

9233	305,594
9234	305,594
9235	NORTON
9236	12,168,680
9237	150,736
9238	1,757,961
9239	14,077,377
9240	NORWELL
9241	3,013,544
9242	37,330
9243	906,717
9244	3,957,591
9245	NORWOOD
9246	4,817,023
9247	59,670
9248	3,934,274
9249	8,810,967

9250	OAK BLUFFS
9251	614,690
9252	7,614
9253	61,514
9254	683,818
9255	OAKHAM
9256	124,459
9257	0
9258	162,277
9259	286,736
9260	ORANGE
9261	5,126,651
9262	63,505
9263	1,366,932
9264	6,557,088
9265	ORLEANS
9266	238,048

9267	2,949
9268	145,288
9269	386,285
9270	OTIS
9271	0
9272	0
9273	30,765
9274	30,765
9275	OXFORD
9276	9,456,881
9277	117,145
9278	1,739,231
9279	11,313,257
9280	PALMER
9281	10,537,230
9282	130,527
9283	1,696,284

9284	12,364,041
9285	PAXTON
9286	0
9287	0
9288	457,701
9289	457,701
9290	PEABODY
9291	18,695,515
9292	231,586
9293	6,105,613
9294	25,032,714
9295	PELHAM
9296	216,681
9297	2,684
9298	134,637
9299	354,002
9300	PEMBROKE

9301	12,816,871
9302	158,766
9303	1,421,815
9304	14,397,452
9305	PEPPERELL
9306	0
9307	0
9308	1,262,405
9309	1,262,405
9310	PERU
9311	84,251
9312	0
9313	96,598
9314	180,849
9315	PETERSHAM
9316	419,459
9317	5,196

9318	96,968
9319	521,623
9320	PHILLIPSTON
9321	0
9322	0
9323	156,021
9324	156,021
9325	PITTSFIELD
9326	35,764,061
9327	443,018
9328	7,302,808
9329	43,509,887
9330	PLAINFIELD
9331	51,024
9332	0
9333	42,434
9334	93,458

9335	PLAINVILLE
9336	2,523,482
9337	31,259
9338	641,687
9339	3,196,428
9340	PLYMOUTH
9341	21,676,311
9342	268,510
9343	3,314,295
9344	25,259,116
9345	PLYMPTON
9346	567,840
9347	7,034
9348	200,664
9349	775,538
9350	PRINCETON
9351	0

9352	0
9353	250,431
9354	250,431
9355	PROVINCETOWN
9356	258,482
9357	3,202
9358	116,995
9359	378,679
9360	QUINCY
9361	19,083,737
9362	236,395
9363	16,150,797
9364	35,470,929
9365	RANDOLPH
9366	11,323,929
9367	140,272
9368	4,396,472

9369	15,860,673
9370	RAYNHAM
9371	0
9372	0
9373	961,807
9374	961,807
9375	READING
9376	9,504,407
9377	117,733
9378	2,742,082
9379	12,364,222
9380	REHOBOTH
9381	0
9382	0
9383	881,695
9384	881,695
9385	REVERE

9386	38,244,819
9387	473,748
9388	8,700,801
9389	47,419,368
9390	RICHMOND
9391	331,084
9392	4,101
9393	91,509
9394	426,694
9395	ROCHESTER
9396	1,708,724
9397	21,166
9398	359,241
9399	2,089,131
9400	ROCKLAND
9401	9,995,901
9402	123,822

9403	2,236,010
9404	12,355,733
9405	ROCKPORT
9406	1,273,973
9407	15,781
9408	370,109
9409	1,659,863
9410	ROWE
9411	67,767
9412	839
9413	3,332
9414	71,938
9415	ROWLEY
9416	0
9417	0
9418	456,773
9419	456,773

9420	ROYALSTON
9421	0
9422	0
9423	152,063
9424	152,063
9425	RUSSELL
9426	168,465
9427	0
9428	208,900
9429	377,365
9430	RUTLAND
9431	0
9432	0
9433	782,441
9434	782,441
9435	SALEM
9436	17,089,370

9437	211,690
9438	5,834,758
9439	23,135,818
9440	SALISBURY
9441	0
9442	0
9443	534,432
9444	534,432
9445	SANDISFIELD
9446	0
9447	0
9448	29,310
9449	29,310
9450	SANDWICH
9451	6,387,297
9452	79,121
9453	953,340

9454	7,419,758
9455	SAUGUS
9456	3,895,042
9457	48,249
9458	3,103,116
9459	7,046,407
9460	SAVOY
9461	499,892
9462	6,192
9463	98,003
9464	604,087
9465	SCITUATE
9466	4,840,400
9467	59,959
9468	1,701,540
9469	6,601,899
9470	SEEKONK

9471	4,279,424
9472	53,010
9473	1,040,834
9474	5,373,268
9475	SHARON
9476	6,478,285
9477	80,248
9478	1,184,040
9479	7,742,573
9480	SHEFFIELD
9481	13,886
9482	0
9483	206,062
9484	219,948
9485	SHELBURNE
9486	4,416
9487	0

9488	221,196
9489	225,612
9490	SHERBORN
9491	500,703
9492	6,202
9493	183,212
9494	690,117
9495	SHIRLEY
9496	4,167,465
9497	51,623
9498	1,109,735
9499	5,328,823
9500	SHREWSBURY
9501	18,543,280
9502	229,700
9503	2,356,176
9504	21,129,156

9505	SHUTESBURY
9506	572,863
9507	7,096
9508	143,436
9509	723,395
9510	SOMERSET
9511	5,233,521
9512	64,829
9513	1,297,302
9514	6,595,652
9515	SOMERVILLE
9516	19,140,805
9517	237,102
9518	21,311,532
9519	40,689,439
9520	SOUTH HADLEY
9521	7,559,525

9522	93,642
9523	2,209,062
9524	9,862,229
9525	SOUTHAMPTON
9526	2,429,243
9527	30,092
9528	538,950
9529	2,998,285
9530	SOUTHBOROUGH
9531	2,659,176
9532	32,940
9533	369,948
9534	3,062,064
9535	SOUTHBRIDGE
9536	15,825,145
9537	196,030
9538	2,975,671

9539	18,996,846
9540	SOUTHWICK
9541	0
9542	0
9543	1,066,935
9544	1,066,935
9545	SPENCER
9546	8,095
9547	0
9548	1,913,110
9549	1,921,205
9550	SPRINGFIELD
9551	264,566,758
9552	3,277,254
9553	32,020,398
9554	299,864,410
9555	STERLING

9556	0
9557	0
9558	586,397
9559	586,397
9560	STOCKBRIDGE
9561	0
9562	0
9563	84,313
9564	84,313
9565	STONEHAM
9566	3,333,579
9567	41,294
9568	3,143,525
9569	6,518,398
9570	STOUGHTON
9571	12,254,415
9572	151,798

9573	2,708,574
9574	15,114,787
9575	STOW
9576	0
9577	0
9578	356,070
9579	356,070
9580	STURBRIDGE
9581	2,240,878
9582	27,758
9583	655,305
9584	2,923,941
9585	SUDBURY
9586	4,214,139
9587	52,202
9588	1,184,015
9589	5,450,356

9590	SUNDERLAND
9591	828,317
9592	10,261
9593	427,516
9594	1,266,094
9595	SUTTON
9596	5,111,201
9597	63,314
9598	660,269
9599	5,834,784
9600	SWAMPSCOTT
9601	2,568,848
9602	31,821
9603	1,094,842
9604	3,695,511
9605	SWANSEA
9606	4,724,056

9607	58,518
9608	1,588,632
9609	6,371,206
9610	TAUNTON
9611	44,155,019
9612	546,959
9613	7,114,121
9614	51,816,099
9615	TEMPLETON
9616	0
9617	0
9618	1,179,482
9619	1,179,482
9620	TEWKSBURY
9621	12,338,563
9622	152,841
9623	2,354,150

9624	14,845,554
9625	TISBURY
9626	381,245
9627	4,723
9628	82,939
9629	468,907
9630	TOLLAND
9631	0
9632	0
9633	15,633
9634	15,633
9635	TOPSFIELD
9636	1,027,694
9637	12,730
9638	518,803
9639	1,559,227
9640	TOWNSEND

9641	0
9642	0
9643	1,111,624
9644	1,111,624
9645	TRURO
9646	245,885
9647	3,046
9648	25,446
9649	274,377
9650	TYNGSBOROUGH
9651	6,972,152
9652	86,366
9653	817,416
9654	7,875,934
9655	TYRINGHAM
9656	35,721
9657	0

9658	10,739
9659	46,460
9660	UPTON
9661	25,708
9662	0
9663	450,325
9664	476,033
9665	UXBRIDGE
9666	8,964,292
9667	111,043
9668	1,163,833
9669	10,239,168
9670	WAKEFIELD
9671	4,803,085
9672	59,497
9673	2,849,501
9674	7,712,083

9675	WALES
9676	695,571
9677	8,616
9678	199,783
9679	903,970
9680	WALPOLE
9681	7,119,009
9682	88,185
9683	2,155,690
9684	9,362,884
9685	WALTHAM
9686	7,080,252
9687	87,705
9688	8,122,362
9689	15,290,319
9690	WARE
9691	8,117,400

9692	100,552
9693	1,460,280
9694	9,678,232
9695	WAREHAM
9696	12,246,060
9697	151,695
9698	1,673,496
9699	14,071,251
9700	WARREN
9701	0
9702	0
9703	765,257
9704	765,257
9705	WARWICK
9706	0
9707	0
9708	107,572

9709	107,572
9710	WASHINGTON
9711	11,237
9712	0
9713	79,890
9714	91,127
9715	WATERTOWN
9716	3,239,775
9717	40,132
9718	5,641,884
9719	8,921,791
9720	WAYLAND
9721	3,150,246
9722	39,023
9723	764,572
9724	3,953,841
9725	WEBSTER

9726	9,570,708
9727	118,555
9728	2,094,234
9729	11,783,497
9730	WELLESLEY
9731	7,214,344
9732	89,366
9733	1,095,717
9734	8,399,427
9735	WELLFLEET
9736	146,573
9737	1,816
9738	49,439
9739	197,828
9740	WENDELL
9741	0
9742	0

9743	147,409
9744	147,409
9745	WENHAM
9746	0
9747	0
9748	362,308
9749	362,308
9750	WEST BOYLSTON
9751	2,809,346
9752	34,800
9753	673,921
9754	3,518,067
9755	WEST BRIDGEWATER
9756	2,237,422
9757	27,716
9758	553,110
9759	2,818,248

9760	WEST BROOKFIELD
9761	201,348
9762	0
9763	411,975
9764	613,323
9765	WEST NEWBURY
9766	0
9767	0
9768	250,622
9769	250,622
9770	WEST SPRINGFIELD
9771	18,271,918
9772	226,339
9773	3,031,424
9774	21,529,681
9775	WEST STOCKBRIDGE
9776	0

9777	0
9778	82,240
9779	82,240
9780	WEST TISBURY
9781	0
9782	0
9783	157,108
9784	157,108
9785	WESTBOROUGH
9786	4,213,241
9787	52,190
9788	980,165
9789	5,245,596
9790	WESTFIELD
9791	32,602,336
9792	403,853
9793	5,324,736

9794	38,330,925
9795	WESTFORD
9796	15,888,525
9797	196,815
9798	1,797,543
9799	17,882,883
9800	WESTHAMPTON
9801	443,177
9802	5,490
9803	122,567
9804	571,234
9805	WESTMINSTER
9806	0
9807	0
9808	553,703
9809	553,703
9810	WESTON

9811	2,423,997
9812	30,027
9813	316,391
9814	2,770,415
9815	WESTPORT
9816	4,161,702
9817	51,552
9818	1,029,055
9819	5,242,309
9820	WESTWOOD
9821	3,783,544
9822	46,868
9823	617,080
9824	4,447,492
9825	WEYMOUTH
9826	22,606,309
9827	280,030

9828	7,375,304
9829	30,261,643
9830	WHATELY
9831	237,123
9832	2,937
9833	113,512
9834	353,572
9835	WHITMAN
9836	112,364
9837	0
9838	2,048,158
9839	2,160,522
9840	WILBRAHAM
9841	0
9842	0
9843	1,237,908
9844	1,237,908

9845 WILLIAMSBURG

9846 408,322

9847 5,058

9848 256,078

9849 669,458

9850 WILLIAMSTOWN

9851 896,897

9852 11,110

9853 807,552

9854 1,715,559

9855 WILMINGTON

9856 10,203,526

9857 126,394

9858 2,103,236

9859 12,433,156

9860 WINCHENDON

9861 11,134,284

9862	137,923
9863	1,422,984
9864	12,695,191
9865	WINCHESTER
9866	5,725,167
9867	70,919
9868	1,251,470
9869	7,047,556
9870	WINDSOR
9871	47,361
9872	0
9873	87,837
9874	135,198
9875	WINTHROP
9876	4,817,945
9877	59,681
9878	3,565,783

9879	8,443,409
9880	WOBURN
9881	6,233,808
9882	77,220
9883	5,063,784
9884	11,374,812
9885	WORCESTER
9886	189,169,514
9887	2,343,290
9888	35,150,026
9889	226,662,830
9890	WORTHINGTON
9891	60,179
9892	0
9893	106,245
9894	166,424
9895	WRENTHAM

9896	3,544,976
9897	43,912
9898	788,586
9899	4,377,474
9900	YARMOUTH
9901	4,574
9902	0
9903	1,067,932
9904	1,072,506
9905	Total Municipal
9906	3,268,149,255
9907	40,439,873
9908	898,980,293
9909	4,207,569,421
9910	Regional School District
9911	7061-0008 Chapter 70
9912	Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund

9913	Unrestricted General Government Aid
9914	Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds)
9915	NORTHAMPTON SMITH
9916	887,155
9917	10,989
9918	0
9919	898,144
9920	ACTON BOXBOROUGH
9921	6,981,051
9922	86,476
9923	0
9924	7,067,527
9925	ADAMS CHESHIRE
9926	9,728,016
9927	120,503
9928	0
9929	9,848,519

9930	AMHERST PELHAM
9931	9,184,747
9932	113,774
9933	0
9934	9,298,521
9935	ASHBURNHAM WESTMINSTER
9936	9,952,696
9937	123,286
9938	0
9939	10,075,982
9940	ASSABET VALLEY
9941	2,782,595
9942	34,469
9943	0
9944	2,817,064
9945	ATHOL ROYALSTON
9946	17,000,333

9947	210,587
9948	0
9949	17,210,920
9950	BERKSHIRE HILLS
9951	2,662,023
9952	32,975
9953	0
9954	2,694,998
9955	BERLIN BOYLSTON
9956	873,363
9957	10,819
9958	0
9959	884,182
9960	BLACKSTONE MILLVILLE
9961	10,529,424
9962	130,431
9963	0

9964	10,659,855
9965	BLACKSTONE VALLEY
9966	7,381,831
9967	91,441
9968	0
9969	7,473,272
9970	BLUE HILLS
9971	3,826,291
9972	47,397
9973	0
9974	3,873,688
9975	BRIDGEWATER RAYNHAM
9976	20,084,659
9977	248,794
9978	0
9979	20,333,453
9980	BRISTOL COUNTY

9981	2,954,286
9982	36,595
9983	0
9984	2,990,881
9985	BRISTOL PLYMOUTH
9986	9,489,626
9987	117,550
9988	0
9989	9,607,176
9990	CAPE COD
9991	2,024,222
9992	25,075
9993	0
9994	2,049,297
9995	CENTRAL BERKSHIRE
9996	8,350,150
9997	103,435

9998	0
9999	8,453,585
10000	CHESTERFIELD GOSHEN
10001	718,156
10002	8,896
10003	0
10004	727,052
10005	CONCORD CARLISLE
10006	1,789,248
10007	22,164
10008	0
10009	1,811,412
10010	DENNIS YARMOUTH
10011	6,414,595
10012	79,459
10013	0
10014	6,494,054

10015	DIGHTON REHOBOTH
10016	12,213,597
10017	151,293
10018	0
10019	12,364,890
10020	DOVER SHERBORN
10021	1,361,880
10022	16,870
10023	0
10024	1,378,750
10025	DUDLEY CHARLTON
10026	23,527,223
10027	291,438
10028	0
10029	23,818,661
10030	ESSEX COUNTY
10031	4,009,741

10032	49,670
10033	0
10034	4,059,411
10035	FARMINGTON RIVER
10036	384,962
10037	4,769
10038	0
10039	389,731
10040	FRANKLIN COUNTY
10041	3,274,440
10042	40,561
10043	0
10044	3,315,001
10045	FREETOWN LAKEVILLE
10046	7,030,138
10047	87,084
10048	0

10049	7,117,222
10050	FRONTIER
10051	2,709,416
10052	33,562
10053	0
10054	2,742,978
10055	GATEWAY
10056	5,563,029
10057	68,911
10058	0
10059	5,631,940
10060	GILL MONTAGUE
10061	5,978,135
10062	74,053
10063	0
10064	6,052,188
10065	GREATER FALL RIVER

10066	13,526,250
10067	167,553
10068	0
10069	13,693,803
10070	GREATER LAWRENCE
10071	19,902,491
10072	246,537
10073	0
10074	20,149,028
10075	GREATER LOWELL
10076	20,932,448
10077	259,295
10078	0
10079	21,191,743
10080	GREATER NEW BEDFORD
10081	21,894,893
10082	271,217

10083	0
10084	22,166,110
10085	GROTON DUNSTABLE
10086	10,296,551
10087	127,546
10088	0
10089	10,424,097
10090	HAMILTON WENHAM
10091	3,258,253
10092	40,361
10093	0
10094	3,298,614
10095	HAMPDEN WILBRAHAM
10096	11,124,791
10097	137,806
10098	0
10099	11,262,597

10100	HAMPSHIRE
10101	3,088,220
10102	38,255
10103	0
10104	3,126,475
10105	HAWLEMONT
10106	604,770
10107	7,491
10108	0
10109	612,261
10110	KING PHILIP
10111	7,037,470
10112	87,175
10113	0
10114	7,124,645
10115	LINCOLN SUDBURY
10116	2,518,154

10117	31,193
10118	0
10119	2,549,347
10120	MANCHESTER ESSEX
10121	1,596,900
10122	19,781
10123	0
10124	1,616,681
10125	MARTHAS VINEYARD
10126	2,696,363
10127	33,401
10128	0
10129	2,729,764
10130	MASCONOMET
10131	4,695,015
10132	58,158
10133	0

10134	4,753,173
10135	MENDON UPTON
10136	11,877,293
10137	147,127
10138	0
10139	12,024,420
10140	MINUTEMAN
10141	2,132,813
10142	26,420
10143	0
10144	2,159,233
10145	MOHAWK TRAIL
10146	5,819,329
10147	72,085
10148	0
10149	5,891,414
10150	MONTACHUSETT

10151	12,264,153
10152	151,919
10153	0
10154	12,416,072
10155	MOUNT GREYLOCK
10156	1,651,243
10157	20,454
10158	0
10159	1,671,697
10160	NARRAGANSETT
10161	9,623,824
10162	119,213
10163	0
10164	9,743,037
10165	NASHOBA
10166	6,138,645
10167	76,041

10168	0
10169	6,214,686
10170	NASHOBA VALLEY
10171	3,102,731
10172	38,434
10173	0
10174	3,141,165
10175	NAUSET
10176	3,209,599
10177	39,758
10178	0
10179	3,249,357
10180	NEW SALEM WENDELL
10181	622,409
10182	7,710
10183	0
10184	630,119

10185	NORFOLK COUNTY
10186	975,795
10187	12,087
10188	0
10189	987,882
10190	NORTH MIDDLESEX
10191	19,538,524
10192	242,029
10193	0
10194	19,780,553
10195	NORTH SHORE
10196	1,533,107
10197	18,991
10198	0
10199	1,552,098
10200	NORTHBORO SOUTHBORO
10201	2,725,863

10202	33,766
10203	0
10204	2,759,629
10205	NORTHEAST METROPOLITAN
10206	7,842,581
10207	97,148
10208	0
10209	7,939,729
10210	NORTHERN BERKSHIRE
10211	4,202,933
10212	52,063
10213	0
10214	4,254,996
10215	OLD COLONY
10216	3,165,202
10217	39,208
10218	0

10219	3,204,410
10220	OLD ROCHESTER
10221	1,963,269
10222	24,319
10223	0
10224	1,987,588
10225	PATHFINDER
10226	4,807,311
10227	59,549
10228	0
10229	4,866,860
10230	PENTUCKET
10231	12,542,539
10232	155,368
10233	0
10234	12,697,907
10235	PIONEER

10236 3,978,683

10237 49,285

10238 0

10239 4,027,968

10240 QUABBIN

10241 16,100,579

10242 199,442

10243 0

10244 16,300,021

10245 QUABOAG

10246 7,903,958

10247 97,908

10248 0

10249 8,001,866

10250 RALPH C MAHAR

10251 5,263,826

10252 65,204

10253	0
10254	5,329,030
10255	SHAWSHEEN VALLEY
10256	5,504,367
10257	68,184
10258	0
10259	5,572,551
10260	SILVER LAKE
10261	6,677,003
10262	82,710
10263	0
10264	6,759,713
10265	SOUTH MIDDLESEX
10266	2,417,033
10267	29,940
10268	0
10269	2,446,973

10270	SOUTH SHORE
10271	3,549,117
10272	43,964
10273	0
10274	3,593,081
10275	SOUTHEASTERN
10276	12,092,713
10277	149,795
10278	0
10279	12,242,508
10280	SOUTHERN BERKSHIRE
10281	1,801,972
10282	22,321
10283	0
10284	1,824,293
10285	SOUTHERN WORCESTER
10286	9,416,445

10287	116,644
10288	0
10289	9,533,089
10290	SOUTHWICK TOLLAND
10291	8,197,963
10292	101,550
10293	0
10294	8,299,513
10295	SPENCER EAST BROOKFIELD
10296	13,259,586
10297	164,250
10298	0
10299	13,423,836
10300	TANTASQUA
10301	7,495,716
10302	92,851
10303	0

10304	7,588,567
10305	TRI COUNTY
10306	5,112,983
10307	63,336
10308	0
10309	5,176,319
10310	TRITON
10311	8,125,523
10312	100,653
10313	0
10314	8,226,176
10315	UPISLAND
10316	782,948
10317	9,699
10318	0
10319	792,647
10320	UPPER CAPE COD

10321	2,853,046
10322	35,341
10323	0
10324	2,888,387
10325	WACHUSETT
10326	21,393,811
10327	265,010
10328	0
10329	21,658,821
10330	WHITMAN HANSON
10331	23,504,751
10332	291,159
10333	0
10334	23,795,910
10335	WHITTIER
10336	6,304,383
10337	78,094

10338 0
10339 6,382,477
10340 Total Regional

10341 610,315,166

10342 7,560,124

10343 0

10344 617,875,290

10345 SECTION 4. Section 18A of chapter 3 of the General Laws is hereby repealed.

10346 SECTION 5. Clause Eighteenth of section 7 of chapter 4 of the General Laws, as
10347 appearing in the 2008 Official Edition, is hereby amended by striking out the following words:-
10348 “Legal holiday” shall also include, with respect to Suffolk county only, March seventeenth and
10349 June seventeenth, or the day following when said days occur on Sunday; provided, however, that
10350 the words "legal holiday" as used in section forty-five of chapter one hundred and forty-nine
10351 shall not include March seventeenth, or the day following when said day occurs on
10352 Sunday. SECTION 6. Clause Twenty-sixth of section 7 of chapter 4 of the General Laws, as so

10353 appearing, is hereby amended by adding the following subclause:

10354 (t) statements filed under section 20C of chapter 32. SECTION 7. Chapter 6 of the
10355 General Laws is hereby amended by adding the following section:-

10356 Section 216. Subject to distribution from the Secondary Metals Registry Trust Fund,
10357 established by section 35LL of chapter 10, the executive office of public safety and security, in

10358 cooperation with the criminal history systems board, shall establish a secondary metals registry.
10359 The registry shall consist of a central computerized registry of all information relative to metal
10360 received or kept pursuant to, or in violation of, chapter 140B½ or which was the subject of a
10361 transaction conducted in violation of said chapter 140B½. The registry shall be maintained and
10362 updated by the criminal history systems board any may use distributions from the fund for such
10363 purpose and no other. With the agreement of the criminal history systems board, information
10364 relative to metal which was stolen, or otherwise the subject of a violation of chapter 266, but not
10365 the subject of a violation of chapter 140B½, may be submitted for entry into the registry by a law
10366 enforcement agent.

10367 The secretary of public safety and security, in cooperation with the criminal history
10368 systems board, shall develop standardized forms for use in connection with information
10369 collection requirements imposed under chapter 140B. The department of public safety and
10370 security shall make blank copies of the forms available, including electronically, to
10371 municipalities and to secondary metal dealers for use by the dealers and may provide for the
10372 forms to be transmitted to the registry electronically. The forms shall prominently include a
10373 statement that providing false information or any other violation of sections 4 or 5 of chapter
10374 140B ½ of the General Laws is punishable by a fine of not more than \$2,500 or by
10375 imprisonment in the house of correction for not more than 2½ years, or by both such fine and
10376 imprisonment for a first offense, and by a fine of not less than \$2,500 nor more than \$10,000 or
10377 by imprisonment in the house of correction for not more than 2½ years or in the state prison for
10378 not less than 5 years, or by both such fine and imprisonment for a second or subsequent offense.
10379 Upon a third or subsequent violation of said chapter 140B½, the license of a secondary metals
10380 dealer shall be void and the licensing authority shall permanently revoke the license.

10381 The secretary shall adopt regulations, consistent with the purposes of said chapter
10382 140B½, to collect the information required to be obtained and kept by secondary metal dealers
10383 and to maintain that information in the registry for use by law enforcement agencies. Records
10384 maintained in the secondary metals registry shall be open to any law enforcement agency in the
10385 commonwealth, the United States or any other state. Information in the registry database shall
10386 not be a public record under clause Twenty-sixth of section 7 of chapter 4 or section 10 of
10387 chapter 66. SECTION 8. The third sentence of the second paragraph of subsection (b) of section
10388 98 of said chapter 6, as appearing in section 1 of chapter 10 of the acts of 2009, is hereby
10389 amended by inserting after the word “proposal”, the following words:-; provided, however, that
10390 the board shall notify the chairs of the senate and house committee on ways and means, the
10391 chairs of the senate and house committees on bonding, capital expenditures and state assets and
10392 the clerks of the senate and house prior to its decision to allow a state entity to enter into a
10393 transaction relating to a derivative financial product and shall include the terms of the of the
10394 proposed transaction and any supporting documents. SECTION 9. Chapter 6A of the General
10395 Laws is hereby amended by inserting after section 7 the following section:-

10396 Section 7A. Notwithstanding any general or special law to the contrary, each secretary
10397 may identify administrative processing activities and functions common to the state agencies
10398 within the executive office and may designate such functions as core administrative processing
10399 functions. To improve administrative efficiency and preserve fiscal resources, the secretary may
10400 direct that core administrative processing functions be performed by the executive office or by
10401 state agencies designated by the secretary to perform those functions. Common activities and
10402 functions that may be designated as core administrative processing functions shall be limited to
10403 human resource functions, including payroll processing, information technology services and

10404 leasing and facility management services. Upon designation of a function as a core
10405 administrative processing function, the secretary may direct that employees of each state agency
10406 who perform those functions be transferred to the executive office or to a state agency designated
10407 by the secretary to perform core administrative processing functions. Nothing in this section shall
10408 waive the responsibility of each agency head to certify obligations and expenditures for
10409 appropriations and other available funds of the agency pursuant to section 3 of chapter 7A, the
10410 responsibilities of an agency head pursuant to state finance laws including, but not limited to,
10411 sections 19, 20, 24, 26 and 27 of chapter 29, and the responsibility of an agency head to certify
10412 work by employees of the agency pursuant to section 31 of chapter 29. An agency head shall not
10413 delegate agency head signature authorization to an individual who is not an employee of the
10414 agency. The executive office or any state agency designated to perform core administrative
10415 processing functions may charge the state agencies that receive such services for the reasonable
10416 costs of providing the services. An employee transfer that occurs in connection with the
10417 consolidation of core administrative processing functions within the executive office or state
10418 agencies shall not: (a) impair the civil service status of the transferred employee who
10419 immediately before the effective date of this act either holds a permanent appointment in a
10420 position classified under chapter 31 or has tenure in a position by reason of section 9A of chapter
10421 30; or (b) impair or change an employee's status, rights or benefits under chapter 150E; provided,
10422 that no employee or funding subject to this section shall be transferred without notification to the
10423 house and senate committees on ways and means within 30 days; and provided further, the
10424 notification shall include the title or position of the transferred employee and the amount of
10425 funding transferred.

10426 SECTION 10. Subsection (a) of section 5 of chapter 6C of the General Laws, as
10427 appearing in section 8 of chapter 25 of the acts of 2009, is hereby amended by striking out the
10428 second paragraph and inserting in place thereof the following paragraph:-

10429 Notwithstanding any general or special law to the contrary, the department, including the
10430 Massachusetts Bay Transportation Authority, shall enter into agreements under sections 22, 22A
10431 and 22B of chapter 7; provided however, the department shall adhere to good business practices
10432 to be determined by the department in its procurement of equipment, materials, property,
10433 supplies and services.

10434 SECTION 11. The third sentence of section 15 of said chapter 6C, as so appearing is
10435 hereby amended by inserting after the figure “29” the following words:- and the state purchasing
10436 agent under sections 22 and 22A of chapter 7.

10437 SECTION 12. Section 4H of chapter 7 of the General Laws, as so appearing, is hereby
10438 amended by inserting after the third paragraph the following paragraph:-

10439 In accordance with section 2A of chapter 71B, the division shall provide, through the
10440 bureau of special education appeals, adjudicatory hearings, mediation and other forms of
10441 alternative dispute resolution as determined by the bureau of special education appeals for
10442 resolution of disputes between or among parents, school districts, private schools and state
10443 agencies concerning: (i) any matter relating to the identification, evaluation or educational
10444 program or placement of a child with a disability or the provision of a free and appropriate public
10445 education to the child arising under said chapter 71B and its regulations or under the Individuals
10446 with Disabilities Education Act, 20 U.S.C. section 1400 et seq., and its regulations; or (ii) a
10447 student’s rights under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. section 794, and

10448 its regulations. All such disputes shall be referred for resolution to the bureau of special
10449 education appeals in the division. The costs incurred by the division in carrying out its duties
10450 pursuant to this paragraph shall be borne by the department of elementary and secondary
10451 education. These costs and the costs of carrying out the division's other duties shall be kept
10452 separate to the extent practical, except that the costs of administrative support for the bureau of
10453 special education appeals shall be allocated to the bureau of special education appeals under a
10454 reasonable formula determined by the commissioner of elementary and secondary education and
10455 the chief administrative magistrate. The commissioner of elementary and secondary education
10456 and the chief administrative magistrate shall periodically enter into memoranda of understanding
10457 to set forth the obligations of their respective organizations in carrying out this paragraph, as
10458 described in said section 2A of said chapter 71B. The director of special education appeals shall
10459 participate in the negotiations with regard to the memoranda of understanding and the
10460 commissioner of elementary and secondary education and the chief administrative magistrate
10461 shall make all reasonable efforts to incorporate the director's views in entering into the
10462 memoranda. The director of the special education appeals shall issue an annual report regarding
10463 his views about the memoranda to the chief administrative magistrate and the bureau of special
10464 education appeals advisory council. SECTION 13. Said chapter 7 is hereby further amended by
10465 inserting after section 11 the following section:-

10466 Section 14C. (a) As used in this section the following words shall, unless the context
10467 clearly requires otherwise, have the following meanings:-

10468 "Agency", a commonwealth authority, board, bureau, commission, department, division,
10469 executive office, institution, institution of higher education, the secretary of state, the attorney
10470 general, the state treasurer, the state auditor, the administrative office of the trial courts, trial

10471 court departments, the supreme judicial court, the appeals court, the governor’s office, lieutenant
10472 governor’s office, the governor’s council, the house of representatives and the senate.

10473 “Funding source”, the agency and account from where the expenditure is appropriated.

10474 “Recipient”, a business corporation, partnership, firm, unincorporated association or
10475 other legal business entity engaged in economic activity within the commonwealth, and any
10476 affiliate thereof, which is, or the members of which are, subject to taxation under chapter 62, 63,
10477 64H or 64I. For the purposes of this section, recipient shall include an original grantee or an
10478 original contractor of a state award or a political subdivision. A recipient shall not include an
10479 individual recipient of state or federal assistance.

10480 “Searchable website”, a website that allows the public at no cost to search for, obtain and
10481 aggregate the information identified in subsection (b).

10482 “Secretary”, the secretary of administration and finance.

10483 “State award” or “award”, appropriations, expenditures, grants, subgrants, loans,
10484 purchase orders, infrastructure assistance and other forms of financial assistance.

10485 (b) The secretary shall develop and operate a searchable website accessible by the public
10486 at no cost that includes:

10487 (1) the name and location of a recipient or agency receiving a state award, the
10488 funding source of each award, the date of the award, the amount of funds appropriated and a
10489 brief description of the purpose of the award;

10490 (2) local aid to cities and towns including amounts paid to individual municipal
10491 agencies;

10492 (3) annual revenues, as determined by the secretary which shall include, but shall
10493 not be limited to: (i) receipts or deposits by an agency into funds established within the state
10494 treasury; (ii) agency earnings including, but not limited to, amounts collected by each agency for
10495 services performed and licenses and permits issued; (iii) compensation for the purchase or lease
10496 of state-owned property and interest collected from state-issued loans; and (iv) federal grants;

10497 (4) a link to all state audits and reports relating to the receipt of state awards by an
10498 agency or recipient, including an audit or report issued by the inspector general, state auditor,
10499 special commission, legislative committee or executive body;

10500 (5) the reports required by section 88 of chapter 62C; and

10501 (6) any other relevant information specified by the secretary.

10502 (c) The searchable website shall allow users to search electronically by field in a single
10503 search, aggregate the data, download information yielded by a search and, where possible,
10504 contain graphical representations of the data and a hyperlink to the actual grants issued.

10505 (d) The searchable website shall include and retain information for each fiscal year for
10506 not less than 10 fiscal years.

10507 (e) The secretary shall update the searchable website as new data becomes available. All
10508 agencies shall provide to the secretary all data that is required to be included in the searchable
10509 website not later than 30 days after the data becomes available to the agency. The secretary shall
10510 provide guidance to agency heads to ensure compliance with this section.

10511 (f) This section shall not be construed to require the disclosure of: (i) information that is
10512 confidential under state or federal law; (ii) payments received by an individual or entity as
10513 interest paid by the issuer of any bonds or other public debt.

10514 (g) The secretary shall not be considered in compliance with this section if the data
10515 required for the searchable website is not available in a searchable and aggregate manner or if the
10516 public is redirected by the searchable website to other government websites, unless each of those
10517 websites complies with the requirements of this section.

10518 SECTION 14. The second paragraph of section 50 of said chapter 7, as appearing in the
10519 2008 Official Edition, is hereby amended by striking out clause (f).SECTION 15. Chapter 10 of
10520 the General Laws is hereby amended by inserting after section 35KK the following section:-

10521 Section 35LL. There shall be a Secondary Metals Registry Trust Fund. The fund shall
10522 consist of monies paid to the commonwealth pursuant to chapter 140B and any interest or
10523 investment earnings thereon. The state treasurer shall be the custodian of the fund and shall
10524 receive, deposit and invest all monies transmitted to him pursuant to this section and shall credit
10525 interest and earnings to the fund. The state treasurer shall distribute 50 per cent of any fine
10526 collected and transferred to the fund, pursuant to said chapter 140B, to the municipality wherein
10527 the violation of said chapter 140B occurred and 50 per cent to the criminal history systems board
10528 for the establishment and maintenance of the secondary metals registry established under section
10529 216 of chapter 6, without further appropriation.SECTION 16. Section 9 of chapter 15A of the
10530 General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out
10531 clause (i) and inserting in place thereof the following clause:-

10532 (i) review and approve student charges of the state and community colleges, pursuant to
10533 section 42. SECTION 17. Said chapter 15A is hereby further amended by inserting after section
10534 19 the following section:-

10535 Section 19½. Each surviving child of a parent who died as result of injuries sustained
10536 during active and full-time military service as a member of the armed forces of the United States
10537 or national guard, occurring after 1989, while outside the United States in an armed conflict or
10538 hostility, or while deployed in direct support of military activity in a zone of armed conflict or
10539 hostility, shall be entitled, upon admittance to a degree program of undergraduate studies at a
10540 public institution of higher education as provided in the first paragraph of section 5 to a full
10541 waiver for charges due for tuition, mandatory fees and room and board during the period of
10542 attendance, subject to any restrictions set forth in this section.

10543 A waiver for room and board under this section shall only be allowed for any period that
10544 the child is enrolled as a full-time student at a qualifying public institution. No child shall receive
10545 a waiver under this section if he has been awarded a degree previously from a public or private
10546 college, university or other institution of higher learning or if, during his attendance at a
10547 qualifying public institution after receiving a waiver, he fails to maintain satisfactory academic
10548 progress or if the deceased parent was not a resident of the commonwealth at the time of entry or
10549 continuance into active and full-time military service.

10550 A child who has received a waiver from a qualifying public institution under this section
10551 shall not be entitled to a waiver of charges due for more than 1 undergraduate degree program at
10552 the institution where the child is enrolled or at another qualifying public institution unless the
10553 waiver for such additional degree program has received the prior approval of the board of higher

10554 education. Notwithstanding the foregoing, approval by the board shall be not be required for a
10555 child who transfers to a different degree program for undergraduate studies at the institution
10556 where the child is currently enrolled or transfers to another degree program for undergraduate
10557 studies at another qualifying public institution, provided that the child is no longer enrolled in the
10558 previously undertaken degree program.

10559 Consistent with the provisions of this section, the board of higher education may establish
10560 general guidelines and regulations for the application and administration of waiver benefits at
10561 qualifying public institutions of higher learning.

10562 For the purposes of this section, “child” shall be without qualification or limitation as to
10563 the person’s age.

10564 SECTION 18. Section 22 of said chapter 15A, as appearing in the 2008 Official Edition,
10565 is hereby amended by striking out clause (b) and inserting in place thereof the following clause:-

10566 (b) establish all student charges, under the process set forth in section 42, as applicable.
10567 The student charges shall include fines and penalties collected pursuant to the enforcement of
10568 traffic and parking rules and regulations. The rules and regulations shall be enforced by persons
10569 in the employ of the institution who throughout the property of the institution shall have the
10570 powers of police officers, except as to the service of civil process; provided that the foregoing
10571 shall not authorize any action in contravention of the requirements of Section 1 of Article LXIII
10572 of the Amendments to the Constitution;

10573 SECTION 19. Said chapter 15A is hereby further amended by adding the following
10574 section:-

10575 Section 42. (a) This section shall apply only to those campuses for which the local board
10576 of trustees has approved by majority vote to accept this section.

10577 (b) The board of trustees of each state college and community college shall, for each
10578 academic year beginning on or after July 1, 2011, fix and establish student charges for each such
10579 college, subject to the requirements of this section. In-state student charges shall preserve
10580 affordability for residents of the commonwealth. Out-of-state student charges shall appropriately
10581 balance the financial needs of the college with the need to be competitive with peer institutions
10582 regionally. In setting student charges each state college and community college shall also
10583 consider factors including, but not limited to, the following: actual appropriations received; the
10584 Consumer Price Index; the Higher Education Price Index; tuition and fee rates at peer
10585 institutions; collective bargaining costs; funding from the commonwealth measured with
10586 reference to the funding formula established under section 15B; and making progress towards
10587 ensuring that fees constitute no more than 25 per cent of student charges. To the extent
10588 practicable, final student charges shall be established for each academic year not later than
10589 March 1 of the calendar year in which the rates shall take effect.

10590 For the purposes of this section, “student charges” shall include tuition and fees that are
10591 charged to students generally for attendance at a state college or community college, but shall not
10592 include any fee or other charge established by such college that is specific to a particular course,
10593 program or activity, and shall not include any rates, rents, charges or fees set by the
10594 Massachusetts State College Building Authority.

10595 (c) Beginning with the 2011-2012 academic year, each state college and community
10596 college shall submit a 5-year student charges plan to the board of higher education for the

10597 board's approval. The plan shall contain the annual student charges the college expects to
10598 approve for the college's state-supported programs, under subsection (b), for a period of no
10599 fewer than 5 academic years. The plan also shall include but not be limited to budget and
10600 enrollment projections for each year, projections for in-state and out-of-state enrollments for
10601 each year, consideration of segmental missions, and plans to ensure continuing access to the
10602 institution by residents of the commonwealth and to maintain and increase access for
10603 underrepresented student groups. The board of higher education, in considering whether to
10604 approve a plan, shall consider but not be limited to considering the same factors the campuses
10605 must consider in setting student charges under this section. For the first 5 years the board may
10606 also consider, to the extent practicable, any steps taken in the plan to ensure that fees constitute
10607 no more than 25 percent of student charges. For the second 5 years and each plan submitted
10608 thereafter, the board shall consider the progress made toward ensuring that fees constitute no
10609 more than 25 per cent of student charges. Within 120 days of the submission of a plan, the board
10610 of higher education shall either approve the plan or return it to the college with suggested
10611 changes. The approval shall require a 2/3 vote of the board of higher education. If the board of
10612 higher education does not vote on a plan within 120 days of its submission, the plan shall be
10613 considered approved. A copy of the plan shall be provided to the joint committee on higher
10614 education and to the house and senate committees on ways and means at the time the plan is
10615 submitted to the board of higher education.

10616 (d) If, following the approval of a state college's or community college's plan under
10617 subsection (c), the board of trustees of such college approves, for any academic year, student
10618 charges that are greater than 105 per cent of the student charges approved in such college's plan,
10619 the college shall submit such greater rate to the board of higher education for its approval, as part

10620 of an amended student charges plan. The amended plan shall describe in detail the reasons why
10621 the college's student charges are greater than the expected student charges, and provide revised
10622 or updated information on budget and enrollment projections for each year, projections for in-
10623 state and out-of-state enrollments for each year, consideration of segmental missions and plans to
10624 ensure continuing access to the institution by residents of the commonwealth and to maintain and
10625 increase access for underrepresented student groups, as necessary. Within 60 days of the
10626 submission of a revised plan, the board of higher education shall either approve the plan or return
10627 it to the college with suggested changes. The approval shall require a 2/3 vote of the board of
10628 higher education. If the board of higher education does not vote on a plan within 60 days of its
10629 submission, the plan shall be considered approved. A copy of the revised plan shall be provided
10630 to the joint committee on higher education and to the house and senate committees on ways and
10631 means at the time the plan is submitted to the board of higher education.

10632 (e) A state college, community college or the board of higher education may, at its
10633 discretion, request that a plan approved under subsections(c) or (d) be re-examined and modified,
10634 in accordance with procedures established by the board of higher education. Any resulting
10635 modification shall be concurred with by the board of trustees of the affected college and by a 2/3
10636 vote of the board of higher education.

10637 (f) In implementing the requirements of subsection (c), the board of higher education
10638 shall review the plans of each state college and community college for the academic year
10639 beginning on or after July 1, 2011. For subsequent academic years, the board shall develop
10640 procedures to provide for the review of state college and community college plans on a staggered
10641 basis, such that the board may review a smaller number of plans each year. These procedures
10642 may include provisions requiring a state or community college to submit an updated plan before

10643 the approval period of such college's initial plan has expired, in order to accommodate a
10644 staggered schedule.

10645 (g) All student charges received by the board of trustees of a state college or community
10646 college under this section shall be retained by the board of trustees of that institution in a
10647 revolving trust fund or funds and shall be expended as the board of trustees may direct for the
10648 operation and support of the institution. Any balance in a trust fund at the end of a fiscal year
10649 shall continue to be held in the trust fund, shall remain available for expenditure in subsequent
10650 fiscal years and shall not revert to the General Fund. All such trust funds shall be subject to audit
10651 by the state auditor.

10652 SECTION 20. Chapter 18 of the General Laws is hereby amended by striking out section
10653 5G, as appearing in the 2008 Official Edition, and inserting in place thereof the following
10654 section:-

10655 Section 5G. (a) As used in this section, the following words shall have the following
10656 meanings unless the context clearly requires otherwise:

10657 "Claimant", a person who suffers a loss from property damage, accident, illness, injury or
10658 otherwise for which monies may be provided by liability insurance, workers' compensation or
10659 any other third party.

10660 "Date of the loss", the date on which the property damage, accident, illness, injury or
10661 other incident occurs.

10662 "Third party", an individual, agency, program, entity or insurer including but not limited
10663 to, the claimant's own insurer, that is or may be liable to pay monies on account of the claimant's
10664 loss.

10665 (b) When a claimant or a claimant's heirs, estate or legal representative receives payment
10666 from a liability or workers' compensation insurer or any other third party as the result of a loss,
10667 the claimant or the claimant's heirs, estate or legal representative shall repay to the department
10668 the total of all financial assistance benefits provided by the department on and after the date of
10669 the loss to or on behalf of the claimant, the claimant's spouse or children and any other individual
10670 the claimant is required by law to support; provided, however, that if on the date of the loss the
10671 claimant was already eligible for public assistance benefits, the claimant or the claimant's heirs,
10672 estate or legal representative shall repay only any increase in financial assistance that occurred as
10673 a result of the property damage, accident, illness, injury or other incident.

10674 (c) The application for and receipt of benefits recoverable under this section, after notice
10675 to the third party, shall operate as a lien to secure repayment against monies which may be
10676 provided by the third party up to the amount of such recoverable benefits, but the department
10677 may also perfect its right to a lien against any monies which may come into possession of the
10678 claimant's attorney from the third party by giving notice to that attorney.

10679 (d) A person receiving public assistance benefits recoverable under this section shall
10680 assign to the commonwealth an amount equal to the benefits so provided from the proceeds of
10681 any such claim against the third party.

10682 (e) A claimant shall notify the department in writing within 10 calendar days after
10683 commencement of a civil action or other proceeding to establish the liability of a third party or to

10684 collect monies payable under accident, liability or health insurance, workers' compensation or
10685 from any other third party.

10686 (f) The commonwealth shall be subrogated to a claimant's entire cause of action or right
10687 to proceed against a third party and to a claimant's claim for monies to the extent of assistance
10688 provided under chapter 118. The commonwealth shall also have a separate and independent
10689 cause of action to recover, from a third party, assistance provided to a claimant under said
10690 chapter 118, which cause of action shall be in addition to other causes of action. The
10691 commonwealth may, by attorneys employed or selected by the commonwealth, commence a civil
10692 action or other proceeding to establish the liability of a third party or to collect such moneys, or
10693 may intervene as of right in a civil action commenced by a claimant against a third party. No
10694 third party shall require written authorization from the claimant before honoring the
10695 commonwealth's rights under this section.

10696 (g) Failure of a claimant without good cause to provide notice as required under this
10697 section or to provide such further information deemed necessary by the department to pursue its
10698 rights under this section shall be grounds for termination of benefits.

10699 (h) Notwithstanding any general or special law or rule or regulation to the contrary, an
10700 insurer doing business in the commonwealth shall provide information requested by the
10701 department for use by the agency to recover public assistance benefits under this section.

10702 SECTION 21. Section 4C of chapter 21A of the General Laws, as so appearing, is hereby
10703 amended by striking out, in line 59, the figure "8" and inserting in place thereof the following
10704 figure:- 10.SECTION 22. Said section 4C of said chapter 21A of the General Laws, as so
10705 appearing, is hereby amended by striking out, in line 59, the figure "8" and inserting in place

10706 thereof the following figure:- 9.SECTION 11C. Said section 4C of said chapter 21A, as so
10707 appearing, is hereby amended by inserting after the word “Commission”, in line 65, the
10708 following words: - “, 1 of whom shall be a representative of the Nantucket Planning and
10709 Economic Development Commission”.

10710 SECTION 23. (a) Section 3A of chapter 21E of the General Laws, as so appearing, is
10711 hereby amended by striking out, in line 349, the words “twenty percent” and inserting in place
10712 thereof the following words:- a statistically significant number, as determined by the department
10713 in consultation with the waste site cleanup advisory committee, taking into account the need for
10714 audits to ensure a high level of compliance with this chapter and the Massachusetts contingency
10715 plan and the need to target audit resources in the most efficient and effective manner,

10716 SECTION 24. Paragraph (B) of section 30 of chapter 23B of the General Laws, as
10717 appearing in section 37 of chapter 4 of the acts of 2009, is hereby amended by inserting after the
10718 second paragraph the following 2 paragraphs:-

10719 Eligibility for emergency housing assistance by an otherwise eligible family shall not be
10720 impaired by prior receipt of any nonshelter benefit. The department shall make every effort to
10721 ensure that children receiving services under this section continue attending school in the
10722 community in which they lived prior to receiving services.

10723 The department shall immediately provide shelter for up to 30 days to families who
10724 appear to be eligible for such shelter based on statements provided by the family to the
10725 department and any other information in the possession of the department, but who need
10726 additional time to obtain any third-party verifications reasonably required by the department;
10727 provided, however, that the department shall not impose unreasonable requirements for third-

10728 party verification and shall accept verifications from the family whenever reasonable. Shelter
10729 benefits received in accordance with the preceding sentence shall not render a family ineligible
10730 under any regulation providing that a family who previously received shelter is ineligible for
10731 shelter benefits for a period of 12 months. Families receiving such shelter benefits who are found
10732 not to be eligible for continuing shelter benefits shall be eligible for benefits pending a timely
10733 appeal pursuant to paragraph (F).

10734 SECTION 25. Said section 30 of said chapter 23B, as so appearing, is hereby further
10735 amended by adding the following paragraph:-

10736 (G) Benefits under this section shall only be provided to residents who are citizens of the
10737 United States or aliens lawfully admitted for permanent residence or otherwise permanently
10738 residing in the United States.

10739 SECTION 26. (A) Section 4 of chapter 23E of the General Laws, as appearing in the
10740 2008 Official Edition, is hereby amended by striking out, in line 3, the word “twenty-one” and
10741 inserting in place thereof the following words:- not more than 21.

10742 SECTON 27. Section 5 of said chapter 23E, as so appearing, is hereby amended by
10743 striking out, in line 4, the word “six” and inserting in place thereof the following words:- not
10744 more than 6.

10745 SECTION 28. Section 5 of chapter 23I of the General Laws, as so appearing, is hereby
10746 amended by striking out, in line 9, the word “may” and inserting in place thereof the following
10747 word: - shall. SECTION 29. Section 2 of chapter 25A of the General Laws, as so appearing, is
10748 hereby amended by striking out the second paragraph and inserting in place thereof the following
10749 paragraph:-

10750 There shall be within the department 4 divisions: (i) a division of energy efficiency,
10751 which shall work with the department of public utilities regarding energy efficiency programs;
10752 (ii) a division of renewable and alternative energy development, which shall oversee and
10753 coordinate activities that seek to maximize the installation of renewable and alternative energy
10754 generating sources that will provide benefits to ratepayers, advance the production and use of
10755 biofuels and other alternative fuels as the division may define by regulation, and administer the
10756 renewable portfolio standard and the alternative portfolio standard; (iii) a division of aggregated
10757 energy procurement, which shall promote and advance the commonwealth's public interests by
10758 acting to reduce energy costs and greenhouse gas emissions for all state agencies; and (iv) a
10759 division of green communities, which shall serve as the principal point of contact for
10760 municipalities and other governmental bodies concerning all matters under the jurisdiction of the
10761 department of energy resources. Each division shall be headed by a director who shall be
10762 appointed by the commissioner and who shall be a person of skill and experience in the field of
10763 energy efficiency, renewable energy or alternative energy, energy purchasing and procurement,
10764 and energy regulation or policy, respectively. The directors shall be the executive and
10765 administrative heads of their respective divisions and shall be responsible for administering and
10766 enforcing the law relative to such division and to each administrative unit thereof under the
10767 supervision, direction and control of the commissioner. The directors shall serve at the pleasure
10768 of the commissioner, shall receive such salary as may be determined by law and shall devote full
10769 time during business hours to the duties of the office. In the case of an absence or vacancy in the
10770 office of the director, or in the case of disability as determined by the commissioner, the
10771 commissioner may designate an acting director to serve as director until the vacancy is filled or

10772 the absence or disability ceases. The acting director shall have all the powers and duties of the
10773 director and shall have similar qualifications as the director.

10774 SECTION 30. Section 3 of said chapter 25A, as so appearing, is hereby amended by
10775 inserting after the definition of “Energy conservation” the following definition:-

10776 “Energy resources”, electricity, natural gas, heating fuels, transportation fuels, demand
10777 response, efficiency, and energy management services;

10778 SECTION 31. Said section 3 of said chapter 25A, as so appearing, is here further
10779 amended by inserting after the definition of “State agency”, the following definition:-

10780 “State energy resource contracts”, contracts executed by the division under section
10781 11C1/2.

10782 SECTION 32. Said chapter 25A is hereby further amended by inserting after section 11C
10783 the following section:-

10784 Section 11C1/2. (a) (1) The division of aggregated energy procurement shall promote
10785 and advance the commonwealth's public interests by acting as the lead agency, in collaboration
10786 with the Massachusetts clean energy technology center, the executive office of energy and
10787 environmental affairs and the executive office for administration and finance to reduce energy
10788 costs and greenhouse gas emissions for all state agencies by: (i) establishing a statewide
10789 procurement process for energy resources; (ii) managing a statewide energy monitoring and
10790 analysis system to optimize energy usage in state-owned facilities; and (iii) recommending
10791 energy-related capital investments.

10792 (2) The division shall manage these duties so as to obtain adequate, reliable, efficient,
10793 environmentally-sustainable and cost-effective energy resources.

10794 (b) There shall be an advisory committee consisting of 9 individuals with an interest in
10795 and knowledge of matters related to energy procurement. The division shall consult with the
10796 advisory committee in matters related to the division and in the implementation of this section.
10797 The advisory committee shall develop objectives and procurement strategies and recommend
10798 financial controls. The advisory committee shall develop objectives and procurement strategies
10799 and recommend financial controls. The advisory committee shall include the secretary of
10800 administration and finance who shall serve as chair, the secretary of energy and environmental
10801 affairs, the executive director of the Massachusetts clean energy technology center, the state
10802 purchasing agent , 1 member to be appointed by the secretary of energy and environmental
10803 affairs who shall be an expert on energy management services and 4 members to be appointed by
10804 the secretary of administration and finance, 1 of whom shall be from a participating executive
10805 branch agency, 1 of whom shall represent quasi-public entities, 1 of whom shall represent
10806 participating state authorities and 1 of whom shall be an expert on energy procurement. The
10807 members of the advisory committee shall serve without compensation, but shall be reimbursed
10808 for actual and necessary expenses incurred in the performance of their official duties. The
10809 advisory committee shall meet at least quarterly and at such other times as the members shall
10810 decide. A member may appoint a designee to represent that member at any such meeting.

10811 (c) State agencies shall procure energy resources through state energy resource contracts
10812 negotiated by the division and executed subject to this section unless granted a waiver by the
10813 division. Local governmental bodies may procure energy resources through state energy resource
10814 contracts by notifying the division in writing. Notwithstanding this subsection, a state agency or

10815 local governmental body served by a municipal lighting plant which does not supply generation
10816 service outside its own service territory or does not open its service territory to competition at the
10817 retail level shall not procure energy resources from state energy resource contracts.

10818 (d) The division, in consultation with the advisory committee, shall establish procedures
10819 and criteria to enable a state agency, in consultation with the division, to evaluate the costs and
10820 benefits of any then-current contractual obligations for energy resources applicable to that state
10821 agency. Following the termination date of these contracts, the state agency shall procure energy
10822 through state energy resource contracts unless granted a waiver by the division. The division
10823 may waive the requirements of this subsection if, after consultation with any applicable
10824 governing body of the state agency, the division concludes that the costs and benefits of
10825 maintaining separate procurement contracts for the state agency achieves the best value or is in
10826 the best interests of the entity. If a state agency that: (1) has been accepted by the Federal Energy
10827 Regulatory Commission under the Federal Power Act as an energy wholesale electric customer
10828 for power supply and transmission; (2) engages in sales for resale under the Federal Power Act;
10829 owns, operates and maintains an electricity transmission and distribution (including voltage step-
10830 down capacity); (3) is subject to enforceable grant assurances under a federal funding program,
10831 which requires it to operate its federally assisted facility or facilities on as financially self-
10832 sustaining basis as is feasible; and (4) whose primary operating facilities are subject to federal
10833 regulation and federal licensure or certification can demonstrate, along with the presentation
10834 before the board by the division of a report on savings under the state energy resource contract,
10835 to its board or applicable governing body a measurable savings through a separate procurement
10836 which is greater than any savings that would be realized through use of a state energy resource
10837 contract under this section, shall be granted a waiver by the division. If the division grants a

10838 waiver, the state agency may conduct separate procurements for energy resources subject to all
10839 applicable procurement laws, regulations and policies. A state agency or local governmental
10840 body procuring energy resources through a state energy resource contract shall execute all
10841 necessary contract documents to complete the procurement.

10842 (e) To increase efficiencies in conducting energy resource procurements for state
10843 agencies and local governmental bodies, the division shall:

10844 (i) establish a transparent, open, and competitive statewide procurement process for
10845 energy resources for such agencies and bodies at the lowest reasonable cost, but in no instance
10846 shall the division procure more than 25% of the electrical energy load of the commonwealth
10847 from a single electrical energy generation source; and

10848 (ii) manage all eligible state accounts and, at the discretion of the division, accounts from
10849 participating local governmental bodies, by consolidating the supply portion of service into a
10850 single electricity and natural gas commodity load profile, respectively.

10851 (f) To streamline energy billing for state agencies and local governmental bodies which
10852 have executed contracts under this section, the division, in consultation with the executive office
10853 for administration and finance and participating state agencies and local governmental bodies,
10854 may create a centralized billing system to receive all utility bills, audit for errors and provide
10855 billing to individual state agencies and accounts. Participating state agencies and local
10856 governmental bodies shall provide the division with such billing information, as it may request.

10857 (g)(1) To improve energy usage and management for state agencies and achieve state
10858 energy policy objectives, the division may:

10859 (i) utilize an energy management system to monitor and analyze the consumption of
10860 energy procured through state energy resource contracts in facilities used by state agencies;

10861 (ii) analyze data from the energy management system, energy audits and other sources to
10862 identify energy-efficiency investment opportunities;

10863 (iii) identify all existing state-owned energy generation assets and develop a plan to
10864 optimize their value; and

10865 (iv) establish equitable means to distribute energy savings to state agencies.

10866 (2) The division may develop a similar energy usage and management program for
10867 participating local governmental bodies and may utilize the systems and methods set forth in this
10868 subsection in consultation with the green communities division.

10869 (h) To identify appropriate capital investments in the state facility energy infrastructure,
10870 the division, in consultation with the executive office for administration and finance, may
10871 develop recommendations that:

10872 (1) establish economic criteria to be applied in making capital investments in identified
10873 energy efficiency opportunities;

10874 (2) identify capital resources, either through existing bonding authority or other sureties
10875 or resources to fund energy-efficiency improvements and distributed-energy generation; and

10876 (3) utilize energy cost-savings to finance, in whole or in part, such capital improvements.

10877 (i) Nothing in this section shall change the relevant terms of existing distribution
10878 company tariffs with respect to the provision of distribution services to individually metered
10879 accounts.

10880 (j) The division shall report annually on January 1 to the clerks of the senate and house of
10881 representatives, the governor and the participating state agencies and local governmental bodies
10882 on the operations of the division. The annual report shall include, but not be limited to, a
10883 description of the performance of the procurement program and contracts executed under this
10884 section, with specific reference to the advisability of the exclusion of any authority under
10885 subsection (e) and whether the exclusion of any authority substantially impacts any savings
10886 under this section.

10887 (k) The division shall adopt regulations and procedures to carry out this section.

10888 SECTION 33. Chapter 25C of the General Laws is hereby amended by inserting after
10889 section 6 the following section:

10890 Section 6A. (a) For purposes of this section, the following words shall have the following
10891 meanings, unless the context clearly requires otherwise:-:

10892 “Internet Protocol enabled service” or “IP enabled service”, service, capability,
10893 functionality, or application provided using Internet Protocol, or any successor protocol, that
10894 enables an end user to send or receive a communication in Internet Protocol format or any
10895 successor format, regardless of technology; provided, however, that no service included within
10896 the definition of “Voice over Internet Protocol service” shall be included within this definition.

10897 "Voiceover internet protocol service" or "VoIP Service", service that: (1) enables real
10898 time, 2-way voice communications that originate from or terminate to the user's location in
10899 internet protocol or any successor protocol; (2) uses a broadband connection from the user's
10900 location; and (3) permits users generally to receive calls that originate on the public switched
10901 telephone network and to terminate calls to the public switched telephone network.

10902 (b) Except as set forth in subsections (c) to (f), inclusive, and notwithstanding any other
10903 general or special law to the contrary, no department, agency, commission or political
10904 subdivision of the commonwealth, shall enact, adopt or enforce, either directly or indirectly, any
10905 law, rule, regulation, ordinance, standard, order or other provision having the force or effect of
10906 law that regulates or has the effect of regulating, the entry, rates, terms or conditions of VoIP
10907 Service or IP enabled service.

10908 (c) Subsection (b) shall not be construed to affect the authority of the attorney general to
10909 apply and enforce chapter 93A or other consumer protection laws of general applicability.

10910 (d) Subsection (b) shall not be construed to affect, mandate or prohibit the assessment of
10911 nondiscriminatory enhanced 911 fees or telecommunications relay service fees.

10912 (e) Subsection (b) shall not be construed to modify or affect the rights or obligations of
10913 any carrier under sections 47 USC 251 or 47 USC 252.

10914 (f) Subsection (b) shall not be construed to affect or modify any obligations for the
10915 provision of video service by any party under applicable law SECTION 34. Chapter 26 of the
10916 General Laws is hereby amended by inserting after section 7B the following section:-

10917 Section 7C. There shall be in the division of insurance an auto damage appraiser
10918 licensing board to consist of 4 persons to be appointed by the governor, 2 of whom shall be
10919 affiliated with the auto body repair industry and 2 of whom shall be affiliated with insurance
10920 companies writing casualty insurance within the commonwealth, and 1 person to be appointed by
10921 the commissioner of insurance who shall be the chair of the board who shall not be affiliated
10922 with either the auto body industry or the insurance industry. A vacancy on the board shall be
10923 filled within 60 days from the date of the vacancy. SECTION 35. Section 2H of chapter 29 of the
10924 General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding the
10925 following paragraph:-

10926 Notwithstanding any general or special law to the contrary, the comptroller of the
10927 commonwealth shall file with the clerks of the senate and house of representattives not later than
10928 the fifteenth day of each month a report including, but not limited to, the balance contained in the
10929 Commonwealth Stabilization Fund on the first day of the month, any material changes in the
10930 condition of the fund, and any other information which he deems appropriate for the
10931 consideration of the general court; provided, however, that the report shall be displayed
10932 prominently on the website of the comptroller". SECTION 36. Section 2ZZZ of said chapter 29,
10933 as appearing in section 1 of chapter 35 of the acts of 2009, is hereby amended by striking out
10934 subsection (d) and inserting in place thereof the following subsection:-

10935 (d) The following amounts shall be transferred annually from the fund to the
10936 Massachusetts Transportation Trust Fund, from which the Massachusetts Department of
10937 Transportation shall pay not less than: (1) \$160,000,000 to the Massachusetts Bay Transportation
10938 Authority or any fund controlled by the authority in each fiscal year; and (2) \$15,000,000 to

10939 regional transit authorities organized under chapter 161B or predecessor statutes in each fiscal
10940 year.

10941 SECTION 37. Said chapter 29 is hereby further amended by inserting after section
10942 2AAAA the following section:-

10943 Section 2BBBB. There shall be established and set up on the books of the commonwealth
10944 a separate fund to be known as the Commonwealth Substance Abuse Treatment and Prevention
10945 Fund. The fund shall be credited with all sales tax revenues collected from the sale of alcoholic
10946 beverages under chapter 64H which are not part of the dedicated sales tax revenue amount
10947 described in section 35T or section 35BB of chapter 10. Amounts credited to the fund shall be
10948 expended, subject to appropriation, to support substance abuse treatment and prevention services.

10949 SECTION 38. Said chapter 29 is hereby further amended by inserting after section 5F the
10950 following section:-

10951 Section 5G. Notwithstanding any general or special law to the contrary, the department of
10952 revenue shall report by November 30 to the state comptroller, the executive office for
10953 administration and finance and the house and senate committees on ways and means tax
10954 revenues estimated to have been collected during the preceding fiscal year from capital gains
10955 income; provided, however, that beginning October 31 and quarterly thereafter the department of
10956 revenue shall certify to the state comptroller the amount of tax revenues estimated to have been
10957 collected during the preceding quarter from capital gains income. If the department of revenue
10958 certifies that the amount of tax revenues estimated to have been collected from capital gains
10959 income exceeds \$1,000,000,000 in a fiscal year, the comptroller shall transfer quarterly any
10960 amount that exceeds \$1,000,000,000 collected during that fiscal year to the Commonwealth

10961 Stabilization Fund established in section 2H; provided, however, that the amounts to be
10962 transferred quarterly shall be based on the amount of capital gains revenue collected in excess of
10963 projected quarterly benchmarks; provided further, that any transfers shall be made before the
10964 certification of the consolidated net surplus for the previous fiscal year as provided in section 5C:
10965 and provided further, that 5 per cent of any amount transferred to the Commonwealth
10966 Stabilization Fund under this section shall be transferred to the State Retiree Benefits Fund
10967 established in section 24 of chapter 32A.

10968 SECTION 39. Clause (1) of subsection (c) of section 29F of said chapter 29, as appearing
10969 in the 2008 Official Edition, is hereby amended by adding the following subclause:-

10970 (x) a violation of federal law prohibiting the employment of unauthorized aliens; or.

10971 SECTION 40. Said chapter 29 is hereby further amended by inserting after section 30
10972 the following section:-

10973 Section 30A. Notwithstanding section 50 of chapter 3, or any other general or special law
10974 to the contrary, a state agency or state authority shall not use state funds to pay for an executive
10975 or legislative agent, as defined in section 39 of chapter 3, unless the executive or legislative agent
10976 is a full-time employee of the state agency or state authority.

10977 SECTION 41. Section 1 of chapter 30B of the General Laws, as so appearing, is hereby
10978 amended by inserting after the word “services”, in line 54, the following words:- ; provided,
10979 however, that the procurements shall take place in accordance with section 23B of chapter 32.

10980 SECTION 42. (a) The General Laws are hereby amended by inserting after chapter 30B
10981 the following:-

10982 Chapter 30C.

10983 PUBLIC CONTRACT INTEGRITY

10984 Section 1. For the purposes of this chapter, the following terms shall have the following
10985 meanings unless the context clearly requires otherwise:

10986 “Public employer”, a department, agency or public instrumentality of the commonwealth
10987 or a person, corporation, partnership, sole proprietorship, joint venture or other business entity
10988 providing goods or services to a department, agency or public instrumentality of the
10989 commonwealth including, but not limited to, the Massachusetts Department of Transportation,
10990 the Massachusetts Water Resources Authority, the Massachusetts Port Authority and the
10991 Massachusetts Bay Transportation Authority.

10992 “Work authorization program”, an electronic verification of work authorization program
10993 or an equivalent work authorization program operated by the United States Department of
10994 Homeland Security, the United States Department of Labor, the Social Security Administration,
10995 other federal agency or by a private verification system authorized by the director of labor to
10996 verify information of newly hired employees, pursuant to the Immigration Reform and Control
10997 Act of 1986 and its successor acts.

10998 Section 2. No public employer shall enter into a contract for the provision of goods or
10999 services within the commonwealth unless the contractor registers and participates in a work
11000 authorization program to verify information on all new employees and certifies to that effect in
11001 writing to the director of labor.

11002 Section 3. No contractor or subcontractor who enters a contract with a public employer
11003 shall enter into a contract or subcontract in connection with the provision of goods or services in
11004 the commonwealth unless the contractor or subcontractor registers and participates in a work
11005 authorization program to verify information on all employees and certifies to that effect in
11006 writing to the director of labor.

11007 Section 4. This chapter shall be enforced without regard to race, religion, gender,
11008 ethnicity or national origin.

11009 Section 5. Except as may be otherwise provided in this chapter, the director of labor shall
11010 prescribe forms and promulgate rules and regulations necessary to implement and administer this
11011 chapter.

11012 Section 6. The inspector general shall develop and promulgate regulations to ensure that a
11013 person receiving funds pursuant to a contract awarded pursuant to chapter 30B and section 44A
11014 of chapter 149 is in compliance with federal laws pertaining to immigration and citizenship
11015 including, but not limited to 42 U.S.C. section 1436(a). Such regulations shall include, but not be
11016 limited to, ascertaining and verifying immigration and citizenship status through a work
11017 authorization program .

11018 Section 7. No contract shall be awarded by or to a public employer and no public funds
11019 shall be expended under any such contract unless the public employer complies with the
11020 regulations prescribed in this chapter.

11021 Section 8. No funds shall be expended in accordance with a contract awarded by or to a
11022 public employer which will result in the payment of any kind to a person not in compliance with
11023 any and all federal laws pertaining to immigration and citizenship, including but not limited to

11024 42 U.S.C. 1436(a).SECTION 43. The definition of “Regular compensation” in section 1 of
11025 chapter 32 of the General Laws, as most recently amended by section 2 of chapter 21 of the acts
11026 of 2009, is hereby further amended by inserting after the second paragraph the following
11027 paragraph:-

11028 Notwithstanding any provision of this chapter to the contrary, regular compensation for
11029 any person who becomes a member after January 1, 2011, shall not include salary, wages or
11030 other compensation in whatever form in any calendar year in excess of 64 per cent of the annual
11031 limitation that may be imposed under federal law on the amount of compensation that may be
11032 taken into account when calculating benefits under plans described in 26 U.S.C. 401(a)
11033 including, but not limited to, the applicable limits for any calendar year under 26 U.S.C.
11034 401(a)(17). Faculty, librarians and administrators in public higher education, as well as any
11035 physicians employed by the commonwealth who are eligible for the state retirement system, shall
11036 not be prohibited from participating in the college retirement equities fund or the optional
11037 retirement program by the Teachers Insurance and Annuity Association.

11038 SECTION 44. Said section 1 of said chapter 32 is hereby further amended by striking
11039 out, in line 488, as appearing in the 2008 Official Edition, the word “may” and inserting in place
11040 thereof the following word:- shall.

11041 SECTION 45 . Section 3 of said chapter 32, as so appearing, is hereby amended by
11042 inserting after the word “more”, in line 301, the following words:- “; provided, however, that a
11043 district attorney elected on or after July 1, 2010, shall be employed in that capacity or as an
11044 assistant district attorney for 10 years or more.SECTION 46. Said section 3 of said chapter 32, as
11045 so appearing, is hereby further amended by adding the following subdivision:-

11046 (9) Notwithstanding any provision of this chapter to the contrary, a member who is
11047 reinstated to or re-enters the active service of a governmental unit or who is eligible to receive
11048 credit for other service under this section and who does not, within 1 year from the date of
11049 completing 10 years of creditable service or the of the date of reinstatement or re-entry,
11050 whichever last occurs, either: (i) pay into the annuity savings fund of the system make-up
11051 payments of an amount equal to the accumulated regular deductions withdrawn by the member,
11052 together with buyback interest; or (ii) make provision for the repayment in installments, upon
11053 such terms and conditions as the board may prescribe, to pay into the annuity savings fund of the
11054 system make-up payments of an amount equal to the accumulated regular deductions withdrawn
11055 by the member, together with buyback interest shall pay actuarial assumed interest instead of
11056 buyback interest on all make-up payments to be entitled to creditable service resulting from the
11057 previous employment.

11058 SECTION 47. Section 5 of said chapter 32 is hereby amended by inserting after the word
11059 “service”, in line 38, as so appearing, the following words:- , together with buyback interest, and
11060 shall satisfy the requirements for reinstatement under section 105.

11061 SECTION 48. Paragraph (a) of subdivision (2) of said section 5 of said chapter 32, as so
11062 appearing, is hereby amended by adding the following 2 sentences:- Notwithstanding the
11063 previous sentence, if in the 5 years of creditable service preceding retirement, the difference in
11064 the annual rate of regular compensation between any 2 consecutive years exceeds 100 per cent,
11065 the retirement allowance shall be based on the average annual rate of regular compensation
11066 received by the member during the period of 5 consecutive years preceding retirement. The
11067 retirement allowance for members who have served in more than 1 group shall be prorated by
11068 applying the percentage for each group to the number of years of service in that group.

11069 SECTION 49. Said subdivision (2) of said section 5 of said chapter 32, as amended by
11070 section 7 of chapter 21 of the acts of 2009, is hereby further amended by adding the following
11071 paragraph:-

11072 (f) In calculating the average annual rate of regular compensation for purposes of this
11073 section, regular compensation in any year shall not include regular compensation that exceeds
11074 the average of regular compensation received in the 2 preceding years by more than 7 per cent,
11075 plus an increase determined by the increase in the United States Consumer Price Index for the
11076 preceding 2 years, as reported by the actuary under paragraph (f) of subdivision (3) of section
11077 21. This paragraph shall not apply to an increase in the annual rate of regular compensation that
11078 results from an increase in hours of employment or a change in position that is determined by the
11079 board to be bona fide. This section shall be superseded by the terms and conditions of any
11080 collective bargaining agreement or individual contract for employment that is in effect on the
11081 effective date of this act and shall continue in effect until the stated expiration date of such
11082 agreement or June 30, 2012, whichever comes sooner.

11083 SECTION 50. Subdivision (2) of section 10 of said chapter 32, as most recently
11084 amended by section 13 of said chapter 21, is hereby further amended by striking out paragraph
11085 (a).

11086 SECTION 51. Subdivision (1) of section 11 of said chapter 32 is hereby amended by
11087 striking out paragraph (a), as appearing in the 2008 Official Edition, and inserting in place
11088 thereof the following paragraph:-

11089 A member entitled to a return of the member's accumulated total deductions as provided
11090 for in paragraph (c) or (d) of subdivision (1) of section 4, in subdivision (4) of section 10, in

11091 paragraph (b) of subdivision (2) of section 13 or in subdivision (3) of section 25 shall, subject to
11092 subdivision (8) of section 3, this section and section 15, be paid in 1 sum the amount of his
11093 accumulated total deductions within 60 days after the member's filing with the board on a
11094 prescribed form his written request therefor. For any such member who becomes a member
11095 subsequent to January 1, 1984, who voluntarily withdraws from service with creditable service
11096 of less than 120 months, the rate of regular interest for purposes of calculating accumulated total
11097 deductions shall be 3 per cent. Any other member entitled to return of his accumulated total
11098 deduction shall receive 100 per cent of the rate of regular interest payable.

11099 SECTION 52. Subdivision 2 of section 12 of said chapter 32, as so appearing, is hereby
11100 amended by inserting after the sixteenth paragraph the following paragraph:-

11101 Beginning January 1, 2011, the normal monthly member-survivor allowance provided for
11102 under this option to a spouse of a deceased member shall not be less than \$500 for members of
11103 the state teachers' and state employees' retirement system. This paragraph shall apply to the
11104 members of a retirement system of any other political subdivision upon a majority vote of the
11105 board of such system and by the local legislative body. For the purposes of this paragraph,
11106 "local legislative body" shall mean a town meeting for a town system, the city council subject to
11107 its charter for a city system, the county retirement board advisory council for a county system,
11108 the regional retirement board advisory council for a regional system, the district members for a
11109 district system and the governing body of an authority for an authority system. Acceptance shall
11110 be deemed to have occurred upon the filing of a certification of such vote with the commission.

11111 SECTION 53. Said section 12 of said chapter 32, as so appearing, is hereby further
11112 amended by striking out, in lines 211 and 212, the words "not be less than two hundred and fifty

11113 dollars” and inserting in place thereof the following words:- be either not less than \$250 or, if
11114 the preceding paragraph applies, not less than \$500.

11115 SECTION 54. The second paragraph of subdivision (4) of section 16 of chapter 32 of the
11116 General Laws, as so appearing, is hereby amended by inserting after the third sentence the
11117 following 2 sentences:- A hearing assigned under this section shall, at the election of a party
11118 involving a claim hereunder, be subject to a full evidentiary hearing; provided, however, that
11119 such claims may be subject to summary procedure only at the request of any such party; and
11120 provided further, that said the summary procedure shall be governed by the standard rules
11121 promulgated under section 9 of chapter 30A without addition or substitution thereto. The
11122 division of administrative law appeals may impose a reasonable administrative fee for the
11123 initiation of a claim under this section for the purpose of employing magistrates. SECTION 55.
11124 Section 20 of said chapter 32 is hereby amended by inserting after subdivision (4 7/8D), as so
11125 appearing, the following subdivision:-

11126 (4 7/8 E) No employee, contractor, vendor or person receiving remuneration, financial
11127 benefit or consideration of any kind, other than a retirement benefit or the statutory stipend for
11128 serving on the retirement board, from a retirement board or from a person doing business with a
11129 retirement board shall be eligible to serve on a retirement board; provided, however, that an
11130 employee of a retirement board may serve on a retirement board other than the retirement board
11131 by which the person is employed; provided, however, that this subdivision shall apply only to
11132 individuals who first become members of a retirement board on or after January 1, 2011.

11133 SECTION 56. Said section 20 of said chapter 32, as so appearing, is hereby further
11134 amended by adding the following subdivision:-

11135 (7) (a) During each full term of service retirement board members shall be required to
11136 undertake 18 hours of training; provided, however, that not less than 3 hours shall take place
11137 each year and not more than 9 hours shall take place in any single year.

11138 (b) The training shall consist of 9 hours sponsored by the public employee retirement
11139 commission, herein after referred to as the commission, which shall include, at a minimum, the
11140 topics of fiduciary responsibility, ethical conduct and conflict of interest, and 9 hours of training
11141 on topics prescribed by the commission provided by the Massachusetts Association of
11142 Contributory Retirement Systems or other local, state, regional and national organizations
11143 recognized by the commission as having expertise in retirement issues of importance to
11144 retirement board members or other entities, as the commission may from time to time determine.

11145 (c) The commission shall arrange for at least 18 sessions during each year for members to
11146 complete this requirement. In addition, the commission shall schedule additional sessions or
11147 otherwise make accommodations to insure that members are afforded the maximum opportunity
11148 to complete this requirement.

11149 (d) The commission shall annually provide retirement boards with a statement of
11150 completion of education form on or before December 31. The board shall provide the forms to its
11151 members. The form shall set forth the training as required by this subdivision the member has
11152 undertaken during that year. Board members shall submit the completed form to the commission
11153 by January 31 of the year following. The commission shall annually provide the member with a
11154 summary of the member's status regarding the completion of this requirement by March 31.

11155 (e) Failure to successfully complete the requirements of this subdivision shall prohibit a
11156 board member from serving beyond the conclusion of the term in which the failure took place. If

11157 the non-complying member is an ex-officio member or a second member of a board the
11158 appointing authority for the second member shall appoint a different individual to serve on the
11159 board; provided, however, that if the replacement is of an ex-officio member the individual shall
11160 be experienced in the field of finance or auditing; and provided further, that in a regional
11161 retirement system non-complying members shall be replaced in the same manner as is set forth
11162 for the selection of the members.

11163 (f) Each retirement board shall notify all board members and prospective board members
11164 of the requirement to complete education requirements at the time of receiving information about
11165 seeking election to a retirement board or prior to being appointed to a retirement board.

11166 (g) The commission shall annually notify board members of the requirement to complete
11167 continuing education.

11168 SECTION 57. Said chapter 32 is hereby amended by inserting after section 20B the
11169 following section:-

11170 Section 20C. (a) Every member of a retirement board shall file a statement of financial
11171 interests for the preceding calendar year with the commission: (1) within 30 days of becoming a
11172 member of a retirement board; (2) by May 1 of each year thereafter that the person is a member
11173 of a retirement board; and (3) by May first of the year after the person ceases to be a member of
11174 a retirement board;

11175 (b) The commission shall, upon receipt of a statement of financial interests under this
11176 section, issue to the person filing the statement a receipt verifying the fact that a statement of
11177 financial interests has been filed and a receipted copy of the statement.

11178 (c) A member of a retirement board shall not be allowed to continue in the member's
11179 duties unless the member has filed a statement of financial interests with the commission as
11180 required by this section.

11181 (d) The statement of financial interests filed under this section shall be on a form
11182 prescribed by the commission and shall be signed under penalty of perjury by the reporting
11183 person.

11184 (e) A reporting person shall disclose, to the best of the person's knowledge, the following
11185 information for the preceding calendar year, or as of the last day of the year with respect to the
11186 information required by clauses (2), (3) and (6) of this subsection; provided, however, that the
11187 person shall also disclose the same information with respect to the person's immediate family;
11188 and provided further, that no amount need be given for the information about the reporting
11189 person's immediate family:

11190 (1) the name and address of, the nature of association with, the share of equity in, if
11191 applicable, of each business with which the person is associated;

11192 (2) the identity of all securities and other investments with a fair market value of greater
11193 than \$1,000 which were beneficially-owned, not otherwise reportable hereunder;

11194 (3) the name and address of each creditor to whom more than \$1,000 was owed;
11195 provided, however, that obligations arising out of retail installment transactions, educational
11196 loans, medical and dental expenses, debts incurred in the ordinary course of business and any
11197 obligation to make alimony or support payments, shall not be reported; and provided further, that
11198 such information need not be reported if the creditor is a relative of the reporting person within
11199 the third degree of consanguinity or affinity;

11200 (4) the name and address of the source and the cash value of any reimbursement for
11201 expenses aggregating more than \$100 in the calendar year if the recipient is a member of a
11202 retirement board and the source of the reimbursement is a person having a direct interest in a
11203 matter before the retirement board of which the recipient is a member;

11204 (5) the name and address of the donor and the fair market value, if determinable, of any
11205 gifts aggregating more than \$100 in the calendar year, if the recipient is a member of a retirement
11206 board and the source of the gift is a person having a direct interest in a matter before the
11207 retirement board of which the recipient is a member;

11208 (6) the name and address of the source and the fair market value, of any honoraria
11209 aggregating more than \$100 if the recipient is a member of a retirement board and the source of
11210 such honoraria is a person having a direct interest in a matter before a retirement board;

11211 (7) the name and address of any creditor who has forgiven an indebtedness of over
11212 \$1,000 and the amount forgiven if the creditor is a person having a direct interest in a matter
11213 before a retirement board; provided, however, that no such information need be reported if the
11214 creditor is a relative within the third degree of consanguinity or affinity of the reporting person,
11215 or the spouse of such a relative; and ,

11216 (8) the name and address of any business from which the reporting person is taking a
11217 leave of absence;

11218 (f) Nothing in this section shall be construed to require the disclosure of information,
11219 which is privileged by law.

11220 (g) Failure of a reporting person to file a statement of financial interests within 30 days of
11221 receipt of the notice in writing from the commission which states in detail the deficiency and the
11222 penalties for failure to file a statement of financial interests or the filing of an incomplete
11223 statement of financial interests after receipt of a notice shall result in the removal of the reporting
11224 person from the board and the reporting person shall not be permitted to serve on a retirement
11225 board established under this chapter; provided, however, that, if the reporting person has filed an
11226 incomplete statement of financial interests the removal shall be stayed upon the filing of an
11227 appeal under subdivision (4) of section 16. If the non-complying member is an ex-officio
11228 member the member's appointing authority shall appoint a different individual to serve on the
11229 board or if the member is directly elected by the people a different individual shall be appointed
11230 to serve on the board by the mayor, county commissioners or board of selectman as the case may
11231 be.

11232 SECTION 58. Paragraph (a) of subdivision 1 of section 21 of said chapter 32, as
11233 appearing in the 2008 Official Edition, is hereby amended by inserting after the third sentence
11234 the follow sentence:- Each board shall maintain a copy of all collective bargaining agreements
11235 which cover the systems members and shall make the agreements available to the commission
11236 for review at such time as the commission shall specify.

11237 SECTION 59. Said chapter 32 is hereby further amended by inserting after section 21
11238 the following section:-

11239 Section 21A. (a) As used in this section the following words shall, unless the context
11240 requires otherwise, have the following meanings:-

11241 "Affiliates", entities which are affiliates of each other when either directly or indirectly
11242 one concern or individual controls or has the power to control another or when a third party
11243 controls or has the power to control both.

11244 "Commission", the public employee retirement administration commission.

11245 "Contract", a contract for the furnishing of supplies or services to a retirement board.

11246 "Debarment", an exclusion from contracting or subcontracting with a retirement board for
11247 a reasonable and specified period of time commensurate with the seriousness of the offense.

11248 "Person", a natural person, business, partnership, corporation, union, committee, club or
11249 other organization, entity or group of individuals.

11250 "Retirement board", a board established under chapter 32, chapter 34B or the retirement
11251 board of the Massachusetts Water Resources Authority, excluding the pension reserves
11252 investment management board.

11253 "Suspension", the temporary disqualification of a vendor who is suspected upon adequate
11254 evidence of engaging or having engaged in conduct which constitutes grounds for debarment.

11255 "Vendor", a person that has furnished or seeks to furnish supplies or services under a
11256 contract with a retirement board.

11257 (b) The commission shall establish and maintain a consolidated list of vendors to whom
11258 contracts shall not be awarded and from whom offers, bids or proposals shall not be solicited.
11259 The list shall show at a minimum the following information:

11260 (1) the names of those persons debarred or suspended in alphabetical order with
11261 appropriate cross reference where more than one name is involved in a single debarment or
11262 suspension;

11263 (2) the basis of authority for each debarment or suspension;

11264 (3) the extent of restrictions imposed;

11265 (4) the termination date of each debarment or suspension; and

11266 (5) in the case of a suspension, the hearing date, if and when set, for debarment
11267 proceedings.

11268 The commission shall cause the list to be kept current by the issuance of notices of
11269 additions and deletions. The list shall be published on a periodic basis, together with notices of
11270 additions and deletions, in the goods and services bulletin and the central register published by
11271 the state secretary and in other publications as the commission shall designate. The commission
11272 shall also forward the list to the inspector general, the attorney general and the state auditor.

11273 (c) Debarment may be imposed for the following causes:

11274 (1) conviction or final adjudication by a court or administrative agency of competent
11275 jurisdiction of any of the following offenses:

11276 (i) a criminal offense incident to obtaining or attempting to obtain a public or private
11277 contract or subcontract, or in the performance of such contract or subcontract;

11278 (ii) a criminal offense involving embezzlement, theft, forgery, bribery, falsification or
11279 destruction of records, receiving stolen property or any other offense indicating a lack of

11280 business integrity or business honesty which seriously and directly affects the vendor's present
11281 responsibility as a public contractor;

11282 (iii) a violation of state or federal antitrust laws arising out of the submission of bids or
11283 proposals;

11284 (iv) a violation of chapter 268A; or

11285 (v) a violation of this chapter.

11286 (2) substantial evidence, as determined by the commission, of any of the following acts:

11287 (i) willfully supplying materially-false information incident to obtaining or attempting to
11288 obtain or performing any public contract or subcontract;

11289 (ii) willful failure to comply with record-keeping and accounting requirements prescribed
11290 by law or regulation;

11291 (iii) a record of failure to perform or of unsatisfactory performance in accordance with
11292 the terms of 1 or more public contracts; provided, however, that the failure to perform or
11293 unsatisfactory performance has occurred within a reasonable period of time preceding the
11294 determination to debar; and provided further, that the failure to perform or unsatisfactory
11295 performance was not caused by factors beyond the vendor's control;

11296 (iv) the submission to the board or the commission of an inaccurate disclosure statement;

11297 (v) the failure to disclose to the board and the commission compensation provided to a
11298 person in regards to attempting to obtain or the performance of a public contract or subcontract,

11299 including, but not limited to, compensation provided by third parties retained by the vendor to
11300 another person; or

11301 (vi) any other cause affecting the responsibility of a vendor which the commission
11302 determines to be of a serious and compelling nature as to warrant debarment.

11303 (d) No vendor shall be suspended unless the commission has first informed the vendor by
11304 written notice of the proposed suspension mailed by registered or certified mail to the vendor's
11305 last known address, except when the commission determines that immediate suspension is
11306 necessary to prevent serious harm to the retirement system, in which case the suspension shall
11307 take effect immediately upon signing by the executive director of the commission of an order of
11308 suspension and notice shall be mailed to the vendor at the earliest opportunity. The notice shall
11309 inform the vendor of the reasons for the proposed suspension and shall state that the vendor may,
11310 within 14 days, respond in writing and may in the response request a hearing. The commission
11311 may extend the period for response at the request of the vendor. The commission shall determine
11312 whether to impose the suspension or, in the case of an emergency suspension imposed prior to
11313 notice to the vendor, whether to continue the suspension after reviewing the vendor's response, if
11314 any, and making an investigation as the commission determines is necessary and appropriate. An
11315 indictment, or any information or other filing by a public agency charging a criminal offense, for
11316 any of the offenses listed in paragraph (1) of subsection (d) shall constitute adequate evidence to
11317 support a suspension.

11318 If the vendor requests a hearing and the suspension is not based on an indictment, the
11319 commission shall conduct a hearing according to the rules for the conduct of adjudicatory
11320 hearings established by the secretary of administration under chapter 30A. The hearing shall be

11321 initiated within 30 days of the imposition of the suspension, unless the vendor requests that the
11322 hearing be delayed. Officers and employees of the commission and records of the commission
11323 shall not be subject to subpoena for such hearing, if in the opinion of the commission production
11324 of records or testimony would prejudice any pending investigation by the commission.

11325 A suspension shall not exceed 12 months unless a pending administrative or judicial
11326 proceeding in which the vendor is a party may result in a conviction or final adjudication of an
11327 offense listed in paragraph (1) of subsection (d).

11328 (e) No vendor shall be debarred under this section unless the commission has first
11329 informed the vendor by written notice of the proposed debarment mailed by registered or
11330 certified mail to the vendor's last known address. The notice shall inform the vendor of the
11331 reasons for the debarment and shall state that the vendor will be accorded an opportunity for a
11332 hearing if the vendor so requests within fourteen days of receipt of the notice. A hearing
11333 requested under this paragraph shall be conducted by the commission within sixty days of receipt
11334 of the request, unless the commission grants additional time therefore at the request of the
11335 vendor. The hearing shall be conducted according to the rules for the conduct of adjudicatory
11336 hearings established by the commissioner of administration pursuant to chapter thirty A. A
11337 debarment shall not be imposed until (i) fourteen days after receipt by the vendor of notice of the
11338 proposed debarment if no hearing is requested, or (ii) the issuance of a written decision by the
11339 commission which makes specific findings that there is sufficient evidence to support the
11340 debarment and that debarment for the period specified in the decision is required to protect the
11341 integrity of the public contracting process. A vendor shall be notified forthwith of the decision by
11342 registered or certified mail, and of the vendor's right to judicial review in the event that the

11343 decision is adverse to the vendor. If a suspension precedes a debarment, the suspension period
11344 shall be considered in determining the debarment period.

11345 (f) A debarment or suspension may include all known affiliates of a vendor. The decision
11346 to include a known affiliate within the scope of a debarment or suspension shall be made on a
11347 case-by-case basis, after giving due regard to all relevant facts and circumstances. The offense or
11348 act of an individual justifying suspension, or the evidence justifying a suspension, may be
11349 imputed to the entity with which the individual is connected when such offense or act occurred in
11350 connection with the individual's performance of duties for or on behalf of the entity or with the
11351 knowledge, approval, or acquiescence of the entity or one or more of its principals. The entity's
11352 acceptance of the benefits derived from the conduct shall be evidence of such knowledge,
11353 approval, or acquiescence. The offense or act of an entity justifying debarment, or the evidence
11354 justifying a suspension, may be imputed to any officer, director, shareholder, partner, employee
11355 or other individual associated with the entity who participated in, knew of, or had reason to know
11356 of the entity's act. An entity may not be suspended or debarred except in accordance with the
11357 procedures set forth in this section.

11358 (g) In determining whether to debar a vendor, or the period of a debarment, all mitigating
11359 facts and circumstances shall be taken into consideration. A debarment may be removed or the
11360 period thereof may be reduced by the commission upon the submission of an application
11361 supported by documentary evidence setting forth appropriate grounds for the granting of relief,
11362 such as newly discovered material evidence, reversal of a judgment or conviction, bona fide
11363 change of ownership or management, or the elimination of the cause for which the debarment
11364 was imposed.

11365 (h) During the period for which a person has been debarred or suspended, that person
11366 shall not submit or cause to be submitted offers, bids, or proposals to any retirement board, nor
11367 shall any retirement board solicit or consider offers, bids, or proposals from, nor execute, renew,
11368 or extend any contract with, a debarred or suspended vendor, and a vendor shall not contract for
11369 services from a debarred or suspended subcontractor on any contract with a retirement system.

11370 SECTION 60. Subdivision (2) of section 23 of said chapter 32, as appearing in the 2008
11371 Official Edition, is hereby amended by striking out paragraph (b) and inserting in place thereof
11372 the following paragraph: -

11373 (b) The board of each system shall invest and reinvest the funds of the system in the
11374 PRIT Fund under subdivision (8) of section 22, in the PRIT Fund by purchasing shares of the
11375 fund, as provided for in the trust agreement adopted by the PRIM board under subdivision (2A)
11376 or as follows:-

11377 (i) in accordance with the standards set forth in subdivision (3), provided that: -

11378 (A) no investment of funds shall be made in stocks, securities or other obligations of a
11379 company which derives more than 15 per cent of its revenues from the sale of tobacco products;

11380 (B) in investing funds the board shall employ an investment manager or investment
11381 managers who shall invest the funds of the system; and

11382 (C) no funds shall be invested directly in mortgages or collateral loans.

11383 (ii) No investment of funds shall take place until board has received from the commission
11384 an acknowledgement of receipt of the following:-

11385 (A) certification that, in making the selection, the board has complied with the process
11386 established in section 23B;

11387 (B) a copy of the vendor certification required under section 23B;

11388 (C) copies of disclosure forms submitted by the selected vendor;

11389 (D) a certification that the investment is not a prohibited investment as set forth in
11390 regulations of the commission;

11391 (E) if the board has retained a consultant, a copy of the consultant reports pertaining to
11392 the investment and the selected vendor; and

11393 (F) a copy of the board certification required under section 23B.

11394 The commission may withhold the acknowledgement if it determines that it is in the best
11395 interest of the retirement system; provided, however, that it must so notify the board within 10
11396 days of receipt of completed documents as required by this section.

11397 (iii) Prior to the retention of an investment consultant the board must receive from the
11398 commission an acknowledgement of receipt of the following:-

11399 (A) certification that, in making the selection, the board has complied with the process
11400 established in section 23B;

11401 (B) copy of the vendor certification required under section 23B;

11402 (C) copies of disclosure forms submitted by the selected consultant; and

11403 (D) copy of the board certification required under section 23B.

11404 SECTION 61. Subdivision (3) of said section 23 of said chapter 32, as so appearing, is
11405 hereby amended by adding the following sentence:- Each member of a retirement board
11406 established pursuant to the provisions of this chapter shall upon the commencement of their term
11407 file with the commission a statement acknowledging that they are aware of and will comply with
11408 the standards set forth in chapter 268A of the general laws, the provisions of this chapter and the
11409 provisions of regulations promulgated pursuant to this chapter.

11410 SECTION 62. Said section 23 of said chapter 32 is hereby further amended by striking
11411 out subdivision (4), as so appearing, and inserting in place thereof the following subdivision:-

11412 (4) If the commission makes a written finding that a board of any retirement system has
11413 violated or neglected to comply with this chapter or the rules and regulations promulgated by the
11414 commission, in a manner that substantially impacts the duties or obligations of the board, the
11415 commission may appoint a receiver to oversee a board that is responsible for the administration
11416 of such system. The receiver shall be authorized to take or desist from any action in order to
11417 insure that the system is managed with reasonable care, skill, prudence and diligence. The action
11418 may include, but is not limited to, the following:-

11419 (i) transfer of assets to the PRIT Fund;

11420 (ii) removal of a board member;

11421 (iii) appointment of board member;

11422 (iv) termination of a contract;

11423 (v) approval or denial of retirement benefits;(vi) employment or termination of

11424 employees; and, conduct of a fiduciary audit.

11425 SECTION 63. Said chapter 32 is hereby amended by inserting after section 23 the
11426 following section –

11427 Section 23B. (a) This section shall apply to every retirement board contract for the
11428 procurement of investment, actuarial, legal and accounting services.

11429 (b) As used in this section the following words shall, unless the context requires
11430 otherwise, have the following meanings:-

11431 "Contract", all types of agreements for the procurement of services, regardless of what
11432 the parties may call the agreement.

11433 "Contractor", a person having a contract with a retirement board.

11434 "Majority vote", as to any action by or on behalf of a retirement board, a simple majority
11435 of the board.

11436 "Minor informalities", minor deviations, insignificant mistakes and matters of form rather
11437 than substance of the proposal or contract document which can be waived or corrected without
11438 prejudice to other offerors, potential offerors or the retirement board.

11439 "Person", a natural person, business, partnership, corporation, union, committee, club or
11440 other organization, entity or group of individuals.

11441 "Procurement", acquiring a service and all functions that pertain to the obtaining of a
11442 service, including description of requirements, selection and solicitation of sources, preparation
11443 and award of contract and all phases of contract administration.

11444 "Procurement officer", an individual duly authorized by the retirement board to assist in a
11445 procurement.

11446 "Proposal", a written offer to provide a service at a stated price submitted in response to a
11447 request for proposals.

11448 "Purchase description", the words used in a solicitation to describe the services to be
11449 purchased, including specifications attached to or incorporated by reference into the solicitation.

11450 "Request for proposals", the documents utilized for soliciting proposals, including
11451 documents attached or incorporated by reference.

11452 "Responsible bidder or offeror", a person who has the capability to perform fully the
11453 contract requirements and the integrity and reliability which assures good faith performance.

11454 "Responsive bidder or offeror", a person who has submitted a bid or proposal which
11455 conforms in all respects to the request for proposals.

11456 "Retirement board", a board established under this chapter, chapter 34B or the retirement
11457 board of the Massachusetts Water Resources Authority, but excluding the pension reserves
11458 investment management board.

11459 "Services", the furnishing of labor, time or effort by a contractor, not involving the
11460 furnishing of a specific end product other than reports; provided, however, that the term shall not
11461 include employment agreements, collective bargaining agreements or grant agreements.

11462 (c) A retirement board shall enter into procurement contracts for investment, actuarial
11463 legal and accounting services utilizing competitive sealed proposals, in accordance with the
11464 provisions of this section.

11465 (d) A retirement board that awards a contract shall maintain a file on each contract and
11466 shall include in the file a copy of all written documents required by this section. Written
11467 documents required by this section shall be retained by the retirement board for at least 6 years
11468 from the date of final payment under the contract.

11469 (e) The retirement board or its procurement officer shall give public notice of the request
11470 for proposals and a reasonable time prior to the date for the opening of proposals. The notice
11471 shall:

11472 (1) indicate where, when and for how long the request for proposal may be obtained;

11473 (2) describe the service desired and reserve the right of the retirement board to reject any
11474 or all bids;

11475 (3) remain posted, for at least 2 weeks, in a conspicuous place in or near the offices of the
11476 retirement board until the time specified in the request for proposals; and

11477 (4) be published at least once, not less than 2 weeks prior to the time specified for the
11478 receipt of proposals, in a newspaper of general circulation within the area served by the
11479 retirement board and in the case of a procurement for investment, accounting, actuarial or legal
11480 services in a publication of interest to those engaged in providing such services.

11481 The retirement board or its procurement officer shall also place the notice in a publication
11482 established by the state secretary for the advertisement of such procurements.

11483 The retirement board or its procurement officer may distribute copies of the notice to
11484 prospective bidders and may compile and maintain lists of prospective bidders to which notices
11485 may be sent.

11486 (f) The retirement board shall unconditionally accept a proposal without alteration or
11487 correction, except as provided in this section. A bidder may correct, modify or withdraw a
11488 proposal by written notice received in the office designated in the request for proposals prior to
11489 the time and date set for the proposal opening. After proposal opening, a bidder may not change
11490 the price or any other provision of the proposal in a manner prejudicial to the interests of the
11491 retirement board or fair competition. The retirement board shall waive minor informalities or
11492 allow the bidder to correct them. If a mistake and the intended proposal are clearly evident on the
11493 face of the proposal document, the procurement officer shall correct the mistake to reflect the
11494 intended correct proposal and so notify the bidder in writing and the bidder may not withdraw
11495 the proposal. A bidder may withdraw a proposal if a mistake is clearly evident on the face of the
11496 proposal document but the intended correct proposal is not similarly evident.

11497 (g) The retirement board shall solicit proposals through a request for proposals. The
11498 request for proposals shall include:

11499 (1) the time and date for receipt of proposals, the address of the office to which the
11500 proposals are to be delivered and the maximum time for proposal acceptance by the retirement
11501 board;

11502 (2) the purchase description and all evaluation criteria that may be utilized under
11503 subsection (h); and

11504 (3) all contractual terms and conditions applicable to the procurement; provided,
11505 however, that the contract may incorporate by reference a plan submitted by the selected offeror
11506 for providing the required services.

11507 The request for proposals may incorporate documents by reference; provided, however,
11508 that the request for proposals specifies where prospective offerors may obtain the documents.
11509 The retirement board or its procurement officer shall make copies of the request for proposals
11510 available to all persons on an equal basis.

11511 (h) The retirement board or its procurement officer shall not open the proposals publicly,
11512 but shall open them in the presence of a witness at the time specified in the request for proposals.
11513 Notwithstanding section 7 of chapter 4, until the completion of the evaluations or until the time
11514 for acceptance specified in the request for proposals, whichever occurs earlier, the contents of the
11515 proposals shall remain confidential and shall not be disclosed to competing offerors. At the
11516 opening of proposals the retirement board or its procurement officer shall prepare a register of
11517 proposals which shall include the name of each offeror and the number of modifications, if any,
11518 received. The register of proposals shall be open for public inspection.

11519 (i) The retirement board or its consultant retained under this chapter shall be responsible
11520 for the initial evaluation of the proposals. The retirement board or its consultant retained under of
11521 this chapter shall prepare their initial evaluations based solely on the criteria set forth in the
11522 request for proposals. The evaluations shall specify in writing:

11523 (1) a rating of each proposal evaluation criteria as highly advantageous, advantageous,
11524 not advantageous or unacceptable, and the reasons for the rating;

11525 (2) a composite rating for each proposal and the reasons for the rating; and

11526 (3) revisions, if any, to each proposed plan for providing the required services which
11527 should be obtained by negotiation prior to awarding the contract to the offeror of the proposal.

11528 If the initial evaluation is conducted by a consultant retained under this chapter the
11529 consultant shall review all initial evaluations with the retirement board and provide to each
11530 member of the retirement board the initial evaluation of each proposal.

11531 (j) The retirement board shall determine the most advantageous proposal from a
11532 responsible and responsive offeror taking into consideration price and the evaluation criteria set
11533 forth in the request for proposals. The retirement board shall award the contract by written notice
11534 to the selected offeror within the time for acceptance specified in the request for proposals. The
11535 parties may extend the time for acceptance by mutual agreement. The retirement board may
11536 condition an award on successful negotiation of the revisions specified in the evaluation and
11537 shall explain in writing the reasons for omitting any revision from a plan incorporated by
11538 reference in the contract.

11539 (k)(1) If a competitive process to select an investment service provider the request for
11540 proposals includes mandatory contractual terms and conditions to be incorporated into the
11541 contract including provisions stating that the contractor is a fiduciary with respect to the funds
11542 which the contractor invests on behalf of the retirement board, provisions stating that the
11543 contractor shall not be indemnified by the retirement board, provisions requiring the contractor to
11544 annually inform the commission and the board of any arrangements in oral or in writing, for
11545 compensation or other benefit received or expected to be received by the contractor or a related
11546 person from others in connection with the contractors services to the retirement board or any
11547 other client, provisions requiring the contractor to annually disclose to the commission and the
11548 retirement board compensation, in whatever form, paid or expected to be paid, directly or
11549 indirectly, by the contractor or a related person to others in relation to the contractors services to
11550 the retirement board or any other client and provisions requiring the contractor to annually

11551 disclose to the commission and the retirement board in writing any conflict of interest the
11552 contractor may have that could reasonably be expected to impair the contractor's ability to render
11553 unbiased and objective services to the retirement board. Other mandatory contractual terms and
11554 conditions shall address investment objectives, brokerage practices, proxy voting and tender
11555 offer exercise procedures, terms of employment and termination provisions. The retirement
11556 board shall make a preliminary determination of the most advantageous proposal from a
11557 responsible and responsive offeror taking into consideration price and the evaluation criteria set
11558 forth in the request for proposals. The retirement board or its duly designated agent, subject to
11559 the approval of the retirement board, may negotiate all terms of the contract not deemed
11560 mandatory or non-negotiable with the offeror. If, after negotiation with the offeror, the retirement
11561 board in consultation with its duly designated agent and its consultant retained under this chapter
11562 determines that it is in the best interests of the retirement board, the retirement board in
11563 consultation with its consultant retained under this chapter may determine the proposal which is
11564 the next most advantageous proposal from a responsible and responsive offeror taking into
11565 consideration price and the evaluation criteria set forth in the request for proposals and may
11566 negotiate all terms of the contract with the offeror. The retirement board shall award the contract
11567 to the most advantageous proposal from a responsible and responsive offeror taking into
11568 consideration price, the evaluated criteria set forth in the request for proposals, and the terms of
11569 the negotiated contract. The retirement board shall award the contract by written notice to the
11570 selected offeror within the time for acceptance specified in the request for proposals. The time
11571 for acceptance may be extended for up to 45 days by mutual agreement between the retirement
11572 board and the responsible and responsive offeror offering the most advantageous proposal as
11573 determined by the retirement board.

11574 On or before January 1 of each year the contractor shall file the disclosures required with
11575 the board and the commission. Failure to file disclosures or the filing of inaccurate disclosures
11576 shall subject the contractor to proceedings under section 21A.

11577 (2) The retirement board may cancel a request for proposals or may reject in whole or in
11578 part any and all proposals when the retirement board determines that cancellation or rejection
11579 serves the best interests of the system. The retirement board shall state in writing the reason for a
11580 cancellation or rejection.

11581 (3) A person submitting a proposal for the procurement or disposal of services to a
11582 retirement board shall certify in writing on the proposal as follows:

11583 The undersigned certifies under penalties of perjury that this proposal has been made and
11584 submitted in good faith and without collusion or fraud with any other person. As used in this
11585 certification, the word "person" shall mean a natural person, business, partnership, corporation,
11586 union, committee, club or other organization, entity or group of individuals.

11587 _____

11588 (Signature of individual submitting bid or proposal)

11589 _____

11590 (Name of business)

11591 (4) Each retirement board member shall certify to the commission in writing with respect
11592 to a procurement subject to the provisions of this section, as follows:

11593 The undersigned certifies under penalties of perjury that, to the best of the members
11594 knowledge and belief, this proposal has been made and submitted in good faith and without
11595 collusion or fraud with any other person. As used in this certification, the word ""person" shall
11596 mean any natural person, business, partnership, corporation, union, committee, club or other
11597 organization, entity or group of individuals.

11598 _____

11599 (Signature of individual retirement board member)

11600 _____

11601 (Name of retirement board)

11602 (5) No person shall cause or conspire to cause the splitting or division of a request for
11603 proposals, proposal, solicitation or quotation for the purpose of evading a requirement of this
11604 section.

11605 (6) Unless otherwise provided by law and subject to clause (i), a retirement board may
11606 enter into a contract for a period of time which serves the best interests of the retirement board;
11607 provided, however, that the retirement board shall include in the solicitation the term of the
11608 contract and conditions of renewal, extension or purchase, if any.

11609 (i) A retirement board shall not award a contract for a term exceeding 5 years, including
11610 any renewal, extension or option; provided, however, that a retirement board may participate in a
11611 limited partnership, trust or other entity with a term for a period longer than 5 years as part of an
11612 investment of system assets.

11613 When a contract is to contain an option for renewal, extension or purchase, the
11614 solicitation shall include notice of the provision. The retirement board shall retain sole discretion
11615 in exercising the option and no exercise of an option shall be subject to agreement or acceptance
11616 by the contractor.

11617 (ii) The retirement board shall not exercise an option for renewal, extension or purchase
11618 unless the retirement board, after reasonable investigation of costs and benefits, has determined
11619 in writing that the exercise of the option is more advantageous than alternate means of procuring
11620 comparable services.

11621 (7) All specifications shall be written in a manner which describes the requirements to be
11622 met without having the effect of exclusively requiring a proprietary service or procurement from
11623 a sole source.

11624 (8) All contracts shall be in writing and the retirement board shall make no payment for a
11625 service rendered prior to the execution of the contract.

11626 (i) A contract made in violation of this section shall not be valid and the retirement board
11627 shall make no payment under such contract. Minor informalities shall not require invalidation of
11628 a contract.

11629 (ii) A person who causes or conspires with another to cause a contract to be solicited or
11630 awarded in violation this section shall forfeit and pay to the appropriate retirement board a sum
11631 of not more than \$2,000 for each violation. In addition, the person shall pay double the amount
11632 of damages sustained by the retirement board by reason of the violation, together with the costs
11633 of any action. If more than 1 person participates in the violation, the damages and costs may be
11634 apportioned among them.

11635 (iii) The commission or the retirement board shall have authority to institute a civil action
11636 to enforce clause (ii).

11637 (k) Any other provision of this chapter, including provisions that apply to a county
11638 retirement system, that are not inconsistent with this section shall apply to the Essex regional
11639 retirement system.”;SECTION 64. Paragraph (e) of subdivision (2A) of section 23 of said
11640 chapter 32, as appearing in the 2008 Official Edition, is hereby amended by adding the following
11641 clause:-

11642 (xv) not award a compensation package that includes incentive payments for
11643 performance in a year in which the total value of the fund is reduced from the total value thereof
11644 in the preceding year.

11645 SECTION 65. Section 65D of said chapter 32, as so appearing, is hereby amended by
11646 inserting after the word “office,” in line 5, the following words:- and a chief justice or an
11647 associate justice of the supreme judicial court.

11648 SECTION 66. Section 101 of said chapter 32, as so appearing, is hereby amended by
11649 striking out, in line 8, the words “six thousand dollars” and inserting in place thereof the
11650 following words:- either \$6,000 or, in a retirement system accepting the supplemental annual
11651 allowance as provided in this section, \$9,000.

11652 SECTION 67. Section 2 of chapter 32B of the General Laws, as appearing in the 2008
11653 Official Edition, is hereby amended by inserting after subsection (f) the following subsection:-

11654 (f^{1/2}) “Health reimbursement account”, a federally-recognized tax-exempt health benefit
11655 program that allows an employer to reimburse qualified medical expenses paid by employees.

11656 SECTION 68. Said chapter 32B is hereby further amended by inserting after section 9A
11657 the following section:-

11658 Section 9A1/2. Whenever a retired employee or beneficiary receives a healthcare
11659 premium contribution from a governmental unit in a case where a portion of the retiree's
11660 creditable service is attributable to service in 1 or more other governmental units, the first
11661 governmental unit shall be reimbursed in full, in accordance with this paragraph, by the other
11662 governmental units for the portion of the premium contributions that corresponds to the
11663 percentage of the retiree's creditable service that is attributable to each governmental unit. The
11664 other governmental units shall be charged based on their own contribution rate or the
11665 contribution rate of the first employer, whichever is lower.

11666 The treasurer of the first governmental unit shall annually, on or before January 15, upon
11667 the certification of the board of the system from which the disbursements have been made, notify
11668 the treasurer of the other governmental unit of the amount of reimbursement due for the previous
11669 fiscal year and the treasurer of the other governmental unit shall immediately take all necessary
11670 steps to insure prompt payment of this amount. In default of any such payment, the first
11671 governmental unit may maintain an action of contract to recover the same, but there shall be no
11672 such reimbursement if the 2 systems involved are the state employees' retirement system and the
11673 teachers' retirement system.

11674 SECTION 69. Subsection (a) of section 19 of said chapter 32B, as so appearing, is hereby
11675 amended by striking out the second paragraph.

11676 SECTION 70. Said section 19 of said chapter 32B, as so appearing, is hereby further
11677 amended by adding the following subsection:-

11678 (j) (1) The secretary of administration and finance shall promulgate regulations requiring
11679 the group insurance commission to submit to the secretary of administration and finance the
11680 actuarial value of the non-medicare plan provided by the commission which has the largest
11681 subscriber enrollment at the start of the fiscal year beginning July 1. This actuarial value shall be
11682 the group insurance commission actuarial benchmark.

11683 The secretary of administration and finance shall promulgate regulations requiring the
11684 group insurance commission to submit to the secretary the actuarial value of the medicare
11685 extension plan provided by the commission which has the largest subscriber enrollment at the
11686 start of the fiscal year beginning July 1. This actuarial value shall be the group insurance
11687 commission medicare extension actuarial benchmark.

11688 (2) Notwithstanding any special or general law to the contrary, after July 1, 2010, a
11689 political subdivision which provides health insurance coverage to subscribers under this section
11690 may, in order to achieve reductions in health care expenditures, elect to transfer its subscribers to
11691 the group insurance commission under subsection (e) without a written agreement between the
11692 appropriate public authority and the public employee committee as required under subsection (a).

11693 (3) Notwithstanding any special or general law to the contrary, after July 1, 2010, a
11694 political subdivision which provides health insurance coverage to subscribers under this section
11695 and has not transferred its subscribers to the commission may, in order to achieve reductions in
11696 health care expenditures, elect to reduce the actuarial value of its health care plan without a
11697 written agreement between the appropriate public authority and the public employee committee
11698 as required under subsection (a); provided, however, that the actuarial value of its plan or plans

11699 shall be no lesser than the group insurance commission actuarial benchmark or the group
11700 insurance commission medicare extension actuarial benchmark, as applicable.

11701 (4) A political subdivision electing to reduce health care expenditures by either
11702 transferring subscribers to the group insurance commission under paragraph (2) or by reducing
11703 the actuarial value of its health care plans under paragraph (3) shall do so in the following
11704 manner: (i) in a county, except Worcester county, by a vote of the county commissioners; (ii) in a
11705 city having Plan D or a Plan E charter, by majority vote of the city council and approval by the
11706 manager; (iii) in any other city, by majority vote of the city council and approval by the mayor;
11707 (iv) in a town, by vote of the board of selectmen; (v) in a regional school district, by vote of the
11708 regional district school committee; (vi) and in all other districts, by vote of the registered voters
11709 of the district at a district meeting. No change implemented under this paragraph shall be subject
11710 to an obligation to bargain under chapter 150E.

11711 (5) At least 90 days before implementing any changes authorized under paragraph (4), the
11712 political authority shall convene a meeting with the public employee committee as provided
11713 under subsection (a) to negotiate an agreement to determine how the authority and the committee
11714 will share the cost savings which result from the transfer of subscribers to the group insurance
11715 commission or the reduction in actuarial value. The parties shall negotiate over how the
11716 resulting cost savings shall be shared, which shall include savings for the political subdivision
11717 and for subscribers; provided however, that not less than 25 per cent of the total savings shall be
11718 returned to the political subdivision's general operating budget; provided, further that not less
11719 than 25 per cent of the total savings realized shall be returned to the subscribers in the form of:
11720 premium reductions, premium contributions paid by the political subdivision, health
11721 reimbursement accounts, wellness programs, health care trust funds for emergency medical care

11722 or inpatient hospital care, Medicare Part B reimbursements or other qualified medical expenses,
11723 as determined through negotiation. If the appropriate public authority and public employee
11724 committee have not reached an agreement within 45 days after their first meeting, any
11725 unresolved issues shall be submitted to an arbitrator with expertise in municipal health benefits
11726 selected by the parties under the rules of the American Arbitration Association.

11727 The form of arbitration shall be last best offer, issue by issue. The arbitrator shall have
11728 the power to administer oaths and to require by subpoena the attendance and testimony of
11729 witnesses, production of books, records and other evidence relative to or pertinent to the issues.
11730 The cost of arbitration shall be shared equally by the appropriate public authority and the public
11731 employee committee. A person acting as an arbitrator under this section, shall not be required by
11732 any administrative, arbitration or non-criminal judicial tribunal to disclose any files, records,
11733 documents, notes or other papers or be required to testify with regard to any information
11734 obtained while functioning as an arbitrator under this subsection.

11735 The arbitrator shall issue a decision not later than 45 days after the unresolved issues are
11736 submitted to the arbitrator. In reaching a decision, the arbitrator shall decide any issues not
11737 resolved by the parties, including how the remaining cost savings shall be shared, which shall
11738 include savings for the political subdivision and for subscribers. In reaching a decision, the
11739 arbitrator shall consider the political subdivision's ability to pay, existing premium contribution
11740 ratios between the appropriate authority and the subscribers, intended use of savings by the
11741 political subdivision, any historical negotiations or concessions by retirees on benefits and the
11742 historical negotiations on benefits and salary including total compensation and all other
11743 evidence.

11744 The arbitrator’s decision, if supported by material and substantive evidence on the whole
11745 record shall be, binding upon the parties, unless the decision of the arbitrator is rejected by the
11746 legislative branch of the municipality by a two-thirds vote within 30 days. If the political
11747 subdivision rejects the decision of the arbitrator, the political subdivision shall not implement
11748 any changes authorized under paragraph (4).

11749 SECTION 71. Said chapter 32B is hereby amended by adding the following section:-

11750 Section 21. Notwithstanding any other provisions of this chapter, a political subdivision
11751 which transfers its subscribers to the commission or reduces the actuarial value of the health care
11752 plans under subsection (j) of section 19 may provide health reimbursement accounts to reimburse
11753 subscribers for qualified medical expenses. Qualified medical expenses may include, but shall
11754 not be limited to, out-of-pocket costs such as inpatient and outpatient copayments, calendar year
11755 deductibles, office visit copayments and prescription drug copayments.

11756 SECTION 72. Section 19 of chapter 34B of the General Laws, as appearing in the 2008
11757 Official Edition, is hereby amended by inserting after the word “date”; in line 6, the following
11758 words:- ; provided, however, that this section shall not apply to Essex county or an entity
11759 managing the contributory retirement system formerly administered by Essex county unless
11760 explicitly noted otherwise.

11761 SECTION 73. Said section 19 of said chapter 34B, as so appearing, is hereby further
11762 amended by inserting after the figure “32”, in line 14, the following words:- ; provided, however,
11763 that no employee, contractor, vendor or person receiving remuneration, financial benefit or
11764 consideration of any kind, other than a retirement benefit or the statutory stipend for serving on
11765 the retirement board, from a retirement board or from a person doing business with a retirement

11766 board shall be eligible to serve on a retirement board; provided further, that an employee of a
11767 retirement board may serve on a retirement board other than the retirement board by which the
11768 person is employed; and provided further, that this paragraph shall apply only to individuals who
11769 first become members of a retirement board on or after January 1, 2011.

11770 SECTION 74. Paragraph (b) of said section 19 of said chapter 34B, as so appearing, is
11771 hereby amended by striking out clauses (1) to (4), inclusive, and inserting in place thereof the
11772 following 4 clauses:-

11773 (1) The first member, who shall serve as chairman, shall be elected by the other 4
11774 members and shall serve for a term of 6 years. If the first member is not chosen by the other 4
11775 members within 30 days of the expiration of his term or if a vacancy occurs in the office, the
11776 public employee retirement administration commission shall appoint the first member.

11777 (2) The second member shall be a member of the regional retirement board advisory
11778 council and shall be elected by a majority of those present and voting at a public meeting of the
11779 council, properly posted, and specifically called for such election pursuant to paragraph (g) and
11780 shall serve for a term of 3 years.

11781 (3) A third and fourth member, hereinafter referred to as the elected members, shall be
11782 elected by the members in or retired from the service of the system from among their number in
11783 accordance with paragraph (h) and shall serve for a term of 3 years.

11784 (4) A fifth member, who shall not be an employee, retiree or official of the retirement
11785 system or of any of its constituent governmental units, shall be chosen by the other 4 members
11786 and shall serve for a term of 5 years. If the fifth member is not chosen within 30 days of the

11787 expiration of the member's term or if a vacancy occurs in the office, the public employee
11788 retirement administration commission shall appoint the fifth member.

11789 SECTION 75. Said paragraph (b) of said section 19 of said chapter 34B, as so appearing,
11790 is hereby further amended by striking out clause (6).

11791 SECTION 76. Said section 19 of said chapter 34B, as so appearing, is further hereby
11792 amended by striking out paragraph (d) and inserting in place thereof the following paragraph:

11793 (d) The retirement board may employ clerical and other assistants as may be required to
11794 transact the business of the retirement system; provided, however, that all employment contracts
11795 shall be subject to review and approval by the public employee retirement administration
11796 commission. All permanent employees of the retirement system shall be members of the
11797 retirement system.

11798 SECTION 77. Said Section 19 of said chapter 34B, as so appearing, is hereby further
11799 amended by striking out paragraph (k).

11800 SECTION 78. Said chapter 34B is hereby amended by inserting after section 19 the
11801 following section:-

11802 Section 19A. (a) The contributory retirement system for Essex county, operating under
11803 the terms of sections 1 to 28, inclusive, of chapter 32, shall be known as the Essex regional
11804 retirement system and all business shall be transacted under this name.

11805 (b) The contributory retirement system of Essex county shall be managed by a retirement
11806 board which shall have the general powers and duties set forth in subdivision (5) of section 20 of
11807 chapter 32. The board shall consist of 5 members as follows:

11808 (1) The first member shall be a chief executive or chief administrative officer of a
11809 member town, unit or district belonging to the Essex regional retirement system for a term of 3
11810 years. This member shall be chosen by weighted vote of the chief executive or chief
11811 administrative officers of member towns, units or districts belonging to the Essex regional
11812 retirement system. The member town, unit or district weighted vote shall be computed based on
11813 the percentage of members of the retirement system who were employed by the member town,
11814 unit or district. For the purposes of this section, “chief executive or chief administrative officer”
11815 shall mean, in the case of a town, the town manager or town administrator, except for a town
11816 which has neither a town manager nor a town administrator, in which case it shall mean the
11817 chairman of the board of selectmen; in the case of a school district, the superintendent; in the
11818 case of a water district, the superintendent; in the case of a veterans’ services entity, the director;
11819 in the case of a housing authority, the executive director; in the case of a regional vocational
11820 institute, the superintendent; in the case of a mosquito control district, the superintendent; and in
11821 the case of a regional retirement board, the chief executive officer; provided, however, that in the
11822 case of the Essex regional retirement board, the chief executive officer shall not be eligible to be
11823 elected as the first member of the regional retirement board. If the first member is not elected
11824 within 30 days of the expiration of the previous term, or in the event of any earlier vacancy in
11825 this office, the public employee retirement administration commission shall appoint the first
11826 member.

11827 (2) The second member shall be a member of the regional retirement board advisory
11828 council, and shall be elected by a majority of those present and voting at a public meeting of the
11829 council, properly posted and specifically called for such election under subsection (g) and shall
11830 serve for a term of 3 years.

11831 (3) The third and fourth member, hereinafter referred to as the elected members, shall be
11832 elected by the members in or retired from service of the Essex county retirement system from
11833 among persons retired under the system in accordance with subsection (h) and shall serve for a
11834 term of 3 years.

11835 (4) A fifth member, who shall not be an employee, retiree or official of the retirement
11836 system, or of any of its constituent governmental units, shall be chosen by the other 4 members
11837 and shall serve for a term of 5 years. If the fifth member is not chosen within 30 days of the
11838 expiration of the member's term, or if a vacancy in the office occurs before the end of the term,
11839 the public employee retirement administration commission shall appoint the fifth member.

11840 (5) Upon the expiration of the term of office of a member, or in the event of a vacancy,
11841 the member's successor shall be elected for a term of 3 years or for the unexpired portion
11842 thereof, as the case may be.

11843 (6) The members of the retirement board shall elect a chairman from among the
11844 members.

11845 (c) The members of the Essex regional retirement board shall be compensated in an
11846 amount to be determined by the board but not to exceed the amounts set forth in subdivision (6)
11847 of section 20 of chapter 32.

11848 (d) No person shall be both a member of the Essex regional retirement board, or an
11849 employee thereof, and registered as a legislative or executive agent, as defined in section 39 of
11850 chapter 3. Should a sitting member of the board register as a legislative or executive agent, as so
11851 defined, the member's seat shall be considered vacant.

11852 (e) The retirement board may employ clerical and other assistants as may be required to
11853 transact the business of the retirement system; provided, however, that all employment contracts
11854 shall be subject to review and approval by the public employee retirement administration
11855 commission. All permanent employees of the retirement system shall be members of the
11856 retirement system.

11857 (f) The retirement board may purchase or lease property, facilities and equipment and
11858 employ personnel necessary for the proper administration and transaction of business of the
11859 retirement system.

11860 (g) The board of the regional retirement system and the chairman thereof shall
11861 respectively be and act as the board and treasurer-custodian of the system with respect to the
11862 employees of any town or district who become members of the system as provided for in
11863 paragraphs (b) or (c) of subdivision (3) or paragraph (b) of subdivision (4) of section 28 of
11864 chapter 32, or who have become members under corresponding provisions of law. The treasurer
11865 or other disbursing officer of any such town or district shall act as a liaison officer between the
11866 employees thereof and the board of the system.

11867 (h) There shall be an Essex regional retirement board advisory council which shall
11868 consist of all the full-time treasurers, elected or appointed, of each city, town, unit or district in
11869 the Essex regional retirement system. If a city, town, unit or district does not employ a full-time
11870 treasurer, the highest ranking, full-time executive employee shall be a member of the Essex
11871 regional retirement board advisory council. The members of the advisory council shall elect a
11872 chair from among the members. The council shall meet twice annually and at the call of the
11873 chair. The council shall supervise and certify the procedures involved in the election of members

11874 to the retirement board, as provided in subsections (b) and (i). Upon approval by votes of the
11875 retirement board and the council, the actuary shall be furnished with an estimate of the expenses
11876 and costs of administration of the system for the ensuing year. The actuary shall annually, not
11877 later than December 15, specify by written notice to the council and the board the amounts
11878 required to be paid from the Pension Fund, the Annuity Reserve Fund, the Special Fund for
11879 Military Service Credit and the Expense Fund, as provided in subdivision (7) of section 22 of
11880 chapter 32. The regional retirement board advisory council, at a meeting specifically called for
11881 the purpose, shall elect 1 of its members, who shall be a member in service in the retirement
11882 system, as a member of the regional retirement board at the expiration of the current member's
11883 term, as provided in paragraph (2) of subsection (b).

11884 (i) The Essex regional retirement board advisory council, which shall serve as the
11885 election board, shall supervise the election of the elected members of the retirement board. The
11886 council shall make available nomination papers to a member in or retired from service so
11887 requesting and shall require that the nomination papers be signed by the candidate and be
11888 returned to the office of the retirement board for safekeeping until the election board shall meet.
11889 The chairman of the council shall give a duplicate receipt for the nomination papers to each
11890 candidate. Completed nomination papers shall contain the signatures and addresses of at least 5
11891 active or retired members of the retirement system. The election board shall determine whether
11892 each candidate has filed nomination papers containing the requisite signatures and addresses. If,
11893 an after investigation, the election board determines that a candidate has filed nomination papers
11894 containing less than 5 signatures as required, the election board shall declare the nomination
11895 papers invalid and shall notify the candidate of the determination. If, after an investigation, the
11896 election board determines that only 1 candidate has filed the requisite number of signatures, the

11897 election board shall declare the candidate to be the elected member of the county retirement
11898 board. If, after an investigation, the election board determines that more than 1 candidate has
11899 obtained the requisite number of valid signatures, the election board shall notify the candidates
11900 of the determination and shall immediately prepare election ballots and set the date for an
11901 election to be held within 40 days.

11902 The election board shall mail ballots to all members of the retirement system whether
11903 active or retired. The election board shall instruct each member to place an appropriate marking
11904 on the face of the printed ballot envelope next to the name of 1 candidate, insert the ballot into a
11905 ballot envelope and the ballot envelope into the pre-stamped envelope, seal the pre-stamped
11906 envelope and mail the envelope to the election board in care of the Essex regional retirement
11907 board, within 20 days after they were mailed. An envelope postmarked later than 20 days after
11908 the mailing shall not be used to determine the elected member. The election board shall notify
11909 each candidate of the time and location of the tabulation of the ballots and shall permit all
11910 candidates to be present at the tabulation. At the specified time for tabulation, the election board
11911 shall assemble all envelopes and inspect the envelopes. Any envelope which has been opened
11912 prior to that date or which has not been signed on the rear by the appropriate addressee shall be
11913 invalidated and shall not be used to determine the elected member. The election board shall
11914 assemble all properly signed, unopened envelopes and shall open each envelope and separate the
11915 enclosed ballot from the envelope. The election board shall assemble all ballots and shall
11916 tabulate the vote for each candidate. Any ballot which contains a marking for more than the
11917 number of vacancies shall be declared invalid.

11918 The election board shall notify each candidate in writing of the results of the election. All
11919 envelopes and ballots received by the election board, including those determined to be invalid,

11920 shall be preserved by the election board for 2 years. The costs incurred by the election board in
11921 administering the election shall be paid from the Essex regional retirement system administration
11922 fund.

11923 (j) The group insurance commission shall make available to board members and
11924 employees of the Essex regional retirement board health, life and disability benefits and board
11925 members and employees shall be eligible to participate in all benefits administered by the group
11926 insurance commission. The costs thereof, including any administrative costs incurred by the
11927 group insurance commission, shall be borne by the employees and board members and the
11928 regional retirement system.

11929 Any benefits provided, prior to the abolition of county government, to employees and
11930 retirees of a regional retirement system that are not available through the group insurance
11931 commission may be provided to employees and retirees through the Essex regional retirement
11932 system; provided, however, that the system is fully reimbursed, in the case of retirees, for the
11933 cost of the benefits, and, in the case of employees, is reimbursed in a percentage equal to that of
11934 the percentage paid by state employees for similar benefits.

11935 SECTION 79. Chapter 36 of the General Laws is hereby amended by striking out section
11936 14, as appearing in the 2008 Official Edition, and inserting in place thereof the following section:

11937 Section 14. Each register shall keep a record, in book or electronic form, into which the
11938 register shall enter recording information for all instruments accepted for record, in the order in
11939 which they are recorded. Upon recording of an instrument, the following information shall be
11940 entered into the record: the day, hour and minute when the register assigns an instrument
11941 number, or book and page number, as the case may be; the instrument number, or book and page

11942 number, so assigned; the names of the grantors and grantees in the instrument; and the city or
11943 town in which the land lies.

11944 No instrument received by the register shall be considered recorded until the register
11945 assigns to the instrument an instrument number, or book and page number, as the case may be.

11946 Any change or correction made to the record shall be accessible to the public in the
11947 particular registry district in which the affected land lies. Such change or correction shall be
11948 maintained by the register as part of the record for public inspection during registry business
11949 hours at each office in the registry district. Any change or correction to the record shall
11950 document the nature and date of the change or correction..SECTION 80. Chapter 55 of the
11951 General Laws is hereby amended by inserting after section 18F the following section:--

11952 Section 18G. An independent expenditure or electioneering communication which is
11953 transmitted through paid radio, television or Internet advertising shall include a statement
11954 disclosing the identity of the individual, corporation, group or association paying for the
11955 advertisement. If the independent expenditure or electioneering communication is a radio or
11956 television advertisement, the advertisement shall include a statement by the individual paying for
11957 the advertisement in which the person acknowledges that he paid for the message and his city or
11958 town of residence. If the radio or television advertisement is paid for by a corporation, group,
11959 association or a labor union, the following statement shall be made by the chief executive officer
11960 of the corporation, the chairman or principal officer of the group or association or the chief
11961 executive or business manager of a labor union: "I am _____ (name) the
11962 _____ (office held) of _____ (name of corporation,
11963 group, association or labor union) and _____ (name of corporation, group, association

11964 or labor union) approves and paid for this message. Such statements in television
11965 advertisements shall be conveyed by an unobscured, full-screen view of the person making the
11966 statement. If an independent expenditure or electioneering communication is transmitted
11967 through Internet advertising, the statement shall appear in a clearly readable manner with a
11968 reasonable degree of color contrast between the background and the printed statement.

11969 Whoever violates this section shall be punished by imprisonment in the house of
11970 correction for not more than 1 year or by a fine of not more than \$100,000, or both.

11971 SECTION 81. Paragraph (1) of subsection (g) of section 6 of chapter 62 of the General
11972 Laws, as appearing in section 21 of chapter 166 of the acts of 2009, is hereby amended by
11973 striking out the third sentence and inserting in place thereof the following 3 sentences:- If such
11974 property is disposed of or ceases to be in qualified use within the meaning of said section 31A of
11975 said chapter 63 or ceases to be used exclusively in a certified project before the end of the
11976 certified project's certification period, or if a certified project's certification is revoked, the
11977 recapture provisions of subsection (e) of said section 31A of said chapter 63 shall apply. If such
11978 property is disposed of after the certified project's certification period but before the end of such
11979 property's useful life, the recapture provisions of said subsection (e) of said section 31A of said
11980 chapter 63 shall apply. The expiration of a certified project's certification shall not require the
11981 application of the recapture provisions of said subsection (e) of said section 31A of said chapter
11982 63. SECTION 82. Section 6J of said chapter 62, as appearing in the 2008 Official Edition, is
11983 hereby amended by striking out, in lines 36 and 37, the words "6 year period beginning January
11984 1, 2006, and ending December 31, 2011" and inserting in place thereof the following words:-
11985 12-year period beginning January 1, 2006, and ending December 31, 2017.

11986 SECTION 83. Section 17 of said chapter 62, as so appearing, is hereby amended by
11987 striking out subsection (d) and inserting in place thereof the following subsection:-

11988 (d) A partner's distributive share of an item of income, loss, deduction or credit shall be
11989 determined by the partnership agreement, but the distributive share shall be determined in
11990 accordance with the partner's interest in the partnership, determined by taking into account all
11991 facts and circumstances, if : (1) the allocation to a partner under the agreement of income, gain,
11992 loss, deduction or credit, or any item thereof, has no substantial economic effect; or (2) the
11993 partnership agreement does not provide as to the partner's distributive share of income, gain,
11994 loss, deduction or credit, or item thereof. The partner shall include the distributive share of
11995 income, loss, deduction or credit in the partner's return for the taxable year during which or with
11996 which the taxable year of the partnership ends. Except as the context otherwise requires and
11997 subject to rules or regulations that the commissioner may adopt, the determination of a partner's
11998 distributive share shall take into account rules and principles developed under the Code and any
11999 regulations promulgated thereunder, and adjusted as required or appropriate to properly reflect
12000 income and other tax items for Massachusetts tax purposes. SECTION 84. Section 1 of chapter
12001 62C of the General Laws, as so appearing, is hereby amended by inserting before the definition
12002 of "Building contractor" the following 2 definitions:-

12003 "Administering agency head", the agency head responsible for administering the
12004 applicable state tax credit program; provided, however, that for the brownfields tax credit and the
12005 film tax credit, the administering agency head shall be the commissioner; and provided further,
12006 that for the medical device tax credit, the administering agency head shall be the Massachusetts
12007 Life Sciences Center.

12008 “Authorized tax credit”, a tax credit granted pursuant to a tax credit program.

12009 SECTION 85. Said section 1 of said chapter 62C, as so appearing, is hereby further
12010 amended by inserting after the definition of "Tax" the following definition:-

12011 “Tax credit program”, (i) the tax credit in subsection (j) of section 6 of chapter 62 and
12012 section 38Q of chapter 63; (ii) the dairy farmer tax credit in subsection (o) of said section 6 of
12013 said chapter 62 and the dairy farm tax credit in section 38Z of said chapter 63; (iii) the
12014 U.S.F.D.A. user fees credit in section 31M of said chapter 63 and subsection (n) of said section 6
12015 of said chapter 62; (iv) the film tax credit in subsection (b) of section 38X of said chapter 63 and
12016 subsection (l) of said section 6 of said chapter 62; (v) the historic rehabilitation tax credit in
12017 section 38R of said chapter 63 and section 6J of said chapter 62; (vi) the life sciences investment
12018 tax credit in section 38U of said chapter 63 and subsection (m) of said section 6 of said chapter
12019 62; (vii) the low-income housing tax credit in section 31H of said chapter 63 and section 6I of
12020 said chapter 62; (viii) the medical device tax credit in section 31L of said chapter 63 and section
12021 6 1/2 of said chapter 62; (ix) the refundable research credit in subsection (j) of section 38M of
12022 said chapter 63; (x) the economic development incentive program in subsection (g) of said
12023 section 6 of said chapter 62 and section 38N of said chapter 63; and (xi) any transferrable or
12024 refundable credits under chapter 62 and 63 established after January 1, 2011. SECTION 86.
12025 Chapter 62C of the General Laws is hereby amended by inserting after section 24 the following
12026 section:-

12027 Section 24A. (a) Members or indirect owners of a pass-through entity shall report items
12028 of income, expense or credit derived from the pass-through entity in a manner consistent with the

12029 reporting of the pass-through entity, except to the extent that a taxpayer member or indirect
12030 owner makes a declaration of inconsistency with its original return.

12031 (b) The commissioner shall establish by regulation unified audit procedures. The
12032 commissioner may audit, in a unified proceeding, a pass-through entity 1 or more of whose
12033 members or indirect owners are subject to tax under chapters 62 or 63; provided, however, that
12034 nothing in this section shall limit the ability of the commissioner to audit or assess individual
12035 members or indirect owners with respect to items derived from a pass-through entity. The
12036 commissioner's regulations shall establish the types of pass-through entities subject to unified
12037 audit proceedings which may include, but shall not be limited to partnerships and S corporations.
12038 The regulations shall also provide for the designation by the pass-through entity of a tax matters
12039 partner who shall have the authority to represent all the members or indirect owners in the
12040 unified proceeding, except to the extent that a member or indirect owner opts out of the unified
12041 proceeding as provided in subsection (d). The authority of the tax matters partner in a unified
12042 proceeding generally shall include, but not be limited to, the following: (1) receiving tax notices
12043 on behalf of participating members or indirect owners with respect to pass-through entity items;
12044 (2) entering into settlement agreements with the commissioner under section 37C on behalf of
12045 the participating members or indirect owners with regard to pass-through entity items; (3) filing
12046 applications for abatement under section 37 on behalf of the participating members or indirect
12047 owners with respect to pass-through entity items; and (4) filing appeals with the appellate tax
12048 board under section 39 on behalf of participating members or indirect owners in the case of a
12049 denial of an abatement by the commissioner, if the underlying abatement application relates to
12050 pass-through entity items. So far as practicable, the commissioner's regulations shall be
12051 modeled on federal rules.

12052 (c) The statute of limitations for the assessment of tax of a member or indirect owner with
12053 respect to a pass-through entity item for an entity's taxable year shall not expire before the latest
12054 of: (1) 3 years after the later of the date on which the entity's return for the taxable year was filed
12055 or the last day for filing the entity's return for that year, without extensions, or (2) an assessment
12056 period otherwise applicable to the taxpayer member or indirect owner. Subsections (d) and (h)
12057 of section 26 shall apply to returns filed by a pass-through entity. In the case of a unified
12058 proceeding, the tax matters partner or other person authorized by a pass-through entity may enter
12059 into a written agreement with the commissioner under section 27 to extend the statute of
12060 limitations for assessment with respect to items of the pass-through entity, in which case such
12061 agreement shall operate to extend the statute of limitation for assessment with respect to all
12062 members or indirect owners with respect to such items, including any members or indirect
12063 owners who may have opted out of the unified proceeding pursuant to subsection (d).

12064 (d) Members or indirect owners of a pass-through entity may choose not to participate in
12065 a unified audit procedure by providing notice to the commissioner in such manner as the
12066 commissioner may require. Non-participating members or indirect owners shall retain all rights
12067 provided under this chapter with respect to determining and disputing tax related to pass-through
12068 entity items, provided however that the statute of limitations for assessment of tax to non-
12069 participating members or indirect owners with respect to items derived from a pass-through
12070 entity that is subject to a unified proceeding shall not expire before the end of the time period
12071 provided in subsection (c).

12072 SECTION 87. Section 30 of said chapter 62C, as appearing in the 2008 Official Edition,
12073 is hereby amended by striking out the fourth paragraph and inserting in place thereof the
12074 following paragraph:-

12075 Any person or estate failing to comply with the first paragraph shall be assessed a penalty
12076 of 10 per cent of the additional tax found due and such penalty shall become part of the
12077 additional tax found due. For reasonable cause shown, the commissioner may, in the
12078 commissioner's discretion, abate the penalty in whole or in part.

12079 SECTION 88. Section 30A of said chapter 62C, as so appearing, is hereby amended by
12080 striking out subsection (c) and inserting in place thereof the following subsection:-

12081 (c) Any person failing to comply with subsection (a) shall be assessed a penalty of 10 per
12082 cent of the additional tax found due and such penalty shall become part of the additional tax
12083 found due. For reasonable cause shown, the commissioner may, in the commissioner's discretion,
12084 abate the penalty in whole or in part. SECTION 89. Section 31A of said chapter 62C is hereby
12085 amended by inserting after the figure "62B", in line 4, as so appearing, the following words:- ,
12086 section 7D of chapter 64C.

12087 SECTION 90. Section 32 of said chapter 62C, as so appearing, is hereby amended by
12088 striking out, in line 62, the words "paragraph (a) of section 26, the ninetieth" and inserting in
12089 place thereof the following words:- subsection (a) of section 26, the sixtieth.

12090 SECTION 91. The first paragraph of paragraph (3) of subsection (e) of said section 32 of
12091 said chapter 62C, as so appearing, is hereby amended by adding the following sentence:- For
12092 purposes of this paragraph, the date of a decision by the appellate tax board shall be determined
12093 without reference to any later issuance of finding of facts and report by the board or to any
12094 request for a finding of facts and report.

12095 SECTION 92. Said chapter 62C is hereby further amended by inserting after section 32
12096 the following section:-

12097 Section 32A. (a) If an obligation from an installment transaction to which subsections (a)
12098 to (c), inclusive, of section 453A of the Code applies is outstanding as of the close of any taxable
12099 year, the tax imposed by chapter 62 or 63 for that taxable year shall be increased by the amount
12100 of interest equal to the product of the applicable percentage of the deferred tax liability
12101 determined under section 453A(c) of the Code, adjusted for Massachusetts differences, including
12102 use of the applicable tax rate under said chapter 62 or 63, as the case may be, multiplied by the
12103 underpayment rate in effect under subsection (a) of section 32 of this chapter.

12104 (b) In the case of an installment obligation to which section 453(l)(2)(B) of the Code
12105 applies, the tax imposed by chapter 62 or 63 for any tax year in which payment on that obligation
12106 is received shall be increased by an amount of interest determined as follows: the amount of tax
12107 for that taxable year attributable to the payments on installment obligations to which this
12108 subsection applies shall be multiplied by the underpayment rate determined under subsection (a)
12109 of section 32 of this chapter in effect at the time of sale, which rate shall be applied for the period
12110 beginning on the date of sale and ending on the date that payment is received.

12111 (c) The commissioner may issue rules or regulations analogous to those under sections
12112 453A and 453 of the Code, adjusted to reflect Massachusetts differences or otherwise to take into
12113 account the tax laws of the commonwealth.

12114 SECTION 93. Said chapter 62C is hereby further amended by adding the following
12115 section:-

12116 Section 89. (a)(1) Annually, not later than May 15, the administering agency head of each
12117 tax credit program shall submit a report to the commissioner on each tax credit program
12118 authorized for the previous calendar year only, which shall be a public record. For the purposes

12119 of the report, those receiving an authorized tax credit shall include an original grantee or an
12120 original contractor of a state award or a political subdivision; provided, however, that no
12121 information shall be used pertaining to credits, exemptions or deductions awarded or claimed
12122 before January 1, 2011.

12123 (2) The report shall contain: (i) the identity of each taxpayer authorized by the
12124 administering agency head to receive a tax credit; (ii) the amount of total tax credit awards and
12125 issued tax credit for each taxpayer in each credit program; (iii) the number of jobs created as a
12126 result of the tax credit awards; and (iv) the following information relevant to the specific tax
12127 credit programs: (A) for the brownfields tax credit, an analysis of the impact of the brownfields
12128 tax credit program on the cleanup and development of contaminated properties; (B) for the dairy
12129 farmer tax credit, an analysis of the impact of the dairy farmer tax credit on preserving dairy
12130 farms and dairy farm employment including, but not limited to, an analysis of the dairy product
12131 output and the number and size in acreage of dairy farms receiving a dairy farm credit; (C) for
12132 the U.S.F.D.A. user fees credit, life sciences investment tax credit and the refundable research
12133 credit, an analysis of the impact of the program on preserving and increasing economic
12134 development and infrastructure for the calendar year; (D) for the film tax credit, an analysis of
12135 the impact of the film tax credit program on preserving or increasing film industry jobs and other
12136 benefits of the program; (E) for the historic rehabilitation tax credit, an analysis of the impact of
12137 the program on preserving historic structures and other benefits of the program including, but not
12138 limited to, the employment created for the calendar year; (F) for the low-income housing tax
12139 credit, an analysis of the impact of the program on preserving or increasing low-income housing
12140 and other benefits of the program including, but not limited to, the number of low-income
12141 housing units placed in service for the calendar year; and (G) for the medical device tax credit,

12142 an analysis of the impact of the medical device tax credit program on preserving or increasing
12143 medical device industry jobs and other benefits of the program.

12144 (b)(1) Annually, not later than February 15, each taxpayer receiving an authorized tax
12145 credit from the administering agency head in the previous calendar year shall submit data
12146 reasonably determined by the secretary of administration and finance to be relevant to analyzing
12147 the effectiveness of the tax credit program, including the number of jobs created as a result of the
12148 tax credit awards.

12149 (2) Annually, not later than May 15 or by such other date as the secretary determines to
12150 be practicable, the administering agency head shall submit to the commissioner, in a form
12151 prescribed by the commissioner, copies of any data and analysis required by paragraph (1), with
12152 the report required by subsection (a). The commissioner shall provide this information on a
12153 government internet website for public disclosure. Data on the number of jobs created shall
12154 indicate the number of jobs produced by each tax credit program but shall not disclose
12155 confidential, company-specific employment data.

12156 SECTION 94. The third paragraph of subsection (a) of section 38N of chapter 63 of the
12157 General Laws, as appearing in section 23 of said chapter 166, is hereby amended by striking out
12158 the last sentence and inserting in place thereof the following sentences:- If such property is
12159 disposed of or ceases to be in qualified use within the meaning of said section 31A of said
12160 chapter 63 or ceases to be used exclusively in a certified project before the end of the certified
12161 project's certification period, or if a certified project's certification is revoked, the recapture
12162 provisions of subsection (e) of said section 31A of said chapter 63 shall apply. If such property
12163 is disposed of after the certified project's certification period but before the end of such

12164 property's useful life, the recapture provisions of subsection (e) of said section 31A of said
12165 chapter 63 shall apply. The expiration of a certified project's certification shall not require the
12166 application of the recapture provisions of said subsection (e) of said section 31A of said chapter
12167 63. SECTION 95. Section 38R of said chapter 63, as appearing in the 2008 Official Edition, is
12168 hereby amended by striking out, in lines 35 and 36, the words "6 year period beginning January
12169 1, 2006, and ending December 31, 2011" and inserting in place thereof the following words:-
12170 12-year period beginning January 1, 2006, and ending December 31, 2017.

12171 SECTION 96. Chapter 64C of the General Laws is hereby amended by inserting after
12172 section 7C the following section:-

12173 Section 7D. A person who fails to pay to the commissioner any sum required by this
12174 chapter to be paid shall be personally and individually liable therefor to the commonwealth. For
12175 the purposes of this section, "person," shall include, but not be limited to, an officer or employee
12176 of a corporation, or a member or employee of a partnership or limited liability company who, as
12177 such officer, employee or member, is under a duty to pay over the taxes imposed by this chapter.

12178 SECTION 97. Section 47A of chapter 71 of the General Laws, as appearing in the 2008
12179 Official Edition is hereby amended by adding the following sentence:- All coaches shall have a
12180 current certification in cardiopulmonary resuscitation from the American Red Cross, American
12181 Heart Association or other agency approved by the department of public health; provided,
12182 however, this requirement shall not apply to coaches who are physically disabled. SECTION 98.
12183 Subsection (h) of section 89 of said chapter 71, as appearing in section 7 of chapter 12 of the acts
12184 of 2010, is hereby amended by adding the following paragraph:-

12185 Within 30 days after approval of a new commonwealth charter school, the board shall
12186 issue a written confirmation that the school meets all requirements set out in subsections (b), (e)
12187 and (f) and any regulations promulgated thereunder and a summary of the reasons therefor.

12188 SECTION 99. Subsection (l) of said section 89 of said chapter 71, as so appearing, is
12189 hereby amended by adding the following sentence:- Charter schools shall not solicit applications
12190 for enrollment by offering money or gifts of any monetary value as an incentive for application.

12191 SECTION 100. Said section 89 of said chapter 71, as so appearing, is hereby further
12192 amended by striking out subsection (ff) and inserting in place thereof the following subsection: -

12193 (ff) Commonwealth charter schools shall be funded under this subsection. The
12194 commonwealth shall pay a tuition amount to the charter school, which shall be the sum of the
12195 tuition amounts calculated separately for each district sending students to the charter school.
12196 Tuition amounts for each sending district shall be calculated by the department using the formula
12197 set forth herein to reflect, as much as practicable, the actual per pupil spending amount that
12198 would be expended in the district if the students attended the district schools. The tuition amount
12199 shall be calculated separately for each district sending students to a charter school and for each
12200 charter school to which a district sends students. Each district's per pupil tuition amount for each
12201 charter school to which it sends students shall include a per pupil foundation budget component,
12202 adjusted to reflect the actual net school spending in the sending district.

12203 In calculating the per pupil foundation budget component, the department shall calculate
12204 a foundation budget for the students from each sending district attending the charter school in the
12205 previous fiscal year, pursuant to section 2 of chapter 70; provided, however, that the department
12206 shall not include in the calculation the assumed tuitioned-out special education enrollment, as

12207 defined in said section 2 of said chapter 70, or any amounts generated by the assumed
12208 enrollment. The per pupil foundation budget component for the charter school shall be the
12209 district's foundation budget, as so calculated, divided by the number of students attending the
12210 charter school from the sending district in the previous fiscal year. The per pupil foundation
12211 budget component shall be calculated separately for each charter school to which a district sends
12212 students. The foundation budget for a charter school shall be the sum of the foundation budgets
12213 for the charter school for each district sending students to the charter school.

12214 In adjusting the per pupil foundation budget component, the department shall calculate
12215 for each sending district an above foundation spending percentage, which shall be the percentage
12216 by which the district's actual net school spending exceeds the foundation budget for the district,
12217 as calculated under chapter 70. The department shall further calculate the percentage of actual
12218 net school spending reported by the sending district associated with tuition costs for tuitioned-out
12219 special education students, including education that occurs in educational collaboratives, and
12220 with spending on health care costs for retired employees, for any district for which such costs are
12221 included in net school spending and shall reduce the district's above foundation spending
12222 percentage proportionately. The per pupil foundation budget component for each charter school
12223 to which the sending district sends students shall be increased by the adjusted above foundation
12224 spending percentage. In a fiscal year in which a school district's chapter 70 aid is reduced during
12225 the course of the fiscal year, under authorization by the general court pursuant to sections 9B and
12226 9C of chapter 29 and the reduction lowers the above foundation percentage, the department shall
12227 adjust the total tuition amount proportionately, in a manner consistent with this section and shall
12228 notify the affected sending district and charter school of any reductions.

12229 The total tuition amount owed to a charter school shall be the per pupil tuition amount as
12230 defined in this section, multiplied by the total number of students attending the charter school
12231 from that district in the current fiscal year. The amount shall be composed of district-sponsored
12232 tuition and state-sponsored tuition. The district-sponsored tuition shall be the total tuition
12233 amount owed to the charter school on behalf of district students for the previous fiscal year;
12234 provided, however, that in the event of a charter school closing or eliminating grade levels, a
12235 school district shall retain chapter 70 allotments for the students who attended those grade levels
12236 in the previous year. The state-sponsored tuition shall be the positive difference, if any, between
12237 the total tuition amount for the current fiscal year and the district-sponsored tuition amount. The
12238 sending district's total charter school tuition amount for purposes of the following paragraphs
12239 shall be the sum of the district-sponsored tuition amounts for each charter school to which the
12240 district sends students, calculated using this section. The receiving charter school's total charter
12241 school tuition amount shall be the sum of the tuition amounts calculated for the charter school for
12242 each district sending students to the charter school. The total state-sponsored charter school
12243 tuition amount for a receiving charter school shall be provided directly to the charter school by
12244 the commonwealth as part of section 3 of chapter 70 and the distribution of the general
12245 appropriation act for a fiscal year or any successor method of determining local aid distributions;
12246 provided, however, that the total state-sponsored charter school tuition shall not be reduced at a
12247 percentage greater than any reduction to chapter 70 aid. The amounts appearing in section 3 of
12248 the general appropriation act shall be the state-sponsored tuition amounts; provided, however,
12249 that upon calculation of final state-sponsored tuition amounts for the current fiscal year, the
12250 department shall adjust state-sponsored tuition amounts based on the calculations for affected
12251 charter schools.

12252 The state treasurer shall deduct a sending district's total charter school tuition amount, as
12253 calculated herein, from the total state school aid, as defined in section 2 of chapter 70, of the
12254 district in which the student resides before the distribution of the aid. In the case of a child
12255 residing in a municipality which belongs to a regional school district, the sending district's total
12256 charter school tuition amount shall be deducted from the chapter 70 education aid of the school
12257 district appropriate to the grade level of the child. If, in a single district, the total of all such
12258 deductions exceeds the total of the education aid, the excess amount shall be deducted from other
12259 aid appropriated to the city or town. If, in a single district, the total of all the deductions exceeds
12260 the total state aid appropriated, the commonwealth shall appropriate the excess amount;
12261 provided, however, that if the district has exempted itself from chapter 70 by accepting section
12262 14 of said chapter 70, the commonwealth shall assess the district for the excess amount.

12263 The state treasurer shall disburse to the charter school an amount equal to the charter
12264 school's total charter school tuition amount as defined in this section.

12265 If more than 1 charter school is managed by a single network or board of trustees,
12266 funding shall not be transferred among individual schools within the network unless such schools
12267 are located in the same school district.

12268 The department shall, subject to appropriation, provide funding to charter schools for a
12269 portion of the per pupil capital needs component included in the charter school tuition amount
12270 for the construction, renovation, purchase, acquisition or improvement of school buildings and
12271 land. In fiscal year 2011 and thereafter, the funding shall be the per pupil amount provided in
12272 fiscal year 2010, increased or decreased by the foundation inflation index, as defined in section
12273 2 of chapter 70.

12274 SECTION 101. Said section 89 of chapter 71, as so appearing is hereby further amended
12275 by striking out subsection (mm) and inserting in place thereof the following subsection:-

12276 “(mm) The board shall promulgate regulations for implementation and enforcement of
12277 this section. The board shall also develop procedures and guidelines for the waiver of any
12278 regulations implementing this section; provided, however, that no waivers shall be issued except
12279 at the written request of the charter applicant or at the written request of the board itself, both of
12280 which shall only be for exceptional circumstances. A waiver shall granted only upon a 2/3 vote
12281 of the board and shall be accompanied by a written explanation of the reasons
12282 therefor. SECTION 102: Subsection (b) of section 91 of said chapter 71, as appearing in section
12283 65 of chapter 27 of the acts of 2009, is hereby amended by striking out the words “chapter 70 per
12284 pupil allotment” and inserting in place thereof the following words:- foundation budget per
12285 pupil:.

12286 SECTION 103. Chapter 71B of the General Laws is hereby amended by inserting after
12287 section 2 the following 2 sections:-

12288 Section 2A. (a) There shall be a bureau of special education appeals which shall provide
12289 adjudicatory hearings, mediation and other forms of alternative dispute resolution as determined
12290 by the bureau of special education appeals for resolution of disputes between and among parents,
12291 school districts, private schools and state agencies concerning: (i) any matter relating to the
12292 identification, evaluation, education program or educational placement of a child with a
12293 disability or the provision of a free and appropriate public education to the child arising under
12294 this chapter and regulations promulgated hereunder or under the Individuals with Disabilities
12295 Education Act, 20 U.S.C. section 1400 et seq., and its regulations; or (ii) a student’s rights under

12296 Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. section 794, and its regulations. All
12297 such disputes shall be referred for resolution to the bureau of special education appeals in the
12298 division of administrative law appeals. The methods of alternative dispute resolution that may be
12299 provided by the bureau of special education appeals shall include those conducted by hearing
12300 officers including, without limitation, settlement conferences and advisory opinion procedures,
12301 to facilitate efficient resolution of disputes for which a hearing has been requested before the
12302 bureau of special education appeals. The bureau shall be maintained and operated as a separate
12303 subdivision of the division of administrative law appeals and shall be independent of the
12304 department of elementary and secondary education. The division of administrative law appeals
12305 shall provide the following administrative support functions to the bureau on an integrated basis
12306 with the same administrative support functions of the division to the extent agreed upon in, and
12307 paid for pursuant to, the memoranda of understanding entered into under subsection (d):
12308 personnel administration; finance; facility operations; technology support; and clerical support.

12309 The bureau shall be administered by a full-time director of special education appeals,
12310 who shall be appointed by the chief administrative magistrate, in consultation with the
12311 commissioner of elementary and secondary education, and who shall report to the chief
12312 administrative magistrate. The director of special education appeals shall have operational
12313 authority over the bureau and all hearing officers and mediators, except as otherwise provided in
12314 this section. The chief administrative magistrate shall supervise the director. The director shall
12315 be an attorney with extensive knowledge and experience in the areas of litigation, administrative
12316 law and special education law. Before hiring a director, the chief administrative magistrate shall
12317 provide a reasonable opportunity for an interview committee consisting of not more than 5 of the
12318 bureau's hearing officers and mediators to interview finalists for the position and provide

12319 feedback to the chief administrative magistrate on such finalists. The chief administrative
12320 magistrate, hearing officers and mediators shall ensure that the names of all candidates are kept
12321 confidential.

12322 The chief administrative magistrate and director shall ensure that the bureau and its
12323 hearing officers and mediators comply with the minimum standards established under laws,
12324 regulations and division policies as provided herein. The chief administrative magistrate and
12325 director shall have all powers necessary and proper for carrying out these responsibilities. Any
12326 decision to terminate the employment of the director shall be made by the chief administrative
12327 magistrate, in consultation with the commissioner of elementary and secondary education. The
12328 chief administrative magistrate and the director shall meet regularly to review the management
12329 and administration of the bureau, including compliance with federal timelines, quality standards,
12330 personnel and issues that arise with respect to the matters covered in the memorandum of
12331 understanding entered into pursuant to said subsection (d).

12332 The department of elementary and secondary education shall retain responsibility for
12333 general supervision of the bureau as specified in and consistent with the federal Individuals with
12334 Disabilities Education Act, 20 U.S.C. sections 1400 et seq. and shall ensure compliance of the
12335 dispute resolution system with the federal act. The department shall perform all oversight
12336 necessary for carrying out these responsibilities. The department of elementary and secondary
12337 education may request and shall receive periodic reports necessary to respond to the reporting
12338 requirements regarding hearings and mediations of the federal act.

12339 The board of elementary and secondary education may issue regulations establishing
12340 minimum standards for the dispute resolution system for special education, including minimum

12341 standards for the qualifications, competence and impartiality of hearing officers and mediators,
12342 and such other standards and requirements as necessary to ensure compliance with all applicable
12343 federal laws and regulations and quality standards. The director of special education appeals, in
12344 consultation with the chief administrative magistrate, may issue such rules and procedures as are
12345 necessary to carry out the bureau's functions; provided, however, that the director shall consult
12346 with the commissioner prior to the issuance of any such rules and procedures; and provided
12347 further, that all rules and procedures shall be consistent with applicable statutes, the board's
12348 regulations and the division of administrative law appeal's policies.

12349 (b) The division of administrative law appeals shall protect the confidentiality of any
12350 personally identifiable data, information and records collected or maintained by the bureau
12351 consistent with the federal Individuals with Disabilities Education Act and other applicable state
12352 and federal laws and regulations.

12353 (c) Hearing officers shall be hired by the director under the direction and supervision of
12354 the chief administrative magistrate. Hearing officers shall be knowledgeable and experienced
12355 attorneys who meet the qualifications and criteria set forth in 34 C.F.R. Section 300.511(c) and
12356 any other regulations or applicable provisions of the Individuals with Disabilities Education Act
12357 and the board of elementary and secondary education regulations. Mediators shall be hired by the
12358 director under the direction and supervision of the chief administrative magistrate. Mediators
12359 shall be knowledgeable and skilled and meet the qualifications and criteria set forth in 34 C.F.R.
12360 Section 300.506(b) and any other regulations or applicable provisions of the Individuals with
12361 Disabilities Education Act and board regulations. Those employees shall work exclusively on
12362 matters within the bureau's jurisdiction. The director shall not assign matters subject to the
12363 jurisdiction of the bureau to non-bureau hearing officers or other employees of the division;

12364 provided, however, that the director may, on a temporary basis, assign matters to hearing officers
12365 or mediators outside the bureau if necessary due to temporary caseload increases or temporary
12366 absences of bureau staff; provided further, that any such outside hearing officer or mediator shall
12367 meet the same standards and qualifications as required for bureau staff and shall only be assigned
12368 special education cases for the duration of such temporary assignment; provided further, that
12369 such temporary assignment shall not be for more than 6 months and the director shall make every
12370 effort to hire additional hearing officers and mediators if necessary to avoid assignment of
12371 matters to hearing officers or mediators outside the bureau; and provided further, that any such
12372 temporary assignments shall be reported to the bureau of special education appeals advisory
12373 council at least every 6 months.

12374 (d) The commissioner of elementary and secondary education and the chief
12375 administrative magistrate of the division of administrative law appeals shall enter into a
12376 memorandum of understanding which may be amended from time to time. The director of
12377 special education appeals shall participate in the negotiations with regard to the memorandum
12378 and the commissioner and the chief administrative magistrate shall consider and make all
12379 reasonable efforts to incorporate the director's views in entering into the memorandum. The
12380 memorandum shall include, but not be limited to: the budget and staffing for the bureau; the
12381 range of dispute resolution options that the bureau will offer, including protocols and procedures
12382 to encourage prehearing dispute resolution; the allocation of the division's administrative support
12383 costs; the transfer of books, papers, records, documents and equipment from the department to
12384 the division; the transfer of outstanding contracts and obligations related to the bureau's
12385 activities from the department to the division; and the establishment of performance standards
12386 and measures for the bureau's activities. The department shall annually enter into an interagency

12387 service agreement with the division whereby the department shall provide funding for the
12388 bureau's operations as set forth in section 4H of chapter 7 and the memorandum.

12389 (e) There shall be a bureau of special education appeals advisory council to consist of 1
12390 person to be appointed by the speaker of the house of representatives and 1 person to be
12391 appointed by the president of the senate who shall act as co-chairs; 1 person designated by the
12392 Massachusetts Association of School Superintendents; 1 person designated by the Massachusetts
12393 Association of School Committees; 1 person designated by the Massachusetts Association of
12394 Special Educators; 1 person designated by the Federation for Children with Special Needs; 1
12395 person designated by the Disability Law Center; and 1 person designated by the Massachusetts
12396 Advocates for Children. Pursuant to the department's responsibilities for the general supervision
12397 of the bureau, the commissioner of elementary and secondary education or his designee shall
12398 participate in meetings of the council. The council's duties shall include, but not be limited to,
12399 providing advice and feedback to the chief administrative magistrate of the division of
12400 administrative law appeals, the director of special education appeals and the commissioner of
12401 elementary and secondary education with respect to the bureau's performance in providing for
12402 the fair and timely resolution of disputes under federal and state laws governing special
12403 education, matters related to the memorandum of understanding entered into by the chief
12404 administrative magistrate and the commissioner with the input of the director, compliance data,
12405 the range and types of alternative dispute resolution mechanisms, mechanisms and resources for
12406 providing trainings, hearing and mediation data, mechanisms for improving access for pro se
12407 parents and outreach to families who are non-English speaking and mechanisms to ensure that
12408 the bureau is appropriately maintained and operated both as a separate subdivision of the division
12409 and independent of the department.

12410 SECTION 104. Section 3 of said chapter 71B is hereby amended by inserting after the
12411 word “hearings”, in line 218, as appearing in the 2008 Official Edition, the following words:-
12412 through the bureau of special education appeals. SECTION 105. Said section 3 of said chapter
12413 71B, as so appearing, is hereby further amended by adding the following paragraph:-

12414 Notwithstanding any general or special law to the contrary, when a placement decision
12415 for students with special needs is modified through an assessment by the department of children
12416 and families and results in a student being moved from a program that was of no cost to the
12417 district to a program for which the district would be responsible for a portion of the students’
12418 tuition, the department of children and families shall meet with the school district before any
12419 change in the placement of the student. This meeting shall include at least 1 member of the
12420 individual education plan team and 1 representative from the district and shall determine whether
12421 the current placement meets the special needs of the student.

12422 SECTION 106. Chapter 75 of the General Laws is hereby amended by inserting after
12423 section 8 the following section:-

12424 Section 8A. (a) This section shall apply to the university only if the board of trustees has
12425 approved by a majority vote acceptance of this section.

12426 (b) The board of trustees shall, for each academic year beginning on or after July 1, 2011,
12427 fix and establish student charges for the university. In-state tuition and mandatory student
12428 charges shall preserve affordability for residents of the commonwealth. Out-of-state student
12429 charges shall appropriately balance the financial needs of the university with the need to be
12430 competitive with peer institutions regionally. In establishing student charges the board shall
12431 consider factors including, but not limited to, the following: actual appropriations received; the

12432 Consumer Price Index; the Higher Education Price Index; tuition and fee rates at peer
12433 institutions; collective bargaining costs; funding from the commonwealth measured with
12434 reference to the funding formula established pursuant to section 15B; and making progress
12435 toward ensuring that fees constitute no more than 25 per cent of student charges. To the extent
12436 practicable, final student charges shall be established for each academic year not later than
12437 March 1 of the calendar year in which the rates shall take effect.

12438 For the purposes of this section, “student charges” shall mean tuition and fees that are
12439 charged to students generally for attendance at the university, but shall not include any fee or
12440 other charge established by the university that is specific to a particular course, program or
12441 activity, and shall not include any charges for room or board.

12442 (c) Beginning with the 2011-2012 academic year, the university shall submit a student
12443 charges plan to the board of higher education for the board’s information consistent with this
12444 section. The plan shall contain the annual student charges the university expects to approve for
12445 the university’s state-supported programs, under the process in subsection (b), for a period of not
12446 less than 5 academic years, which shall be the period of the plan. The plan also shall include but
12447 not be limited to budget and enrollment projections for each year, projections for in-state and
12448 out-of-state enrollments for each year, consideration of the mission of each university campus,
12449 and plans to ensure continuing access to the institution by residents of the commonwealth and to
12450 maintain and increase access for underrepresented student groups. A copy of the plan shall be
12451 provided to the joint committee on higher education, the house and senate committees on ways
12452 and means, and the secretary of education at the time the plan is submitted to the board of higher
12453 education. Notwithstanding the university’s obligation to update the plan every 5 years, the
12454 university may from time to time provide a modified plan, under the process provided in

12455 subsection (b). If the board of trustees determine that a modification of the 5-year plan is
12456 necessary, the trustees shall submit the modified plan to the board of higher education, the joint
12457 committee on higher education, the house and senate committees on ways and means, and the
12458 secretary of education for their information, with an explanation for the rationale behind any
12459 modifications.

12460 (d) All student charges received by the board of trustees under this section shall be
12461 retained by the university in a revolving trust fund or funds and shall be expended as the board of
12462 trustees may direct for the operation and support of the institution. Any balance in a trust fund at
12463 the end of a fiscal year shall continue to be held in the trust fund, shall remain available for
12464 expenditure in subsequent fiscal years and shall not revert to the General Fund. All such trust
12465 funds shall be subject to audit by the state auditor. SECTION 107. Section 44 of said chapter
12466 75, as appearing in the 2008 Official Edition, is hereby amended by striking out, in line 5, the
12467 word “shall” and inserting in place thereof the following word:- may. SECTION 108. Section
12468 19C of chapter 78 of the General Laws, as so appearing, is hereby amended by striking out
12469 clause (2).

12470 SECTION 109. The first paragraph of section 2 of chapter 90 of the General Laws, as so
12471 appearing, is hereby amended by striking out the second and third sentences and inserting in
12472 place thereof the following 3 sentences:- If the owner is a corporation or business entity, the
12473 application shall contain the name of the corporation or business entity, the full address,
12474 including the street, city or town, state and zip code, the federal tax identification number if a
12475 corporation and the social security number if the business entity is a sole proprietorship and does
12476 not have a federal tax identification number. If an applicant is a natural person, the application
12477 shall contain his name, full residential address, date of birth, license number or identification

12478 card number issued by the registrar and such other particulars as the registrar may require.
12479 Except as otherwise provided in this chapter or in regulations adopted by the registrar, no
12480 registration shall be issued for a motor vehicle or trailer owned or leased by a natural person
12481 unless 1 of its registering owners or lessees holds a valid license or identification card issued by
12482 the registrar. The registrar shall provide by regulation for exemptions for out-of-state students,
12483 military personnel, senior citizens and disabled persons.” SECTION 110. Said section 2 of
12484 said chapter 90 is hereby further amended by inserting after the word “statement”, in line 13, as
12485 so appearing, the following word:- signed. SECTION 111. Said section 2 of said chapter 90 is
12486 hereby further amended by striking out, in lines 21 to 23, inclusive, as so appearing, the words
12487 “register in a book or upon suitable index cards to be kept for the purpose the motor vehicle or
12488 trailer described in the application, giving to the vehicle” and inserting in place thereof the
12489 following:- keep a record of motor vehicles and trailers that satisfy the application requirements,
12490 assign to each motor vehicle and trailer. SECTION 112. Section 20 of said chapter 90, as so
12491 appearing, is hereby amended by striking out, in line 10, the words “of not less than \$100 nor
12492 more than \$1000” and inserting in place thereof the following: by a fine of not more than \$500
12493 for a first offense, by a fine of not less than \$500 nor more than \$1,000, for a second offense, by
12494 a fine of not less than \$1,000 nor more than \$2,000 or by imprisonment for not more than 30
12495 days, or both such fine and imprisonment, for a third or subsequent offense. SECTION
12496 113. Section 24B of said chapter 90, as so appearing, is hereby amended by inserting after the
12497 first paragraph the following paragraph:-

12498 Whoever falsely makes, steals, alters, forges or counterfeits a learner’s permit, a license
12499 to operate motor vehicles or an identification card issued under section 8E with the intent to
12500 distribute such learner’s permit, license to operate motor vehicles or identification card or

12501 knowingly assists another to do so, shall be punished as follows: (i) for acts involving 1 to 5
12502 documents, by a fine of not more than \$500 dollars or by imprisonment in the house of
12503 correction for not more than 1 year; (ii) for acts involving 6 to 10 documents, by a fine of not
12504 more than \$1,000 dollars or by imprisonment in the state prison for not more than 5 years or in
12505 jail or house of correction for not more than 2 1/2 years; for acts involving more than 10
12506 documents, by a fine of not more than \$10,000 dollars or by imprisonment in the state prison for
12507 not more than 15 years.

12508 SECTION 114. Said section 24B of said chapter 90, as so appearing, is hereby further
12509 amended by inserting after the third paragraph the following paragraph:-

12510 Whoever falsely makes, steals, alters, forges or counterfeits a learner's permit, a license
12511 to operate a motor vehicle or an identification card issued under section 8E with the intent to
12512 distribute the learner's permit, license to operate a motor vehicle or identification card, or
12513 knowingly assists another to do so, shall be punished as follows:

12514 For the above acts involving 1 to 5 documents, by a fine of not more than \$500 dollars or
12515 by imprisonment in the house of correction for not more than 1 year.

12516 For acts involving 6 to 10 documents, by a fine of not more than \$1000 dollars or by
12517 imprisonment in the state prison for not more than 5 years or in jail or house of correction for not
12518 more than 2 1/2 years.

12519 For acts involving more than 10 documents, by a fine of not more than \$10,000 dollars or
12520 by imprisonment in the state prison for not more than 15 years.

12521 SECTION 115. The third paragraph of section 34B of said chapter 90, as so appearing, is
12522 hereby amended by adding the following 3 sentences: - Any person who transfers, alters,
12523 defaces, uses or carries any such card or license or uses the identification card or motor vehicle
12524 license of another or furnishes false information in obtaining such card or license shall be guilty
12525 of a misdemeanor and shall be punished by a fine of not more than \$500 for a first offense or by
12526 a fine of not more than \$1,000 or imprisonment for not more than 3 months, or both such fine
12527 and imprisonment for a second or subsequent offense. Any person who makes, sells or
12528 distributes a false identification card shall be guilty of a felony and shall be punished by a fine of
12529 not more than \$5,000 or imprisonment for not more than 5 years, or both such fine and
12530 imprisonment. SECTION 116. Paragraph (4) of subsection (A) of section 3 of chapter 90C of the
12531 General Laws is hereby amended by striking out the first paragraph, as amended by section 73 of
12532 chapter 27 of the acts of 2009, and inserting in place thereof the following paragraph:-

12533 (4) A violator may contest responsibility for the infraction by making a signed request for
12534 a noncriminal hearing on the back of the citation and mailing such citation, together with a
12535 \$25.00 court filing fee, to the registrar at the address indicated on the citation within 20 days of
12536 the citation. Notwithstanding any general or special law to the contrary, the registrar, in
12537 cooperation with the state comptroller, upon receipt of the \$25.00 court filing fee, shall
12538 immediately cause the court filing fee to be transferred to the trial court department to be held as
12539 retained revenue. SECTION 117. Chapter 91 of the General Laws is hereby amended by inserting
12540 after section 18B the following section:-

12541 Section 18C. (a) Notwithstanding any general or special law to the contrary, the
12542 department may issue a general license authorizing small-scale docks, piers and similar
12543 structures, as defined by the department by regulation, in tidelands, great ponds, rivers and

12544 streams subject to individual licensing requirements pursuant to sections 12, 12A, 13, 14, 18 and
12545 19. This section shall not apply to the issuance of licenses by the department for commercial
12546 marinas or large-scale docks, piers or similar structures.

12547 (b) Prior to commencing construction pursuant to a general license authorized under this
12548 section, a project proponent shall certify to the department that the project will comply with the
12549 terms and conditions of the general license and shall pay to the department all applicable fees
12550 required under this chapter.

12551 (c) The following shall not apply to a general license issued under this section but, where
12552 applicable, shall apply to the certification mandated in subsection (b):

12553 (1) the first 2 paragraphs of section 18, which shall not apply to projects subject to a
12554 general license, except that the project proponent shall submit to the planning board of the city or
12555 town where the work is to be performed the proposed use and the location, dimensions and limits
12556 and mode of work to be performed, prior to its certification to the department;

12557 (2) the first sentence of the third paragraph of said section 18, which shall not apply to
12558 projects subject to a general license, except that the project proponent shall specify, by metes,
12559 bounds and otherwise, the location, dimensions, and limits and mode of performing the work in
12560 its certification to the department;

12561 (3) the second sentence of the third paragraph of said section 18, which shall not apply to
12562 projects subject to a general license, except that any changes in use or structural alteration of a
12563 licensed structure or fill, whether the structure or fill was licensed before or after the effective
12564 date of this section, shall require a new certification for projects eligible for certification or a

12565 license for structures which are ineligible for the general license, in accordance with this chapter
12566 and the general license;

12567 (4) The sixth paragraph of said section 18, which shall not apply to projects subject to a
12568 general license, except that prior to certification, notice shall be provided by the project
12569 proponent to the selectmen and conservation commission of the town or the mayor and
12570 conservation commission of the city wherein the work is to be performed and published at the
12571 same time in a newspaper having a circulation in the area affected by the project at the expense
12572 of the proponent;

12573 (5) the seventh and eighth paragraphs of said section 18 regarding public and
12574 adjudicatory hearings, which shall not apply to projects subject to a general license;

12575 (6) the ninth paragraph of said section 18 regarding recordation, which shall not apply to
12576 projects subject to a general license, except that the project proponent shall submit a plan of the
12577 work or structure to the department in its certification; provided, however, that a general license
12578 shall be void unless, within 60 days after certification, the certification and the accompanying
12579 plan are recorded in the registry of deeds for the county or district wherein the work is to be
12580 performed; and provided further, that work or change in use shall not commence until the
12581 certification is recorded and the department has received notice of the recording;

12582 (7) the tenth paragraph of said section 18 regarding zoning approval, which shall not
12583 apply to projects subject to a general license, except that the project proponent shall submit a
12584 certification by the clerk of the affected cities or towns with its certification to the department
12585 that the work to be performed or changed in use is not in violation of local zoning ordinances and
12586 by-laws;

12587 (8) the eleventh paragraph of said section 18 regarding assessments for tidewater
12588 displacement and occupation of commonwealth tidelands, which shall not apply to projects
12589 subject to a general license, except that those assessments shall be paid by the project proponent
12590 with its certification to the department; and

12591 (9) section 20, which shall not apply to projects subject to a general license, except that
12592 the project proponent shall submit plans of any proposed work to be performed and a copy of
12593 any legislative grants in its certification to the department.

12594 (d) The department shall promulgate regulations to carry out this section which shall
12595 include, but not be limited to, the scope of a general license and the performance standards that a
12596 project proponent seeking a general license under this section shall satisfy before the department
12597 issues a general license. The regulations shall protect the public rights in tidelands in accordance
12598 with this chapter.

12599 SECTION 118. Section 2 of chapter 92B of the General Laws, as appearing in the 2008
12600 Official Edition, is hereby amended by striking out the fourth and fifth paragraphs and inserting
12601 in place thereof the following 2 paragraphs:-

12602 The corporation shall be governed and its corporate powers exercised by the board, which
12603 shall consist of 30 members appointed in the following manner: 2 members shall be appointed by
12604 the governor and serve at the governor's pleasure; 1 member shall be appointed by the mayor of
12605 Boston and serve at the mayor's pleasure; and 27 members shall be appointed by the board.

12606 Each board member shall serve for 4 years. Members shall be eligible for reappointment.
12607 Any person appointed to fill a vacancy shall serve for the remainder of the term. Any member

12608 may be removed by the board for just cause. All members of the board shall exercise full and
12609 equal voting privileges.

12610 SECTION 119. Said section 2 of said chapter 92B, as so appearing, is hereby further
12611 amended by striking out, in line 34, the words “Seven board members” and inserting in place
12612 thereof the following words:- Half of the board members serving at any time.

12613 SECTION 120. Said section 2 of said chapter 92B, as so appearing, is hereby further
12614 amended by striking out, in line 42, the words: “once a month” and inserting in place thereof the
12615 following words:- 6 times a year.

12616 SECTION 121. The seventh paragraph of said section 2 of said chapter 92B, as so
12617 appearing, is hereby amended by striking out the first sentence and inserting in place thereof the
12618 following sentence:- The board shall elect the chairperson of the board.

12619 SECTION 122. Section 5 of said chapter 92B, as so appearing, is hereby amended by
12620 striking out, in lines 9 to 11, inclusive, the words “; provided, however, that the disposal of any
12621 property shall be subject to the approval of the executive director”.

12622 SECTION 123. Said section 5 of said chapter 92B, as so appearing, is hereby further
12623 amended by striking out, in line 57, the words “the written concurrence of the director” and
12624 inserting in place thereof the following words:- written notice to the director of the
12625 Massachusetts office of travel and tourism.

12626 SECTION 124. Clause (b) of section 6 of said chapter 92B, as so appearing, is hereby
12627 amended by striking out the second sentence.

12628 SECTION 125. Section 9 of said chapter 92B, as so appearing, is hereby amended by
12629 striking out, in line 4, the words “consult with” and inserting in place thereof the following
12630 word:- inform.

12631 SECTION 126. Section 11 of said chapter 92B, as so appearing, is hereby amended by
12632 striking out the first sentence and inserting in place thereof the following sentence:- The zoos
12633 shall continue to be known as the Franklin Park Zoo and the Walter D. Stone Memorial Zoo but
12634 the corporation may offer sponsor “naming rights” to a zoo or to an exhibit therein and may add
12635 a sponsor name to the existing name of a zoo or to an exhibit therein. SECTION 127. Chapter 94
12636 of the General Laws is hereby amended by striking out section 295D, as so appearing, and
12637 inserting in place thereof the following section:-

12638 Section 295D. Any advertisement of motor fuel other than those required in section 295C
12639 shall display the total price including taxes.

12640 SECTION 128. Subsection (b) of section 9 of chapter 94C of the General Laws, as so
12641 appearing, is hereby amended by adding the following paragraph:--

12642 This section shall not be construed to prohibit a physician or an optometrist from the in-
12643 office dispensing and sale of therapeutic contact lenses if the medication contained in such lenses
12644 is within such profession’s designated scope of practice. For purposes of this section,
12645 “therapeutic contact lenses” means contact lenses which contain 1 or more medications and
12646 which deliver such medication to the eye. SECTION 129. Section 31 of said chapter 94C, as so
12647 appearing, is hereby amended by striking out, in line 85, the word “Hydrochloride”. SECTION
12648 130. Section 5K of chapter 111 of the General Laws, as so appearing, is hereby amended by

12649 striking out, in line 67, the figure “90,000” and inserting in place thereof the following figure:-
12650 \$180,000.

12651 SECTION 131. Section 24L of said chapter 111, as so appearing, is hereby amended by
12652 striking out, in lines 13 and 14, the words “developed by the department of public health” and
12653 inserting in place thereof the following words:- administered by the hospital or birth center.

12654 SECTION 132. Said chapter 111 is hereby further amended by inserting after 24L the
12655 following section:-

12656 Section 24M. The department of public health shall establish, maintain and operate a
12657 computerized immunization registry. The immunization registry shall record immunizations and
12658 immunization history with identifying information and shall include appropriate controls to
12659 protect the security of the system and the privacy of the information.

12660 The department shall promulgate rules and regulations to implement the immunization
12661 registry.

12662 Licensed health care providers administering vaccinations shall discuss the reporting
12663 procedures of the immunization registry with the persons receiving the vaccinations and their
12664 parents or guardians, when appropriate, and offer them the right to object to the disclosure of
12665 such information as set forth in this section.

12666 Notwithstanding any restrictions set forth in chapter 46 and section 24B of chapter 111,
12667 upon receipt of an initial birth record for a newborn, the state registrar of vital statistics shall
12668 transmit to the immunization registry the information regarding immunizations administered to a

12669 newborn and such other information transmitted with the birth record that the department
12670 determines to be the minimum necessary for the effective operation of the registry.

12671 All licensed health care providers practicing who administer immunizations shall report
12672 to the immunization registry such data related to immunizations as the department determines is
12673 necessary for disease prevention and control.

12674 Immunization information shall only be released from the immunization registry to the
12675 following individuals and agencies without further express consent of the individual or the
12676 individual's parent or guardian if the individual is a minor, unless the individual or the parent or
12677 guardian objects to such disclosure: (1) licensed health care providers providing direct care to
12678 the individual patient; (2) elementary and secondary school nurses and registration officials who
12679 require proof of immunization for school enrollment and disease control; (3) local boards of
12680 health for disease prevention and control; (4) Women Infants and Children, or WIC, nutrition
12681 program staff who administer WIC benefits to eligible infants and children; (5) staff of state
12682 agencies or state programs whose duties include education and outreach related to the
12683 improvement of immunization coverage rates among their clients.

12684 The department may designate appropriate users who shall have access only to the
12685 individually identifiable information for which access is authorized. Authorized users, including
12686 employees of the department, who in good faith disclose or refuse to disclose information to the
12687 immunization registry, shall not be liable in any cause of action arising from the disclosure or
12688 nondisclosure of such information. The department may revoke access privileges for just cause.

12689 Persons authorized by the commissioner may conduct research studies pursuant to section
12690 24A; provided, however, that the researcher shall submit a written request for information and
12691 shall execute a research agreement that protects the confidentiality of the information provided.

12692 The department may enter into collaborative agreements with registries of other states
12693 and exchange individual or group information provided that maximum protections are afforded
12694 the confidentiality of citizens of the commonwealth in accordance with state law.

12695 Information contained in the immunization registry shall be confidential, shall not
12696 constitute a public record and shall not otherwise be disclosed except in accordance with this
12697 section. Such confidential information shall not be subject to subpoena or court order, and shall
12698 not be admissible as evidence in any action of any kind before a court, tribunal, agency, board or
12699 person.

12700 The department shall establish procedures that allow for an individual or, if the individual
12701 is a minor, then the individual's parent or guardian to amend incorrect information in the
12702 immunization registry and shall provide, upon request, a record of all individuals and agencies
12703 that have accessed an individual's information. SECTION 133. Section 150A of said chapter 111,
12704 as appearing in the 2008 Official Edition, is hereby amended by striking out the fifth paragraph.

12705 SECTION 134. Said section 150A of said chapter 111, as so appearing, is hereby further
12706 amended by striking out, in line 71, the words "thirty days of the receipt of the department's
12707 report" and inserting in place thereof the following words:- 60 days of receipt of said application.

12708 SECTION 135. Said section 150A of said chapter 111, as so appearing, is hereby further
12709 amended by striking out, in line 79, the words "department report" and inserting in place thereof
12710 the following words:- the local board of health.

12711 SECTION 136. Said section 150A of said chapter 111, as so appearing, is hereby further
12712 amended by striking out the tenth and eleventh paragraphs and inserting in place thereof the
12713 following 2 paragraphs:-

12714 No facility, except a refuse transfer station that handles not greater than 50 tons of refuse
12715 per day and is designed, constructed and operated in accordance with performance standards
12716 issued by the department, shall be established, constructed, expanded, maintained, operated or
12717 devoted to any past closure as defined by regulation, unless detailed operating plans,
12718 specifications, a public health report, if any, and necessary environmental reports have been
12719 submitted to the department and the department has granted a permit for the facility and notice of
12720 such permit is recorded in the registry of deeds or, if the land affected thereby is registered land,
12721 in the registry district of the land court for the district wherein the land lies. A refuse transfer
12722 station that handles not greater than 50 tons of refuse per day and is designed, constructed and
12723 operated in accordance with performance standards issued by the department shall not be
12724 established, constructed, expanded, maintained, operated or devoted to any past closure as
12725 defined by regulation, unless detailed operating plans, specifications, a public health report, if
12726 any, and necessary environmental reports have been submitted to the board of health in the city
12727 or town in which the facility is located and such board of health has granted a permit for the
12728 facility and notice of such permit is recorded in the registry of deeds or, if the land affected
12729 thereby is registered land, in the registry district of the land court for the district wherein the land
12730 lies. Within 120 after the department or board of health, as appropriate, has determined that the
12731 operating plans, specifications and reports are complete, the department or board of health, as
12732 appropriate, shall make a decision granting or refusing to grant such permit. The permit, whether
12733 issued by the department or board of health, may limit or prohibit the disposal of particular types

12734 of solid waste at a facility in order to protect public health, promote reuse, waste reduction and
12735 recycling, extend the useful life of the facility or reduce its environmental impact.

12736 A decision by the department or a board of health, as appropriate, granting or refusing to
12737 grant a permit shall be in writing and shall contain findings with regard to criteria established by
12738 the department. A person aggrieved by the action of the department in granting or refusing to
12739 grant such permit, may appeal that decision pursuant to section 14 of chapter 30A. For the
12740 limited purposes of that appeal, the department action shall be deemed to be a final decision in an
12741 adjudicatory proceeding. A person aggrieved by the decision of a local board of health in
12742 granting or refusing to grant a permit for a refuse transfer station may, within 30 days after the
12743 publication of notice of such decision, appeal under said section 14 of said chapter 30A. For the
12744 limited purposes of that appeal, the board of health shall be deemed to be a state agency under
12745 said chapter 30A and its proceedings and decision shall be deemed to be a final decision in an
12746 adjudicatory proceeding.

12747 SECTION 137. Said chapter 111 is hereby further amended by inserting after section
12748 121A the following section:–

12749 Section 121B. Notwithstanding any general or special law to the contrary, the
12750 department, in consultation with the board of registration in medicine, shall promulgate
12751 regulations authorizing a physician, physician assistant, nurse practitioner or certified nurse
12752 midwife who is authorized under chapter 94C to prescribe and dispense prescription drugs and
12753 who diagnoses infection due to *Chlamydia trachomatis* in an individual patient, to prescribe and
12754 dispense such prescription drugs to the patient's sexual partners for the presumptive treatment of
12755 *Chlamydia* infection without an examination of the patient's sexual partners. The department

12756 shall develop standardized educational brochures for those providers to distribute in conjunction
12757 with a prescription to a non-examined patient which shall include, but not be limited to, relevant
12758 allergy and educational information concerning the medication, the proper use of the medication
12759 and the contagious nature of the infection if left untreated.

12760 SECTION 138. Chapter 111C of the General Laws is hereby amended by adding the
12761 following section:-

12762 Section 25. When a Class I, II, or V ambulance transports a patient receiving care at the
12763 Paramedic level of advanced life support, the ambulance shall be staffed in accordance with
12764 regulations promulgated by the department with at least 2 emergency medical technicians, 1 of
12765 whom shall be certified at the EMT-paramedic level. SECTION 139. Section 9A of chapter 118E
12766 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding the
12767 following subsection:-

12768 (17) Children who are deemed eligible for medical benefits pursuant to clauses (a) to (c),
12769 inclusive, of subsection (2) shall continue to be eligible for assistance for a period not to exceed
12770 12 months or until the child's annual eligibility review determines that the child is no longer
12771 eligible for assistance, whichever first occurs, if the child would otherwise be determined
12772 ineligible due to excess countable income but otherwise remains eligible. SECTION 140. Chapter
12773 112 of the General Laws is hereby amended by inserting after section 12CC the following
12774 section:-

12775 Section 12DD. (a) As used in this section, the following words shall have the following
12776 meanings unless the context clearly requires otherwise:

12777 “Long-term antibiotic therapy” the administration of oral, intramuscular or intravenous
12778 antibiotics singly or in combination, for periods of time in excess of 4 weeks.

12779 “Lyme disease” the clinical diagnosis of a patient by a physician licensed under section 2
12780 of chapter 112 of the presence of signs or symptoms compatible with acute infection with
12781 *Borrelia burgdorferi*; late stage, persistent or chronic infection with *Borrelia burgdorferi*;
12782 complications related to such infection or with such other strains of *Borrelia* that become
12783 identified or recognized by the National Centers for Disease Control and Prevention as a cause of
12784 Lyme disease; provided, however, that “Lyme disease” shall also include an infection that meets
12785 the surveillance criteria set forth by the National Centers for Disease Control and Prevention, and
12786 a clinical diagnosis of Lyme disease that does not meet the National Centers for Disease Control
12787 and Prevention surveillance criteria but presents other acute and chronic signs or symptoms of
12788 Lyme disease as determined by the treating physician; and provided further, that clinical
12789 diagnosis shall be based on knowledge obtained through medical history and physical
12790 examination only, or in conjunction with testing that provides supportive data for such clinical
12791 diagnosis.

12792 (b) A licensed physician may prescribe, administer or dispense long-term antibiotic
12793 therapy for a therapeutic purpose to eliminate infection or to control a patient’s symptoms upon
12794 making a clinical diagnosis that the patient has Lyme disease or displays symptoms consistent
12795 with a clinical diagnosis of Lyme disease, if such clinical diagnosis and treatment are
12796 documented in the patient’s medical record by the prescribing licensed physician.

12797 SECTION 141. Section 66B of said chapter 112, as appearing in the 2008 Official
12798 Edition, is hereby amended by adding the following paragraph:--

12799 This section shall not be construed to prohibit an optometrist from the in-office
12800 dispensing and sale of therapeutic contact lenses if the medication contained in such lenses is
12801 within such optometrist’s designated scope of practice. For purposes of this section, “therapeutic
12802 contact lenses” means contact lenses which contain 1 or more medications and which deliver
12803 such medication to the eye. SECTION 142 . Chapter 117A of the General Laws is hereby
12804 amended by striking out sections 9 and 10, as appearing in the 2008 Official Edition, and
12805 inserting in place thereof the following 2 sections:-

12806 Section 9. The department shall provide for the decent final disposition of all deceased
12807 persons who are at the time of death recipients of aid or assistance under this chapter, all
12808 deceased persons who, although without means of support at the time of death, did not apply for
12809 such aid or assistance and all unknown persons found dead. The expense thereof may be
12810 recovered of their kindred, if any, chargeable by law for their support in the manner provided in
12811 this chapter and if the expense of the funeral and final disposition is not paid by the kindred, an
12812 amount not exceeding \$1,100 shall be paid by the commonwealth to the funeral establishment;
12813 provided however, that the commonwealth shall have the right of reimbursement from whatever
12814 resources may exist in the estate of the deceased person.

12815 Section 10. In case of the decease of a poor and indigent person, the commonwealth shall
12816 pay toward the expense of the funeral and final disposition of such person a sum not exceeding
12817 \$1,100 to the funeral establishment; provided, however, that the commonwealth shall have the
12818 right of reimbursement from whatever resources may exist in the estate of the deceased person.

12819 SECTION 143. Section 2 of chapter 118 of the General Laws, as so appearing, is hereby
12820 amended by striking out the third paragraph and inserting in place thereof the following paragraph:-

12821 The department may pay a sum not exceeding \$1,100 toward the funeral and final
12822 disposition of a recipient to the funeral establishment provided that there are insufficient
12823 resources to pay for the cost of such funeral and final disposition. The commonwealth shall have
12824 the right of reimbursement from whatever resources may exist in the estate of the recipient.

12825 SECTION 144. Chapter 118A of the General Laws is hereby amended by striking out
12826 section 7, as so appearing, and inserting in place thereof the following section:-

12827 Section 7. The department shall provide to aged and disabled residents under this chapter
12828 a program of social services as set forth in section 2 of chapter 18. In addition to any other
12829 benefits authorized by this chapter, the department may provide to such residents grants of
12830 assistance in cases of fire, flood or other disaster. The department may pay a sum not exceeding
12831 \$1,100 toward the funeral and final disposition of a recipient to a funeral establishment provided
12832 that there are insufficient resources to pay for the cost of such funeral and final disposition. The
12833 commonwealth shall have the right of reimbursement from whatever resources may exist in the
12834 estate of the recipient. SECTION 145. Section 1 of chapter 118E of the General Laws, as so
12835 appearing, is hereby amended by adding the following paragraph:-

12836 Benefits for individuals over age 18 for any program established under this chapter or
12837 which can be obtained only through an application for benefits under this chapter shall be
12838 available only to otherwise eligible individuals who document their lawful presence in the
12839 United States in accordance with federal requirements applicable to federal public benefits under
12840 Title XIX and Title XXI of the Social Security Act, including the requirements or the waiver of
12841 any requirements under section 1115 of the Social Security Act. The documentation
12842 requirements shall apply regardless of whether those benefits are subject to federal

12843 funding. SECTION 146. Said chapter 118E is hereby further amended by striking out section 22,
12844 as so appearing, and inserting in place thereof the following section:-

12845 Section 22. (a) As used in this section, the following words shall have the following
12846 meanings unless the context clearly requires otherwise:

12847 "Claimant", a person who suffers a loss from accident, illness, injury or otherwise for
12848 which monies may be provided by liability insurance, workers' compensation or any other third
12849 party.

12850 "Date of the loss", the date on which the accident, illness, injury or other incident occurs.

12851 "Third party", an individual, agency, program, entity or insurer including, but not limited
12852 to, the claimant's own insurer, that is or may be liable to pay monies on account of the claimant's
12853 loss.

12854 (b) When a claimant or a claimant's heirs, estate or legal representative receives payment
12855 from a liability or workers' compensation insurer or any other third party as a result of a loss, the
12856 claimant or the claimant's heirs, estate or legal representative shall repay to the executive office
12857 of health and human services the total of medical assistance benefits provided from monies
12858 allocated in the payment, settlement or compromise of claim or action, court award or judgment
12859 for medical expenses. Where the amount allocated to past medical expenses is insufficient to
12860 satisfy the executive office's claim for full recovery of medical assistance benefits paid, the
12861 executive office may assert its claim and recover from any allocation for future medical
12862 expenses.

12863 (c) If a payment, settlement or compromise of claim or action, court award or judgment
12864 fails to specify what portion of the payment, settlement or compromise of claim or action, court
12865 award or judgment is in payment of medical expenses, there shall be a presumption that the
12866 payment, settlement or compromise of claim or action, court award or judgment applies first to
12867 the medical expenses incurred by the claimant in an amount equal to the medical assistance
12868 benefits paid.

12869 (d) The executive office of health and human services may dispute any allocation for
12870 medical damages that results in less than full recovery of medical assistance benefits paid and
12871 have a hearing before a court of competent jurisdiction on the allocation of damages either prior
12872 to or after disbursement of payment by the third party. The executive office shall not be
12873 precluded from enforcing its recovery rights from any payment, settlement or compromise of
12874 claim or action, court award or judgment that excludes the cost of medical assistance benefits
12875 paid. Notwithstanding anything in this section or any other general or special law to the contrary,
12876 where a claimant received medical assistance through a managed care organization, the
12877 executive office may recover the amount that the managed care organization paid for medical
12878 services provided.

12879 (e) When a claimant or a claimant's heirs, estate or legal representative receives payment
12880 from a liability or workers' compensation insurer or any other third party, the claimant or the
12881 claimant's heirs, estate or legal representative shall repay to the division of health care finance
12882 and policy the costs attributable to services provided to the claimant that were paid by the Health
12883 Safety Net Trust Fund established in section 36 of chapter 118G.

12884 (f) When a claimant or a claimants' heirs, estate or legal representative receives payment
12885 from a liability or workers' compensation insurer or any other third party, the claimant or the
12886 claimant's heirs, estate or legal representative shall repay to the department of transitional
12887 assistance the total of all financial assistance benefits provided by the department on and after
12888 the date of the loss to or on behalf of the claimant, the claimant's spouse or children and any
12889 other individual the claimant is required by law to support; provided, however, that if on the date
12890 of the loss the claimant was already eligible for financial assistance benefits, the claimant or the
12891 claimant's heirs, estate or legal representative shall repay only the increase in financial assistance
12892 that occurred as a result of the accident, illness, injury or other incident.

12893 (g) The application for and receipt of benefits recoverable under this section, after notice
12894 to the third party, shall operate as a lien to secure repayment against monies which may be
12895 provided by the third party up to the amount of such recoverable benefits, but the department of
12896 transitional assistance, the executive office of health and human services and the division of
12897 health care finance and policy may also perfect their rights to a lien against any monies which
12898 may come into possession of the claimant's attorney from the third party by giving notice to that
12899 attorney.

12900 (h) If the monies available for repayment are insufficient to satisfy in full any competing
12901 claims of the executive office of health and human services, the division of health care finance
12902 and policy and the department of transitional assistance, then each shall be entitled to its
12903 respective pro rata share of the monies that are available.

12904 (i) A person receiving public assistance benefits recoverable under this section shall
12905 assign to the commonwealth an amount equal to the benefits so provided from the proceeds of
12906 any such claim against the third party.

12907 (j) A claimant, or if represented by counsel, the claimant's attorney, shall, within 10
12908 calendar days, notify the executive office of health and human services in writing upon engaging
12909 in recovery activity including, but not limited to, making an insurance claim or sending a
12910 demand letter and upon commencement of a civil action or other proceeding to establish the
12911 liability of a third party or to collect monies payable under accident, liability or health insurance,
12912 workers' compensation or from any other third party. No settlement, compromise, judgment or
12913 award or any recovery in any claim or action shall be made final without first providing the
12914 executive office of health and human services, the division of health care finance and policy and
12915 the department of transitional assistance with written notice and a reasonable opportunity to
12916 intervene or otherwise perfect their rights to recovery.

12917 (k) The commonwealth shall be subrogated to a claimant's entire cause of action or right
12918 to proceed against a third party and to a claimant's claim for monies to the extent of assistance or
12919 services provided under chapter 118, 118E or 118G. The commonwealth shall also have a
12920 separate and independent cause of action to recover, from a third party, assistance provided to a
12921 claimant under said chapter 118, 118E or 118G, which cause of action shall be in addition to
12922 other causes of action. The commonwealth may, by attorneys employed or selected by the
12923 commonwealth, commence a civil action or other proceeding to establish the liability of a third
12924 party or to collect such monies, or may intervene as of right in a civil action commenced by a
12925 claimant against a third party. No third party shall require written authorization from the
12926 claimant before honoring the commonwealth's rights under this section.

12927 (l) Failure of a claimant without good cause to provide notice as required under this
12928 section or to provide such further information deemed necessary by the executive office to
12929 pursue its rights under this section shall be grounds for termination of benefits.

12930 (m) Notwithstanding any general or special law or rule or regulation to the contrary, a
12931 third party shall provide information requested by the executive office of health and human
12932 services, the department of transitional assistance and the division of health care finance and
12933 policy for use by those agencies to recover payments for public assistance benefits or services
12934 under this section, section 5G of chapter 18 and section 39 of chapter 118G.

12935 SECTION 147. Section 1 of chapter 118G of the General Laws, as so appearing, is
12936 hereby amended by striking out the definition of "Critical access services".

12937 SECTION 148. Said section 1 of said chapter 118G, as so appearing, is hereby further
12938 amended by striking out, in line 97, the words "emergency, urgent, and critical access".

12939 SECTION 149. Section 6 of said chapter 118G is hereby amended by inserting after the
12940 third paragraph, as so appearing, the following paragraph:-

12941 The division shall ensure the timely reporting of information required under this section.
12942 The division shall notify payers of any applicable reporting deadlines. The division may assess
12943 penalties against any private health care payer that fails to meet a reporting deadline. The
12944 division shall notify, in writing, a private health care payer that it has failed to meet a reporting
12945 deadline and that failure to respond within 2 weeks of the receipt of the notice may result in
12946 penalties. A payer that fails, without just cause, to provide the requested information within 2
12947 weeks following receipt of the written notice required under this paragraph may be assessed a
12948 penalty of up to \$1,000 per week for each week of delay after the 2-week period following the

12949 payer's receipt of the written notice; provided, however, that the maximum annual penalty
12950 against a private payer under this section shall be \$50,000. Amounts collected pursuant to this
12951 section shall be deposited in the General Fund.

12952 SECTION 150. Section 34 of said chapter 118G, as so appearing, is hereby amended by
12953 striking out the definition of "Critical access services".

12954 SECTION 151. Said section 34 of said chapter 118G, as appearing in the 2008 Official
12955 Edition, is hereby further amended by inserting after the definition of "Health services" the
12956 following definition:-

12957 "Managed care organization", a managed care organization, as defined in 42 CFR 438.2,
12958 and any eligible health insurance plan, as defined in section 1 of chapter 118H, that contracts
12959 with MassHealth or the health insurance connector authority; provided, however, that "managed
12960 care organization" shall not include a senior care organization, as defined in section 9D of
12961 chapter 118E.

12962 SECTION 152. Said section 34 of said chapter 118G, as so appearing, is hereby further
12963 amended by inserting after the word "basis", in lines 83 and 84, the following words:- ; provided
12964 further, that "payments subject to surcharge" shall include payments made by a managed care
12965 organization on behalf of (i) Medicaid recipients under age 65; and (ii) enrollees in the
12966 commonwealth care health insurance program. SECTION 153. Said section 34 of said chapter
12967 118G, as so appearing, is hereby further amended by striking out, in lines 107 and 108, the words
12968 "emergency, urgent and critical access".

12969 SECTION 154. Said section 34 of said chapter 118G, as so appearing, is hereby further
12970 amended by inserting after the word “shall”, in line 122, the following words:- include a
12971 managed care organization; and provided further, that “surcharge payor” shall.

12972 SECTION 155. Subsection (a) of section 36 of said chapter 118G, as so appearing, is
12973 hereby amended by striking out the second sentence and inserting in place thereof the following
12974 sentence:- The purposes of the fund shall be: (i) to maintain a health care safety net by
12975 reimbursing hospitals and community health centers for a portion of the cost of reimbursable
12976 health services provided to low-income, uninsured or underinsured residents; and (ii) to support a
12977 portion of the costs of the Medicaid program under chapter 118E and the commonwealth care
12978 health insurance program under chapter 118H.

12979 SECTION 156. Said section 36 of said chapter 118G, as so appearing, is hereby further
12980 amended by inserting after the word "hospitals", in line 29, the following words:- ; and provided
12981 further, that any amounts collected from surcharge payors in any year in excess of \$160,000,000,
12982 adjusted to reflect applicable surcharge credits, shall be transferred to the General Fund to
12983 support a portion of the costs of the Medicaid and commonwealth care health insurance
12984 programs.

12985 SECTION 157. Subsection (a) of section 38 of said chapter 118G, as so appearing, is
12986 hereby amended by striking out the fourth and fifth sentences and inserting in place thereof the
12987 following 2 sentences:- The office shall calculate the surcharge percentage by dividing
12988 \$160,000,000 by the projected annual aggregate payments subject to the surcharge, excluding
12989 projected annual aggregate payments based on payments made by managed care organizations.
12990 The office shall determine the surcharge percentage before the start of each fund fiscal year and

12991 may redetermine the surcharge percentage before April 1 of each fund fiscal year if the office
12992 projects that the initial surcharge percentage established the previous October will produce less
12993 than \$150,000,000 or more than \$170,000,000 in surcharge payments, excluding payments made
12994 by managed care organizations.

12995 SECTION 158. Section 23 of chapter 119 of the General Laws, as appearing in the 2008
12996 Official Edition, is hereby amended by striking out subsection (d) and inserting in place thereof
12997 the following subsection:-

12998 (d) The department may pay to a funeral establishment a sum not to exceed \$1,100 for
12999 the funeral and final disposition of a child in its care provided that there are insufficient resources
13000 to pay for the cost of such funeral and final disposition. The commonwealth shall have the right
13001 of reimbursement from whatever resources may exist in the estate of the child. SECTION 159.
13002 Said section 23 of said chapter 119, as so appearing, is hereby further amended by striking out
13003 subsection (f) and inserting in place thereof the following subsection:-

13004 (f) Notwithstanding section 26, the department shall continue its responsibility as
13005 provided in this section for a person who has attained the age of 18 and is under 22 years of age
13006 and who is (i) completing secondary education or a program leading to an equivalent credential;
13007 (ii) enrolled in an institution which provides post-secondary or vocational education; (iii)
13008 participating in a program or activity designed to promote, or to remove barriers to, employment;
13009 (iv) employed at least 80 hours per month; or (v) incapable of doing any of the activities
13010 described in subclauses (i) through (iv), inclusive, due to a medical condition, including a
13011 diagnosed mental health condition, which incapability is supported by regularly updated
13012 information in the case plan of the child; provided, however, that the department's continued

13013 responsibility for persons who have attained the age of 18 is contingent upon the express written
13014 consent of the person.

13015 Notwithstanding any general or special law to the contrary, the court shall retain
13016 jurisdiction under this chapter for persons in the continued care of the department under this
13017 subsection, including for the purpose of permanency reviews as set forth in section 29B.

13018 If a child elects to leave the care of the department when the child attains the age of 18,
13019 during the 90-day period immediately prior to the date on which a child will attain 18 years of
13020 age, whether during that period foster care maintenance payments are being made on the child's
13021 behalf or the child is receiving benefits or services under section 477 of the Social Security Act,
13022 42 U.S.C. § 677, the department shall provide the child with assistance and support in
13023 developing a transition plan that is personalized at the direction of the child; provided, however,
13024 that the plan includes specific options on housing, health insurance, education, local
13025 opportunities for mentors and continuing support services, and work force supports and
13026 employment services; and provided further, that the plan shall be as detailed as the child may
13027 elect. The court shall retain jurisdiction until it finds, after a hearing at which the child is
13028 present, that a satisfactory transition plan has been provided for the child.

13029 If a child remains under the care of the department upon attaining the age of 18 as
13030 provided in this subsection, then during the 90-day period immediately before the date on which
13031 the child leaves the care of the department, or the child's 21st birthday, whichever comes first,
13032 the department shall provide the child with assistance and support in developing a transition plan
13033 that is personalized at the direction of the child; provided, however, that the plan includes
13034 specific options on housing, health insurance, education, local opportunities for mentors and

13035 continuing support services and work force supports and employment services; and provided
13036 further, that the plan shall be as detailed as the child may elect. The court shall retain jurisdiction
13037 until it finds, after a hearing at which the child is present, that a satisfactory transition plan has
13038 been provided for the child.

13039 If a child remains under the care of the department upon attaining the age of 21 as
13040 provided in this subsection, then during the 90-day period immediately before the date on which
13041 the child leaves the care of the department or the child's 22nd birthday, whichever comes first,
13042 the department shall provide the child with assistance and support in updating the
13043 aforementioned transition plan. The updated transition plan shall be personalized at the direction
13044 of the child; provided, however, that the plan shall include specific options on housing, health
13045 insurance, education, local opportunities for mentors and continuing support services and work
13046 force supports and employment services; and provided further, that the plan shall be as detailed
13047 as the child may elect. The court shall retain jurisdiction until it finds, after a hearing at which
13048 the child is present, that a satisfactory updated transition plan has been provided for the child.

13049 If a person who has attained the age of 18 leaves the care of the department but requests,
13050 before reaching the age of 22, that the department re-open the person's case, the department shall
13051 make every reasonable attempt to provide a program of support which is acceptable to the person
13052 and which permits the department to renew its responsibility. If a person re-enters the care of the
13053 department under this paragraph, then all other provisions of this subsection shall apply.

13054 Nothing in this subsection shall be construed to provide legal custody of a person who
13055 has attained the age of 18 to the department or to otherwise abrogate any other rights that a
13056 person who has attained the age of 18 may have under law by dint of their age.

13057 Nothing in this subsection shall be construed to permit a court to appoint the department
13058 as guardian of a person who has attained the age of 18.

13059 The department shall report annually to the child advocate, chairs of the joint committee
13060 on children, families and persons with disabilities and the senate and house committees on ways
13061 and means on the numbers of persons it serves and declines to serve under this subsection.

13062 SECTION 160. Section 29 of said chapter 119, as so appearing, is hereby amended by
13063 inserting after the words “section 29B”, in line 4, the following words:- or a person who has
13064 attained the age of 18 and is before a court under subsection (f) of section 23. SECTION 161.

13065 Section 10 of chapter 119A of the General Laws, as so appearing, is hereby amended by
13066 inserting after the figure “10A”, in line 14, the following words:- and on child support services
13067 authorized pursuant to Title IV, Part D of the Social Security Act.

13068 SECTION 162. Section 11 of said chapter 119A, as so appearing, is hereby amended by
13069 inserting after the word “fund”, in line 7, the following words:- and from the child support
13070 penalties account.

13071 SECTION 163. The General Laws are hereby amended by inserting after chapter 120 the
13072 following chapter:-

13073 CHAPTER 120A

13074 INTERSTATE COMPACT ON JUVENILES

13075 Section 1. The compacting states to this interstate compact recognize that each state is
13076 responsible for the proper supervision or return of juveniles, delinquents and status offenders
13077 who are on probation or parole and who have absconded, escaped or run away from supervision

13078 and control and, in so doing, have endangered their own safety and the safety of others. The
13079 compacting states also recognize that each state is responsible for the safe return of juveniles
13080 who have run away from home and, in so doing, have left their state of residence. The
13081 compacting states also recognize that Congress, by enacting the Crime Control Act, 4 U.S.C.
13082 Section 112 of 1965, has authorized and encouraged compacts for cooperative efforts and mutual
13083 assistance in the prevention of crime.

13084 It is the purpose of this compact, through means of joint and cooperative action among
13085 the compacting states to: (A) ensure that adjudicated juveniles and status offenders subject to this
13086 compact are provided adequate supervision and services in the receiving state as ordered by the
13087 adjudicating judge or parole authority in the sending state; (B) ensure that the public safety
13088 interests of citizens, including the victims of juvenile offenders, in both the sending and
13089 receiving states are adequately protected; (C) return juveniles who have run away, absconded or
13090 escaped from supervision or control or have been accused of an offense to the state requesting
13091 their return; (D) make contracts for the cooperative institutionalization in public facilities in
13092 member states for delinquent youth needing special services; (E) provide for the effective
13093 tracking and supervision of juveniles; (F) equitably allocate the costs, benefits and obligations of
13094 the compacting states; (G) establish procedures to manage the movement between states of
13095 juvenile offenders released to the community under the jurisdiction of courts, juvenile
13096 departments or any other criminal or juvenile justice agency which has jurisdiction over juvenile
13097 offenders; (H) insure immediate notice to jurisdictions where defined offenders are authorized to
13098 travel or to relocate across state lines; (I) establish procedures to resolve pending charges against
13099 juvenile offenders prior to transfer or release thereof to the community under the terms of this
13100 compact; (J) establish a system of uniform data collection on information pertaining to juveniles

13101 subject to this compact that allows access by authorized juvenile justice and criminal justice
13102 officials, and regular reporting of compact activities to heads of state executive, judicial and
13103 legislative branches and juvenile and criminal justice administrators; (K) monitor compliance
13104 with rules governing interstate movement of juveniles and initiate interventions to address and
13105 correct non-compliance; (L) coordinate training and education regarding the regulation of
13106 interstate movement of juveniles for officials involved in such activity; and (M) coordinate the
13107 implementation and operation of the compact with the interstate compact for the placement of
13108 children, the interstate compact for adult offender supervision and other compacts affecting
13109 juveniles, particularly in those cases in which concurrent or overlapping supervision issues arise.
13110 It is the policy of the compacting states that the activities conducted by the interstate commission
13111 created herein are the formation of public policies and therefore are public business.
13112 Furthermore, the compacting states shall cooperate and observe their individual and collective
13113 duties and responsibilities for the prompt return and acceptance of juveniles subject to this
13114 compact. The provisions of this compact shall be reasonably and liberally construed to
13115 accomplish the purposes and policies of the compact.

13116 Section 2. As used in this chapter the following words shall have the following meanings
13117 unless the context clearly requires otherwise:

13118 “By-laws”, those by-laws established by the interstate commission for its governance or
13119 for directing or controlling its actions or conduct.

13120 “Compact administrator”, the individual in each compacting state responsible for the
13121 administration and management of such state's supervision and transfer of juveniles subject to

13122 the terms of this compact, the rules adopted by the interstate commission and policies adopted by
13123 the state council under this compact.

13124 “Compacting state”, any state which has enacted the enabling legislation for this
13125 compact.

13126 “Commissioner”, the voting representative of each compacting state appointed pursuant
13127 to section 3.

13128 “Court”, any court having jurisdiction over delinquent, neglected or dependent children.

13129 “Deputy compact administrator”, the individual, if any, in each compacting state
13130 appointed to act on behalf of a compact administrator, pursuant to the terms of this compact,
13131 responsible for the administration and management of the state's supervision and transfer of
13132 juveniles subject to the terms of this compact, the rules adopted by the interstate commission and
13133 policies adopted by the state council under this compact.

13134 “Interstate commission”, the interstate commission for juveniles created by section 3.

13135 “Juvenile”, any person defined as a juvenile in any member state or by the rules of the
13136 interstate commission, including:

13137 (1) “Accused delinquent”, a person charged with an offense that, if committed by an adult,
13138 would be a criminal offense;

13139 (2) “Adjudicated delinquent”, a person found to have committed an offense that, if
13140 committed by an adult, would be a criminal offense;

13141 (3)“Accused status offender”, a person charged with an offense that would not be a
13142 criminal offense if committed by an adult;

13143 (4)“Adjudicated status offender”, a person found to have committed an offense that
13144 would not be a criminal offense if committed by an adult; and

13145 (5)“Non-offender”, a person in need of supervision who has not been accused or
13146 adjudicated a status offender or a delinquent.

13147 “Non-compacting state”, any state which has not enacted the enabling legislation for this
13148 compact.

13149 “Probation or parole”, any kind of supervision or conditional release of juveniles
13150 authorized under the laws of the compacting states.

13151 “Rule”, a written statement by the interstate commission adopted pursuant to section 4
13152 that is of general applicability, implements, interprets or prescribes a policy or provision of the
13153 compact, or an organizational, procedural or practice requirement of the commission, and has the
13154 force and effect of statutory law in a compacting state, and includes the amendment, repeal or
13155 suspension of an existing rule.

13156 “State”, a state of the United States, the District of Columbia, or its designee, the
13157 Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa and
13158 the Northern Marianas Islands.

13159 Section 3. (a) The compacting states hereby create the interstate commission for
13160 juveniles. The commission shall be a body corporate and joint agency of the compacting states.
13161 The commission shall have all the responsibilities, powers and duties set forth herein, and such

13162 additional powers as may be conferred upon it by subsequent action of the respective legislatures
13163 of the compacting states in accordance with the terms of this compact.

13164 (b) The interstate commission shall consist of commissioners appointed by the
13165 appropriate appointing authority in each state pursuant to the rules and requirements of each
13166 compacting state and in consultation with the state council for interstate juvenile supervision
13167 created hereunder. The commissioner shall be the compact administrator, deputy compact
13168 administrator or designee from a state who shall serve on the interstate commission in such
13169 capacity pursuant to the applicable law of such compacting state.

13170 (c) In addition to the commissioners, who shall be the voting representatives of each
13171 state, the interstate commission shall include individuals who are not commissioners, but who
13172 are members of interested organizations. Such non-commissioner members shall include a
13173 member of the national organizations of governors, legislators, state chief justices, attorneys
13174 general, interstate compact for adult offender supervision, interstate compact for the placement
13175 of children, juvenile justice and juvenile corrections officials and crime victims. All non-
13176 commissioner members of the interstate commission shall be ex-officio members. The interstate
13177 commission may provide in its by-laws for such additional ex-officio members, including
13178 members of other national organizations, in such numbers as shall be determined by the
13179 commission.

13180 (d) Each compacting state represented at any meeting of the commission shall be entitled
13181 to 1 vote. A majority of the compacting states shall constitute a quorum for the transaction of
13182 business, unless a larger quorum is required by the by-laws of the interstate commission.

13183 (e) The commission shall meet at least once each calendar year. The chairperson may call
13184 additional meetings and, upon the request of a simple majority of the compacting states, shall
13185 call additional meetings. Public notice shall be given of all meetings and meetings shall be open
13186 to the public.

13187 (f) The interstate commission shall establish an executive committee, which shall include
13188 commission officers, members and others as determined by the by-laws. The executive
13189 committee shall have the power to act on behalf of the interstate commission during periods
13190 when the interstate commission is not in session, with the exception of rulemaking power or
13191 power to amend the compact. The executive committee shall oversee the day-to-day activities of
13192 the administration of the compact managed by an executive director and interstate commission
13193 staff; administer enforcement and compliance with the compact, its by-laws and rules; and
13194 perform such other duties as directed by the interstate commission or set forth in the by-laws.

13195 (g) Each member of the interstate commission shall have the right and power to cast a
13196 vote to which that compacting state is entitled and to participate in the business and affairs of the
13197 interstate commission. A member shall vote in person and shall not delegate a vote to another
13198 compacting state. However, a commissioner, in consultation with the state council, shall appoint
13199 another authorized representative, in the absence of such commissioner from that state, to cast a
13200 vote on behalf of such compacting state at a specified meeting. The by-laws may provide for
13201 members' participation in meetings by telephone or other means of telecommunication or
13202 electronic communication.

13203 (h) The interstate commission's by-laws shall establish conditions and procedures under
13204 which the interstate commission shall make its information and official records available to the

13205 public for inspection or copying. The interstate commission may exempt from disclosure any
13206 information or official records to the extent that they would adversely affect personal privacy
13207 rights or proprietary interests.

13208 (i) Public notice shall be given of all meetings and all meetings shall be open to the
13209 public, except as set forth in the rules or as otherwise provided in the compact. The interstate
13210 commission and any of its committees may close a meeting to the public if it determines, by two-
13211 thirds vote, that an open meeting would be likely to:

13212 (1) relate solely to the interstate commission's internal personnel practices and
13213 procedures;

13214 (2) disclose matters specifically exempted from disclosure by statute;

13215 (3) disclose trade secrets or commercial or financial information which is
13216 privileged or confidential;

13217 (4) involve accusing any person of a crime or formally censuring any person;

13218 (5) disclose information of a personal nature if disclosure would constitute a
13219 clearly unwarranted invasion of personal privacy;

13220 (6) disclose investigative records compiled for law enforcement purposes;

13221 (7) disclose information contained in, or related to, examination, operating or
13222 condition reports prepared by, or on behalf of or for the use of, the interstate commission relative
13223 to a regulated person or entity for the purpose of regulation or supervision of such person or
13224 entity;

13225 (8) disclose information, the premature disclosure of which would significantly
13226 endanger the stability of a regulated person or entity; or

13227 (9) specifically relate to the interstate commission's issuance of a subpoena, or
13228 its participation in a civil action or other legal proceeding.

13229 (j) For every meeting closed pursuant to this section, the interstate commission's legal
13230 counsel shall publicly certify that, in the legal counsel's opinion, the meeting may be closed to
13231 the public, and shall reference each relevant exemption. The interstate commission shall keep
13232 minutes which shall fully and clearly describe all matters discussed in any meeting and shall
13233 provide a full and accurate summary of any actions taken, and the reasons therefore, including a
13234 description of each of the views expressed on any item and the record of any roll call vote
13235 reflected in the vote of each member on the question. All documents considered in connection
13236 with any action shall be identified in the minutes.

13237 (k) The interstate commission shall collect standardized data relative to the interstate
13238 movement of juveniles as directed through its rules which shall specify the data to be collected,
13239 the means of collection and data exchange and reporting requirements. Such methods of data
13240 collection, exchange and reporting shall, insofar as is reasonably possible, conform to up-to-date
13241 technology and coordinate its information functions with the appropriate repository of records.

13242 Section 4. The commission shall have the following powers and duties:

13243 (1) to provide for dispute resolution among compacting states;

13244 (2) to promulgate rules to effect the purposes and obligations as enumerated in this
13245 compact, which shall have the force and effect of statutory law and shall be binding in the
13246 compacting states to the extent and in the manner provided in this compact;

13247 (3) to oversee, supervise and coordinate the interstate movement of juveniles subject
13248 to the terms of this compact and any by-laws adopted and rules adopted by the interstate
13249 commission;

13250 (4) to enforce compliance with the compact provisions, the rules adopted by the
13251 interstate commission and the by-laws, using all necessary and proper means including, but not
13252 limited to, the use of judicial process;

13253 (5) to establish and maintain offices which shall be located within 1 or more of the
13254 compacting states;(6) to purchase and maintain insurance and bonds;

13255 (7) to borrow, accept, hire or contract for services of personnel;

13256 (8) to establish and appoint committees and hire staff which it deems necessary for the
13257 carrying out of its functions including, but not limited to, an executive committee, as required by
13258 section 3, which shall have the power to act on behalf of the interstate commission in carrying
13259 out its powers and duties hereunder;

13260 (9) to elect or appoint such officers, attorneys, employees, agents or consultants and to
13261 fix their compensation, define their duties and determine their qualifications and to establish the
13262 interstate commission's personnel policies and programs relating to, inter alia, conflicts of
13263 interest, rates of compensation and qualifications of personnel;

13264 (10) to accept any and all donations and grants of money, equipment, supplies, materials
13265 and services and to receive, utilize and dispose of same;

13266 (11) to lease, purchase, accept contributions or donations of, or otherwise to own, hold,
13267 improve or use any property, real, personal or mixed;

13268 (12) to sell, convey, mortgage, pledge, lease, exchange, abandon or otherwise dispose of
13269 any property, real, personal or mixed;

13270 (13) to establish a budget and make expenditures and levy dues as provided in section
13271 11;

13272 (14) to sue and be sued;

13273 (15) to adopt a seal and by-laws governing the management and operation of the
13274 interstate commission;

13275 (16) to perform such functions as may be necessary or appropriate to achieve the
13276 purposes of this compact;

13277 (17) to report annually to the legislatures, governors, judiciary, and state councils of the
13278 compacting states relative to the activities of the interstate commission during the preceding
13279 year, including any recommendations that may have been adopted by the interstate commission;

13280 (18) to coordinate education, training and public awareness relative to the interstate
13281 movement of juveniles for officials involved in such activity; and

13282 (19) to establish uniform standards of the reporting, collecting and exchanging of data.

13283 The interstate commission shall maintain its corporate books and records in accordance
13284 with the by-laws.

13285 Section 5. The interstate commission shall, by a majority of the members present and
13286 voting, within 12 months after the first interstate commission meeting, adopt by-laws to govern
13287 its conduct as may be necessary or appropriate to carry out the purposes of the compact
13288 including, but not limited to:

13289 (1) establishing the fiscal year of the interstate commission;

13290 (2) establishing an executive committee and such other committees as may be
13291 necessary;

13292 (3) providing for the establishment of committees governing any general or specific
13293 delegation of any authority or function of the interstate commission;

13294 (4) providing reasonable procedures for calling and conducting meetings of the
13295 interstate commission and ensuring reasonable notice of each such meeting;

13296 (5) establishing the titles and responsibilities of the officers of the interstate
13297 commission;

13298 (6) providing a mechanism for concluding the operations of the interstate commission
13299 and the return of any surplus funds that may exist upon the termination of the compact after the
13300 payment or reserving of all of its debts and obligations.

13301 (7) providing “start-up” rules for initial administration of the compact; and

13302 (8) establishing standards and procedures for compliance and technical assistance in
13303 carrying out the compact.

13304 Section 6. (a) The interstate commission shall, by a majority of the members, elect
13305 annually from among its members a chairperson and a vice chairperson, each of whom shall have
13306 such authority and duties as may be specified in the by-laws. The chairperson or, in the
13307 chairperson's absence or disability, the vice-chairperson shall preside at all meetings of the
13308 interstate commission. The officers so elected shall serve without compensation or remuneration
13309 from the interstate commission but, subject to the availability of budgeted funds, the officers
13310 shall be reimbursed for any ordinary and necessary costs and expenses incurred by them in the
13311 performance of their duties and responsibilities as officers of the interstate commission.

13312 (b) The interstate commission shall, through its executive committee, appoint or retain an
13313 executive director for such period, upon such terms and conditions and for such compensation as
13314 the interstate commission may deem appropriate. The executive director shall serve as secretary
13315 to the interstate commission, but shall not be a member and shall hire and supervise such other
13316 staff as may be authorized by the interstate commission.

13317 Section 7. (a) The commission's executive director and employees shall be immune from
13318 suit and liability, either personally or in their official capacity, for any claim for damage to or
13319 loss of property or personal injury or other civil liability caused or arising out of or relating to
13320 any actual or alleged act, error or omission that occurred, or that such person had a reasonable
13321 basis for believing occurred within the scope of commission employment, duties or
13322 responsibilities except that any such person shall not be protected from suit or liability for any

13323 damage, loss, injury or liability caused by the intentional or willful and wanton misconduct of
13324 any such person.

13325 (b) The liability of any commissioner, or the employee or agent of a commissioner, acting
13326 within the scope of such person's employment or duties for acts, errors or omissions occurring
13327 within such person's state may not exceed the limits of liability set forth under the Constitution
13328 and laws of that state for state officials, employees and agents. Nothing in this section shall be
13329 construed to protect any such person from suit or liability for any damage, loss, injury or liability
13330 caused by the intentional or willful and wanton misconduct of such person.

13331 (c) The interstate commission shall defend the executive director or the employees or
13332 representatives of the interstate commission and, subject to the approval of the attorney general
13333 of the state represented by any commissioner of a compacting state, shall defend such
13334 commissioner or the commissioner's representatives or employees in any civil action seeking to
13335 impose liability arising out of any actual or alleged act, error or omission that occurred within the
13336 scope of interstate commission employment, duties or responsibilities, or that the defendant had
13337 a reasonable basis for believing occurred within the scope of interstate commission employment,
13338 duties or responsibilities, unless the actual or alleged act, error or omission did not result from
13339 intentional or willful and wanton misconduct on the part of such person.

13340 (d) The interstate commission shall indemnify and hold the commissioner of a
13341 compacting state or the commissioner's representatives or employees and the interstate
13342 commission's representatives or employees harmless in the amount of any settlement or
13343 judgment obtained against such persons arising out of any actual or alleged act, error or omission
13344 that occurred within the scope of interstate commission employment, duties or responsibilities, or

13345 that such persons had a reasonable basis for believing occurred within the scope of interstate
13346 commission employment, duties or responsibilities, if the actual or alleged act, error or omission
13347 did not result from intentional or willful and wanton misconduct on the part of such persons.

13348 Section 8. (a) The interstate commission shall promulgate and publish rules in order to
13349 effectively and efficiently achieve the purposes of the compact.

13350 (b) Rulemaking shall occur pursuant to the criteria set forth in this section and the by-
13351 laws and rules adopted pursuant thereto. Such rulemaking shall substantially conform to the
13352 principles of the "Model State Administrative Procedures Act," 1981 Act, Uniform Laws
13353 Annotated, Vol. 15, p.1 (2000), or such other administrative procedures act, as the interstate
13354 commission deems appropriate, consistent with due process requirements under the United States
13355 Constitution as now or hereafter interpreted by the United States Supreme Court. All rules and
13356 amendments shall become binding, as of the date specified, as published with the final version of
13357 the rule as approved by the commission.

13358 (c) When promulgating a rule, the interstate commission shall, at a minimum:

13359 (1) publish the proposed rule's entire text, stating the reasons for such proposed
13360 rule;

13361 (2) allow and invite any and all persons to submit written data, facts, opinions
13362 and arguments, which information shall be added to the record and be made publicly available;

13363 (3) provide an opportunity for an informal hearing if petitioned by 10 or more
13364 persons; and

13365 (4) promulgate a final rule and its effective date, if appropriate, based on input
13366 from state or local officials or interested parties.

13367 (d) Allow, not later than 60 days after a rule is promulgated, any interested person to file
13368 a petition in the United States District Court for the District of Columbia or in the Federal
13369 District Court where the interstate commission's principal office is located for judicial review of
13370 such rule. If the court finds that the interstate commission's action is not supported by
13371 substantial evidence in the rulemaking record, the court shall hold the rule unlawful and set it
13372 aside. For purposes of this section, evidence is substantial if it would be considered substantial
13373 evidence under the Model State Administrative Procedures Act.

13374 (e) If a majority of the legislatures of the compacting states rejects a rule, those states
13375 may, by enactment of a statute or resolution in the same manner used to adopt the compact,
13376 cause that such rule shall have no further force and effect in any compacting state.

13377 (f) The existing rules governing the operation of the interstate compact on juveniles
13378 superseded by this chapter shall be null and void 12 months after the first meeting of the
13379 interstate commission.

13380 (g) Upon determination by the interstate commission that a state-of-emergency exists, it
13381 may promulgate an emergency rule which shall become effective immediately upon adoption,
13382 but the rulemaking procedures provided hereunder shall be retroactively applied to such rule as
13383 soon as reasonably possible, but not later than 90 days after the effective date of the emergency
13384 rule.

13385 Section 9. (a) The interstate commission shall oversee the administration and operations
13386 of the interstate movement of juveniles subject to this compact in the compacting states and shall

13387 monitor such activities being administered in non-compacting states which may significantly
13388 affect compacting states.

13389 (b) The courts and executive agencies in each compacting state shall enforce this compact
13390 and shall take all actions necessary and appropriate to effectuate the compact's purposes and
13391 intent. This compact, and the rules adopted thereby, shall be received by all the judges, public
13392 officers, commissions and departments of the state government as evidence of the authorized
13393 statute and administrative rules. All courts shall take judicial notice of the compact and the
13394 rules. In any judicial or administrative proceeding in a compacting state relative to the subject
13395 matter of this compact which may affect the powers, responsibilities or actions of the interstate
13396 commission, it shall be entitled to receive all service of process in any such proceeding, and shall
13397 have standing to intervene in the proceeding for all purposes.

13398 Section 10. (a) The compacting states shall report to the interstate commission on all
13399 issues and activities necessary for the administration of the compact as well as issues and
13400 activities relative to compliance with the compact and its by-laws and rules.

13401 (b) The interstate commission shall attempt, upon the request of a compacting state, to
13402 resolve any disputes or other issues which are subject to the compact and which may arise among
13403 compacting states and between compacting and non-compacting states. The commission shall
13404 promulgate a rule providing for both mediation and binding dispute resolution for disputes
13405 among the compacting states.

13406 (c) The interstate commission, in the reasonable exercise of its discretion, shall enforce
13407 the provisions and rules of this compact using any or all means set forth in section 16.

13408 Section 11. (a) The interstate commission shall pay or provide for the payment of the
13409 reasonable expenses of its establishment, organization and ongoing activities.

13410 (b) The interstate commission shall levy on and collect an annual assessment from each
13411 compacting state to cover the cost of the internal operations and activities of the interstate
13412 commission and its staff which must be in a total amount sufficient to cover the interstate
13413 commission's annual budget as approved each year. The aggregate annual assessment amount
13414 shall be allocated based upon a formula to be determined by the interstate commission, taking
13415 into consideration the population of each compacting state and the volume of interstate
13416 movement of juveniles in each compacting state and shall promulgate a rule binding upon all
13417 compacting states which governs such assessment.

13418 (c) The interstate commission shall not incur any obligations of any kind prior to securing
13419 the funds adequate to meet the same; nor shall the interstate commission pledge the credit of any
13420 of the compacting states, except by and with the authority of the compacting state.

13421 (d) The interstate commission shall keep accurate accounts of all receipts and
13422 disbursements. The receipts and disbursements of the interstate commission shall be subject to
13423 the audit and accounting procedures established under its by-laws. However, all receipts and
13424 disbursements of funds handled by the interstate commission shall be audited yearly by a
13425 certified or licensed public accountant and the report of the audit shall be included in and become
13426 part of the annual report of the interstate commission.

13427 Section 12. Each member state shall create a state council for interstate juvenile
13428 supervision. While each state may determine the membership of its own state council, its
13429 membership must include at least 1 representative from the legislative, judicial, and executive

13430 branches of government, victims groups, and the compact administrator, deputy compact
13431 administrator or designee. Each compacting state shall retain the right to determine the
13432 qualifications of the compact administrator or deputy compact administrator. Each state council
13433 shall advise and may exercise oversight and advocacy relative to such state's participation in
13434 interstate commission activities and other duties as may be determined by such state including,
13435 but not limited to, development of policy relative to operations and procedures of the compact
13436 within such state.

13437 Section 13. (a) Any state, the District of Columbia, or its designee, the Commonwealth
13438 of Puerto Rico, the United States Virgin Islands, Guam, American Samoa and the Northern
13439 Marianas Islands as defined in section 2 shall be eligible to become a compacting state.

13440 (b) The compact shall become effective and binding upon legislative enactment of the
13441 compact into law by not less than 35 of the states. The initial effective date shall be the later of
13442 July 1, 2004 or upon enactment into law by the thirty-fifth jurisdiction. Thereafter, it shall
13443 become effective and binding as to any other compacting state upon enactment of the compact
13444 into law by such state. The governors of non-member states or their designees shall be invited to
13445 participate in the activities of the interstate commission, on a non-voting basis, prior to adoption
13446 of the compact by all states and territories of the United States.

13447 (c) The interstate commission may propose amendments to the compact for enactment by
13448 the compacting states. No amendment shall become effective and binding upon the interstate
13449 commission and the compacting states unless and until it is enacted into law by unanimous
13450 consent of the compacting states.

13451 Section 14. (a) Once effective, the compact shall continue in force and remain binding
13452 upon each compacting state but a compacting state may withdraw from the compact by repealing
13453 the statute which enacted the compact into law in such state.

13454 (b) The effective date of withdrawal shall be the effective date of the repeal.

13455 (c) The withdrawing state shall immediately notify the chairperson of the interstate
13456 commission, in writing, upon the introduction of legislation repealing the compact in the
13457 withdrawing state. The interstate commission shall notify the other compacting states of the
13458 withdrawing state's intent to withdraw within 60 days of its receipt thereof.(d) The withdrawing
13459 state shall be responsible for all assessments, obligations and liabilities incurred through the
13460 effective date of withdrawal, including any obligations, the performance of which extend beyond
13461 the effective date of withdrawal.

13462 (e) Reinstatement following withdrawal of any compacting state shall occur upon the
13463 withdrawing state reenacting the compact or upon such later date as determined by the interstate
13464 commission.

13465 Section 15. (a) If the interstate commission determines that any compacting state has at
13466 any time defaulted in the performance of any of its obligations or responsibilities under this
13467 compact, or the by-laws or duly adopted rules, the interstate commission may impose any or all
13468 of the following penalties:

13469 (1) remedial training and technical assistance as directed by the interstate
13470 commission;

13471 (2) alternative dispute resolution;

13472 (3) fines, fees and costs in such amounts as are deemed to be reasonable as
13473 fixed by the interstate commission; and

13474 (4) suspension or termination of membership in the compact, which shall be
13475 imposed only after all other reasonable means of securing compliance under the by-laws and
13476 rules have been exhausted and the interstate commission has therefore determined that the
13477 offending state is in default. Immediate notice of suspension shall be given by the interstate
13478 commission to the governor, the chief justice or the chief judicial officer of the state, the majority
13479 and minority leaders of the defaulting state's legislature and the state council. Grounds for
13480 default include, but are not limited to, failure of a compacting state to perform such obligations
13481 or responsibilities imposed upon it by this compact, the by-laws or duly adopted rules and any
13482 other grounds designated in interstate commission by-laws and rules. The interstate commission
13483 shall immediately notify the defaulting state, in writing, of the penalty imposed by the interstate
13484 commission and of the default, pending a cure of the default. The interstate commission shall
13485 stipulate the conditions and the time period within which the defaulting state must cure the
13486 default. If the defaulting state fails to cure the default within the time period specified by the
13487 interstate commission, the defaulting state shall be terminated from the compact upon an
13488 affirmative vote of a majority of the compacting states and all rights, privileges and benefits
13489 conferred by this compact shall be terminated from the effective date of termination of
13490 membership.

13491 (b) Within 60 days of the effective date of termination of a defaulting state, the
13492 commission shall notify the governor, the chief Justice or chief judicial officer, the majority and
13493 minority leaders of the defaulting state's legislature and the state council of such termination.

13494 (c) The defaulting state shall be responsible for all assessments, obligations and liabilities
13495 incurred through the effective date of termination including any obligations, the performance of
13496 which extends beyond the effective date of termination.

13497 (d) The interstate commission shall not bear any costs relating to the defaulting state
13498 unless otherwise mutually agreed upon, in writing, between the interstate commission and the
13499 defaulting state.

13500 (e) Reinstatement following termination of any compacting state requires both a
13501 reenactment of the compact by the defaulting state and the approval of the interstate commission
13502 pursuant to the rules.

13503 Section 16. The interstate commission may, by majority vote of the members, initiate
13504 legal action in the United States District Court for the District of Columbia or, at the discretion of
13505 the interstate commission, in the federal district wherein the interstate commission offices are
13506 located, to enforce compliance with the compact, its duly adopted rules and by-laws, against any
13507 compacting state in default. In the event judicial enforcement is necessary, the prevailing party
13508 shall be awarded all costs of such litigation, including reasonable attorneys fees.

13509 Section 17. (a) The compact shall dissolve effective on the date of the withdrawal or
13510 default of the compacting state, which reduces membership in the compact to 1 compacting state.

13511 (b) Upon the dissolution of this compact, the compact shall become null and void and
13512 shall be of no further force or effect, and the business and affairs of the interstate commission
13513 shall be concluded. Any surplus funds of the interstate commission shall be distributed in
13514 accordance with the by-laws.

13515 Section 18. (a) The provisions of this compact shall be severable and, if any phrase,
13516 clause, sentence or provision is deemed unenforceable, the remaining provisions of the compact
13517 shall be enforceable.

13518 (b) The provisions of this compact shall be liberally construed to effectuate its purposes.

13519 Section 19. (a) Nothing in this compact shall prevent the enforcement of any other law of
13520 a compacting state that is not inconsistent with this compact.

13521 (b) All compacting states' laws other than state Constitutions and other interstate
13522 compacts conflicting with this compact are superseded to the extent of the conflict.

13523 Section 20. (a) All lawful actions of the interstate commission, including all rules and by-
13524 laws adopted by the interstate commission, shall be binding upon the compacting states.

13525 (b) All agreements between the interstate commission and the compacting states shall be
13526 binding in accordance with the terms thereof.

13527 (c) Upon the request of a party to a conflict over meaning or interpretation of interstate
13528 commission actions, and upon a majority vote of the compacting states, the interstate
13529 commission may issue advisory opinions regarding such meaning or interpretation.

13530 (d) In the event any provision of this compact exceeds the constitutional limits imposed
13531 on the legislature of any compacting state, the obligations, duties, powers or jurisdiction sought
13532 to be conferred by such provision upon the interstate commission shall be ineffective and such
13533 obligations, duties, powers or jurisdiction shall remain in the compacting state and shall be
13534 exercised by the agency thereof to which such obligations, duties, powers or jurisdiction are
13535 delegated by law in effect at the time this compact becomes effective. SECTION 164. Section 32

13536 of chapter 121B of the General Laws, as appearing in the 2008 Official Edition, is hereby
13537 amended by adding the following paragraph:-

13538 Notwithstanding any general or special law or rule or regulation to the contrary, an
13539 applicant for assisted housing under this chapter who is not eligible for federal assisted housing
13540 under 42 U.S.C. section 1436a or who is not a person residing in the United States under color of
13541 law as provided in section 16D of chapter 118E shall not be given priority over or otherwise
13542 displace an applicant who has such status. SECTION 165. Section 14 of chapter 123A of the
13543 General Laws, as so appearing, is hereby amended by striking out the first sentence and inserting
13544 in place thereof the following 2 sentences:- The district attorney or the attorney general at the
13545 request of the district attorney may petition the court for a trial. In a trial held pursuant to this
13546 section, either the person named in the petition or the petitioning party may demand in writing
13547 that the case be tried to a jury, and upon that demand the case shall be tried to a jury. SECTION
13548 166. Chapter 127 of the General Laws is hereby amended by inserting after section 48A the
13549 following section:-

13550 Section 48B. (a) The commissioner and the sheriffs for the various counties may institute
13551 and assess fees to inmates in their custody for the following services:

13552 the daily cost of custodial care;

13553 medical sick call visits;

13554 prescription eyeglasses; and

13555 (iv) pharmacy prescriptions.

13556 (b) Notwithstanding subsection (a), the following services shall be exempt from fee
13557 assessment: admission health screening, 14-day health assessment, emergency health care,
13558 hospitalization or infirmary care, prenatal care, lab and diagnostic care, follow-up visits
13559 approved by health services, contagious disease care and chronic disease care.

13560 (c) No inmate shall be denied access to medical or dental care due to an inability to pay a
13561 fee.

13562 (d) The commissioner and sheriffs may use 25 per cent of the fees collected to help
13563 provide inmates with a cognitive-behavioral treatment program, included in the United States
13564 Department of Health and Human Services Substance Abuse and Mental Health Services
13565 Administration's national registry of evidence-based programs and practices, which develops
13566 moral reasoning skills. Such a program shall be proven to reduce future behavioral problems
13567 including recidivism incidents and misconduct within prison facilities which pose a risk to prison
13568 staff such as disruptive behavior, fighting, assaulting others and possessing contraband.

13569 (e) The sheriff may prescribe a fee to inmates in the sheriff's custody assigned to house
13570 arrest program based on the inmate's ability to pay, finances, household income, number of
13571 dependents and medical status.

13572 (f) The fees assessed under this section shall not have a set due date, but shall instead be
13573 collected only as wages are earned through work release programs or work within the prison, jail
13574 or house of correction and shall continue to be due and payable after the inmate is released. If
13575 the inmate is not re-incarcerated within 2 years after release, the outstanding assessment shall be
13576 forgiven.

13577 (g) This section shall not apply to federal inmates, detainees, regional lock-up inmates or
13578 anyone who has not been convicted for the crime for which the inmate is incarcerated.

13579 SECTION 167. Section 33 of chapter 138 of the General Laws, as appearing in the 2008
13580 Official Edition, is hereby amended by striking out, in line 12, the words “12:00 noon and in any
13581 county other than Suffolk,” and inserting in place thereof the following words:- 10:00 a.m. and.

13582 SECTION 168. Section 33B of said chapter 138, as so appearing, is hereby amended by
13583 striking out the words “eleven o’clock ante meridian and twelve o’clock” and inserting in place
13584 thereof the following words:- 10:00 a.m. and 12:00.

13585 SECTION 169. Section 202 of chapter 140 of the General Laws, as so appearing, is
13586 hereby amended by striking out, in line 2, the words “, old metals.”

13587 SECTION 170. Said section 202 of said chapter 140, as so appearing, is hereby further
13588 amended by inserting after the word “pawnbrokers”, in line 2, the words”- , secondary metals
13589 dealing.

13590 SECTION 171. The General Laws are hereby amended by inserting after chapter 140B
13591 the following chapter:-

13592 CHAPTER 140B½

13593 SECONDARY METAL DEALING

13594 Section 1. For the purposes of this chapter, the following words shall have the following
13595 meanings unless the context clearly requires otherwise:

13596 “Engaging in a business”, a regular occupation or constant employment; not an isolated
13597 or occasional transaction.

13598 “Licensing authority”, the chief of police or the board or officer having control of the
13599 police in a city or town, or persons authorized by them.

13600 “Metal” or “metal article”, a substance or article consisting of metal or a metal alloy but
13601 excluding aluminum beverage containers if those containers have a refund value pursuant to
13602 section 322 of chapter 94.

13603 “Secondary metals dealer”, a business, individual, corporation, association or
13604 organization engaged in secondary metals dealing for profit, whether or not licensed pursuant to
13605 section 2.

13606 “Secondary metals dealing”, engaging in a business, from a fixed location or otherwise,
13607 of gathering or obtaining metal or metal articles that are no longer in use and the economic value
13608 thereof is based upon the metal or article’s potential for re-use or upon the worth of the raw
13609 material of which such article is made.

13610 Section 2. (a) The licensing authority in any city or town may license suitable persons to
13611 engage in secondary metal dealing within the borders of the municipality. A licensing authority
13612 may make additional rules, regulations and restrictions, not inconsistent with this chapter, which
13613 shall be expressed in all licenses issued pursuant to this section; provided, however, that the
13614 regulations shall include a requirement that a license issued pursuant to this section shall expire 1
13615 year from the date of issue, may be renewed, that a fee of \$250 shall be assessed for the initial
13616 license, 50 per cent of which fee shall be forwarded by the collecting municipality to the state
13617 treasurer who shall deposit the monies into the Secondary Metals Registry Trust Fund,

13618 established by section 35LL of chapter 10, and that \$75 shall be assessed for the renewal of the
13619 license; provided, however, that any application for licensure or renewal shall designate a resident
13620 agent for service of process which designation may only be withdrawn, in writing, and upon
13621 designation of a new resident agent for such purpose. A license issued under section 54 or 54A
13622 shall not be considered a valid license for engaging in secondary metals dealing. A license
13623 issued pursuant to this section may be revoked and shall be subject to sections 202 to 205,
13624 inclusive.

13625 (b) A licensing authority shall enter premises used by any licensee to engage in secondary
13626 metals dealing, wherein the records required to be maintained under this chapter are stored or
13627 maintained, and inspect, in a reasonable manner, those records and inventory at least once per
13628 calendar year during regular business hours for the purpose of enforcing this chapter. If the
13629 records or inventory contain evidence of a violation of this chapter, the inspecting officer shall
13630 produce and take possession of copies of the records but, if the licensee does not possess the
13631 means to provide copies, the inspecting officer shall arrange to obtain copies in a reasonable time
13632 and manner, those records that contain evidence of the violation and the costs for obtaining the
13633 copies shall be assessed against the owner of the records.

13634 (c) The licensing authority, its authorized agent or a police officer may at any time enter
13635 upon premises being used for secondary metals dealing to ascertain whether or not the operator
13636 thereof is validly licensed, whether the enterprise is being operated in accordance with this
13637 chapter, and to examine all articles received or stored in or upon the premises and all books,
13638 records and inventory relating thereto. A secondary metals dealer shall exhibit to the licensing
13639 authority, his authorized agent, or a police officer, upon demand, all such articles, books or
13640 inventory.

13641 (d) The department of state police and municipal police shall enforce this chapter.

13642 Section 3. (a) It shall be illegal to engage in secondary metals dealing without a license
13643 issued in accordance with section 2.

13644 (b) Whoever violates this section shall be punished for a first offense by a fine of not
13645 more than \$2,500 or 2½ years in the house of correction. Whoever commits a second or
13646 subsequent violation of this section shall be punished by 2½ years in a house of correction or a
13647 fine of not more than \$5,000 or by not more than 5 years in state prison and a fine of not more
13648 than \$5,000, or by both such fine and imprisonment.

13649 Section 4. (a) Whoever engages in secondary metals dealing shall keep, for each
13650 transaction, the following records together in a book, register or electronic archive for 2 years:

13651 (1) a legible statement to be recorded in a book or register, and signed by the person from
13652 whom the metal is received, stating that person's name, current address and date and place of
13653 birth and a statement from that person providing when, where and from whom that person
13654 obtained the metal;

13655 (2) a photocopy of a government issued identification card, issued to the person from
13656 whom the metal is received; provided, however, that if a photograph of the person does not
13657 appear on the identification card, a photo of the person's face shall be taken and retained;

13658 (3) a photograph and a record of the weight of each individual metal article with a fair
13659 market value in excess of \$250, unless the article bears an identifying number or mark imprinted
13660 or embossed on the article during the manufacturing process and unique to the object or to the
13661 object from which the metal was taken including, but not limited to, a vehicle identification

13662 number; provided, however, that any photograph depicting more than 1 such article shall be
13663 sufficiently clear so as to distinguish each article from any other article in the photograph. If a
13664 unique identifying number or mark is imprinted or embossed on an article, that number or mark
13665 shall be recorded and neither a photograph nor the recorded weight of the article shall be
13666 required unless the article is gold, silver or platinum with a fair market value over \$250, in the
13667 condition in which it was received, in which case the article shall be photographed
13668 notwithstanding any unique number or mark thereon;

13669 (4) forward, not later than 48 hours from the time of receipt, the information required
13670 under clauses (1) to (3), inclusive, to the criminal history systems board on forms provided by
13671 that board or by the municipality in which the metal is received; and

13672 (5) retain any metal or metal article received for 10 days following the postmark on, or
13673 the date of electronic transmission of, the information sent to the criminal history systems board
13674 as required under clauses (1) to (3), inclusive, and preserve the metal or article during the 10
13675 days in the exact form in which it was received, without processing, tearing down, shredding,
13676 crushing, cutting, recycling, compacting, melting or otherwise alteration thereof.

13677 (b) It shall be illegal to engage in secondary metals dealing and to:

13678 knowingly accept a false name, address, date of birth or proof of identification or a false
13679 source from which metal or metal articles were obtained from any person seeking to exchange
13680 metal or metal articles for money or some other thing of value, with the intent to profit
13681 economically thereby;

13682 refuse the licensing authority, its authorized agent or a police officer entry onto the
13683 premises used for secondary metals dealing, fail to exhibit to the licensing authority, its

13684 authorized agent or a police officer, upon demand, all articles, books or inventory, or willfully
13685 hinder, obstruct or prevent the licensing authority, its authorized agent or a police officer from
13686 entering the premises for the purpose of conducting an examination of records or inventory or
13687 the validity of any license purportedly issued pursuant to section 2;

13688 receive any street sign, manhole cover, beer keg, propane container for fueling forklifts,
13689 street light, guard rail, water meter cover, railroad track, railroad spike, funeral or memorial
13690 marker, any metal item bearing the mark of a government entity, utility company or brewer, or
13691 copper wire, the insulation around which such dealer knew, or reasonably should have known,
13692 had been burned or stripped away; provided, however, that the manufacturer or authorized
13693 distributor of these metal articles shall be exempt from this clause if that manufacturer or
13694 distributor refills, reuses or recycles the articles of its own manufacture or that it distributes.

13695 receive any motor vehicle or trailer, or part thereof, which such dealer knew, or
13696 reasonably should have known, that the identifying number or mark thereon had been removed,
13697 defaced, altered, destroyed or obliterated.

13698 (c) It shall be illegal to knowingly provide a false name, address, date of birth or proof of
13699 identification, or a false source from which metal or metal articles were obtained to a secondary
13700 metals dealer, with the intent to exchange metal or metal articles for money or some other thing
13701 of value.

13702 (d) Whoever violates this section shall be punished, for a first offense, by a fine of not
13703 more than \$2,500 or by imprisonment in a house of correction for not more than 2½ years, or by
13704 both such fine and imprisonment. Whoever commits a second or subsequent violation of this
13705 section shall be punished by a fine of not less than \$2,500 nor more than \$10,000 or by

13706 imprisonment in a house of correction for not more than 2½ years or in a state prison for not less
13707 than 5 years, or by both such fine and imprisonment.

13708 (e) Upon a third or subsequent violation of this chapter, the license of a secondary metals
13709 dealer shall be void and the licensing authority shall permanently revoke the license and the
13710 license revocation may be imposed in addition to any criminal penalties imposed as a result of a
13711 violation of this chapter.

13712 Section 5. Notwithstanding any general or special law to the contrary, 100 per cent of the
13713 fines imposed pursuant to a violation of this chapter shall be transferred by the court to the state
13714 treasurer for deposit into the Secondary Metals Registry Trust Fund, established under section
13715 35LL of chapter 10.

13716 Section 6. Premises used for secondary metals dealing and operated in violation of this
13717 chapter shall be considered a nuisance and the licensing authority, the state police or local police
13718 department of the municipality in which the premises are located, the applicable district attorney
13719 or the attorney general may make application to the superior court in the county wherein the
13720 secondary metals dealing operation is established or maintained for an injunction to abate the
13721 nuisance.

13722 Section 7. (a) The following property shall be subject to forfeiture:

13723 all metal or metal articles which have been received, maintained, transferred or altered or
13724 in any manner obtained or kept in violation of this chapter;

13725 all materials, products and equipment of any kind used, or intended for use, in processing,
13726 transporting, purchasing, exchanging or recycling metals or metal articles in violation of this
13727 chapter;

13728 all conveyances used, or intended for use, to transport, conceal or otherwise facilitate the
13729 processing, transporting, purchasing, exchanging or recycling of metals or metal articles in
13730 violation of this chapter;

13731 all money, negotiable instruments, securities or other things of value furnished, or
13732 intended to be furnished, by any person in exchange for metal or metal articles in violation of
13733 this chapter, all proceeds traceable to the exchange, including real estate and any other thing of
13734 value, and all moneys, negotiable instruments and securities used, or intended to be used, to
13735 facilitate any violation of this chapter;

13736 all real property, including any right, title and interest in the whole of any lot or tract of
13737 land and any appurtenances or improvements thereto, which is used in any manner or part, to
13738 commit or to facilitate the commission of a violation of this chapter; and

13739 all property which is used, or intended for use, as a container for property described in
13740 clauses (1) or (2).

13741 (b) A forfeiture under this section shall not extinguish a perfected security interest held
13742 by a creditor in a conveyance or in any real property at the time of the filing of the forfeiture
13743 action.

13744 (c) Property subject to forfeiture under subsection (a) shall, upon motion of the petitioner,
13745 be declared forfeit by any court having jurisdiction over the property or having final jurisdiction
13746 over any related criminal proceeding brought under this chapter.

13747 (d) The court shall order forfeiture of all conveyances and of all real property subject to
13748 subsection (a), except as follows:

13749 A conveyance used by any person as a common carrier in the transaction of business as a
13750 common carrier shall not be forfeited unless it shall appear that the owner or other person in
13751 charge of the conveyance was a consenting party to, or privy to, a violation of this chapter.

13752 A conveyance shall not be forfeited by reason of any act or omission established by the
13753 owner thereof to have been committed or omitted by any person other than owner while the
13754 conveyance was unlawfully in the possession of a person other than the owner in violation of the
13755 criminal laws of the United States, or of the commonwealth or of any other state.

13756 A conveyance or real property shall not be subject to forfeiture unless the owner thereof
13757 knew, or should have known, that the conveyance or real property was used in and for the
13758 business of secondary metals dealing in violation of this chapter. Proof that the conveyance or
13759 real property was used to facilitate a violation of this chapter on 3 or more different dates shall be
13760 prima facie evidence that the conveyance or real property was used in and for the business of
13761 unlawful secondary metals dealing.

13762 (e) (1) The attorney general, a district attorney or a municipality may petition the superior
13763 court in the name of the commonwealth or, in the case of a municipality, in such municipality's
13764 name, in the nature of a proceeding in rem to order forfeiture of property subject to forfeiture
13765 under subsection (a). The petition shall be filed in the court having jurisdiction over the property

13766 or having final jurisdiction over any related criminal proceeding brought under this chapter. If
13767 the property is claimed by any person, other than the commonwealth, the plaintiff in all such
13768 suits shall have the burden of proving to the court the existence of probable cause to institute the
13769 action and the claimant shall then have the burden of proving that the property is not forfeitable
13770 pursuant to subsection (a). The owner of the property, or other person claiming thereunder, shall
13771 have the burden of proof as to the exceptions set forth in subsections (d) and (i). The court shall
13772 order the forfeiture petitioner to give notice, by certified or registered mail, to the owner of the
13773 property which is the subject of the forfeiture proceeding and to such other persons as appear to
13774 have an interest therein and the court shall promptly, but not less than 2 weeks after notice, hold
13775 a hearing on the petition. Upon the motion of the owner of the property, the court may continue
13776 the hearing on the petition pending the outcome of any criminal trial related to the violation of
13777 this chapter. At such hearing, the court shall hear evidence and make conclusions of law and
13778 shall thereupon issue a final order from which the parties shall have a right of appeal. In all suits
13779 in which a final order results in an order of forfeiture, the final order shall provide for disposition
13780 of the property by the commonwealth, or any subdivision thereof, in any manner not prohibited
13781 by law, including official use by authorized law enforcement or other public agency or sale at
13782 public auction or by competitive bidding. The proceeds of the sale shall be used to pay the
13783 reasonable expenses of the forfeiture proceedings, seizure, storage, maintenance of custody,
13784 advertising and notice and the balance thereof shall be distributed as provided in paragraph (2).

13785 (2) The final order of the court shall provide that moneys and the proceeds of any sale
13786 conducted pursuant to paragraph (1) shall be distributed equally among the prosecuting district
13787 attorney or attorney general, the municipal or state police department involved in the seizure and
13788 the municipality in which the property is located. If more than 1 police department was

13789 substantially involved in the seizure, the court having jurisdiction over the forfeiture proceeding
13790 shall equitably divide, among each of the departments involved, the 1/3 share of the money and
13791 proceeds of the sale that would be distributed as if a single department was involved in the
13792 seizure.

13793 (3) There shall be established, within the office of the state treasurer, separate special
13794 law enforcement trust funds for each district attorney and for the attorney general. All monies
13795 and proceeds received by the attorney general or any prosecuting district attorney pursuant to this
13796 subsection shall be deposited into such a trust fund and may be expended without further
13797 appropriation to defray the costs of protracted investigations, to provide additional technical
13798 equipment or expertise, to provide matching funds to obtain federal grants, or such other law
13799 enforcement purposes as the attorney general or such district attorney considers appropriate.

13800 All moneys and proceeds received by any police department pursuant to this subsection
13801 shall be deposited into a special law enforcement trust fund and may be expended without further
13802 appropriation to defray the costs of protracted investigations, to provide additional technical
13803 equipment or expertise, to provide matching funds to obtain federal grants, or to accomplish such
13804 other law enforcement purposes as the colonel of state police or applicable chief of police deems
13805 appropriate, but such funds shall not be considered a source of revenue to meet the operating
13806 needs of the department.

13807 (f) Any officer, department, or municipality having custody of any property subject to
13808 forfeiture under this chapter or having disposed of the property shall keep and maintain full and
13809 complete records showing from whom it received the property, under what authority it held or
13810 received or disposed of the property, to whom it delivered the property, the date and manner of

13811 destruction or disposition of the property, and the exact kind, quantity and form of the property.
13812 The records shall be open to inspection by the attorney general and state officers charged with
13813 enforcement of this chapter. Persons making final disposition or destruction of the property
13814 under court order shall report, under oath, to the court the exact circumstances of the disposition.

13815 (g) (1) During the pendency of forfeiture proceedings, the court may issue, at the request
13816 of the petitioner, ex parte, any preliminary order or process as is necessary to seize or secure the
13817 property for which forfeiture is sought and to provide for its custody including, but not limited
13818 to: an order that the petitioner remove the property, if possible, and safeguard it in a secure
13819 location in a reasonable fashion; that monies be deposited in an interest-bearing escrow account
13820 and; that a substitute custodian be appointed to manage the property or a business enterprise.
13821 Property taken or detained under this section shall not be repleviable, but once seized shall be
13822 considered to be lawfully in the custody of the petitioner pending forfeiture, subject only to the
13823 orders and decrees of the court having jurisdiction thereof. Process for seizure of the property
13824 shall issue only upon a showing of probable cause, and the application therefore and the
13825 issuance, execution, and return thereof shall be subject to chapter 276, so far as applicable.

13826 (2) The office of seized property management within the division of capital asset
13827 management and maintenance, established under section 47 of chapter 94C, shall preserve and
13828 manage property seized pursuant to this chapter, in a reasonable fashion, dispose of such
13829 property upon a judgment ordering forfeiture issued pursuant to this chapter and enter into
13830 contracts to preserve, manage and dispose of the property. The office of seized property
13831 management shall be funded by a portion of the proceeds of each sale of the managed property to
13832 the extent provided as payment of reasonable expenses under subsection (e).

13833 (h) The owner of any real property which is the principal domicile of the immediate
13834 family of the owner and which is subject to forfeiture under this section may file a petition for
13835 homestead exemption with the court having jurisdiction over the forfeiture. The court may, in its
13836 discretion, allow the petition exempting from forfeiture an amount allowed under section 1 of
13837 chapter 188. The value of the balance of such principal domicile, if any, shall be forfeited as
13838 provided in this section. The homestead exemption may be acquired on only 1 principal domicile
13839 for the benefit of the immediate family of the owner.

13840 (i) A forfeiture proceeding affecting the title to real property or the use and occupation
13841 thereof, or the buildings thereon, shall not have any effect except against the parties thereto and
13842 persons having actual notice thereof, until a memorandum containing the names of the parties to
13843 such proceeding, the name of the municipality wherein the affected real property lies, and a
13844 description of such real property sufficiently accurate for identification is recorded in the registry
13845 of deeds for the county or district wherein the real property lies. At any time after a judgment on
13846 the merits, or after the discontinuance, dismissal or other final disposition is recorded by the
13847 court having jurisdiction over such matter, the clerk of such court shall issue a certificate of such
13848 judgment, discontinuance, dismissal or other final disposition and that certificate shall be
13849 recorded in the registry in which the original memorandum recorded pursuant to this section was
13850 filed.

13851 Section 8. The chapter shall not apply to a person who is required under the federal
13852 Banking Secrecy Act, Public Law 91-508, as amended by 12 U.S.C. 1829B, 12 U.S.C. 1951-
13853 1959 and 31 U.S.C. 5311-5314, 5316-5332 to maintain an anti-money laundering program that
13854 vets customers and transactions in metals.” SECTION 172. Section 81 of chapter 146 of the
13855 General Laws, as so appearing, is hereby amended by striking out, in line 48, the words “but

13856 excluding” and inserting in place thereof the following words:- , vacuum and pneumatic
13857 systems, oil and petroleum products, ice-making machinery, air conditioning equipment and
13858 piping systems used for the conveyance and storage of liquids and industrial type gases used in
13859 processes, including, but not limited to, biopharmaceutical and semi-conductor manufacturing;
13860 provided, however, that nothing herein shall supersede chapter 142; provided further, that
13861 “pipefitting” shall not include the work performed by a licensed plumber as determined by the
13862 laws and regulations relating to that profession, or."

13863 SECTION 173. Section 89 of said chapter 146, as so appearing, is hereby amended by
13864 adding the following 2 paragraphs:-

13865 Whoever prevents or attempts to prevent an inspector from entering on any premises in
13866 the discharge of his duties under section 81 shall be punished by a fine of not less than \$250 and
13867 not more than \$3,000, or by imprisonment for not more than 3 months, or both such fine and
13868 imprisonment.”

13869 Whoever permits an unlicensed person to engage in pipefitting, as defined in section 81,
13870 shall be subject to a fine of not less than \$1,000 and not more than \$3,000 dollars, or by
13871 imprisonment for not more than 3 months, or both such fine and imprisonmentSECTION 173A.
13872 Section 2 of chapter 149 of the General Laws, as so appearing, is hereby amended by adding the
13873 following paragraph:-

13874 The attorney general shall make available a 24-hour toll-free hotline which may be used
13875 for reporting suspected violations of this chapter, including sections 19C and 26 relative to
13876 immigration status and wage laws and for violations of 8 U.S.C. section 1324a relative to the
13877 unlawful employment of unauthorized aliens in the commonwealth. Calls to the hotline shall be

13878 confidential and callers shall have the option of reporting violations anonymously. All
13879 complaints, whether received through the hotline, in writing, electronically or in any other form
13880 shall be recorded, documented and investigated by the attorney general. The attorney general
13881 shall immediately refer any suspected violations of federal law including, but not limited to,
13882 violations of 8 U.S.C. section 1324a, to the Attorney General of the United States. The attorney
13883 general shall annually prepare a year-end report detailing all reported violations of said sections
13884 19C and 26 and violations of 8 U.S.C. sections 1324a, the nature of the violations, the date on
13885 which each complaint was received and documented, any enforcement action taken against an
13886 employer who knowingly employs illegal aliens and any violations of federal law forwarded to
13887 the Attorney General of the United States. The report shall be submitted annually to the house
13888 and senate committees on ways and means and to the joint committee on labor and workforce
13889 development not later than February 1.

13890 SECTION 174. The second paragraph of section 19C of said chapter 149, as so
13891 appearing, is hereby amended by adding the following sentence:- Such regulations shall include
13892 but not be limited to ascertaining and verifying immigration and citizenship status utilizing a
13893 work authorization program as defined in section 1 of chapter 30C.

13894 SECTION 175. Said section 19C of said chapter 149, as so appearing, is hereby amended
13895 by striking out the third paragraph and inserting in place thereof the following paragraph:-

13896 A person who violates this section or who knowingly utilizes a false identification
13897 document for the purpose of soliciting, securing, or maintaining employment from a public
13898 employer shall be punished by a fine of not less than \$200 nor more than \$500 or by
13899 imprisonment in a jail or house of correction for not more than 1 year. SECTION 176. Section 7

13900 of chapter 150E of the General Laws, as amended by section 100 of chapter 25 of the acts of
13901 2009, is hereby further amended by adding the following 2 subsections:-

13902 (e) If a collective bargaining agreement between the commonwealth and an employee
13903 organization provides for the commonwealth to remove employees from employment in a certain
13904 manner, the commonwealth shall exercise any statutory power to remove such employees
13905 according to that agreement. (f) An employer entering into a collective bargaining agreement
13906 with an employee organization must provide a copy of the agreement to the retirement board to
13907 which the employees covered by the agreement are members. All retirement systems shall
13908 maintain files of all active collective bargaining agreements which cover the systems members.
13909 The retirement board shall review collective bargaining agreements for compliance with chapter
13910 32. SECTION 177. The third paragraph of section 47C of chapter 175 of the General Laws is
13911 hereby amended by striking out the last sentence, as appearing in section 83 of chapter 27 of the
13912 acts of 2009, and inserting in place thereof the following sentence:- Reimbursement of costs for
13913 such services shall be part of a basic benefits package offered by the insurer or a third party and
13914 shall not require co-payments or deductibles.

13915 SECTION 178. The third paragraph of section 8B of chapter 176A of the General Laws
13916 is hereby amended by striking out the last sentence, as appearing in section 84 of said chapter 27,
13917 and inserting in place thereof the following sentence:- Reimbursement of costs for such services
13918 shall be part of a basic benefits package offered by the insurer or a third party and shall not
13919 require co-payments or deductibles.

13920 SECTION 179. The third paragraph of section 4C of chapter 176B of the General Laws
13921 is hereby amended by striking out the last sentence, as appearing in section 85 of said chapter 27,

13922 and inserting in place thereof the following sentence:- Reimbursement of costs for such services
13923 shall be part of a basic benefits package offered by the insurer or a third party and shall not
13924 require co-payments or deductibles.

13925 SECTION 180. The second paragraph of section 4 of chapter 176G of the General Laws
13926 is hereby amended by striking the last sentence, as appearing in section 86 of said chapter 27,
13927 and inserting in place thereof the following sentence:- Reimbursement of costs for such services
13928 shall be part of a basic benefits package offered by the insurer or a third party and shall not
13929 require co-payments or deductibles.SECTION 181. Chapter 209A of the General Laws is hereby
13930 amended by adding the following section:-

13931 Section 11. Whoever files for the issuance, continuation or modification of a protective
13932 order under this chapter shall do so under the pains and penalties of perjury.SECTION 182.
13933 Section 11 of chapter 211D of the General Laws, as appearing in the 2008 Official Edition, is
13934 hereby amended by adding the following paragraph:-

13935 Any counsel who is appointed or assigned to represent indigents within the private
13936 counsel division shall not be limited by section 91 of chapter 32, except that they may only bill
13937 up to a maximum of 960 hours in the aggregate, in any calendar year.SECTION 183. Section 6
13938 of chapter 218 of the General Laws, as so appearing, is hereby amended by striking out, in lines
13939 54 and 55, the words“ , further, that the commissioner of probation” and inserting thereof the
13940 following words:- “further, that the commissioner of probation, subject to approval by the chief
13941 justice for administration and management.SECTION 184. (a) Section 1 of chapter 258B of the
13942 General Laws, as so appearing, is hereby amended by inserting after the word “delinquency”, in
13943 line 10, the following words:- or conviction as a youthful offender.

13944 SECTION 185. Said section 1 of said chapter 258B, as so appearing, is hereby further
13945 amended by striking out, in lines 12 to 14, inclusive, the words “or found delinquent or against
13946 whom a finding of sufficient facts for conviction or finding of delinquency” and inserting in
13947 place thereof the following words:- , adjudicated as a delinquent or convicted as a youthful
13948 offender or against whom a finding of sufficient facts.

13949 SECTION 186. Said section 1 of said chapter 258B, as so appearing, is hereby further
13950 amended by inserting after the word “stepparent”, in lines 15 and 16, the following word:- ,
13951 grandparent.

13952 SECTION 187. Said section 1 of said chapter 258B, as so appearing, is hereby further
13953 amended by inserting after the definition of “Family member” the following definition:-

13954 “Orientation”, a familiarization with the courtroom setting, court personnel and rules of
13955 court to the extent practicable under the circumstances as required in this chapter; provided,
13956 however, that this requirement may be satisfied through the use of diagrams, photographs or
13957 other reasonable methods.

13958 SECTION 188. Said section 1 of said chapter 258B, as so appearing, is hereby further
13959 amended by striking out , in line 25, the word “which” and inserting in place thereof the
13960 following word:- that.

13961 SECTION 189. Said section 1 of said chapter 258B, as so appearing, is hereby further
13962 amended by striking out the definition of “Victim” and inserting in place thereof the following
13963 definition:-

13964 “Victim”, a natural person who suffers direct or threatened physical, emotional or
13965 financial harm as the result of the commission or attempted commission of a crime or
13966 delinquency offense as demonstrated by the issuance of a complaint or indictment, the family
13967 members of such person if the person is a minor or incompetent, the family members of such
13968 person if the person is deceased even if no arrest, indictment or complaint has been issued and,
13969 for relevant provisions of this chapter, a person who is the subject of a case reported to a
13970 prosecutor pursuant to section 18 of chapter 19A, sections 5 and 9 of chapter 19C and section
13971 51B of chapter 119 and the family members of any such person if the person is a minor,
13972 incompetent or deceased.

13973 SECTION 190. Said section 1 of said chapter 258B, as so appearing, is hereby further
13974 amended by striking out, in lines 40 and 41, the words “is expected to be summoned to testify for
13975 the prosecution” and inserting in place thereof the following words:- may be summoned to testify
13976 for the prosecution or that person’s family member or guardian if the person is a minor,
13977 incompetent or deceased.

13978 SECTION 191. Section 3 of said chapter 258B, as so appearing, is hereby amended by
13979 inserting after the word “all”, in line 16, the following words:- adult and juvenile.

13980 SECTION 192. Said section 3 of said chapter 258B, as so appearing, is hereby further
13981 amended by striking out, in lines 31 to 34, inclusive, the words “protection from the local law
13982 enforcement agencies from harm and threats of harm” and inserting in place thereof the
13983 following words:- assistance in developing safety plans and appropriate referrals to address
13984 harm, threats of harm or fears.

13985 SECTION 193. Said section 3 of said chapter 258B, as so appearing, is hereby further
13986 amended by striking out clause (i) and inserting in place thereof the following clause:-

13987 (i) for victims, family members and witnesses to be provided, by the court as provided in
13988 section 17 of chapter 211B, with a secure waiting area or room which is separate from the
13989 waiting area of the defendant or the defendant’s family, friends, attorneys or witnesses and
13990 separate from the district attorney’s office; provided, however, that the court shall designate a
13991 waiting area at each courthouse; and provided further, that designation of those areas shall be
13992 made in accordance with the implementation plan developed by the task force.

13993 SECTION 194. Said section 3 of said chapter 258B, as so appearing, is hereby further
13994 amended by striking out, in line 86 and 87, the words “fourteen A of chapter two hundred and
13995 sixty-eight” and inserting in place thereof the following words:- 14B of chapter 268.

13996 SECTION 195. Said section 3 of said chapter 258B, as so appearing, is hereby further
13997 amended by inserting after the word “informed, in line 88, the following words:- by the
13998 prosecutor.

13999 SECTION 196. Said section 3 of said chapter 258B, as so appearing, is hereby further
14000 amended by inserting after the word “interview”, in line 92, the following words:- ; provided
14001 further, that defense counsel shall not seek to interview a victim or witness under the age of
14002 majority, incompetent or cognitively impaired until the victim or witness has been informed, in
14003 the presence of a parent, guardian or accompanying adult who is not the defendant, of the right to
14004 submit to or decline the interview.

14005 SECTION 197. Said section 3 of said chapter 258B, as so appearing, is hereby further
14006 amended by striking out, in line 111, the word “at” and inserting in place thereof the following
14007 word:- before.

14008 SECTION 198. Said section 3 of said chapter 258B, as so appearing, is hereby further
14009 amended by inserting after the word “defendant”, in lines 111 and 112, the following words:- ,
14010 even if there is an admission to sufficient facts, the sentence is mandatory or there is an agreed
14011 upon plea.

14012 SECTION 199. Said section 3 of said chapter 258B, as so appearing, is hereby further
14013 amended by inserting after the word “crime”, in line 117, the following words:- ; provided,
14014 however, that upon a showing by the prosecutor that a personal appearance by the victim will
14015 cause an unreasonable hardship on the victim, the court shall permit the victim to exercise the
14016 right to be heard by submitting a statement through audio tape or videotape to be heard or
14017 viewed before the sentence or disposition is imposed.

14018 SECTION 200. Said section 3 of said chapter 258B, as so appearing, is hereby further
14019 amended by striking out clause (t) and inserting in place thereof the following clause:-

14020 (t) for victims and witnesses to be informed by the prosecutor about their notification
14021 rights and their right to receive criminal offender record information under section 178A of
14022 chapter 6; provided, however, that the criminal history systems board, or in the case of a juvenile
14023 defendant the department of youth services, shall give victims and witnesses, using the most
14024 recent contact information provided by the victim or witness, reasonable advance notice of when
14025 a convicted offender receives a temporary, provisional or final release from custody or is

14026 transferred from a secure facility to a less-secure facility, or forthwith when a convicted offender
14027 escapes from custody.

14028 SECTION 201. The first paragraph of said section 3 of said chapter 258B, as so
14029 appearing, is hereby further amended by adding the following 5 clauses:-

14030 (w) for victims and witnesses who are minor children or adults with disabilities to have
14031 parents, a counselor, friend or other person having a supportive relationship with the victim or
14032 witness, in addition to the victim witness advocate, remain in the courtroom during the child's or
14033 adult's testimony unless, in written findings made and entered, the court finds that the
14034 defendant's constitutional right to a fair trial will be prejudiced;

14035 (x) for victims and witnesses who are minor children or adults with disabilities to be
14036 provided by prosecutors with an orientation to the courtroom setting, court personnel and rules of
14037 the court, to the extent practicable under the circumstances; provided, however, that the
14038 prosecution shall confer with the victim or victims prior to the acceptance of a plea of guilty or
14039 admission to sufficient facts. Before the judge accepts a plea of guilty, an admission to sufficient
14040 facts, a disposition, or an agreed-upon sentence recommendation, the judge shall ask the
14041 prosecutor if the victim has been consulted regarding plea discussions, whether or not the victim
14042 agrees or disagrees with the plea discussions and agreement, if the victim was notified of the
14043 court date and is present, and if the victim would like to assert their right to offer a victim impact
14044 statement;

14045 (y) for victims to be notified by the prosecutor that they have the right, pursuant to clause
14046 (k) of subsection 1 of section 178K of chapter 6 to provide the sex offender registry board with a
14047 convicted written impact statement for the board's consideration in determining a sex offender's

14048 classification; provided, however, that upon the specific request of the victim to the sex offender
14049 registry board, the sex offender registry board shall inform the victim of the sex offender's: (i)
14050 registration and classification status; and (ii) the home, work and institution of higher education
14051 addresses of the sex offender regardless of the classification level and registration status of the
14052 offender;

14053 (z) for victims and witnesses to be informed by the court, at the daily commencement of
14054 the regular criminal docket at which accused persons are arraigned, that a summary of their
14055 rights is posted and the location of the posting within the courthouse;

14056 (aa) for the victims to be notified by the responding officer who has determined that a
14057 crime has been committed of the commission or attempted commission of violent acts and others
14058 as deemed appropriate by the responding officer of their rights under this chapter; provided,
14059 however, that unless the officer reasonably concludes that it is not practicable or safe to do so
14060 under the circumstances, the officer shall present a card prepared by the Massachusetts office for
14061 victim assistance in consultation with the victim and witness assistance board which shall
14062 include, but not be limited to, a summary of their rights under this chapter, relevant referrals to
14063 victim services and, pursuant to chapter 258C, referrals for victim compensation. SECTION 202.
14064 Said section 3 of said chapter 258B, as so appearing, is hereby further amended by adding the
14065 following paragraph:-

14066 There shall be conspicuously posted in all courthouses and police stations a summary of
14067 the rights afforded under this section. The victim and witness assistance board, pursuant to
14068 section 4, shall devise and provide posters to satisfy this requirement to court officials and police
14069 station personnel, and, upon request and at the discretion of the office and board, to any other

14070 institution or organization to post and maintain in space accessible to the general public. The
14071 board shall develop the posters in a variety of languages as determined by the Massachusetts
14072 office for victim assistance. Upon request, the board will respond, to the extent possible, to any
14073 requests for additional language translations of the posters.

14074 SECTION 203. Section 6 of said chapter 258B is hereby repealed. SECTION 204. Said
14075 chapter 258B is hereby further amended by striking out section 7, as appearing in the 2008
14076 Official Edition, and inserting in place thereof the following section:-

14077 Section 7. The district attorney, law enforcement agencies, social service agencies and
14078 court shall cooperate to afford victims and witnesses of crimes the rights and services described
14079 in this chapter. SECTION 205. The first paragraph of section 8 of said chapter 258B, as so
14080 appearing, is hereby amended by striking out the fifth, sixth and seventh sentences and inserting
14081 in place thereof the following sentence:- An assessment made pursuant to this section shall not
14082 be waived.

14083 SECTION 206. Section 9 of said chapter 258B is hereby repealed.

14084 SECTION 207. Section 27C of chapter 261 of the General Laws, as appearing in the
14085 2008 Official Edition, is hereby amended by striking out paragraph (4) and inserting in place
14086 thereof the following paragraph:-

14087 (4) If the court makes a finding of indigency:

14088 (1) in criminal cases, juvenile delinquency proceedings and youthful offender cases and
14089 in cases arising under chapter 123A, any request for normal or extra fees and costs shall first be
14090 submitted to the committee for public counsel services which shall be authorized to approve

14091 those requests; provided, however, that the committee shall authorize any request with respect to
14092 normal fees and costs and it any request with respect to extra fees and costs if the document,
14093 service or object is reasonably necessary to assure the applicant as effective a prosecution,
14094 defense or appeal as he would have if he were financially able to pay; provided further, that if the
14095 committee recommends that such an application be denied, in whole or in part, the request shall
14096 be referred for prompt hearing to the court in which the action is pending at the request of the
14097 applicant; provided further, that the committee shall make reasonable efforts to act on the
14098 application within 10 business days and, if the committee fails to act within 10 business days of
14099 the date the application was filed, the applicant may file a motion with the court in which the
14100 action is pending; provided further, that the court shall not deny a request or motion filed
14101 pursuant to this section if the document, service or object is reasonably necessary to assure the
14102 applicant as effective a prosecution, defense or appeal as he would have if he were financially
14103 able to pay; and provided further, that the court shall not deny a request without first holding a
14104 hearing thereon;

14105 (2) in all other cases, a request for normal or extra fees shall be submitted to the court in
14106 which the action is pending; provided, however, that the court shall not deny a request with
14107 respect to normal fees and costs and with respect to extra fees and costs if it finds the document,
14108 service or object is reasonably necessary to assure the applicant as effective a prosecution,
14109 defense or appeal as he would have if he were financially able to pay; and provided further, that
14110 the court shall not deny a request without first holding a hearing thereon; and

14111 (3) if there is an appeal pursuant to section 27D following a denial, the court shall, within
14112 3 days, set forth its written findings and reasons justifying such denial, which document shall be
14113 part of the record on appeal.

14114 SECTION 208. Said chapter 261 is hereby further amended by striking out section 27G,
14115 as so appearing, and inserting in place thereof the following section:-

14116 Section 27G. The committee for public counsel services shall receive from an indigent
14117 party or the party's attorney all bills and vouchers for a document, service or object rendered to
14118 that party for which payment by the commonwealth has been authorized pursuant to clause (a) of
14119 paragraph (4) of section 27C and shall make prompt payment thereon. The clerk shall receive
14120 from an indigent party or his attorney all bills and vouchers for any document, service or object
14121 rendered to that party for which an order for payment by the commonwealth has been issued
14122 pursuant to clause (b) of said paragraph (4) of said section 27C and shall transmit those bills and
14123 vouchers and an attested copy of the order to the committee for public counsel services which
14124 shall make prompt payment thereon.

14125 SECTION 209. The first sentence of section 126A of chapter 266 of the General Laws,
14126 as so appearing, is hereby amended by adding the following words:- ; and provided further, that
14127 if the property marked, injured, marred, defaced or destroyed is a war or veterans' memorial,
14128 monument or gravestone, the fine under this section shall be doubled and the person convicted
14129 shall be ordered to perform not less than 500 hours of court-approved community service.

14130 SECTION 210. Said chapter 266 is hereby further amended by striking out section
14131 142A.

14132 SECTION 211. Section 10 of chapter 269 of the General Laws, as so appearing, is
14133 hereby amended by striking out paragraph (b) and inserting in place thereof the following
14134 paragraph:-

14135 As used in this paragraph, the following words shall have the following meanings unless
14136 the context clearly requires otherwise:

14137 “Ballistic knife”, a device that propels a knifelike blade as a projectile by means of a coil
14138 spring, elastic material or compressed gas, but not including a device which propels an arrow or
14139 a bolt by means of a common bow, compound bow, crossbow or underwater speargun.

14140 “Billy club”, a handheld instrument designed for striking another with concussive force
14141 including, but not limited to, a nightstick, tonfa, spring stick or telescoping metal baton.

14142 “Blackjack”, a handheld instrument with a weighted end designed for striking with
14143 concussive force.

14144 “Brass knuckles”, a set of metal finger rings or guards attached to a transverse piece and
14145 worn over the front of the doubled fist for use as a weapon and includes any such device whether
14146 made of brass or of some other metal or of another hard composite substance; provided,
14147 however, that “Brass knuckles” shall include a knuckle knife or brass knuckles attached to a
14148 blade.

14149 “Butterfly knife”, a knife having a blade encased in a split handle that manually unfolds
14150 with hand or wrist action with the assistance of inertia, gravity or both.

14151 “Dagger”, a bladed instrument designed for use as a weapon including, but not limited to,
14152 a dirk, stiletto, push knife, boot knife, combat knife or fighting knife.

14153 “Disguised knife”, a knife designed so that it is not readily recognizable as a knife, and
14154 appears instead to be a non-threatening item such as a lipstick, pen, belt buckle, air gauge or
14155 other common item.

14156 “Electrical weapon”, a portable device or weapon from which an electrical current,
14157 impulse, wave or beam may be directed, which current, impulse, wave or beam is designed to
14158 incapacitate temporarily, injure or kill including, but not limited to, a taser or stun gun.

14159 “Knife”, a cutting or stabbing instrument of metal or other resilient substance including,
14160 but not limited to, a sword or machete.

14161 “Leaded gloves”, gloves or other hand covering which are manufactured or modified to
14162 contain a weighted element such as lead shot, designed so that the wearer may strike another
14163 with enhanced force.

14164 “Nunchaku”, 2 sticks of wood, plastic or metal connected at 1 end by a length of rope,
14165 chain, wire or leather and capable of striking another with force sufficient to cause injury.

14166 “Switchblade knife”, a knife with an automatic spring release device by which the blade
14167 is released from the handle and having a blade of over 1½ inches.

14168 “Throwing star”, a shuriken or other instrument with 1 or more sharp edges designed in
14169 the shape of a polygon, trefoil, cross, star, diamond or other geometric shape for use as a weapon
14170 for throwing.

14171 “Undetectable knife”, a knife or other instrument with or without a handguard that is
14172 capable of ready use as a stabbing weapon and which is not detectable by a metal detector or
14173 magnetometer set at standard calibration.

14174 Whoever, except as provided by law, carries on his person or under his control in a
14175 vehicle, a dagger, a knife having a double-edged blade, a ballistic knife, a switchblade knife, a
14176 butterfly knife, a disguised knife, an undetectable knife; a blackjack; a billy club, brass knuckles,

14177 leaded gloves, a nunchaku, a throwing star, an electrical weapon or any other knife having a
14178 blade length of greater than 3½ inches that is possessed during the commission of a crime or that
14179 is used or intended to be used in an assaultive or otherwise unlawful manner shall be punished by
14180 imprisonment in the state prison for not more than 5 years or by imprisonment in a jail or house
14181 of correction for not more than 2½ years or by a fine of not more than \$1,000, or both such fine
14182 and imprisonment. Whoever, after having been convicted of a felony in a state or federal court,
14183 violates this paragraph shall be punished by imprisonment for a mandatory minimum period of
14184 not less than 1 year if sentenced to a state prison or not less than a mandatory minimum of 6
14185 months in sentenced to a jail or house of correction. The sentence shall not be suspended and a
14186 person so sentenced shall not be eligible for probation or receive a deduction from his sentence
14187 for good conduct. The court may also impose a fine of not more than \$1,000 but the fine shall
14188 not be imposed in place of the mandatory minimum term of incarceration. Whoever violates this
14189 paragraph during the commission of a felony shall, in addition to the penalty for that felony, be
14190 punished by imprisonment for not less than a mandatory minimum period of 2½ years but not
14191 more than 10 years in the state prison or not less than a mandatory minimum of 2 years but not
14192 more than 2½ years in a jail or house of correction. The court may also impose a fine of not
14193 more than \$5,000 but the fine shall not be imposed in place of the mandatory minimum term of
14194 incarceration.

14195 Nothing in this paragraph shall prohibit possession of a device or weapon defined herein
14196 by: (i) a federal, state or municipal law enforcement officer or member of a special reaction team
14197 in a state prison or designated special operations or tactical team in a county correctional facility,
14198 acting in the discharge of their official duties who has completed a training course approved by
14199 the secretary of public safety in the use of such a device or weapon; (ii) military personnel who

14200 possess such devices or weapons as part of their official duties; or (iii) an authorized supplier of
14201 such devices or weapons if possession of the device or weapon is necessary to the supply or sale
14202 of the device or weapon within the scope of a legitimate sale or supply enterprise. SECTION 212
14203 . Subsection (m) of section 22 of chapter 270 of the General Laws, as so appearing, is hereby
14204 amended by adding the following paragraph:-

14205 (6) A local board of health or other municipal health department may make reasonable
14206 restrictions and requirements for the licensed operation of a smoking bar but it shall not
14207 unreasonably restrict or prohibit the operation of a smoking bar if the smoking bar complies with
14208 this chapter. SECTION 213. Chapter 276 of the General Laws is hereby amended by striking
14209 out section 83, as so appearing, and inserting in place thereof the following section:-

14210 Section 83. Subject to appropriation, the commissioner of probation, subject to the
14211 approval by the chief justice for administration and management, may appoint, dismiss and
14212 assign such probation officers to the several sessions of the trial court as he deems necessary. In
14213 a court having 2 or more probation officers, the commissioner, subject to the approval of the
14214 chief justice for administration and management, may designate 1 probation officer to serve as
14215 chief probation officer and may designate other probation officers to serve as assistant chief
14216 probation officers, as he deems necessary for the effective administration of justice; provided,
14217 however, that the commissioner may suspend or discipline any such probation officer, who may
14218 appeal such suspension or discipline to the chief justice for administration and management or
14219 the commissioner may recommend the discharge of a probation officer to the chief justice for
14220 administration and management and the chief justice may discharge the probation officer after a
14221 hearing. The compensation of probation officers in the trial court shall be paid by the

14222 commonwealth according to schedules established in section 99B or in an applicable collective
14223 bargaining agreement.

14224 SECTION 214. Section 98 of said chapter 276, as so appearing, is hereby amended by
14225 striking out the first sentence and inserting in place thereof the following 2 sentences:- There
14226 shall be a commissioner of probation, who shall have executive control and supervision of the
14227 probation service. The commissioner shall be appointed by the chief justice for administration
14228 and management for a term of 5 years and shall devote his full-time during business hours to the
14229 duties of his officeSECTION 215. Section 70C of chapter 277 of the General Laws, as
14230 appearing in the 2008 Official Edition, is hereby amended by inserting after the second sentence
14231 the following sentence:- This section may apply to a violator of chapter 140B½ once only;
14232 provided, however, that the violator who agrees to treat the violation as a civil offense shall be
14233 assessed a fine of \$500, which fine shall not be waived; and provided further, that
14234 notwithstanding any general or special law to the contrary, 100 per cent of the fine shall be
14235 forwarded to the state treasurer for deposit into the Secondary Metals Registry Trust Fund,
14236 established under section 35LL of chapter 10SECTION 216. Chapter 687 of the acts of 1955 is
14237 hereby repealed. SECTION 217. Clause (n) of section 5 of chapter 614 of the acts of 1968
14238 is hereby amended by striking out, in line 2, the words “its administrative” and inserting in place
14239 thereof the following words:- fees, administrative.

14240 SECTION 218. Said section 5 of said chapter 614 is hereby further amended by inserting
14241 after clause (n) the following clause:-

14242 (n1/2) to fund the capital reserves authorized under paragraph (g) of section 10 and to
14243 fund and administer loans and grant programs for community hospitals and community health
14244 centers;

14245 SECTION 219. Section 10 of said chapter 614 is hereby amended by adding the
14246 following paragraph:-

14247 (g) (1) For the benefit of nonprofit community hospitals and nonprofit community health
14248 centers licensed by the department of public health and meeting the definition of a community
14249 health center under 114.6 CMR 13.00 as either a community health center or a hospital licensed
14250 health center, the authority may create and establish special funds to be known as Community
14251 Hospital and Community Health Center Capital Reserve Funds and, to the extent so created,
14252 shall pay into each such fund any monies appropriated and made available by the commonwealth
14253 for the purposes of the fund, any proceeds from the sale of bonds or notes to the extent provided
14254 in the resolution, trust agreement or indenture of the authority authorizing issuance thereof, any
14255 other monies of the authority that the authority determines to deposit in the fund and any other
14256 monies which may be available to the authority only for the purpose of such fund from any other
14257 source . All monies held in the fund, except as hereinafter provided, shall be used solely for the
14258 payment of the principal of bonds of the authority which are secured by any such fund as the
14259 same mature, which shall include becoming payable by sinking fund installment, the purchase of
14260 such bonds, the payment of interest on such bonds or the payment of any redemption premium
14261 required to be paid when such bonds are redeemed prior to maturity; provided, however, that,
14262 monies in a Community Hospital and Community Health Center Capital Reserve Fund shall not
14263 be withdrawn at any time in such amount as would reduce the amount of the fund to less than the
14264 maximum amount of principal and interest maturing and becoming due in a succeeding calendar

14265 year on outstanding bonds which are secured by the fund, except for the purpose of paying the
14266 principal of and interest on such bonds maturing and becoming due or for the retirement of such
14267 bonds in accordance with the terms of a contract between the authority and its bondholders and
14268 for the payment of which other monies pledged to secure such bonds are not available. Any
14269 income or interest earned by, or increment to, a Community Hospital and Community Health
14270 Center Capital Reserve Fund due to the investment thereof shall be used by the authority for the
14271 purposes of the fund.

14272 (2) The authority shall not issue bonds which are secured by a Community Hospital and
14273 Community Health Center Capital Reserve Fund at any time if the maximum amount of principal
14274 and interest maturing or becoming due in a succeeding calendar year on such bonds then to be
14275 issued and on all other outstanding bonds of the authority which are secured by a fund will
14276 exceed the amount of such Community Hospital and Community Health Center Capital Reserve
14277 Fund at the time of issuance unless the authority, at the time of issuance of such bonds, deposits
14278 in the fund from the proceeds of the bonds so to be issued, or otherwise, an amount which,
14279 together with the amount then in the fund, will be not less than the maximum amount of principal
14280 and interest maturing and becoming due in a succeeding calendar year on such bonds then to be
14281 issued and on all other outstanding bonds of the authority which are secured by any such fund.

14282 (3) To assure the continued operation and solvency of the authority for the carrying out
14283 of the public purposes of this act, provision shall be made under subparagraph (2) for the
14284 accumulation in a Community Hospital and Community Health Center Capital Reserve Fund of
14285 an amount equal to the maximum amount of principal and interest maturing and becoming due in
14286 a succeeding calendar year on all outstanding bonds which are secured by any such fund. In
14287 order to further assure the maintenance of a Community Hospital and Community Health Center

14288 Capital Reserve Fund, there shall be appropriated annually and paid to the authority for deposit
14289 in the fund such sum, if any, as shall be certified by the executive director of the authority to the
14290 governor as necessary to restore the fund to an amount equal to the maximum amount of
14291 principal and interest maturing and becoming due in a succeeding calendar year on the
14292 outstanding bonds which are secured by any such fund. The executive director of the authority
14293 shall annually, on or before December 1, make and deliver to the governor a certificate stating
14294 the amount, if any, required to restore a Community Hospital and Community Health Center
14295 Capital Reserve Fund to the amount aforesaid and the amount so stated, if any, shall be
14296 appropriated and paid to the authority during the then current fiscal year of the commonwealth.

14297 (4) For the purposes of this paragraph, in computing the amount of a Community
14298 Hospital and Community Health Center Capital Reserve Fund, securities in which all or a
14299 portion of the fund are invested shall be valued at par or, if purchased at less than par, at their
14300 cost to the authority unless otherwise provided in the resolution, trust agreement or indenture
14301 authorizing the issuance of bonds secured by the fund.

14302 (5) For the purposes of this paragraph, the amount of a letter of credit, insurance
14303 contract, surety bond or similar financial undertaking available to be drawn upon and applied to
14304 obligations to which money in the Community Hospital and Community Health Center Capital
14305 Reserve Fund may be applied shall be counted as money in the fund. For the purposes of this
14306 paragraph, in calculating the maximum amount of interest due in the future on variable rate
14307 bonds with respect to which the interest rate is not at the time of calculation determinable, the
14308 interest rate shall be calculated at the maximum interest rate on such bonds or such lesser interest
14309 rate as shall be certified by the authority as an appropriate proxy for such variable or
14310 nondeterminable interest rate.

14311 (6) Bonds secured by a Community Hospital and Community Health Center Capital
14312 Reserve Fund shall be issued by the authority solely for the benefit of nonprofit community
14313 hospitals and nonprofit community health centers licensed by the department of public health.

14314 (7) Notwithstanding any provision of this act to the contrary, no loan shall be made by
14315 the authority to a nonprofit community hospital or nonprofit community health center from the
14316 proceeds of bonds secured by a Community Hospital and Community Health Center Capital
14317 Reserve Fund established under this paragraph unless: (i) the project to be financed by the loan
14318 has been approved by the secretary of health and human services; and (ii) the loan and the
14319 issuance and terms of the related bonds have been approved by the secretary of administration
14320 and finance. In connection with any loan to a nonprofit community hospital or nonprofit
14321 community health center pursuant to this paragraph, the secretary of health and human services
14322 and the secretary of administration and finance may enter into an agreement with the authority
14323 and the nonprofit community hospital or nonprofit community health center to: (a) require that
14324 the nonprofit community hospital or nonprofit community health center provide financial
14325 statements or other information relevant to the financial condition of the nonprofit community
14326 hospital or nonprofit community health center and its compliance with the terms of the loan; (b)
14327 require that the nonprofit community hospital or nonprofit community health center reimburse
14328 the commonwealth for any amounts the commonwealth transfers to the fund under subparagraph
14329 (3) to replenish the fund as a result of a loan payment default by the nonprofit community
14330 hospital or nonprofit community health center; and (c) require compliance by the nonprofit
14331 community hospital or nonprofit community health center or the authority with any other terms
14332 and conditions that the secretary of health and human services and the secretary of administration
14333 and finance considers appropriate in connection with the loan.

14334 (8) When the authority notifies the secretary of administration and finance in writing that
14335 an institution eligible to use the authority under this paragraph is in default as to the payment of
14336 principal or interest on any bonds issued by the authority on behalf of that institution or that the
14337 authority has reasonable grounds to believe that the institution will not be able to make a full
14338 payment when that payment is due, the secretary of administration and finance shall direct the
14339 comptroller to withhold any funds in the comptroller's custody that are due or payable to the
14340 institution until the amount of the principal or interest due or anticipated to be due has been paid
14341 to the authority or the trustee for the bondholders, or until the authority notifies the secretary of
14342 administration and finance that satisfactory arrangements have been made for the payment of the
14343 principal and interest. Funds subject to withholding under this subparagraph shall include, but
14344 not be limited to, federal and state grants, contracts, allocations and appropriations.

14345 (9) If the authority further notifies the secretary of administration and finance in writing
14346 that no other arrangements are satisfactory, the secretary shall direct the comptroller to make
14347 available to the authority without further appropriation any funds withheld from the institution
14348 under subparagraph (8). The authority shall apply the funds to the costs incurred by the
14349 institution, including payments required to be made to the authority or trustee for any
14350 bondholders of debt service on any bonds issued by the authority for the institution or payments
14351 to replenish the Community Hospital and Community Health Center Capital Reserve Fund or
14352 required by the terms of any other law or contract to be paid to the holders or owners of bonds
14353 issued on behalf of the institution upon failure or default or upon reasonable expectation of
14354 failure or default of the institution to pay the principal or interest on its bonds when due.

14355 (10) Concurrent with any notice from the authority to the secretary of administration and
14356 finance under this paragraph, the authority may notify any other agency, department or authority

14357 of state government that exercises regulatory, supervisory or statutory control over the operations
14358 of the institution. Upon notification, the agency, department or authority shall immediately
14359 undertake reviews to determine what action, if any, that agency, department or authority should
14360 undertake to assist in the payment by the institution of the money due or the steps that the
14361 agencies of the commonwealth, other than the comptroller or the authority, should take to assure
14362 the continued prudent operation of the institution or provision of services to the people served by
14363 the institution.

14364 (11) Notwithstanding any general or special law to the contrary, in the event that a
14365 nonprofit community hospital or nonprofit community health center fails to reimburse the
14366 commonwealth for any transfers made by the commonwealth to the authority to replenish the
14367 Community Hospital and Community Health Center Capital Reserve Fund in accordance with
14368 subparagraph (3) within 6 months after any such transfer and as otherwise provided in
14369 accordance with the terms of the agreement among the nonprofit community hospital or
14370 nonprofit community health center, the authority and the commonwealth authorized under
14371 subparagraph (7), the secretary of administration and finance may, in his sole discretion, direct
14372 the comptroller to withhold any funds in the comptroller's custody that are due or payable to the
14373 nonprofit community hospital or nonprofit community health center to cover all or a portion of
14374 the amount the nonprofit community hospital or nonprofit community health center has failed to
14375 pay to the commonwealth to reimburse the commonwealth for any such transfers. All contracts
14376 issued by the group insurance commission, the commonwealth health insurance connector
14377 authority and MassHealth to a third party for the purposes of providing health care insurance
14378 paid for by the commonwealth shall provide that, at the direction of the secretary of
14379 administration and finance, the third party shall withhold payments to a nonprofit community

14380 hospital or nonprofit community health center which fails to reimburse the commonwealth in
14381 accordance with the agreement authorized under subparagraph (8) and shall transfer the withheld
14382 amount to the commonwealth. Any such withheld amounts shall be considered to have been paid
14383 to the nonprofit community hospital or nonprofit community health center for all other purposes
14384 of law and the nonprofit community hospital or nonprofit community health center shall be
14385 considered to have reimbursed the commonwealth for all or a portion of any such transfers to the
14386 Community Hospital and Community Health Center Capital Reserve Fund for purposes of the
14387 agreement authorized under said subparagraph (8).

14388 (12) For the purposes of this paragraph, a community hospital or community health
14389 center shall not include a hospital where the ratio of the number of physician residents-in-
14390 training to the number of inpatient beds exceeds 0.25.

14391 SECTION 220. Section 12 of said chapter 614 is hereby amended by striking out the last
14392 sentence and inserting in place thereof the following sentence:- Except as otherwise provided in
14393 paragraph (g) of section 10, the issuance of revenue bonds under this act shall not directly,
14394 indirectly or contingently obligate the commonwealth or any political subdivision thereof to levy
14395 or to pledge any form of taxation therefor or to make any appropriation for payment of those
14396 bonds. SECTION 221. The third sentence of paragraph (i) of subsection (a) of subdivision (1) of
14397 section 4A of chapter 1078 of the acts of 1973, as appearing in section 14 of chapter 300 of the
14398 acts of 2002, is hereby amended by inserting after the word "SEIU" the following words:- New
14399 England PBA, I.U.P.A., AFL-CIO. SECTION 222. The first sentence of chapter 544 of the acts
14400 of 1976 is hereby amended by striking out the words "to be used as an intermediate care facility
14401 for the treatment of alcoholism and related conditions" and inserting in place thereof the
14402 following words:- to be used as a medical care facility.

14403 SECTION 223, Said chapter 544 is hereby further amended by striking out the third and
14404 fourth paragraphs.

14405 SECTION 224. Section 43 of chapter 206 of the acts of 1998 is hereby amended by
14406 inserting after the word “on”, in line 2, the following words:- a statistically significant number,
14407 as determined by the department in consultation with the waste site cleanup advisory committee,
14408 taking into account the need for audits to ensure a high level of compliance with this chapter and
14409 the Massachusetts contingency plan, and the need to target audit resources in the most efficient
14410 and effective manner.

14411 SECTION 225. Subsection (a) of section 25 of chapter 45 of the acts of 2005 is hereby
14412 repealed.

14413 SECTION 226. Section 144 of chapter 122 of the acts of 2006 is hereby amended by
14414 striking out, in lines 4 to 6, inclusive, the words ‘; provided, however, that no waiver or
14415 exemption shall be granted without the written approval of the secretary of administration and
14416 finance’.SECTION 227. Subsection (a) of section 103 of chapter 182 of the acts of 2008 is
14417 hereby amended by striking out the first paragraph and inserting in place thereof the following
14418 paragraph:-

14419 Notwithstanding sections 40E to 40K, inclusive, and sections 52 to 55, inclusive, of
14420 chapter 7 of the General Laws or any other general or special law to the contrary, the division of
14421 capital asset management and maintenance, on behalf of and in consultation with the department
14422 of conservation and recreation, using such competitive proposal process as the division considers
14423 necessary or appropriate, may lease and enter into other agreements, for terms not to exceed 25
14424 years with 1 or more operators, for the Ponkapoag Golf Course in the town of Canton so as to

14425 provide for the continued use, operation, maintenance, repair and improvement of the golf
14426 courses, practice greens, driving range, restaurant and any other structure and associated lands
14427 which constitute the facilities of the Ponkapoag Golf Course; provided, however, that the
14428 division of capital asset management and maintenance, in consultation with the department of
14429 conservation and recreation, shall give priority to a proposal submitted by the town of Canton or
14430 by a nonprofit organization within the town of Canton which complies with the requirements of
14431 this section. The division of capital asset management and maintenance shall provide the town
14432 of Canton with not less than 120 days to determine whether the town shall submit a proposal
14433 before soliciting proposals under subsection (b); and provided further, that if the town of Canton
14434 executes a lease of the golf course under this section it shall not assign or otherwise transfer the
14435 lease to a third party.

14436 SECTION 228. Subsection (b) of said section 103 of said chapter 182 is hereby amended
14437 by striking out the first paragraph and inserting in place thereof the following paragraph:-

14438 If no lease agreement is reached with the town of Canton under subsection (a) before
14439 April 1, 2011, the division of capital asset management and maintenance, in consultation with
14440 and on behalf of the department of conservation and recreation, shall solicit proposals through a
14441 request for proposals which shall include key contractual terms and conditions to be incorporated
14442 into the contract including, but not limited to: (1) a comprehensive list of all recreational
14443 facilities operated by the responsive bidder or offeror in the last 4 years; (2) other facilities
14444 management or experience of the responsive bidder or offeror; (3) a senior citizens' and
14445 children's discount program; (4) reservation policies; (5) proposed reasonable rates that ensure
14446 continued public access; (6) required financial audits; (7) policies to encourage use of the golf
14447 course by persons of all races and nationalities; (8) safety and security plans; (9) seasonal

14448 opening and closing dates; (10) hours of operation; (11) holiday recognition; (12) grievance
14449 processes; (13) clubhouse license; (14) a provision that the facility shall be maintained as a 36-
14450 hole public golf course; (15) a provision that the lessee shall not construct facilities on the
14451 grounds of the golf course or any property appurtenant thereto; provided, however, that the
14452 lessee may construct facilities with the written approval of the commissioner of conservation and
14453 recreation and the majority vote of the board of selectmen in the town of Canton; and (16) a host
14454 community agreement between the designated operator and the town of Canton. Any increase in
14455 fees, including fees for season passes and club memberships, and any increase in charges for
14456 greens' fees or golf cart or club rentals shall be approved in writing by the commissioner of
14457 conservation and recreation; provided, however, that in considering any request for an increase
14458 in fees, the commissioner shall consider, without limitation: (i) any capital investment made by
14459 the contractor or lessee; (ii) the fees and charges at other public golf courses within reasonable
14460 proximity; and (iii) the length of time since the last fee increase.

14461 SECTION 229. Section 2 of chapter 229 of the acts of 2008 is hereby
14462 repealed. SECTION 230. Chapter 453 of the acts of 2008 is hereby amended by striking out
14463 section 9 and inserting in place thereof the following section:-

14464 Section 9. Section 3 shall take effect on September 30, 2011, and section 4 shall take
14465 effect on July 1, 2010.

14466 SECTION 231. Section 23 of chapter 21 of the acts of 2009 is hereby amended by adding
14467 the following 2 sentences:- The retirement allowance of any retired member which included in
14468 the calculation of such allowance amounts paid as clothing allowance upon which contributions
14469 were made shall not be reduced, modified or changed because of the inclusion of such clothing

14470 allowance payments. Notwithstanding any special or general law to the contrary, any amount
14471 paid to an active member for clothing allowance upon which contributions were made and
14472 included in any applicable collective bargaining agreement or individual contract for
14473 employment in effect on May 1, 2009, shall continue to be included in the definition of “regular
14474 compensation” during the term of that collective bargaining agreement or contract; provided,
14475 however, that any such amount, benefit or payment received after June 30, 2012 shall not be
14476 considered regular compensation. SECTION 232. Item 7003-0701 of section 2 of chapter 27 of
14477 the acts of 2009 is hereby amended by inserting after the words “private investment in job
14478 training” the following words:- ; provided further, that the unspent balance in this item shall be
14479 available in fiscal year 2011 in addition to any amount previously appropriated herein. SECTION
14480 233. Chapter 28 of the acts of 2009 is hereby amended by striking out section 106 and inserting
14481 in place thereof the following 3 sections:-

14482 Section 106. Sections 17, 19 and 20 shall take effect on November 1, 2010.

14483 Section 106A. Sections 20 to 24, inclusive, of chapter 30A of the General Laws, inserted
14484 by section 18, shall take effect on November 1, 2010.

14485 Section 106B. Sections 18, 19 and 25 of chapter 30A of the General Laws, inserted by
14486 said section 18, shall take effect on July 1, 2010. SECTION 234. Section 1 of chapter 59 of the
14487 acts of 2009 is hereby amended by striking out the definition of “Plan” and inserting in place
14488 thereof the following definition:-

14489 "Plan", a reuse or visioning plan prepared by the division in consultation with the MDC
14490 committee and the TDC committee which shall be approved by the commissioner and filed in
14491 accordance with section 2; provided, however, that the plan may be enhanced, refined or

14492 amended from time to time as provided in this section and shall include uses for department
14493 programs, uses that promote environmental preservation, open space and any other use found to
14494 be appropriate by the commissioner, town and committee.

14495 SECTION 235. Said section 1 of said chapter 59 is hereby further amended by striking
14496 out the definition of “TDC committee” and inserting in place thereof the following definition:-

14497 “TDC committee”, the Templeton Developmental Center Visioning Committee, which
14498 shall include 3 representatives of the town of Templeton, 1 of whom shall be a member of the
14499 Templeton board of selectmen or his designee who shall serve as chairperson, 1 of whom shall
14500 be a member of the Templeton planning board or his designee, and 1 of whom shall be chosen by
14501 the Templeton board of selectmen; 1 representative of the community preservation committee; 1
14502 representative of the division of capital asset management and maintenance; 1 representative of
14503 the department of developmental services; 1 representative of the employees of the Templeton
14504 Development Center; and 1 representative of the legal guardians of the clients currently housed
14505 at Templeton Developmental Center; provided, however, that the members, other than the
14506 members who are representatives of the state agencies, shall be appointed annually by the local
14507 governing authority. The senator and representative who represent the town shall serve as ex-
14508 officio members.

14509 SECTION 236. Section 2 of said chapter 59 is hereby amended by striking out the
14510 second sentence and inserting in place thereof the following sentence:- The TDC committee and
14511 MDC committee shall submit their recommendations for the reuse or visioning plans with the
14512 commissioner within 180 days after the division provides a local polling package to the town.

14513 SECTION 237. Said chapter 59 is hereby further amended by inserting after section 2
14514 the following section:-

14515 Section 2A. The TDC committee shall evaluate and make recommendations to the
14516 commissioner on the use of the TDC site including, but not limited to, the continued use of the
14517 site as a state facility or other alternative uses for the TDC site. The TDC committee shall
14518 inform the town's governing authority and the local community periodically of its proposals and
14519 decisions relevant to the use of the TDC site.

14520 SECTION 238. The first sentence of section 3 of said chapter 59 is hereby amended by
14521 inserting after the word "reuse" the following words: - or visioning.

14522 SECTION 239. Section 4 of said chapter 59 is hereby amended by striking out the
14523 second sentence and inserting in place thereof the following sentence:- The right of first refusal
14524 shall be exercised, if at all, by the affected town by giving written notice of the town's intention
14525 to acquire the property to the division within 180 days after the completion and submission of the
14526 plan.

14527 SECTION 240. Section 5 of said chapter 59 is hereby amended by striking out the
14528 second sentence and inserting in place thereof the following sentence:- The commissioner shall
14529 seek advice from the appropriate reuse or visioning committee prior to the implementation of any
14530 action.

14531 SECTION 241. Said chapter 59 is hereby further amended by striking out section 6 and
14532 inserting in place thereof the following section:-

14533 Section 6. The department of developmental services, with the approval of the
14534 commissioner, may enter into contracts for the provision of building management services for
14535 buildings and facilities located on the site as deemed necessary by the commissioner and the
14536 reuse or visioning committee.

14537 SECTION 242. Notwithstanding the third paragraph of section 6 of chapter 116 of the
14538 acts of 2002, members of the retirement system of a political subdivision who were eligible to
14539 apply for creditable service pursuant to said third paragraph of said section 6 of said chapter 116
14540 but failed to do so within 180 days of the acceptance of that act by the local legislative body may
14541 apply for such creditable service within 180 days of a vote by the local legislative body to allow
14542 members an additional period of time to apply for such creditable service pursuant to this
14543 section; provided, however, that a local legislative body may vote to allow this additional time
14544 period only once.

14545 SECTION 243. (a) In order to facilitate the reuse of the properties identified in
14546 subsection (b) and to generate non-tax revenues for the commonwealth, the commissioner of
14547 capital asset management and maintenance may, subject to sections 40E to 40J, inclusive, of
14548 chapter 7 of the General Laws but notwithstanding any other general or special law to the
14549 contrary, sell, lease for terms up to 99 years including all renewals and extensions, or otherwise
14550 grant, convey or transfer to purchasers or lessees an interest in any of those properties, or
14551 portions thereof, subject to this section and any terms and conditions that the commissioner
14552 considers appropriate. The commissioner shall dispose of each property, or portions thereof,
14553 utilizing appropriate competitive processes and procedures. At least 30 days before the date on
14554 which bids, proposals or other offers to purchase or lease a property, or any portion thereof, are
14555 due, the commissioner shall place a notice in the central register published by the state secretary

14556 under section 20A of chapter 9 of the General Laws stating the availability of the property, the
14557 nature of the competitive bidding process and other information that he considers relevant,
14558 including the time, place and manner for the submission of bids and proposals and the opening of
14559 the bids.

14560 (b) Properties available for re-use under this section:-

14561 (1) a certain parcel of land located in the town of Agawam at 702 South Westfield street,
14562 containing approximately 4 acres, together with any buildings and structures thereon, formerly
14563 known as the western Massachusetts criminal justice training center, described in book 915, page
14564 453, in the Hampden county registry of deeds, and further shown on Agawam assessors map E4,
14565 lot 12;

14566 (2) a certain parcel of land located in the town of Belchertown at 205 State street,
14567 containing approximately 7.5 acres, together with any buildings and structures thereon;

14568 (3) certain parcels of land located in the East Boston section of the city of Boston at 20
14569 Addison street and 600 Chelsea street, together with any buildings and structures thereon, shown
14570 as Lot 1 and Lot 3 on a plan entitled "East Boston Electric Shop, Central Maintenance Facility,
14571 Plan of Land Located in East Boston, Massachusetts, Suffolk County," prepared by Bryant
14572 Associates, Inc., dated February 7, 2002, revision date May 28, 2002, on file with the division,
14573 with the benefit of certain easements and appurtenances thereto as shown on said plan;

14574 (4) certain parcels of land located in the Roxbury section of the city of Boston at 167
14575 Centre street, containing approximately 8,496 square feet, together with any buildings and
14576 structures thereon, shown as Assessor's Block 55 bounded by Columbus avenue, New Heath

14577 street and Penryth street and shown as Assessor's Block 56 bounded by Columbus avenue,
14578 Centre street and Penryth street;

14579 (5) a certain parcel of land located in the city of Chelsea at 24 Hillside avenue, containing
14580 approximately 0.15 acres, together with any buildings and structures thereon;

14581 (6) a certain parcel of land located in the town of Danvers at 471 Maple street, containing
14582 approximately 0.367 acres, together with any buildings and structures thereon;

14583 (7) a certain parcel of land located in town of Dartmouth at 262 State road, containing
14584 approximately 0.75 acres, together with any buildings and structures thereon, formerly known as
14585 the state police barracks;

14586 (8) a certain parcel of land located in the town of Foxborough at 32 Payson road, together
14587 with any buildings and structures thereon;

14588 (9) a certain parcel of land located in the town of Foxborough on Walnut street,
14589 containing approximately 16 acres, together with any buildings and structures thereon;

14590 (10) a certain parcel of land located in the city of Lawrence at 381 Common street,
14591 together with any buildings and structures thereon, formerly known as the Essex north district
14592 registry of deeds;

14593 (11) a certain parcel of land located in the town of Marlborough at 525 Maple street,
14594 containing approximately 0.95 acres, together with any buildings and structures thereon,
14595 formerly known as the registry of motor vehicles;

14596 (12) a certain parcel of land located in the town of Middleboro, containing approximately
14597 34 acres of land, located northeasterly off Plymouth Street as shown on Middleborough

14598 Assessor's Map 21, parcels 993, 1111, 1842 and 2651, together with any buildings or structures
14599 thereon;

14600 (13) a certain parcel of land located in the city of New Bedford at 593 Kempton street,
14601 together with any buildings and structures thereon, formerly known as the Bristol county jail,
14602 described in book 2659, page 15, in the Bristol county registry of deeds, and further shown on
14603 New Bedford assessors map 57, lot 201;

14604 (14) a certain parcel of land located in the city of New Bedford at 5 Sycamore street,
14605 together with any buildings and structures thereon formerly known as the New Bedford armory;

14606 (15) a certain parcel of land located in the town of Norton between the east side of Hill
14607 street and the southerly side of South Washington street, containing approximately 45 acres,
14608 together with any buildings and structures thereon, being a portion of a parcel of land identified
14609 as "Area To Be Retained 63.9 Acres" shown on a plan entitled "Plan Showing Land In Norton,
14610 Mass. To Be Conveyed By The Commonwealth of Mass. To The Town Of Norton" on file with
14611 the division of capital asset management and maintenance;

14612 (16) a certain parcel of land located in the town of Plymouth at 76 Court street together
14613 with any buildings and structures thereon, formerly known as the armory;

14614 (17) a certain parcel of land located in the city of Pittsfield at 359 East street, together
14615 with any buildings and structures thereon, formerly known as the "William Russell Allen
14616 House";

14617 (18) a certain parcel of land located in the city of Springfield at 288 Tyler street
14618 containing approximately 0.25 acres, together with any buildings and structures thereon.;

14619 (19) a certain parcel of land located in the town of West Boylston containing
14620 approximately 20 acres, together with any buildings and structures thereon, formerly known as
14621 the county hospital; and

14622 (20) certain parcels of land located at the former Lyman School For Boys in the town of
14623 Westborough, together with any buildings and structures thereon, designated as parcels B, C, D,
14624 G and J, as generally defined and described in sections 2, 3, 4, 7 and 10 of chapter 660 of the acts
14625 of 1987.

14626 (c) The exact boundaries of the parcels described in subsection (b) shall be determined by
14627 the commissioner of capital asset management and maintenance after completion of a survey.

14628 (d) Notwithstanding any general or special law to the contrary, the grantee or lessee of
14629 any property identified in subsection (b) shall be responsible for all costs and expenses including,
14630 but not limited to, costs associated with any engineering, surveys, appraisals and deed
14631 preparation related to the conveyances and transfers authorized in this section as such costs may
14632 be determined by the commissioner of capital asset management and maintenance.

14633 (e) The commissioner may retain or grant rights of way or easements for access, egress,
14634 utilities and drainage across any of the parcels and across other commonwealth property
14635 contiguous to any of the parcels, and the commonwealth may accept from a developer such
14636 rights of way or easements in roadways or across any of the parcels to be conveyed or transferred
14637 for access, egress, drainage and utilities as the commissioner considers necessary and appropriate
14638 to carry out this section.

14639 (f) Each parcel shall to be conveyed or leased shall be conveyed or leased without
14640 warranties or representations by the commonwealth. Notwithstanding any general or special law

14641 to the contrary, the proceeds of all conveyances and transfers under this section shall be
14642 deposited in the General Fund.

14643 (g) Notwithstanding any general or special law to the contrary, the commissioner of
14644 capital asset management and maintenance may transfer to the Massachusetts department of
14645 transportation care and custody of a portion of that certain parcel of land designated as parcel L
14646 in section 12 of chapter 660 of the acts of 1987. This transfer shall be subject to easements or
14647 restrictions that the commissioner may select, shall be without consideration, and shall not be
14648 subject to chapter 7 of the General Laws.

14649 SECTION 244. Chapter 421 of the acts of 1991 is repealed.

14650 SECTION 245. Chapter 305 of the acts of 1994 is repealed.

14651 SECTION 246. Section 8 of chapter 324 of the acts of 1987 is hereby amended by
14652 striking out the word "July", inserted by section 302 of chapter 159 of the acts of 2000, and
14653 inserting in place thereof the following word:- August.”SECTION 247. Notwithstanding any
14654 general or special law to the contrary, upon receiving a written request from the secretary of
14655 administration and finance, the comptroller shall transfer to the General Fund the unexpended
14656 balance of a fund, trust fund or other separate account, in existence on April 1, 2010, whether
14657 established administratively or by law, including a separate account established under section 6
14658 of chapter 6A of the General Laws or section 4F of chapter 7 of the General Laws; provided,
14659 however, that the secretary and comptroller shall report to the house and senate committees on
14660 ways and means 45 days before any transfer. The request shall certify that the secretary, in
14661 consultation with the comptroller, has determined this balance not to be necessary for the
14662 purposes for which it was made available.

14663 SECTION 248. Notwithstanding any general or special law to the contrary, the attorney
14664 general shall establish a 2-year pilot program to implement a “Massachusetts abandoned property
14665 registry”, hereinafter referred to as MAP. The registry shall require all property owners,
14666 including lenders, trustees, and service companies, to properly register and maintain vacant
14667 and/or foreclosing properties located in the state.

14668 The attorney general shall have enforcement authority of the pilot program, and shall
14669 establish rules governing the implementation and administration of the MAP pilot program.

14670 The MAP pilot program shall be implemented 120 days after the effective date of this
14671 section, and shall expire 2 years thereafter. SECTION 249. (a) Notwithstanding any general or
14672 special law to the contrary, a state agency that purchases drug testing equipment shall purchase
14673 the equipment through the use of the statewide contract maintained by the operational services
14674 division if it is the most cost-efficient means of purchase.

14675 (b) Notwithstanding any general or special law to the contrary, a state agency that
14676 purchases electronic monitoring devices including, but not limited to, global positioning systems,
14677 shall purchase the equipment through the use of the contract maintained by the commissioner of
14678 probation if the terms of that contract provide the most cost-efficient means of purchase and does
14679 not present any undue risk to public safety and includes the use of a dual monitoring platform to
14680 address potential for lapse of coverage due to the absence of cellular service; provided, however,
14681 that the operational services division shall conduct a study to determine the feasibility of creating
14682 a statewide contract for the devices.

14683 SECTION 250. (a) The public employee retirement administration commission, as
14684 established by section 49 of chapter 7 of the general laws, shall appoint a receiver to conduct and

14685 oversee the functions of the Essex regional retirement board, hereinafter referred to as the board.
14686 The receiver shall be a person with expertise relevant to the administration of a retirement
14687 system. The commission shall appoint the receiver for a period not to exceed 1 year; provided,
14688 however, that the commission may, on a date not more than 6 months but not less than 3 months
14689 prior to the expiration of the receiver's appointment, extend the receiver's appointment, effective
14690 at the end date of the original appointment, for not more than 1 year; provided further, that upon
14691 an extension, the commission shall notify the joint committee on public service; and provided
14692 further, that the commission shall authorize no more than 1 such extension. The commission may
14693 at any time, with or without cause, remove the receiver and appoint a successor or terminate the
14694 receivership. The commission shall determine the salary of the receiver, which salary shall be
14695 paid by the board.

14696 (b) The purpose of the receivership shall be to restore sound and prudent management
14697 practices to the board. A receiver appointed pursuant to this section shall not take any actions
14698 inconsistent with this purpose.

14699 (c) The receiver shall have the following powers:

14700 (1) to appoint, remove, supervise and direct all employees of the board, to exercise any
14701 function or power of any employee and have control over all personnel matters;

14702 (2) to supervise and direct all members of the board and to exercise any function or
14703 power of the board, except as otherwise provided in this section;

14704 (3) to remove, for cause, any member of the board; provided, however, that before
14705 removal, the receiver shall provide not less than 30 days' notice to the member; provided further,
14706 that a member to whom the receiver provides notice to remove shall have the right to appeal the

14707 removal to the commission, who shall promptly hear the appeal and may overrule the receiver if
14708 the commission finds that there was no cause for removal. If a member is removed, the
14709 member's seat shall be vacant and an election to fill the seat shall be conducted under section 19
14710 of chapter 34B of the General Laws; provided, however, that with respect to the fifth seat on the
14711 board, the receiver shall not direct the members to vote for or against any candidate;

14712 (4) to subpoena from the board or system or from any member or employee of the board,
14713 documents, files or other item prepared for the system or board and which the receiver considers
14714 useful in conducting the receiver's duties;

14715 (5) to promulgate rules and regulations governing the operation and administration of the
14716 board;

14717 (6) to alter or rescind any action or decision of the board or of its employees within 14
14718 days of receipt of notice of such action or decision;

14719 (7) to otherwise oversee and discharge any other duties, responsibilities and powers of the
14720 board as described in subdivision (5) of section 20 of chapter 32 of the General Laws; provided,
14721 however, that the receiver may delegate or otherwise assign these powers with the approval of
14722 the commission.

14723 (d) Employees and members of the board shall continue to discharge their duties, subject
14724 to rules, regulations, decisions and policies that the receiver may make or implement.

14725 (e) The receiver shall report not less than quarterly to the commission on the receiver's
14726 actions, the status of the retirement system and any recommendations for further regulatory or
14727 legislative modifications and shall, not less than 6 months before the receiver's appointment is

14728 scheduled to expire, indicate to the commission whether an extension of the receivership is
14729 warranted.

14730 (f) The receiver shall be immune from civil liability arising from the exercise of the
14731 receiver's duties.

14732 (g) Upon the expiration of the receiver's appointment, all seats on the board shall be
14733 considered vacant and new elections shall be held under section 19A of chapter 34B of the
14734 General Laws; provided, however, that members of the board in place at the time of expiration
14735 shall continue in their duties until new members are elected and installed; provided further, that
14736 this section shall not be construed to prohibit serving members of the board or members removed
14737 by the receiver from being a candidate for these elections.

14738 (h) Notwithstanding any general or special law to the contrary, no receiver for the board
14739 shall be eligible to serve as an employee of the board after the receiver's appointment has
14740 expired.

14741 SECTION 251. Notwithstanding any general or special law to the contrary, section 22
14742 shall take effect upon the Essex regional retirement board under subsection (b) of section 19A of
14743 chapter 34 of the General Laws and the Essex regional retirement board advisory council under
14744 subsection (i) of said section 19A of said chapter 34 being elected, selected or appointed under
14745 the requirements of said section 19A of said chapter 34; provided, however, that until the Essex
14746 regional retirement board and the Essex regional retirement board advisory council are operating,
14747 the abolished county's retirement board and retirement board advisory council and its members
14748 shall continue to serve. SECTION 252. Notwithstanding any general or special law to the
14749 contrary, the members of the commission established by section 6 of chapter 54 of the acts of

14750 2005, shall be appointed not later than October 1, 2010 and shall commence work by November
14751 1, 2010; provided, however, that the commission shall file the first annual report regarding the
14752 commission's activities and any legislative recommendations to the house and senate committees
14753 on ways and means not later than April 1, 2011; and provided further, that subsequent annual
14754 reports shall be filed with the house and senate committees on ways and means not later than
14755 December 31 of each year.

14756 SECTION 253. (a) Notwithstanding any other general law or special law to the contrary,
14757 there shall be a Massachusetts risk assessment commission which shall create and implement a
14758 unified risk assessment tool for the purpose of evaluating individuals for court ordered or post-
14759 release supervision.

14760 (b) The Massachusetts risk assessment commission shall consist of the following
14761 members or their designees: the Attorney General, who shall serve as chair; the commissioner of
14762 probation; the chief justice of administration and management of the department of the trial
14763 court; the executive director of community corrections; the secretary of public safety and
14764 security; the chairman of the parole board; the commissioner of the department of corrections;
14765 the president of the Massachusetts Sheriff's Association; the president of the Massachusetts
14766 District Attorneys Association; the chief counsel for the committee for public counsel services;
14767 and a licensed forensic psychologist to be appointed by the governor.

14768 (c) In developing the unified risk assessment tool the commission shall take into account
14769 current academic research, American Parole and Probation Association recommendations on risk
14770 assessment, the risk assessment procedures and processes of other states, existing risk assessment
14771 tools in the commonwealth and the cost of implementation.

14772 (d) The commission shall commence work not later October 1, 2010 and shall complete
14773 work not later than April 1, 2011, with recommendations for the implementation of a unified risk
14774 assessment tool for the executive office of public safety and security, the trial court, the office of
14775 probation, the office of community corrections and sheriffs.

14776 SECTION 254. (a) The Massachusetts Department of Transportation shall prepare and
14777 issue a plan for an intercity high-speed rail network that includes recommendations for the
14778 development and implementation of a high-speed rail system; provided, however, that the
14779 recommendations shall consider federal, state and local activities necessary to implement the
14780 plan.

14781 (b) The Massachusetts Department of Transportation may, to the extent feasible,
14782 coordinate high-speed rail planning activities with the transportation departments of other New
14783 England states, in order to streamline plans, policies, priorities, possible funding mechanisms and
14784 timelines for the development of high-speed rail. The Department shall utilize and build upon,
14785 with the goal of improvement, any previously developed passenger or high-speed rail plans to
14786 meet the reporting deadline; provided, however, that the plan shall include preliminary
14787 recommendations for the implementation of the best design, construction, operation, and
14788 maintenance for an intercity high-speed rail-system with connections to bordering states and
14789 Canadian provinces. The plan shall comply with federal guidelines, definitions and
14790 recommendations including those provided by the United States department of Transportation's
14791 vision for high-speed rail in America; provided, however, that the plan shall include
14792 recommendations for integrating the high-speed rail system into existing and planned Amtrak
14793 expansions, airports, and public transportation systems. The plan shall include recommendations
14794 for possible funding sources, including private capital, revenue bonds and a specific structure for

14795 public-private partnerships; provided, however, that the plan shall include specific
14796 recommendations including any necessary state or federal legislation or regulations required to
14797 implement the recommended high-speed rail system. The department shall provide its report to
14798 the governor, the house and senate committees on ways and means, the joint committee on
14799 transportation, and published on the Massachusetts Department of Transportation website not
14800 later than May 2, 2011.

14801 (c) After the May 2, 2011 reporting deadline, the department shall provide, a
14802 supplemental report; provided, however, that the supplemental report shall include public and
14803 stakeholder input on recommendations related to the building, designing, maintaining,
14804 operating and financing of a high-speed intercity rail system with connections to bordering states
14805 and Canadian provinces; provided further, that the department will to the extent possible, consult
14806 and coordinate with the transportation departments of other New England states and bordering
14807 Canadian provinces; provided further, that the department shall hold at least 1 public hearing to
14808 receive testimony from global high-speed rail operators, including without limitation to Amtrak;
14809 provided further, that the plan must include the solicitation and receipt of formal expressions of
14810 interest and other testimony from global high-speed rail operators including without limitation to
14811 Amtrak; provided further, that representatives of New England states shall be invited and
14812 encouraged to attend the public hearing and provide testimony; and provided further, that the
14813 supplemental report shall be filed with the governor, the house and senate committees on ways
14814 and means, the joint committee on transportation and published on the Massachusetts
14815 Department of Transportation website not later than January 30, 2012.

14816 SECTION 255. Notwithstanding any general or special law to the contrary, not later than
14817 October 1, 2010 and without further appropriation, the comptroller shall transfer from the

14818 General Fund to the Health Safety Net Trust Fund established in section 36 of chapter 118G of
14819 the General Laws, the greater of \$45,000,000 or 1/12 of the total expenditures to hospitals and
14820 community health centers, for the purposes of making initial gross payments to qualifying acute
14821 care hospitals for the hospital fiscal year beginning October 1, 2010. These payments shall be
14822 made to hospitals before, and in anticipation of, the payment by hospitals of their gross liability
14823 to the Health Safety Net Trust Fund. The comptroller shall transfer from the Health Safety Net
14824 Trust Fund to the General Fund, not later than June 30, 2011, the amount of the transfer
14825 authorized by this section and any allocation thereof as certified by the director of the health
14826 safety net office.

14827 SECTION 256. (a) Notwithstanding any general or special law to the contrary, the
14828 University of Massachusetts system and the president of the university shall retain all tuition for
14829 out-of-state students in the University of Massachusetts system and the board of trustees for the
14830 University of Massachusetts shall promulgate regulations to allow the administration of each
14831 campus to retain all tuition paid by students who are not residents of the commonwealth. The
14832 regulations shall ensure that no resident of the commonwealth is denied admission to any campus
14833 as a result of the tuition retention program.

14834 (b) All out-of-state tuition and fees received by the board of trustees at Bridgewater State
14835 College shall be retained by the board of trustees of the institution in a revolving trust fund and
14836 shall be expended as the board may direct. The board shall ensure that no resident of the
14837 commonwealth is denied admission to the college as a result of the tuition retention program.
14838 The board of higher education shall promulgate regulations to ensure the campus maintains
14839 adequate access for qualified residents of the commonwealth, as measured by the ratio of out-of-

14840 state students to in-state students. Any balance in the trust fund at the close of a fiscal year shall
14841 be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.

14842 (c) All out-of-state tuition and fees received by the board of trustees at Fitchburg State
14843 College shall be retained by the board of trustees of the institution in a revolving trust fund and
14844 shall be expended as the board may direct. The board shall ensure that no resident of the
14845 commonwealth is denied admission to the college as a result of the tuition retention program.
14846 The board of higher education shall promulgate regulations to ensure the campus maintains
14847 adequate access for qualified residents of the commonwealth, as measured by the ratio of out-of-
14848 state students to in-state students. Any balance in the trust fund at the close of a fiscal year shall
14849 be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.

14850 (d) All out-of-state tuition and fees received by the board of trustees at Framingham State
14851 College shall be retained by the board of trustees of the institution in a revolving trust fund and
14852 shall be expended as the board may direct. The board shall ensure that no resident of the
14853 commonwealth is denied admission to the college as a result of the tuition retention program.
14854 The board of higher education shall promulgate regulations to ensure the campus maintains
14855 adequate access for qualified residents of the commonwealth, as measured by the ratio of out-of-
14856 state students to in-state students. Any balance in the trust fund at the close of a fiscal year shall
14857 be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.

14858 (e) All out-of-state tuition and fees received by the board of trustees at Salem State
14859 College shall be retained by the board of trustees of the institution in a revolving trust fund and
14860 shall be expended as the board may direct. The board shall ensure that no resident of the
14861 commonwealth is denied admission to the college as a result of the tuition retention program.

14862 The board of higher education shall promulgate regulations to ensure the campus maintains
14863 adequate access for qualified residents of the commonwealth, as measured by the ratio of out-of-
14864 state students to in-state students. Any balance in the trust fund at the close of a fiscal year shall
14865 be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.

14866 (f) All out-of-state tuition and fees received by the board of trustees at Westfield State
14867 College shall be retained by the board of trustees of the institution in a revolving trust fund and
14868 shall be expended as the board may direct. The board shall ensure that no resident of the
14869 commonwealth is denied admission to the college as a result of the tuition retention program.

14870 The board of higher education shall promulgate regulations to ensure the campus maintains
14871 adequate access for qualified residents of the commonwealth, as measured by the ratio of out-of-
14872 state students to in-state students. Any balance in the trust fund at the close of a fiscal year shall
14873 be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.

14874 (g) All out-of-state tuition and fees received by the board of trustees at Worcester State
14875 College shall be retained by the board of trustees of the institution in a revolving trust fund and
14876 shall be expended as the board may direct. The board shall ensure that no resident of the
14877 commonwealth is denied admission to the college as a result of the tuition retention program.

14878 The board of higher education shall promulgate regulations to ensure the campus maintains
14879 adequate access for qualified residents of the commonwealth, as measured by the ratio of out-of-
14880 state students to in-state students. Any balance in the trust fund at the close of a fiscal year shall
14881 be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.

14882 (h) All out-of-state tuition and fees received by the board of trustees at Berkshire
14883 Community College shall be retained by the board of trustees of the institution in a revolving

14884 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
14885 of the commonwealth is denied admission to the college as a result of the tuition retention
14886 program. The board of higher education shall promulgate regulations to ensure the campus
14887 maintains adequate access for qualified residents the commonwealth, as measured by the ratio of
14888 out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal year
14889 shall be available for expenditure in subsequent fiscal years and shall not revert to the General
14890 Fund.

14891 (i) All out-of-state tuition and fees received by the board of trustees at Bristol Community
14892 College shall be retained by the board of trustees of the institution in a revolving trust fund and
14893 shall be expended as the board may direct. The board shall ensure that no resident of the
14894 commonwealth is denied admission to the college as a result of the tuition retention program.
14895 The board of higher education shall promulgate regulations to ensure the campus maintains
14896 adequate access for qualified residents of the commonwealth, as measured by the ratio of out-of-
14897 state students to in-state students. Any balance in the trust fund at the close of a fiscal year shall
14898 be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.

14899 (j) All out-of-state tuition and fees received by the board of trustees at Bunker Hill
14900 Community College shall be retained by the board of trustees of the institution in a revolving
14901 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
14902 of the commonwealth is denied admission to the college as a result of the tuition retention
14903 program. The board of higher education shall promulgate regulations to ensure the campus
14904 maintains adequate access for qualified residents of the commonwealth, as measured by the ratio
14905 of out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal

14906 year shall be available for expenditure in subsequent fiscal years and shall not revert to the
14907 General Fund.

14908 (k) All out-of-state tuition and fees received by the board of trustees at Cape Cod
14909 Community College shall be retained by the board of trustees of the institution in a revolving
14910 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
14911 of the commonwealth is denied admission to the college as a result of the tuition retention
14912 program. The board of higher education shall promulgate regulations to ensure the campus
14913 maintains adequate access for qualified residents of the commonwealth, as measured by the ratio
14914 of out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal
14915 year shall be available for expenditure in subsequent fiscal years and shall not revert to the
14916 General Fund.

14917 (l) All out-of-state tuition and fees received by the board of trustees at Greenfield
14918 Community College shall be retained by the board of trustees of the institution in a revolving
14919 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
14920 of the commonwealth is denied admission to the college as a result of the tuition retention
14921 program. The board of higher education shall promulgate regulations to ensure the campus
14922 maintains adequate access for qualified residents of the commonwealth, as measured by the ratio
14923 of out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal
14924 year shall be available for expenditure in subsequent fiscal years and shall not revert to the
14925 General Fund.

14926 (m) All out-of-state tuition and fees received by the board of trustees at Holyoke
14927 Community College shall be retained by the board of trustees of the institution in a revolving

14928 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
14929 of the commonwealth is denied admission to the college as a result of the tuition retention
14930 program. The board of higher education shall promulgate regulations to ensure the campus
14931 maintains adequate access for qualified residents of the commonwealth, as measured by the ratio
14932 of out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal
14933 year shall be available for expenditure in subsequent fiscal years and shall not revert to the
14934 General Fund.

14935 (n) All out-of-state tuition and fees received by the board of trustees at Massachusetts
14936 Bay Community College shall be retained by the board of trustees of the institution in a
14937 revolving trust fund and shall be expended as the board may direct. The board shall ensure that
14938 no resident of the commonwealth is denied admission to the college as a result of the tuition
14939 retention program. The board of higher education shall promulgate regulations to ensure the
14940 campus maintains adequate access for qualified residents of the commonwealth, as measured by
14941 the ratio of out-of-state students to in-state students. Any balance in the trust fund at the close of
14942 a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to
14943 the General Fund.

14944 (o) All out-of-state tuition and fees received by the board of trustees at Massasoit
14945 Community College shall be retained by the board of trustees of the institution in a revolving
14946 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
14947 of the commonwealth is denied admission to the college as a result of the tuition retention
14948 program. The board of higher education shall promulgate regulations to ensure the campus
14949 maintains adequate access for qualified residents of the commonwealth, as measured by the ratio
14950 of out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal

14951 year shall be available for expenditure in subsequent fiscal years and shall not revert to the
14952 General Fund.

14953 (p) All out-of-state tuition and fees received by the board of trustees at Middlesex
14954 Community College shall be retained by the board of trustees of the institution in a revolving
14955 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
14956 of the commonwealth is denied admission to the college as a result of the tuition retention
14957 program. The board of higher education shall promulgate regulations to ensure the campus
14958 maintains adequate access for qualified residents of the commonwealth, as measured by the ratio
14959 of out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal
14960 year shall be available for expenditure in subsequent fiscal years and shall not revert to the
14961 General Fund.

14962 (q) All out-of-state tuition and fees received by the board of trustees at Mount Wachusett
14963 Community College shall be retained by the board of trustees of the institution in a revolving
14964 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
14965 of the commonwealth is denied admission to the college as a result of the tuition retention
14966 program. The board of higher education shall promulgate regulations to ensure the campus
14967 maintains adequate access for qualified residents of the commonwealth, as measured by the ratio
14968 of out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal
14969 year shall be available for expenditure in subsequent fiscal years and shall not revert to the
14970 General Fund.

14971 (r) All out-of-state tuition and fees received by the board of trustees at North Shore
14972 Community College shall be retained by the board of trustees of the institution in a revolving

14973 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
14974 of the commonwealth is denied admission to the college as a result of the tuition retention
14975 program. The board of higher education shall promulgate regulations to ensure the campus
14976 maintains adequate access for qualified residents the commonwealth, as measured by the ratio of
14977 out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal year
14978 shall be available for expenditure in subsequent fiscal years and shall not revert to the General
14979 Fund.

14980 (s) All out-of-state tuition and fees received by the board of trustees at Northern Essex
14981 Community College shall be retained by the board of trustees of the institution in a revolving
14982 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
14983 of the commonwealth is denied admission to the college as a result of the tuition retention
14984 program. The board of higher education shall promulgate regulations to ensure the campus
14985 maintains adequate access for qualified residents of the commonwealth, as measured by the ratio
14986 of out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal
14987 year shall be available for expenditure in subsequent fiscal years and shall not revert to the
14988 General Fund.

14989 (t) All out-of-state tuition and fees received by the board of trustees at Quinsigamond
14990 Community College shall be retained by the board of trustees of the institution in a revolving
14991 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
14992 of the commonwealth is denied admission to the college as a result of the tuition retention
14993 program. The board of higher education shall promulgate regulations to ensure the campus
14994 maintains adequate access for qualified residents of the commonwealth, as measured by the ratio
14995 of out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal

14996 year shall be available for expenditure in subsequent fiscal years and shall not revert to the
14997 General Fund.

14998 (u) All out-of-state tuition and fees received by the board of trustees at Roxbury
14999 Community College shall be retained by the board of trustees of the institution in a revolving
15000 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
15001 of the commonwealth is denied admission to the college as a result of the tuition retention
15002 program. The board of higher education shall promulgate regulations to ensure the campus
15003 maintains adequate access for qualified residents of the commonwealth, as measured by the ratio
15004 of out-of-state students to in-state students. Any balance in the trust fund at the close of a fiscal
15005 year shall be available for expenditure in subsequent fiscal years and shall not revert to the
15006 General Fund.

15007 (v) All out-of-state tuition and fees received by the board of trustees at Springfield
15008 Technical Community College shall be retained by the board of trustees of the institution in a
15009 revolving trust fund and shall be expended as the board may direct. The board shall ensure that
15010 no resident of the commonwealth is denied admission to the college as a result of the tuition
15011 retention program. The board of higher education shall promulgate regulations to ensure the
15012 campus maintains adequate access for qualified residents of the commonwealth, as measured by
15013 the ratio of out-of-state students to in-state students. Any balance in the trust fund at the close of
15014 a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to
15015 the General Fund.

15016 (w) Notwithstanding any general or special law to the contrary, for employees of public
15017 higher education institutions who are paid from tuition retained pursuant to this section, fringe

15018 benefits shall be funded as if those employees' salaries were supported by state appropriations.
15019 This section shall apply only to fringe benefits associated with salaries paid from tuition retained
15020 by the respective boards of trustees for the University of Massachusetts system, Bridgewater
15021 State College, Fitchburg State College, Framingham State College, Salem State College,
15022 Westfield State College, Worcester State College, Berkshire Community College, Bristol
15023 Community College, Bunker Hill Community College, Cape Cod Community College,
15024 Greenfield Community College, Holyoke Community College, Massachusetts Bay Community
15025 College, Massasoit Community College, Middlesex Community College, Mount Wachusett
15026 Community College, North Shore Community College, Northern Essex Community College,
15027 Quinsigamond Community College, Roxbury Community College and Springfield Technical
15028 Community College, as a direct result of the implementation of this section.

15029 (x) The respective boards of trustees for the University of Massachusetts system,
15030 Bridgewater State College, Fitchburg State College, Framingham State College, Salem State
15031 College, Westfield State College, Worcester State College, Berkshire Community College,
15032 Bristol Community College, Bunker Hill Community College, Cape Cod Community College,
15033 Greenfield Community College, Holyoke Community College, Massachusetts Bay Community
15034 College, Massasoit Community College, Middlesex Community College, Mount Wachusett
15035 Community College, North Shore Community College, Northern Essex Community College,
15036 Quinsigamond Community College, Roxbury Community College, and Springfield Technical
15037 Community College shall each issue an annual report on the progress of this initiative not later
15038 than February 1 of each year to the chairs of the joint committee on higher education, the chairs
15039 of the house and senate committees on ways and means and the executive office of
15040 administration and finance. The report shall include the number of out-of-state students attending

15041 the school, the amount of tuition revenue retained under the program and any programs or
15042 initiatives funded with the retained revenue.

15043 SECTION 257. Notwithstanding any general or special law to the contrary, all
15044 secretariats, departments and agencies required to report under this act shall file their reports by
15045 the date named in this act via electronic means to the chairs of any committees named as
15046 recipients as well as with the clerks of the house and senate; provided, however, that the house
15047 and senate clerks shall develop procedures and requirements for secretariats, departments and
15048 agencies for the preparation of the reports to facilitate their collection and storage and they shall
15049 be made available to the public via the legislature's website.

15050 SECTION 258. Notwithstanding any general or special law or rule or regulation to the
15051 contrary, all branches of government, any agency, department, quasi-state agency or entity of the
15052 commonwealth required by law to file an annual, semi-annual, quarterly or a financial report
15053 shall make such report available online. The annual report shall be conspicuous and accessible
15054 online and there shall be an archive of all annual reports available online. Any entity that is
15055 required by law to receive such report shall be notified by written hard copy format of the
15056 availability of such report online and the means of accessing the report. An agency,
15057 department, quasi-state agency or any entity of the commonwealth shall provide a copy in hard
15058 copy format of any annual report upon request. Compliance with this section shall fulfill any
15059 filing requirement established by any general or special law. SECTION 259. (a) Notwithstanding
15060 any general or special law to the contrary, upon receiving a written request from the secretary of
15061 administration and finance, the comptroller shall transfer \$33,500,000 from the Commonwealth
15062 of Massachusetts Springfield Promise Program Expendable Trust to the General Fund.

15063 (b)Notwithstanding chapter 169 of the acts of 2004 or any other general or special law to
15064 the contrary, the balance left in the Commonwealth of Massachusetts Springfield Promise
15065 Program Expendable Trust after taking this transfer into account shall be used exclusively for the
15066 funding of the Springfield Promise Program; provided, however, that the funds remaining in the
15067 Commonwealth of Massachusetts Springfield Promise Program Expendable Trust shall be
15068 deposited into a new expendable trust to be created and administered by the city of Springfield,
15069 to be called the City of Springfield Promise Program Expendable Trust; and provided further,
15070 that funds in the City of Springfield Promise Program Expendable Trust shall not be used for any
15071 purpose other than funding of the Springfield Promise Program, including its administrative
15072 costs.

15073 (c) Any amount transferred from the Commonwealth of Massachusetts Springfield
15074 Promise Program Expendable Trust under subsections (a) and (b) shall be considered as an
15075 amount repaid to reduce a loan balance under section 2 of said chapter 169 and section 2 of
15076 chapter 468 of the acts of 2008.

15077 SECTION 260. (a) Notwithstanding any general or special law to the contrary, any
15078 restriction on use of, and any reversionary interest held by the commonwealth on, the parcel
15079 designated as the Walnut Lodge property in paragraph 1 of chapter 544 of the acts of 1976
15080 conveyed to Norwood Hospital, now Caritas Norwood Hospital, Inc., on June 20, 1978, are
15081 hereby released.

15082 (b) For the purposes of this act “Caritas Norwood Hospital, Inc. or its successors” shall
15083 mean Caritas Norwood Hospital Inc. or any person, group or entity that purchases all, or
15084 substantially all, of the assets of Caritas Christi Healthcare System or all, or substantially all, of

15085 the assets of Caritas Norwood Hospital, Inc., including any subsequent purchasers, whether such
15086 purchase is effected by sale, merger or otherwise.

15087 (c) In consideration for the releases set forth in subsection (a), Caritas Norwood Hospital,
15088 Inc., or its successors, shall maintain services for the treatment of alcoholism and related
15089 conditions at the Walnut Lodge property or, if not at the Walnut Lodge property, at the site of the
15090 Caritas Norwood Hospital, Inc. and upon any disposition of said Walnut Lodge property by
15091 Caritas Norwood Hospital, or its successors, 50 per cent of the gross proceeds from the sale,
15092 lease or other disposition of said parcel shall be paid by the seller to the commonwealth acting by
15093 and through the commissioner of capital asset management and maintenance. For the purposes
15094 of this section, "gross proceeds" shall mean all payments paid to Caritas Norwood Hospital, Inc.
15095 or its successors, as and when paid, by a transferee who shall not use the property as a medical
15096 care facility. Under any change of use by Caritas Norwood Hospital, Inc. or any successor
15097 thereto, if said Walnut Lodge property, or any portion thereof, ceases to be used for the treatment
15098 of alcoholism and related conditions or, if not at the Walnut Lodge property, at the site of the
15099 Caritas Norwood Hospital Inc., then Caritas Norwood Hospital, Inc. or any successor thereto,
15100 shall pay to the commonwealth, acting by and through the commissioner of capital asset
15101 management and maintenance, the sum of 50 per cent of the assessed valuation of the land
15102 included in such change of use, as such assessment valuation appears on the real estate tax
15103 assessment listing maintained by the assessors of the town of Foxborough for the fiscal year in
15104 which such change of use occurs. Nothing in this section shall restrict the transfer or conveyance
15105 of said property, or any portion thereof, for use as a medical care facility. SECTION 261. The
15106 following agencies or authorities shall contribute the amounts below for programs or services in
15107 fiscal year 2011:

15108 (a) The Massachusetts Housing Finance Authority, \$2,700,000 for the Massachusetts
15109 rental voucher program;

15110 (b) The Massachusetts Development Finance Authority, \$3,000,000 for the
15111 Massachusetts cultural council, \$700,000 for Massachusetts office of business development
15112 small business technical assistance grants and \$335,000 for the permitting office;

15113 (c) The Massachusetts Educational Finance Authority, \$1,000,000 for the McNair
15114 Scholarship Program;

15115 (d) The Massachusetts Housing Partnership, \$2,000,000 for the Soft Second Mortgage
15116 Program;

15117 (e) The Massachusetts Convention Center Authority, \$5,000,000 for the Office of Travel
15118 and Tourism Marketing Program;

15119 (f) The Massachusetts Technology Collaborative, \$500,000 for Massachusetts science,
15120 technology, engineering, and mathematics grants, \$300,000 for the office of trade, \$500,000 for
15121 innovation initiatives and \$275,000 for the department of housing and economic development's
15122 broadband initiative;

15123 (h) The University of Massachusetts, \$541,000 for the Collins Center;

15124 (i) The Massachusetts Life Sciences Center, \$210,000 for the Massachusetts Biotech
15125 Research Institute. SECTION 262. Notwithstanding any general or special law to the contrary,
15126 federal grant funds in items 7061-0004 and 7061-0005 distributed to school districts in fiscal
15127 year 2011 through the State Fiscal Stabilization Fund under Title XIV of the American
15128 Reinvestment and Recovery Act of 2009 shall not be subject to indirect charges under section

15129 32A of chapter 35 of the General Laws and section 5D of chapter 40 of the General Laws.
15130 Subsection (f) of section 6B of chapter 29 of the General Laws shall not apply to these funds.
15131 School districts shall continue to provide for and make contributions to appropriate pension
15132 funds, as required by paragraph (c) of subdivision (7) of section 22 of chapter 32 of the General
15133 Laws, for employees whose salaries are paid from these federal funds in the same manner as
15134 contributions are made when receiving state education aid under chapter 70 of the General Laws.

15135 SECTION 263. Notwithstanding any general or special law to the contrary, the division
15136 of marine fisheries shall adopt size regulations relative to the possession and sale of oysters
15137 produced under the authority of an aquaculture or propagation permit issued by said division.
15138 Such regulations shall take into account market needs and economic opportunities. The division
15139 shall adopt the regulations required by this section not later than December 31, 2010. SECTION
15140 264. Notwithstanding clause (xxiii) of the third paragraph of section 9 of chapter 211B of the
15141 General Laws or any other general or special law to the contrary, the chief justice for
15142 administration and management may, from the effective date of this act through April 29, 2011,
15143 transfer funds from any item of appropriation within the trial court to any other item of
15144 appropriation within the trial court. These transfers shall be made in accordance with schedules
15145 submitted to the house and senate committees on ways and means. The schedule shall include:
15146 (1) the amount of money transferred from any item of appropriation to any other item of
15147 appropriation; (2) the reason for the necessity of the transfer; and (3) the date on which the
15148 transfer shall be completed. A transfer under this section shall not occur until 10 days after the
15149 revised funding schedules have been submitted in written form to the house and senate
15150 committees on ways and means.

15151 SECTION 265. Notwithstanding section 1 of chapter 29D of the General Laws or any
15152 general or special law to the contrary, all payments received by the commonwealth in fiscal year
15153 2011 pursuant to the master settlement agreement in Commonwealth of Massachusetts v. Philip
15154 Morris, Inc. et. al., Middlesex Superior Court, No. 95-7378, shall be deposited in the General
15155 Fund. The comptroller shall transfer all the earnings generated in fiscal year 2011 from the
15156 Health Care Security Trust Fund, as certified under subsection (f) of section 3 of said chapter
15157 29D, to the General Fund.

15158 SECTION 266. Notwithstanding any general or special law to the contrary, nursing
15159 facility and resident care facility rates effective July 1, 2010 under section 7 of chapter 118G of
15160 the General Laws may be developed using the costs of calendar year 2005.

15161 SECTION 267. Notwithstanding any general or special law to the contrary, the formula
15162 for application of funds provided in section 35J of chapter 10 of the General Laws shall not
15163 apply in fiscal year 2011.

15164 SECTION 268. (a) Notwithstanding any general or special law to the contrary, after
15165 complying with clause (a) of section 5C of chapter 29 of the General Laws, the comptroller shall
15166 dispose of the consolidated net surplus in the budgetary funds for fiscal year 2010 by
15167 transferring: (i) \$10,000,000 from the General Fund to the Massachusetts Life Sciences
15168 Investment Fund established in section 6 of chapter 23I of the General Laws; and (ii) the
15169 remaining balance from the General Fund to the Commonwealth Stabilization Fund.

15170 (b) All transfers pursuant to this section shall be made from the undesignated fund
15171 balances in the budgetary funds proportionally from the undesignated fund balances, but no such
15172 transfer shall cause a deficit in any of the funds.

15173 SECTION 269. Notwithstanding any general or special law to the contrary, the executive
15174 office of health and human services shall establish a chronic disease management program for
15175 members enrolled in the MassHealth primary care clinician program to better manage and
15176 improve the quality of care for members suffering from chronic conditions. The chronic disease
15177 management program shall be designed to ensure a financial return on investment in fiscal year
15178 2011 through the reduction of health care costs for patients with chronic diseases. Any contract
15179 with a private vendor to provide disease management services shall include a requirement that
15180 such vendor share the risk for its fees if return on investment targets are not met. The executive
15181 office shall pursue any opportunities for federal grants to support funding this program.

15182 The executive office shall submit to the joint committee on health care financing, the
15183 joint committee on public health and the house and senate committees on ways and means a
15184 report on the status of this program including, but not limited to data detailing adherence to
15185 evidence-based guidelines, hospital admission rates, emergency room utilization, clinical
15186 outcomes and cost effectiveness of the program not later than December 31, 2012.

15187 SECTION 270. Notwithstanding any general or special law to the contrary, the nursing
15188 home assessment required by subsection (b) of section 25 of chapter 118G of the General Laws
15189 shall be sufficient in the aggregate to generate \$220,000,000 in fiscal year 2011.

15190 SECTION 271. Notwithstanding any general or special law to the contrary, the executive
15191 office of health and human services, acting in its capacity as the single state agency under Title
15192 XIX of the Social Security Act and as the principal agency for all of the agencies within the
15193 executive office and other federally-assisted programs administered by the executive office, may
15194 enter into interdepartmental services agreements with the University of Massachusetts Medical

15195 School to perform activities that the secretary of health and human services, in consultation with
15196 the comptroller, determines appropriate and within the scope of the proper administration of said
15197 Title XIX and other federal funding provisions to support the programs and activities of the
15198 executive office. The activities may include: (1) providing administrative services including,
15199 but not limited to, providing the medical expertise to support or administer utilization
15200 management activities, determining eligibility based on disability, supporting case management
15201 activities and similar initiatives; (2) providing consulting services related to quality assurance,
15202 program evaluation and development, integrity and soundness and project management; and (3)
15203 providing activities and services for the purpose of pursuing federal reimbursement or avoiding
15204 costs, third-party liability and recouping payments to third parties. Federal reimbursement for
15205 any expenditures made by the University of Massachusetts Medical School relative to federally-
15206 reimbursable services the university provides under these interdepartmental service agreements
15207 or other contracts with the executive office shall be distributed to the university and recorded
15208 distinctly in the state accounting system. The secretary may negotiate contingency fees for
15209 activities and services related to pursuing federal reimbursement or avoiding costs and the
15210 comptroller shall certify these fees and pay them upon the receipt of this revenue, reimbursement
15211 or demonstration of costs avoided. Contracts for contingency fees shall not exceed 3 years and
15212 shall not be renewed without prior review and approval from the executive office for
15213 administration and finance. The secretary shall not pay contingency fees in excess of
15214 \$40,000,000 for state fiscal year 2011; provided, however, that contingency fees paid to the
15215 University of Massachusetts Medical School under the terms of an interagency service
15216 agreement for recoveries related to the special disability workload projects shall be excluded
15217 from that \$40,000,000 limit for fiscal year 2011. The secretary of health and human services

15218 shall submit to the secretary of administration and finance and the senate and house committees
15219 on ways and means a quarterly report detailing the amounts of the agreements, the ongoing and
15220 new projects undertaken by the university, the amounts expended on personnel and the amount
15221 of federal reimbursement and recoupment payments that the university collected.

15222 SECTION 272. Notwithstanding any general or special law to the contrary, the
15223 commonwealth's state and community colleges shall not give preference for placement to
15224 applicants in enrollment or in any program based on the applicant's payment in excess of tuition
15225 and fees.

15226 SECTION 273. (a) Notwithstanding any general or special law to the contrary, there shall
15227 be a special commission to investigate and study the feasibility of transferring the bureau of
15228 forest fire control under the department of conservation and recreation to the department of fire
15229 services. The commission shall consist of 3 members of the senate, 1 of whom shall be the senate
15230 chair of the joint committee on public safety and homeland security, 1 of whom shall be the
15231 senate chair of the joint committee on environment, natural resources and agriculture, and 1 of
15232 whom shall be a member of the minority party who shall be appointed by the minority leader;
15233 provided, however, that 1 member of the senate shall be designated as co-chair of the
15234 commission; 3 members of the house of representatives, 1 of whom shall be the house chair of
15235 the joint committee on public safety and homeland security, 1 of whom shall be the house chair
15236 of the joint committee on environment, natural resources and agriculture and 1 of whom shall be
15237 a member of the minority party who shall be appointed by the minority leader; provided,
15238 however, that 1 member of the house shall be designated as co-chair of the commission; the
15239 secretary of the executive office of administration and finance, or his designee; the secretary of
15240 the executive office of public safety and security, or her designee; the secretary of the executive

15241 office of energy and environmental affairs, or his designee; a representative of the Massachusetts
15242 Forest Fire Council; and a representative of the wildland interface committee of the International
15243 Association of Fire Chiefs.

15244 (b) The special commission shall make an investigation and study of the bureau of forest
15245 fire control including, but not limited to: (1) the feasibility of transferring the bureau from the
15246 department of conservation and recreation to the department of fire services, including the
15247 impact on personnel, the seasonal employment program, equipment, collective bargaining
15248 agreements and federal grant funding; (2) a determination of adequate staffing levels for the
15249 observation towers during the high season for forest fires; and (3) any other matters that the
15250 special commission considers relevant to the fulfillment of its mission and purpose.

15251 (c) The special commission shall make its final report and recommendations, if any,
15252 together with drafts of legislation necessary to carry those recommendations into effect, by filing
15253 the same with the joint committee on environment, natural resources and agriculture not later
15254 than December 1, 2010. The special commission may make such interim reports as it considers
15255 appropriate.

15256 SECTION 274. There shall be a task force established to conduct a court-by-court
15257 assessment and develop an implementation plan regarding the designation or creation of separate
15258 and secure waiting areas in district and superior courthouse for victims and witnesses of crimes,
15259 as required under clause (i) of the first paragraph of section 3 and section 17 of chapter 211B.

15260 The task force shall be chaired by both the executive director of the Massachusetts office
15261 for victim assistance and the chief justice for administration and management or their designees;
15262 the task force shall include, but not be limited to: the chair of the victim and witness assistance

15263 board or her designee; 1 victim, public member of the victim and witness assistance board
15264 chosen by the chair; 1 community-based victim services provider chosen by the executive
15265 director of the Massachusetts office for victim assistance; the commissioner of capital asset
15266 management or a designee; 1 district attorney victim witness program director to be chosen by
15267 the president of the Massachusetts District Attorneys Association; 1 representative from the court
15268 clerks chosen by the chief justice for administration and management; 1 representative of the
15269 chief probation officers to be chosen by the commissioner of probation; 1 representative of the
15270 administrative office of the trial court fiscal department chosen by the chief justice for
15271 administration and management; and 1 representative of the court facilities department chosen by
15272 the chief justice for administration and management. Additional members may be appointed by
15273 the governor in consultation with the co-chairs of the task force.

15274 The task force shall convene no later than January 1, 2011 and develop a plan for
15275 conducting the court-by-court assessment and a timeline to guide the completion of the
15276 implementation plan. The implementation plan shall include, but not be limited to: a definition
15277 of a separate and secure waiting area under clause (i) of the first paragraph of section 3 of
15278 chapter 258B; a list of courthouses that do and do not have separate and secure waiting areas that
15279 meet the definition; the feasibility of allocating existing space for use as a separate and secure
15280 waiting area in those courts that do not have waiting areas; a comprehensive fact-based analysis
15281 of the fiscal and operational impacts, if any, of such allocations; a recommendation on who
15282 would staff the safe and secure waiting areas; the fiscal impact of such staffing
15283 recommendations, if any; a timeline for designating or creating the spaces in those courthouses
15284 in which allocation of such space is deemed feasible; the sequence in which separate and secure
15285 waiting areas shall be designated or created in courthouses in which the task force has

15286 determined that such allocation is feasible; and a recommendation for interim accommodations,
15287 where allocation of such space is not deemed immediately feasible and such interim
15288 accommodations are practicable. For those district and superior courthouses undergoing new
15289 construction or substantial renovation as defined by the task force, the separate and secure
15290 waiting areas shall be included in the final plans and completed construction. The task force
15291 chairs shall file an implementation progress report every 365 days and a final plan to the chairs
15292 of the house and senate ways and means committees, the senate and house chairs of the joint
15293 committee on the judiciary and the clerks of the senate and house of representatives. The task
15294 force shall complete the implementation plan and file the plan with the chairs of the house and
15295 senate ways and means committees, the chairs of the house and senate judiciary committee, and
15296 the clerks of the house and the senate not later than July 1, 2012.

15297 SECTION 275. (a) Notwithstanding sections 40E to 40K, inclusive, and sections 52 to
15298 55, inclusive, of chapter 7 of the General Laws, the division of capital asset management and
15299 maintenance, in consultation with the department of conservation and recreation and using those
15300 competitive proposal processes as the division considers necessary or appropriate, may lease and
15301 enter into other agreements with 1 or more persons or entities for terms not to exceed 25 years
15302 for the continued use, operation, maintenance, repair and improvement of the Max Ulin Skating
15303 Rink, together with the land and appurtenances associated therewith.

15304 (b) The failure of a city or town to apply for prequalification, as set forth below, shall not
15305 prohibit that city or town from bidding under this section.

15306 (c) Before the division, in consultation with the department, sends out a request for
15307 proposals under this section, the division shall hold open a prequalification period of 30 days for

15308 the town of Milton and any nonprofit organization that desires to bid on the rink located within
15309 the town of Milton, or for a partnership of municipalities which share geographic boundaries as
15310 long as the subject rink is located within the geographic area of the municipalities comprising the
15311 partnership. A city, town, nonprofit organization or partnership of municipalities that desires to
15312 lease the rink under this section may submit materials for prequalification. The prequalification
15313 determination may consider, but need not be limited to, the ability of the city, town, nonprofit
15314 organization or partnership to finance the capital improvements determined to be necessary at the
15315 rink by the division and to manage, operate and maintain the property. The division, in
15316 consultation with the department, shall determine whether a city, town, nonprofit organization or
15317 partnership is prequalified within 15 days after the expiration of the prequalification period. If
15318 the town or nonprofit organization is determined to be prequalified, then the town or nonprofit
15319 organization shall be awarded the lease for the Max Ulin Skating Rink under the terms and
15320 conditions set forth in this act; provided, however, that only 1 lease shall be awarded based on
15321 preference as described in subsection (d).

15322 (d) (1) Preference shall be given to the town of Milton.

15323 (2) If the town and a nonprofit organization are determined to be prequalified, the town
15324 shall be awarded the lease.

15325 (3) If more than 1 nonprofit organization is determined to be prequalified, the department
15326 may choose to which nonprofit the lease for the rink shall be awarded.

15327 (4) The town or a nonprofit organization awarded the lease under this act shall pay \$1.00
15328 as consideration for the lease, subject to the required capital improvements, performance
15329 specifications and other prequalification requirements and terms of the division and submitted

15330 proposal. The length of the lease shall be determined between the division and the town or
15331 nonprofit organization.

15332 (e) The lease and other agreements shall be on terms acceptable to the commissioner of
15333 capital asset management and maintenance, after consultation with the commissioner of
15334 conservation and recreation and, notwithstanding any general or special law to the contrary, shall
15335 provide for the lessees to operate, manage, improve, repair and maintain the property and to
15336 undertake initial capital improvements that commissioner determines are necessary due to the
15337 structural condition of the property. Leases or other arrangements requiring improvements to be
15338 made on the property may include a description of the initially required improvements and
15339 performance specifications.

15340 (f) Ice time at the rink shall be allocated to user groups in the following order of priority:
15341 general public skating; nonprofit youth groups; high school hockey, not-for-profit schools or
15342 colleges; for-profit youth groups and adult organizations or informal groups. Ice time may be
15343 allocated at the discretion of the operator, but general public skating shall be booked, in 2-hour
15344 contiguous blocks at a minimum of 12 hours per week, with a range of times and days which
15345 reasonably allow for public skaters of all ages to participate in some public skating sessions.
15346 Every effort shall be made to balance the ice allocation needs of long-established youth
15347 organizations and newly-formed youth organizations in a manner that provides equal opportunity
15348 and equal access for youths of each gender.

15349 (g) The leases and other agreements authorized in this section shall provide that any
15350 benefits to the community and the costs of improvements and repairs made to the property
15351 provided by the lessees or the recipients of the property shall be taken into account as part of the

15352 consideration for such leases or other agreements. Consideration received from the leases or
15353 other agreements for the rink shall be payable to the department of conservation and recreation
15354 for deposit into the General Fund. The lessees or the recipients of the property shall bear the
15355 costs considered necessary or appropriate by the commissioner of conservation and recreation for
15356 the transactions including, without limitation, costs for legal work, surveys, title and the
15357 preparation of plans and specifications.

15358 (h) The name of the Max Ulin Skating rink shall not be altered or changed under any
15359 lease or agreement entered into pursuant to this section.”

15360 SECTION 276. Notwithstanding any general or special law to the contrary the
15361 administrative fee charged as part of any contract to provide traffic details, whether by a police
15362 officer or a civilian, shall not exceed 10 per cent of the hourly rate paid to the persons providing
15363 the traffic detail service.

15364 SECTION 277. Notwithstanding any general or special law to the contrary, the division
15365 of capital asset management and maintenance shall submit a report including, but not limited to,
15366 the following information: (a) the total number of lease renegotiation requests received by the
15367 division from state agencies in fiscal years 2008, 2009 and 2010; (b) the number of leases that
15368 were renegotiated by the division resulting in a tangible benefit to the commonwealth; (c) the
15369 amount, in dollars, saved by the commonwealth due to lease renegotiations conducted by the
15370 division; (d) the reasons that leases could not be renegotiated to produce a tangible benefit to the
15371 commonwealth; and (e) recommendations relative to improving the lease renegotiation process.
15372 Said division shall submit its report not later than October 15, 2011 to the house and senate

15373 committees on ways and means and the joint committee on state administration and regulatory
15374 oversight.

15375 SECTION 278. Notwithstanding any general or special law to the contrary, the
15376 department of transitional assistance may amend its supplemental nutrition assistance program
15377 outreach plan, in this section referred to as SNAP, to include SNAP application assistance and
15378 retention activities conducted by community-based organizations or other state agencies or
15379 departments. The department shall maximize federal reimbursement from the United States
15380 Department of Agriculture for funds identified by community-based organizations for SNAP
15381 application assistance and retention activities, including assistance and retention activities funded
15382 through private, state or community development block grants. The department may provide the
15383 federal reimbursements identified for SNAP outreach efforts to state agencies and departments
15384 and community-based organizations engaged in SNAP outreach efforts and for the
15385 administrative costs incurred by an agency, department or organization in claiming such federal
15386 reimbursements or for processing additional SNAP applications.

15387 SECTION 279. Notwithstanding any general or special law to the contrary, in hospital
15388 fiscal year 2011, the office of the inspector general may continue to expend funds from the
15389 Health Safety Net Trust Fund, established in section 36 of chapter 118G of the General Laws, for
15390 the costs associated with maintaining a pool audit unit within the office. The unit shall continue
15391 to oversee and examine the practices in all hospitals including, but not limited to, the care of the
15392 uninsured and the resulting free care charges. The inspector general shall submit a report to the
15393 house and senate committees on ways and means on the results of the audits and any other
15394 completed analyses not later than March 1, 2011. For the purposes of these audits, allowable free
15395 care services shall be defined pursuant to said chapter 118G and any regulations adopted

15396 thereunder. The inspector General shall expend funds from the Health Safety Net Trust Fund
15397 established in section 36 of chapter 118G of the General Laws to conduct a study and review of
15398 the Medicaid program which shall include, but not be limited to, claims administration. The
15399 inspector general shall report his preliminary findings and recommendations to the secretary of
15400 health and human services and the house and senate committees on ways and means within 90
15401 days after receipt of necessary claims data from the secretary and the final report within 90 days
15402 thereafter. The inspector general shall expend funds from the Health Safety Net Trust Fund
15403 established in section 36 of chapter 118G of the General Laws to conduct a study and analysis of
15404 the federal Medicaid Integrity Program's impact on the commonwealth's Medicaid providers and
15405 make appropriate recommendations within 60 days after the effective date of this act.

15406 SECTION 280. (a) Notwithstanding section 53 of chapter 118E of the General Laws, for
15407 fiscal year 2011, the executive office of health and human services may determine the extent to
15408 which to include within its covered services for adults the federally-optional dental services that
15409 were included in its state plan or demonstration program in effect on January 1, 2002, and the
15410 dental services that were covered for adults in the MassHealth basic program as of January 1,
15411 2002.

15412 (b) Notwithstanding subsection (a) of section 6 of chapter 118H of the General Laws, for
15413 fiscal year 2011, medically necessary dental services covered through health insurance plans
15414 procured by the board of the health insurance connector authority for any resident with a
15415 household income that does not exceed 100 per cent of the federal poverty level shall include
15416 preventative procedures but shall exclude those categories of services that are not provided
15417 through MassHealth.

15418 SECTION 281. (a) Notwithstanding any general or special law to the contrary and except
15419 as provided in subsection (b), an eligible individual pursuant to section 3 of chapter 118H of the
15420 General Laws shall not include a person who is not eligible to receive federally-funded benefits
15421 under sections 401, 402 or 403 of the Personal Responsibility and Work Opportunity
15422 Reconciliation Act of 1996, Pub. L. No. 104-193, as amended, for fiscal year 2011.

15423 (b) Notwithstanding any general or special law to the contrary, the secretary of
15424 administration and finance, the secretary of health and human services and the executive director
15425 of the health insurance connector authority may, in their discretion and subject only to the terms
15426 and conditions in this subsection, establish or designate a health insurance plan in which a person
15427 who is not eligible to receive federally-funded benefits under said sections 401, 402 or 403 of the
15428 Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193,
15429 as amended, but who is an eligible individual pursuant to said section 3 of said chapter 118H
15430 may enroll for the period including July 1, 2010 to June 30, 2011, inclusive. The plan may be
15431 contracted for selectively from the health plans that contracted in fiscal year 2010 to provide
15432 insurance coverage to commonwealth care or MassHealth enrollees. Total state costs of
15433 providing coverage to all such persons, net of enrollee contributions and any federal financial
15434 participation, shall not exceed \$60,000,000 for fiscal year 2011. To the extent that additional
15435 federal financial participation becomes available for paying the costs of such coverage, the
15436 secretary of administration and finance may direct the comptroller to make such amounts
15437 available from the General Fund for the purpose of paying for the costs of such coverage. If the
15438 secretary of administration and finance, the secretary of health and human services and the
15439 executive director of the health insurance connector authority determine that the projected costs
15440 of enrolling eligible individuals in such coverage in fiscal year 2011 will exceed net state costs of

15441 \$60,000,000, they may limit enrollment in such coverage. If the secretary of administration and
15442 finance, the secretary of health and human services and the executive director of the health
15443 insurance connector authority are unable to establish or designate a health insurance plan under
15444 this section, the secretary of administration and finance may direct the comptroller to transfer up
15445 to \$60,000,000 from the Commonwealth Care Trust Fund to the Health Safety Net Trust Fund
15446 for the cost of health safety net claims for these individuals.

15447 SECTION 282. Notwithstanding any general or special law to the contrary, during fiscal
15448 year 2011, the comptroller shall not transfer 0.5 per cent of the total revenue from taxes in the
15449 preceding fiscal year to the Commonwealth Stabilization Fund, established in section 2H of
15450 chapter 29 of the General Laws.

15451 SECTION 283. There shall be a special commission to study the University of
15452 Massachusetts at Amherst and the University of Massachusetts at Lowell jointly establishing a
15453 public school of pharmacy. The commission shall consist of the president of the University of
15454 Massachusetts system or a designee who shall be the chair; the commissioner of higher education
15455 or a designee; the chair of the board of higher education or a designee; the chair of the University
15456 of Massachusetts board of trustees or a designee; a member of the University of Massachusetts
15457 board of trustees or a designee; the chancellor of the University of Massachusetts at Amherst or a
15458 designee; the chancellor of the University of Massachusetts Lowell or a designee; the
15459 commissioner of public health or a designee with experience in pharmaceutical science and the
15460 senate and house chairs of the joint committee on higher education. The commission shall
15461 convene its first official meeting not later than September 1, 2010.

15462 The commission shall make a comprehensive study of the feasibility of establishing, as a
15463 joint venture between the University of Massachusetts at Amherst and the University of
15464 Massachusetts at Lowell, a public school of pharmacy. The study shall include, but not be
15465 limited to: establishing a doctor of pharmacy degree program as well as graduate degree
15466 programs in pharmaceutical science; the needed additional resources and infrastructure necessary
15467 to build the appropriate curriculum and establish a school of pharmacy; the tuition and fees
15468 necessary to support a pharmacy program; a timeline for establishing a school of pharmacy; the
15469 start-up costs for establishing a school of pharmacy; a plan for the sharing of resources and costs
15470 by the University of Massachusetts at Amherst and the University of Massachusetts at Lowell;
15471 and the cost of any recommendations the commission may make.

15472 The commission shall prepare a report of the findings and recommendations together
15473 with recommendations for legislation to implement those recommendations by filing the same
15474 with the clerks of the senate and house of representatives, the chairs of the house and senate
15475 committee on ways and means and the chairs on the joint committee of higher education not later
15476 than April 1, 2011.

15477 SECTION 284. (a) There shall be a special commission to incentivize the
15478 commonwealth's college scholarship system. The commission shall consist of: the speaker of
15479 the house of representatives or a designee thereof; the president of the senate or a designee
15480 thereof; the minority leader of the house of representatives or a designee thereof; the minority
15481 leader of the senate or a designee thereof; the chairpersons of the joint committee on higher
15482 education or designees thereof; a representative of the Association of Independent Colleges and
15483 Universities in Massachusetts; a representative of the Massachusetts Educational Financing
15484 Authority; and 8 persons appointed by the governor, 1 of whom shall be the secretary of

15485 education or a designee thereof, 1 of whom shall be a representative from the University of
15486 Massachusetts, 1 of whom shall be a representative from the state college system, 1 of whom
15487 shall be a representative from a state community college, 1 of whom shall be a representative
15488 from the Massachusetts Bankers Association and 1 of whom shall be a representative from
15489 Families United in Educational Leadership.

15490 (b) The special commission shall make an investigation and study of the scholarship
15491 programs that provide financial assistance to Massachusetts students enrolled in, or pursuing, a
15492 program of higher education at any approved public or independent college, university, school of
15493 nursing or any other approved institution providing a program of higher education and shall
15494 focus on students with little or no family history of college attendance. The study shall examine
15495 methods that have been used in the commonwealth and other states to better prepare these
15496 students for college. The study shall include, but not be limited to: the examination of voluntary
15497 college savings programs focused on the needs of families of such students; the possible use of
15498 federally matched independent development accounts; the impact of committing scholarship
15499 funds to students prior to the twelfth grade; and the need for pilot programs for ninth through
15500 twelfth grade students in up to 5 public school districts to encourage family engagement and
15501 student academic achievement through the use of scholarships in conjunction with family
15502 savings for college; and the potential additional funding sources for a college savings matching
15503 program, with priority placed on financial matches that have no additional cost to the
15504 commonwealth.

15505 (c) The commission shall hold at least 3 public meetings. The commission shall file its
15506 report of the results of its study, including any legislative or regulatory recommendations, not
15507 later than December 31, 2010 with the clerks of the senate and house, who shall forward the

15508 same to the joint committee on higher education and the senate and house committees on ways
15509 and means. SECTION 285. There shall be a commission to conduct an investigation and study of
15510 the potential costs and benefits that may result from requiring asset testing to determine
15511 eligibility for MassHealth. The commission shall consist of 7 members as follows: 3 members to
15512 be appointed by the governor, 1 of whom shall be the secretary of health and human services, or
15513 his designee, who shall serve as chair; the senate chair of the joint committee on health care
15514 financing; the house chair of the joint committee on health care financing; 1 member to be
15515 appointed by the minority leader of the senate and 1 member to be appointed by the minority
15516 leader of the house of representatives. The commission shall submit its report and findings, along
15517 with any drafts of recommended legislation, to the house and senate committees on ways and
15518 means and the joint committee on public service within 90 days of the effective date of this
15519 act. SECTION 286. Notwithstanding any general or special law to the contrary, the executive
15520 office of health and human services shall develop a global or bundled payment system for high-
15521 risk pediatric asthma patients enrolled in the MassHealth program, designed to prevent
15522 unnecessary hospital admissions and emergency room utilization. Consistent with the National
15523 Asthma Education and Prevention Program guidelines developed by the National Institutes of
15524 Health, the global or bundled payments shall reimburse expenses necessary to manage pediatric
15525 asthma, including, but not limited to, patient education, environmental assessments, mitigation of
15526 asthma triggers and purchase of necessary durable medical equipment. The executive office may
15527 pursue demonstration authority for this program from the federal center for Medicare and
15528 Medicaid Services pursuant to the Patient Protection and Affordable Care Act, Public Law 111-
15529 148 or other federal law. The global or bundled payments shall be designed to ensure a financial
15530 return on investment through the reduction of costs related to hospital and emergency room visits

15531 and admissions not later than 2 years after the effective date of this act. This high-risk pediatric
15532 asthma global or bundled payment demonstration project shall be piloted in communities with
15533 high rates of uncontrolled childhood asthma. The executive office of health and human services
15534 shall consult with the providers that manage the Community Asthma Initiative at Children's
15535 Hospital Boston and with other relevant providers in the commonwealth in designing and
15536 implementing the high-risk pediatric asthma global or bundled payment demonstration program
15537 and shall collaborate with participating entities in evaluating the efficacy of the program. The
15538 executive office of health and human services shall report its findings on the cost effectiveness of
15539 this program to the joint committee on health care financing, the joint committee on public health
15540 and the house and senate committees on ways and means not later than December 31, 2012.

15541 SECTION 287. The Commonwealth Health Insurance Connector Authority shall transfer
15542 \$2,500,000 to the executive office of health and human services for MassHealth Outreach
15543 Enrollment Grants in fiscal year 2011, to be administered by the executive office in consultation
15544 with the Health Care Reform Outreach and Education Unit. The grants shall be awarded to
15545 groups statewide, including areas in which the division of health care finance and policy has
15546 determined that there exists a high percentage of uninsured individuals and areas in which there
15547 are limited health care providers. Funds shall be awarded as grants to community and consumer-
15548 focused public and private nonprofit groups to provide enrollment assistance, education and
15549 outreach activities directly to consumers who may be eligible for MassHealth, the
15550 Commonwealth Care Program, the Commonwealth Choice Program or the Commonwealth Care
15551 Bridge Program and who may require individualized support due to geography, ethnicity, race,
15552 language, culture, immigration or disease.

15553 SECTION 288. Not later than 8 months after the effective date of this act and
15554 notwithstanding any general or special law to the contrary, the attorney general may facilitate
15555 and enter into a memorandum of understanding with the Attorney General of the United States
15556 pursuant to the provisions of 8 U.S.C. section 1357(g), for the purpose of enforcing state and
15557 federal laws pertaining to immigration and citizenship; provided, however, that if the attorney
15558 general has not entered into a memorandum of understanding by that date, the attorney general
15559 shall submit a written report to the clerks of the senate and house of representatives stating the
15560 reasons for which an agreement was not reached, including any recommendations for state action
15561 necessary to facilitate such an agreement.

15562 SECTION 289. Notwithstanding any general or special law to the contrary the
15563 immigration status of every defendant shall be confirmed at the arraignment stage of a criminal
15564 court proceeding.

15565 SECTION 290. Notwithstanding any special or general law to the contrary, a person who
15566 is a lawful immigrant or permanent resident of the United States, or who is eligible to apply and
15567 has applied for such status, shall be eligible to be considered for Massachusetts residency for
15568 tuition purposes; provided, however, that the person shall meet the same requirements for
15569 establishing Massachusetts residency as are required of a United States citizen. Noncitizens who
15570 are in, or who are eligible to apply and have applied for, refugee or asylum status, shall be
15571 eligible to be considered for Massachusetts residency for tuition purposes; provided, however,
15572 that the person shall meet the same requirements for establishing Massachusetts residency as are
15573 required of a United States citizen. Noncitizens shall provide appropriate documentation to
15574 verify their status with the United States Immigration and Naturalization Service.”

15575 SECTION 291. (a) Notwithstanding and general or special law to the contrary, an
15576 applicant for the MassGrant program administered by the department of higher education office
15577 of grant assistance shall complete the Free Application for Federal Student Aid or other federal
15578 student loan program that verifies both financial and citizenship eligibility.

15579 (b) The secretary of education shall report annually to the senate and house committees
15580 on ways and means and the executive office for administration and finance the amount of money
15581 recovered by the department of education from those who received assistance fraudulently and
15582 the number of recipients who were issued partial or lifetime disqualifications.”

15583 SECTION 292. (a) Notwithstanding any general or special law to the contrary, the
15584 MassHealth program within the department of health and human services shall register for the
15585 federal Systematic Alien Verification for Entitlements or SAVE system by January 1, 2011, and
15586 shall use that system to verify whether applicants whose documentation is not available or is
15587 questionable are legal aliens and whether they are qualified aliens for benefit eligibility
15588 purposes. The department shall be exempt from this requirement if it has reported before
15589 January 1, 2011, to the senate and house committees on ways and means and the executive office
15590 for administration and finance that using the SAVE system would not be cost effective.

15591 (b) The department of health and human services shall report annually to the senate and
15592 house committees on ways and means and the executive office for administration and finance the
15593 amount of money recovered by the division from those who received benefits fraudulently and
15594 the number of recipients who were issued partial or lifetime disqualifications.

15595 SECTION 293. (a)(1) Notwithstanding any general or special law to the contrary, the
15596 department of housing and community development shall direct local housing authorities to:

15597 (i) require an applicant to provide the local housing authority with access to reliable and
15598 reasonably obtainable documentation verifying the accuracy of information provided by an
15599 applicant on an application form or otherwise necessary at the time of determining final
15600 eligibility and qualification; provided, however, that income of applicants shall be verified by the
15601 procedure set forth in paragraph (2); provided further, that if the local housing authority has
15602 verified any information when making a preliminary determination of eligibility for the
15603 applicant, the local housing authority shall reverify that information on its final determination of
15604 eligibility and qualification; and provided further, that nonreceipt of requested documentation,
15605 without good cause established by the applicant, shall be cause for determining that the applicant
15606 is unqualified;

15607 (ii) require an applicant to provide the names and current addresses of all landlords or
15608 housing providers for the applicant and the applicant's household members during the 5 years
15609 immediately preceding the application to the date of the final determination; provided, however,
15610 that if after request the local housing authority has failed to receive a reference from a landlord
15611 or a housing provider, it shall notify the applicant of nonreceipt and the local housing authority
15612 shall request that the applicant use his best efforts to cause his landlord or housing provider to
15613 submit the reference to the local housing authority; provided further, that in the event that the
15614 applicant uses his best efforts but is unsuccessful, the applicant shall cooperate with the local
15615 housing authority in securing information from other sources relative to the tenancy; and
15616 provided further, that nonreceipt of a reference from a landlord or housing provider shall be
15617 cause for determining an applicant unqualified unless the applicant can show that he has used
15618 best efforts to secure the reference and that he has complied with reasonable requests for
15619 cooperation in securing other information;

15620 (iii) obtain criminal offender record information for each applicant and, if necessary,
15621 check public records, credit reports, other sources of public information and other reliable
15622 sources; provided, however, that the local housing authority may conduct a home visit, which
15623 shall be scheduled reasonably in advance; and provided further, that observations by the person
15624 making such a visit shall be promptly reduced to writing and placed in the applicant's file; and

15625 (iv) obtain information regarding eligibility or qualification from interviews with the
15626 applicant and with others from telephone conversations, letters or other documents and from
15627 other oral or written materials; provided, however, that all such information received shall be
15628 recorded in the applicant's file, including the date of its receipt, the identity of the source and the
15629 person receiving the information.

15630 (2) The local housing authority shall assess financial eligibility by reviewing the
15631 applicant's net household income. In reviewing the applicant's financial status, the local housing
15632 authority shall assess net household income pursuant to regulations and guidelines promulgated
15633 by the department of housing and community development.

15634 (i) the full amount, before any payroll deductions, of wages and salaries, overtime pay,
15635 commissions, fees, tips and bonuses and other compensation for personal services;

15636 (ii) income from the operation of a business or profession by each self-employed
15637 household member after deduction for the ordinary and necessary expenses of the business or
15638 profession; provided, however, that the deductible expenses of the business or profession shall
15639 not exceed 85 per cent of the gross receipts of the business or profession; and provided further,
15640 that deductible expenses of the business or profession shall not include rent or utilities paid for
15641 the tenant's unit if the business or profession is located in the tenant's unit;

15642 (iii) income of any kind from real or personal property, including rent, dividends and
15643 interest; provided, however, that amortization of capital indebtedness and depreciation shall not
15644 be deducted in computing net income; provided further, that any realization of taxable capital
15645 gain on the sale or transfer of an investment or other real or personal property shall be included
15646 as income; provided further that if the household has marketable real or personal property with a
15647 value to be determined by the department of housing and community development, excluding
15648 any automobile used as the primary means of transportation by household members, gross
15649 household income shall include the higher of actual income derived from any such property or a
15650 percentage of the value of such property; and provided further, that this percentage shall be the
15651 current passbook savings rate, as determined from time to time by the United States Department
15652 of Housing and Urban Development for federally assisted housing or as otherwise determined by
15653 the department of housing and community development;

15654 (iv) periodic payments received from social security, annuities, retirement funds and
15655 pensions, individual retirement accounts and other similar types of periodic payments of
15656 retirement benefits, excluding nontaxable amounts which constitute return of capital and are
15657 specifically identified as such by payer;

15658 (v) payments in lieu of earnings, including unemployment compensation, Supplemental
15659 Security Income, and Social Security Disability Income, and benefits in lieu of earnings under
15660 disability insurance, health and accident insurance or workers' compensation; provided,
15661 however, that an unallocated lump sum settlement or similar payment, all or partly, on account of
15662 lost wages resulting from an injury shall be equitably allocated to reflect a monthly payment on
15663 account of lost wages for the period during which the recipient is likely to be disabled from the
15664 injury and the recipient shall be deemed to receive such a monthly payment each month during

15665 the continuance of his disability until the allocated funds are deemed exhausted; and provided
15666 further, that payments from the government which are subsequently reimbursed to the
15667 government shall not be included as income;

15668 (vi) regularly recurring contributions or gifts received from nonhousehold members;
15669 provided, however, that to be regularly recurring, a contribution or gift shall occur at least twice
15670 a year for at least 2 years; provided further, that a contribution or gift of a value to be determined
15671 by the department of housing and community development, which occurs once a year from year
15672 to year for at least 2 years shall also be deemed to be regularly recurring;

15673 (vii) regular payments of public assistance;

15674 (viii) payments received for the support of a minor including, but not limited to,
15675 payments for child support, foster care, social security or public assistance, including payments
15676 nominally made to a minor for his support but controlled for his benefit by a household member
15677 who is responsible for his support;

15678 (ix) lottery winnings, gambling winnings and similar receipts;

15679 (x) receipts of principal and income from the trustee of a trust and receipts of income
15680 from the executor or administrator of an estate or from some other fiduciary;

15681 (xi) alimony or payment for separate support;

15682 (xii) gifts which are not regularly recurring;

15683 (xiii) amounts, including lump sums, specifically received for the cost of medical care or
15684 which are made to compensate for personal injury or damage to or loss of property under health,
15685 accident or liability insurance, workers' compensation, judgments or settlements of claims,

15686 insofar as these payments do not compensate for loss of income for a period when the recipient
15687 was or would be a tenant;

15688 (xiv) amounts of educational scholarships or stipends for housing paid by a nonhousehold
15689 member for a student at an educational institution, including amounts paid for these purposes to
15690 part-time students, whether paid directly to the student or to the educational institution, and
15691 amounts paid by the United States Government to a veteran for use in paying tuition, fees or the
15692 cost of books, to the extent that such payments are so used;

15693 (xv) the special pay to a member of the armed forces on account of service in a war zone;

15694 (xvi) relocation payments made pursuant to state or federal law;

15695 (xvii) payments received from the Social Security Administration's Plan to Attain Self
15696 Sufficiency program, provided that the recipient fulfills all the program requirements;

15697 (xviii) the value of food stamps;

15698 (xix) payments received by participants or volunteers in programs pursuant to the
15699 Domestic Volunteer Service Act of 1973;

15700 (xx) the increased amount of income earned from employment by a household member if
15701 the increase in earned income would otherwise result in a rent increase unless: (A) the
15702 household's income has been derived, at least in part, from Transitional Aid to Families with
15703 Dependent Children, Emergency Assistance to the Elderly, Disabled and Children Program,
15704 Supplemental Security Income, Social Security Disability Income or a successor program for
15705 each of the previous 12 months; (B) the household's increased earned income has been
15706 accompanied by a decrease in the amount of Transitional Aid to Families with Dependent

15707 Children, Emergency Assistance to the Elderly, Disabled and Children Program, Supplemental
15708 Security Income, Social Security Disability Income or public assistance from a successor
15709 program; or (C) if at the commencement of this exclusion, the recipient of such public assistance
15710 would have remained eligible for such assistance if the income had not been earned; provided,
15711 however, that this earned income exclusion shall be in effect for a continuous 12-month period,
15712 regardless of any changes or gaps in employment during that period; provided further, that this
15713 exclusion may be exercised by the tenant when a household member has procured either full-
15714 time or part-time employment; and provided further, it shall be within the tenant's sole discretion
15715 whether or when to exercise this 1-time earned income exclusion;

15716 (xxi) payments for a household member for participation in an employment program
15717 operated by a bona fide program providing employment training if such program is approved by
15718 the department or if sponsored or administered by a government agency to cover costs related to
15719 training or employment including, but not limited to, transportation, program fees, books or child
15720 care during training; provided, however, that this exclusion shall not apply to wages received
15721 through programs for training for employment, such as wages from on-the-job training;

15722 (xxii) wages or salary earned by a full-time student or by an unemancipated minor;

15723 (xxiii) income of a live-in personal care attendant, who is not a family member, who is
15724 paid for the fair market value of his services to a household member with a disability and whose
15725 income is not available for the needs of any household member: provided, however, that the
15726 personal care attendant shall be required to substantiate that he receives wages for the fair
15727 market value of his services and that such income is not available for the needs of any household
15728 member;

15729 (xxiv) inheritances and life insurance proceeds; provided, however, that this exclusion
15730 shall not apply to post-death interest paid on inheritances or insurance proceeds;

15731 (xxv) at the discretion of the local housing authority, with respect to an unemployable
15732 disabled veteran whose disability occurred in connection with military service, all but an amount
15733 to be determined by the department of housing and community development of the annual
15734 amount received by such unemployable disabled veteran from the United States government on
15735 account of such disability; provided, however, that if the local housing authority excludes all but
15736 \$1,800 of such amount, no deductions shall be applied against that amount to be determined by
15737 the department of housing and community development;

15738 (xxvi) a return of capital upon the sale or transfer of an investment or of other real or
15739 personal property;

15740 (xxvii) wages or salary earned by a tenant who is age 62 or older or any other household
15741 member who is age 62 or older, but this amount shall not exceed the total amount earned by a
15742 person working 20 hours per week at the minimum wage specified in section 1 of chapter 151;
15743 and

15744 (xxviii) net household income which shall be not less than zero and which shall be
15745 calculated by the gross household income less the following deductions: (A) an amount to be
15746 determined by the department of housing and community development for a household living in
15747 family housing in which the tenant is an elderly person of low income or a handicapped person
15748 of low income if the household is not overhoused, as defined in 760 CMR 6.03; (B) an amount to
15749 be determined by the department of housing and community development for each
15750 unemancipated minor household member under age 18; (C) an amount to be determined by the

15751 department of housing and community development for each adult household member, other
15752 than the tenant; provided, however that this deduction shall be limited by the amount by which
15753 the gross income of such adult household member exceeds all other deductions claimed against
15754 his income; (D) a deduction for heat in the amount prescribed by the department's schedule of
15755 heat deductions; provided, however, that this deduction shall be available only to a household
15756 that separately pays for the cost of heat; (E) payments for necessary medical expenses, including
15757 copayment amounts which are not covered by insurance or otherwise reimbursed; provided,
15758 however, that such expenses shall be in excess of 3 per cent of the annual gross household
15759 income and are paid by household members; and provided further, that payments for medical
15760 health insurance shall be considered medical expenses; (F) payments for the care of a child of a
15761 sick or incapacitated household member provided that the local housing authority shall have
15762 determined the payments to be necessary for the employment of another household member who
15763 would otherwise have provided such care; provided, however, that the total amount deducted for
15764 this deduction and the deductions in clauses (vii) and (viii) for this household member who
15765 makes the payment shall not exceed his gross income; (G) child support, separate support or
15766 alimony paid under court order or court approved agreement by a household member for the
15767 support of a minor child, spouse or former spouse not residing in the household; provided,
15768 however, that the total amount deducted for this deduction and the deductions in clauses (vi) and
15769 (viii) for this household member shall not exceed his gross income; (H) nonreimbursable
15770 payments of tuition and fees of vocationally-related post-secondary education of a household
15771 member who is not a full-time student; provided, however, that the amount deducted for this
15772 deduction and the deductions in clauses (vi) and (vii) for this household member shall not exceed
15773 his gross income; (I) nonreimbursable payments for reasonable and necessary housekeeping or

15774 personal care services for a household member with a disability who, as a result of his disability,
15775 is physically unable to perform the housekeeping or personal care services if no household
15776 member is reasonably available to perform these services; and (J) travel expenses in excess of
15777 the cost of the least expensive available transportation for a household member with a disability
15778 who, as a result of his disability, is physically unable to use the least expensive available
15779 transportation and who uses the least expensive transportation practical for him in connection
15780 with necessary activities, provided that the necessary activities cannot reasonably be performed
15781 by another household member.

15782 (b) The secretary of housing and economic development shall report annually to the
15783 senate and house committees on ways and means and the executive office for administration and
15784 finance the amount of money recovered by the department from those who received assistance
15785 fraudulently and the number of recipients who were issued partial or lifetime disqualifications.”;
15786 and

15787 SECTION 294. Notwithstanding any general or special law to the contrary and to
15788 prevent fraud and misuse of unemployment benefits, the division of unemployment assistance
15789 shall:

15790 (1) maintain interagency agreements with the United States Social Security
15791 Administration to verify all claimant’s demographics and the United States Department of
15792 Homeland Security Citizenship and Immigration Service to verify a noncitizen claimant’s work
15793 authorization;

15794 (2) determine citizenship during new claim filings;

15795 (3) require noncitizen claimants to provide their alien registration number; provided,
15796 however, that the department of unemployment assistance shall verify that claimant information
15797 and alien registration number with the United States Department of Homeland Security
15798 Citizenship and Immigration Service;

15799 (4) require noncitizen claimants who cannot provide an alien registration number
15800 during the new claim process to send copies of any official documents they have that authorize
15801 them to work in the United States to the unemployment insurance program integrity department;

15802 (5) issue no payment after the first payment until the claim has been verified by the
15803 secondary verification process and the issue is approved for a claim from a monetarily eligible
15804 noncitizen that could not be verified by the above processes;

15805 (6) institute a secondary verification process, using unemployment insurance program
15806 integrity department staff to review the documents and transmit pertinent information from the
15807 documents for verification with the Department of Homeland Security Citizenship and
15808 Immigration Service;

15809 (7) flag expiration dates of work authorizations or in the unemployment insurance
15810 system if such dates exist; and

15811 (8) report annually to the senate and house committees on ways and means and the
15812 executive office for administration and finance the amount of money recovered by the division
15813 from those who received benefits fraudulently as well as the numbers of recipients who were
15814 issued partial or lifetime disqualifications.

15815 SECTION 295. Notwithstanding any general or special law to the contrary and to
15816 prevent fraud and misuse of public assistance benefits, the department of transitional assistance
15817 shall:

15818 (1) consistent with federal and state law, require all applicants for benefits to provide
15819 verification of citizenship or their legal alien status; provided, however, that noncitizens shall be
15820 required to provide documentation from the United States Department of Homeland Security
15821 Citizenship and Immigration Services for verification purposes; provided further, that if such
15822 documentation is not available or is questionable, the department shall use the federal SAVE
15823 system to verify their legal alien status and determine whether they are qualified aliens for
15824 benefit eligibility purposes;

15825 (2) implement data matching with the department of revenue, the department of children
15826 and families, the division of unemployment assistance and any other relevant agencies to verify
15827 financial and categorical eligibility criteria;

15828 (3) cooperate fully with the food and nutrition service of the United States Department of
15829 Agriculture in pursuing and prosecuting vendor fraud;

15830 (4) refer all credible reports of fraud received from its fraud hotline or any other source
15831 to the bureau of special investigations for investigation;

15832 (5) pursue, to the fullest extent possible, administrative disqualification penalties for
15833 instances of Supplemental Nutrition Assistance Program and cash assistance fraud; and

15834 (6) report annually to the senate and house committees on ways and means and the
15835 executive office for administration and finance the amount of money recovered by the division

15836 from those who received benefits fraudulently and the number of recipients who were issued
15837 partial or lifetime disqualifications.”

15838 SECTION 296. The state auditor shall conduct a study of the costs to the commonwealth
15839 of implementing amendment 52 as originally drafted and any new cost savings likely to accrue to
15840 the commonwealth as a result of that implementation. The study shall include, but not be limited
15841 to, consideration of the impact of similar legislation in Colorado and the 2007 adoption of
15842 additional status verification requirements in the commonwealth for Medicaid services, as well
15843 as a distributional analysis showing the impact of implementation on taxpayers of varying
15844 income levels. A report on the results of study shall be submitted to the house and senate
15845 committees on ways and means not later than December 31, 2010..SECTION 297.

15846 Notwithstanding any general or special law to the contrary, the state and community colleges,
15847 with the approval of the executive office for administration and finance and the board of higher
15848 education, may borrow an amount not to exceed \$50,000,000 in the aggregate through the
15849 Massachusetts Health and Educational Facilities Authority or any other authorized funding
15850 source for support of projects authorized under chapter 258 of the acts of 2008 and which have
15851 undergone a project study by the division of capital asset management and maintenance,
15852 provided that any such project shall also be considered eligible for financing by the
15853 Massachusetts State College Building Authority as a “project” within the meaning of chapter 703
15854 of the acts of 1963, as amended.

15855 SECTION 298. (a) Notwithstanding any general or special law to the contrary, upon the
15856 request of the board of selectmen in a town, the city council in a city with a plan E form of
15857 government or the mayor in any other city, the department of revenue may recalculate the
15858 minimum required local contribution, as defined in section 2 of chapter 70 of the General Laws,

15859 in the fiscal year ending June 30, 2011. Based on the criteria established in this section, the
15860 department shall recalculate the minimum required local contribution for a municipality's local
15861 and regional schools and shall certify the amounts calculated to the department of elementary
15862 and secondary education.

15863 (b) A city or town that used qualifying revenue amounts in a fiscal year which will not be
15864 available for use in the next fiscal year or that will be required to use revenues for extraordinary
15865 non school-related expenses for which it did not have to use revenues in the preceding fiscal year
15866 or that has an excessive certified municipal revenue growth factor which is also greater than or
15867 equal to 1.5 times the state average municipal revenue growth factor may appeal to the
15868 department of revenue not later than October 1, 2010, for an adjustment of its minimum required
15869 local contribution and net school spending.

15870 (c) If a claim is determined to be valid, the department of revenue may reduce
15871 proportionately the minimum required local contribution amount based on the amount of
15872 shortfall in revenue or based on the amount of increase in extraordinary expenditures in the
15873 current fiscal year, but no adjustment to the minimum required local contribution on account of
15874 an extraordinary expense in the budget for the fiscal year ending June 30, 2011, shall affect the
15875 calculation of the minimum required local contribution in subsequent fiscal years. Qualifying
15876 revenue amounts shall include, but not be limited to, extraordinary amounts of free cash, overlay
15877 surplus and other available funds.

15878 (d) If upon submission of adequate documentation the department of revenue determines
15879 that the municipality's claim regarding an excessive municipal revenue growth factor is valid, the
15880 department shall recalculate the municipal revenue growth factor and the department of

15881 elementary and secondary education shall use the revised growth factor to calculate the
15882 preliminary local contribution, the minimum required local contribution and any other factor that
15883 directly or indirectly uses the municipal revenue growth factor. Any relief granted as a result of
15884 an excessive municipal revenue growth factor shall be a permanent reduction in the minimum
15885 required local contribution.

15886 (e) The board of selectmen in a town, the city council in a city with a plan E form of
15887 government, the mayor in any other city or a majority of the member municipalities of a regional
15888 school district which used qualifying revenue amounts in a fiscal year that will not be available
15889 for use in the next fiscal year may appeal to the department of revenue not later than October 1,
15890 2010, for an adjustment to its net school spending requirement. If the claim is determined to be
15891 valid, the department of revenue shall reduce the net school spending requirement based on the
15892 amount of the shortfall in revenue and reduce the minimum required local contribution of
15893 member municipalities accordingly. Qualifying revenue amounts shall include, but not be limited
15894 to, extraordinary amounts of excess and deficiency, surplus and uncommitted reserves.

15895 (f) If the regional school budget has already been adopted by 2/3 of the member
15896 municipalities then, upon a majority vote of the member municipalities, the regional school
15897 committee shall adjust the assessments of the member municipalities in accordance with the
15898 reduction in minimum required local contributions approved by the department of revenue or the
15899 department of elementary and secondary education in accordance with this section.

15900 (g) Notwithstanding clause (14) of section 3 of chapter 214 of the General Laws or any
15901 other general or special law to the contrary, the amounts so determined pursuant to this section
15902 shall be the minimum required local contribution described in chapter 70 of the General Laws.

15903 The department of revenue and the department of elementary and secondary education shall
15904 notify the house and senate committees on ways and means and the joint committee on education
15905 of the amount of any reduction in the minimum required local contribution amount.

15906 (h) If a city or town has an approved budget that exceeds the recalculated minimum
15907 required local contribution and net school spending amounts for its local school system or its
15908 recalculated minimum required local contribution to its regional school districts as provided in
15909 this section, the local appropriating authority shall determine the extent to which the community
15910 shall avail itself of any relief authorized by this section.

15911 (i) The amount of financial assistance due from the commonwealth in fiscal year 2011
15912 pursuant to chapter 70 of the General Laws or any other law shall not be changed on account of
15913 any redetermination of the minimum required local contribution pursuant to this section.

15914 (j) The department of revenue and the department of elementary and secondary education
15915 shall issue guidelines for their respective duties pursuant to this section.

15916 SECTION 299. Notwithstanding any general or special law to the contrary and
15917 contingent upon receipt of at least \$27,200,000 in TANF contingency funds authorized by Title
15918 IV, Section 403(b) of the Social Security Act, a sum of \$27,200,000 shall be distributed as
15919 supplemental nursing facility Medicaid rates for fiscal year 2011 in item 4000-0640 of section

15920 2. SECTION 300. (a) Notwithstanding any general or special law to the contrary, there shall be a
15921 special commission to investigate and study the rehabilitative, residential, and integrated
15922 community-based support services for persons with acquired brain injury and persons with
15923 traumatic brain injury in the commonwealth. The commission shall consist of the chairs of the
15924 joint committee on health care financing or their designees, who shall serve as co-chairs; 1

15925 member of the house of representatives appointed by the minority leader; 1 member of the senate
15926 appointed by the minority leader; the secretary of health and human services or her designee; the
15927 assistant secretary for the office of disabilities and community services or his designee; the
15928 commissioner of public health or his designee from the office on health and disability; the
15929 commissioner of medical assistance or his designee; and 4 persons appointed by the governor.

15930 The target populations for the investigation shall be persons of all ages with neurocognitive and
15931 neurobehavioral deficits stemming from traumatic or acquired brain injury.

15932 (b) The investigation and study shall include, but not be limited to, the availability,
15933 nature and adequacy of the following services for the target population: acute and long-term
15934 medical and cognitive rehabilitation and outpatient services; therapy services; residential nursing
15935 care; structured day treatment and day activity programs; club programs; respite care services;
15936 community-based housing; home-based services; family support programs; case management;
15937 companion services; personal care attendant services; specialized medical equipment and
15938 supplies; environmental modifications; counseling and training; and prevocational services.

15939 (c) The commission shall file a report of its findings with the clerks of the house of
15940 representatives and the senate, and the house and senate committees on ways and means on or
15941 before April 1, 2011. The report shall include recommendations for improving services for
15942 people with acquired or traumatic brain injury, the cost of maintaining or establishing those
15943 services, and any legislation necessary to implement or allow for the development or expansion
15944 of services for the target population.

15945 SECTION 301. Notwithstanding any general or special law to the contrary, the members
15946 serving a term on the board of directors of the Commonwealth Zoological Corporation,

15947 established by chapter 92B of the General Laws, on the effective date of this act shall appoint
15948 additional members to the board of directors to increase the membership of board-appointed
15949 members to 27. The initial 9 members appointed pursuant to this section shall serve for a term of
15950 2 years, the next 9 members appointed pursuant to this section shall serve for 3 years, and the
15951 remaining members appointed pursuant to this section shall serve for 4 years.

15952 Those members serving a term on said board on the effective date of this act shall
15953 continue to serve until the expiration of their terms or December 31, 2011, whichever last
15954 occurs. SECTION 302. (a) There shall be a special commission on police career incentives
15955 consisting of 3 members of the senate, 1 of whom shall be the senate chair of the joint
15956 committee on higher education, 1 of whom shall be the senate chair of the joint committee on
15957 public safety and 1 of whom shall be a member of the minority party who shall be appointed by
15958 the minority leader; provided, however, that 1 member of the senate shall be designated as co-
15959 chair of the commission; 3 members of the house of representatives, 1 of whom shall be the
15960 house chair of the joint committee on higher education, 1 of whom shall be the house chair of the
15961 joint committee on public safety and homeland security and 1 of whom shall be a member of the
15962 minority party who shall be appointed by the minority leader; provided, however, that 1 member
15963 of the house shall be designated as co-chair of the commission; the secretary of administrative
15964 and finance or his designee; the secretary of public safety and security or her designee; the
15965 chancellor of higher education or his designee; the president of the Massachusetts Chiefs of
15966 Police Association or his designee; a representative of the Massachusetts Police Association; the
15967 president of the State Police Association of Massachusetts or his designee; the president of the
15968 Massachusetts Municipal Association or his designee and 1 person to be appointed by the
15969 governor who shall have expertise in the field of criminal justice.

15970 (b) The organizational session of the commission shall be convened by the co-chairs not
15971 later than 60 days after the effective date of this act whether or not the governor's designee has
15972 been appointed.

15973 (c) The special commission shall make an investigation and study of the status of the
15974 career incentive pay program established in section 108L of chapter 41 of the General Laws
15975 including, but not limited to: (1) an assessment of the number of police officers with higher
15976 education degrees; (2) an investigation of salaries paid to officers utilizing the incentive program
15977 as compared with neighboring states' police officers' salaries and incentive programs; (3) an
15978 assessment of the impact the career incentive pay program established in said section 108L of
15979 said chapter 41 has had on decreasing the number of lawsuits against police officers and
15980 municipalities; (4) the cumulative cost to state and local governments in terms of increased
15981 operating costs for wages and impact on state and municipal pension liability; (5) an assessment
15982 of the current incentives provided to officers and a determination of how wages for officers with
15983 higher education degrees would be affected without the incentive program; (6) the impact of
15984 requiring a higher education degree for all police officers as a job requirement; (7) a comparison
15985 of the wage benefits conferred by the incentive program with the increase in earning power
15986 expected to be experienced by all persons in the commonwealth as a result of higher educational
15987 attainment; (8) what is an appropriate role for the commonwealth in the future of the career
15988 incentive pay program; and (9) any other matters that the commission considers relevant to its
15989 purpose.

15990 (d) The board of higher education and the executive office of public safety and security
15991 shall provide staff and other resources as the commission, said board and said office consider
15992 appropriate. The special commission shall make its final report and recommendations, together

15993 with drafts of legislation necessary to implement those recommendations, by filing the same with
15994 the joint committee on public safety and homeland security not later than January 1, 2011;
15995 provided, however, that the special commission may make such interim reports as it considers
15996 appropriate.

15997 SECTION 303. Notwithstanding section 5C of chapter 29 of the General Laws to the
15998 contrary, amounts made available to be used as revenue in the 2011 fiscal year in accordance with
15999 clause (a) of said section 5C of said chapter 29 shall be made available in the General Fund. To
16000 the extent balances in the General Fund are insufficient, the remainder shall be made available
16001 proportionally from the other budgetary funds.

16002 SECTION 304. The department of public utilities shall, within 120 days after the
16003 effective date of this act, complete a cost analysis report evaluating all technically-feasible
16004 supply and demand proposals capable of ensuring electricity reliability on Cape Cod. The
16005 analysis shall include proposals to reduce or eliminate existing uplift charges imposed upon
16006 ratepayers in the Southeastern Massachusetts Reliability Region as defined by ISO New
16007 England, Inc. The report shall include, but not be limited to, a cost comparison of any
16008 technically-feasible proposal including transmission improvements, demand-side management
16009 programs, the health and environmental impacts of energy alternatives, repowering of existing
16010 power generation units in the Southeastern Massachusetts Reliability Region and the
16011 development of new peaking generation facilities.

16012 SECTION 305. The administration shall report to the clerks of senate and house of
16013 representatives and the house and senate committees on ways and means not later than Dec. 31,
16014 2010, on the total number of employees transferred or projected to be transferred in fiscal year

16015 2011 pursuant to section 7A of chapter 6A of the General Laws, the total amount of funding
16016 transferred or projected to be transferred in fiscal year 2011 pursuant to said section 7A of said
16017 chapter 6A, the total projected savings for fiscal years 2011 and 2012 and a plan for further
16018 implementation in said fiscal years 2011 and 2012.

16019 SECTION 306. Notwithstanding any general or special law to the contrary, the 5-year
16020 student charges plans provided under section 42 of chapter 15A and section 8A of chapter 75 of
16021 the General Laws, shall be submitted to the board of higher education and the University of
16022 Massachusetts board of trustees, as applicable, not later than March 1, 2011.

16023 SECTION 307. The secretary of health and human services and the secretary of
16024 education shall examine the educational and service needs of children in the care of the
16025 commonwealth who reside in a community which is not their original community of residence.
16026 The secretaries shall report to the legislature on January 15, 2011 their recommendations as to
16027 how to best provide technical assistance and resources to assist municipalities in the evaluation
16028 of and provision for the needs of such children's transportation, assessment, education and
16029 continued support to ensure their educational success in their new communities. SECTION 308.
16030 Not later than October 1, 2010, the commissioner of higher education, in consultation with the
16031 secretary of education, the president of the University of Massachusetts and the presidents of the
16032 state and community colleges shall submit to the board of higher education a report that includes
16033 a review of: (1) the effectiveness of all tuition and fee waivers; (2) the merits and feasibility of
16034 changing the name of waivers to "scholarships"; and (3) the policies governing and costs related
16035 to continuing education programs. The report shall examine the extent to which these waivers
16036 are being used by the intended beneficiaries, the cost to the community colleges, the state
16037 colleges, the university of Massachusetts and the commonwealth of these waivers, and the

16038 relative benefits of maintaining these waivers as compared to providing additional support to
16039 students through the scholarship programs authorized in section 16 of chapter 15A of the General
16040 Laws. The report shall include recommendations to the board concerning the extent to which
16041 such waiver programs should be continued, modified, discontinued, or replaced by providing
16042 additional support to the state scholarship program and, further recommendations to enable
16043 campuses to alter the proportion of student charges that are represented by tuition and fees so
16044 that fees represent no more than 25 per cent of total student charges. The report shall also
16045 include any recommendations for pertinent regulatory or statutory changes. A copy of the report
16046 shall be provided to the joint committee on higher education, the house and senate committees on
16047 ways and means, the board of trustees of the University of Massachusetts, and the secretary of
16048 education at the time the report is submitted to the board of higher education.

16049 SECTION 309. Notwithstanding section 42 of chapter 15A to the contrary, the 5-year
16050 student charges proposals for the Massachusetts College of Art and Design and the
16051 Massachusetts Maritime Academy shall include provisions for performance measurement
16052 standards and admissions standards specific to the respective missions of Massachusetts College
16053 of Art and Design and Massachusetts Maritime Academy that are consistent with the
16054 performance measurements systems and admission standards in effect as of the passage of this
16055 act.

16056 SECTION 310. (a) In this section, the following words shall have the following
16057 meanings:-

16058 “Retained tuition fringe costs”, all fringe benefits for college and university employees
16059 previously paid by the commonwealth using remitted tuition, which shall, commencing fiscal
16060 year 2012, be paid by the employer college or employer university from retained tuition.

16061 “State-supported courses”, courses taught by employees of a college or the university and
16062 paid for using state appropriations.

16063 “State-supported tuition”, all tuition collected at public institutions of higher education
16064 for credits earned in state-supported courses.

16065 (b) Notwithstanding any general or special law to the contrary, in order to implement the
16066 first year of a permanent tuition retention program for each state and community college and the
16067 university of Massachusetts, as applicable, in fiscal year 2012 each campus’s state appropriation
16068 shall be calculated by: (1) adjusting the fiscal year 2011 amount upwards, subject to
16069 appropriation, to reflect the higher education funding formula; (2) adjusting the level determined
16070 in step (1) downwards by the amount of state-supported tuition each institution remitted to the
16071 commonwealth in fiscal year 2011 and will retain in fiscal year 2012; and (3) adjusting the level
16072 determined in step (2) upwards to ensure the appropriation reflects the remitted tuition fringe
16073 costs value in fiscal year 2011, so that each campus can pay the retained tuition fringe costs on
16074 its retained tuition in fiscal year 2012.

16075 SECTION 311. Not later than December 31, 2015, the board of higher education shall
16076 submit a report to the joint committee on higher education, the house and senate committees on
16077 ways and means and the secretary of education concerning the effect that tuition retention as
16078 established by sections 8, 9, 10, and 36 of this act has had on the finances of any public
16079 institutions of higher education that voted to accept an in-state tuition retention program under

16080 section 42 of chapter 15A of the General Laws or section 8A of chapter 75 of the General Laws,
16081 as applicable, on the student enrollments at such colleges and on access thereto. The report may
16082 present specific recommendations for amending or repealing provisions of this act, shall be
16083 prepared by the board of higher education in consultation with the boards of trustees.

16084 SECTION 312. If, as a result of the implementation of sections 8, 9, 10, and 36, the
16085 appropriation for a community college, state college or the University of Massachusetts is
16086 reduced in a fiscal year, after fiscal year 2011, such institution shall have the authority,
16087 notwithstanding any limitations in this act, to increase student charges for that fiscal year in
16088 order to recover the full amount of the reduction in its appropriation if the board of higher
16089 education or the University of Massachusetts trustees first approves the increase, as applicable.
16090 Any such increase shall be in addition to any annual increase in charges authorized under the
16091 institution's 5-year student charges plan under section 42 of chapter 15A or section 8A of
16092 chapter 75 of the General Laws as applicable.

16093 SECTION 313. Notwithstanding any special or general law to the contrary, no change in
16094 health benefits made under subsection (j) of section 19 of chapter 32B of the General Laws shall
16095 go into effect for any group of employees covered by a collective bargaining agreement in effect
16096 as of July 1, 2010 by a governmental unit prior to the expiration of such agreement.

16097 SECTION 314. Notwithstanding any special or general law to the contrary, for political
16098 subdivisions that have transferred subscribers to the commission under section 19 of chapter
16099 32B, the adoption of the annual appropriation act shall be deemed to establish and to have
16100 established a contractual relationship under which the subscribers are entitled to contractual
16101 rights and benefits, including the schedule of co-pays and deductibles and total premium cost and

16102 notwithstanding chapter 29 of the General Laws, no amendments or alterations shall be made
16103 that shall deprive any employee or retiree their rights and benefits thereunder during the fiscal
16104 year covered by the annual appropriation act. SECTION 315. Notwithstanding any general or
16105 special law to the contrary, for any public institution of higher education that has voted to adopt
16106 an in-state tuition retention program under section 42 of chapter 15A of the General Laws or
16107 section 8A of chapter 75 of the General Laws, as applicable, the dollar value of tuition and fee
16108 waivers authorized by statute by the board of higher education, by the board of trustees of the
16109 university of Massachusetts, by the boards of trustees of individual state colleges and community
16110 colleges and by the campuses of the university of Massachusetts shall remain at the level set in
16111 academic year 2010-2011; provided, however, that if sufficient funds are appropriated to allow
16112 for the dollar value of a particular waiver to be increased, the dollar value of the waiver shall be
16113 increased commensurately. Nothing in this section shall be considered to require the alteration,
16114 amendment or abrogation of any tuition remission policy or tuition or fee waiver program
16115 negotiated under the provisions of chapter 150E of the General Laws and contained in any
16116 collective bargaining agreement or approved for non-unit personnel by the board of higher
16117 education or the institutional boards of trustees or their designees.

16118 The provisions of this section shall not apply to students who are eligible to receive a
16119 foster and adopted child tuition and fee waiver under section 19 of said chapter 15A or to
16120 students who are eligible to receive a Massachusetts National Guard tuition and fee waiver under
16121 said section 19 of said chapter 15A. SECTION 316. Notwithstanding any general or special law
16122 to the contrary, no campus of a public institution of higher education that has voted to adopt an
16123 in-state tuition retention program under section 42 of chapter 15A of the General Laws or section
16124 8A of chapter 75 of the General Laws, as applicable, shall be required to honor any waiver or

16125 scholarship created after the passage of this act, whether created by legislation, by the board of
16126 higher education, by a local board of trustees, by collective bargaining or by any other method,
16127 unless an appropriation is made by the commonwealth explicitly to cover the cost of such
16128 scholarship. SECTION 317. Notwithstanding chapter 564 of the acts of 1956, the town of
16129 Tewksbury may sell, transfer and convey the property known as the "Police Station" at 935 Main
16130 street in said town with a deed restriction that any new owner of the property shall grant to the
16131 Tewksbury Housing Authority an easement to pass and repass by vehicular traffic, and create
16132 and reserve 20 parking spaces at the rear of the parcel for the benefit of the residents of the
16133 Tewksbury Housing Authority's Carnation drive housing site. The Tewksbury Housing
16134 Authority shall construct and maintain an adequate vegetative buffer between the parking area
16135 and the property to be conveyed. The commonwealth, acting by and through the division of
16136 capital asset management and maintenance, shall release its reversionary interest reserved in the
16137 deed to the town of Tewksbury dated October 3, 1961 and recorded in the Middlesex north
16138 district registry of deeds in book 1553 at page 320; provided, however, that in consideration of
16139 said release by the commonwealth, the town of Tewksbury shall split the proceeds from the sale
16140 of the Police Station property equally with the commonwealth. The commonwealth and the
16141 town of Tewksbury shall take all actions they deem necessary or advisable to carry out the
16142 conveyance and release as set forth in sections 1 and 2, including, without limitation, the
16143 execution and recording of any and all documents relative thereto. SECTION 318. The executive
16144 office of health and human services shall study the Senior Care Options plans available to
16145 residents of the commonwealth who are eligible for both Medicare and MassHealth. The study
16146 shall examine the impact of Senior Care Options plans on MassHealth spending, the impact of
16147 Senior Care Options plans on members' health outcomes, whether and to what extent there are

16148 barriers to enrollment in Senior Care Options plans for MassHealth members who are otherwise
16149 eligible, whether and to what extent such barriers to enrollment should be alleviated through
16150 modifications to the network or the plans and whether and to what extent increased marketing or
16151 other initiatives should be undertaken to increase enrollment in these plans. The executive office
16152 shall submit its final report and its recommendations, if any, together with drafts of legislation
16153 necessary to carry those recommendations into effect by filing the same with the joint committee
16154 of health care finance and policy and the house and senate committees on ways and means not
16155 later than December 31, 2010.”

16156 SECTION 319. Notwithstanding any special or general law to the contrary, the state
16157 treasurer shall furnish by electronic means a check stub or pay slip to every person who receives
16158 compensation from the commonwealth and whose compensation is provided to them by direct
16159 deposit, unless such person does not have an electronic mail address provided by and maintained
16160 by the commonwealth. The treasurer shall continue to provide paper checks stubs and pay slips
16161 to all such persons who receive a paper check from the commonwealth and to those who do not
16162 have an electronic mail address provided by and maintained by the commonwealth. A person
16163 who does not wish to receive the check stub or pay slip electronically may by written request to
16164 the treasurer continue to receive a paper copy of the check stub or pay slip.”SECTION 320. An
16165 entity receiving funding, grants or contracts under this act shall acknowledge such funding in all
16166 written and electronic materials. This provision shall not apply if such acknowledgement would
16167 result in any additional cost to the entity or to the commonwealth.SECTION 321. There shall be
16168 a special commission to study the taxation of direct broadcast satellite service under chapter 64M
16169 of the General Laws. The commission shall consist of the commissioner of revenue or his
16170 designee who shall serve as chairman; 3 members of the house of representatives, 1 of whom

16171 shall be appointed by the minority leader; 3 members of the senate, 1 of whom shall be appointed
16172 by the minority leader; and 2 persons to be appointed by the governor, 1 of whom shall be a
16173 representative of the Satellite Broadcasting and Communications Association of America and 1
16174 of whom shall be a representative of the New England Cable Association. The commission shall
16175 examine all aspects of the taxation of satellite broadcast services including, but not limited to:
16176 any inequitable tax treatment of 1 means of broadcasting over another; impacts on consumers
16177 with limited access to cable or inadequate second language viewing choices; and fiscal impacts.
16178 The commission shall file a report of its findings and recommendations, including any drafts of
16179 legislation necessary to put its recommendations into effect, with the joint committee on revenue
16180 and the house and senate committees on ways and means on or before January 1,
16181 2011. SECTION 322. Notwithstanding any special or general law to the contrary, not later than
16182 October 31, 2010, the state treasurer shall report to the clerks of the senate and the house of
16183 representatives, the senate and house committees on ways and means and the senate and house
16184 committees on bonding, capital expenditures and state assets on the potential cost savings to
16185 municipalities and other efficiencies of a municipal infrastructure bond bank. The report shall
16186 include an analysis of the municipal infrastructure bond banks utilized in other states and
16187 recommendations, if any, for legislative amendments to finance laws in order to permit a bond
16188 bank to be established in the commonwealth. SECTION 323. Notwithstanding any general or
16189 special law to the contrary, the department of elementary and secondary education shall develop
16190 a plan for any city or town that has enrolled more than 25 students displaced by an earthquake
16191 since January 2010. The plan shall include, but not be limited to, the per pupil cost and the per
16192 pupil cost of counseling and interpretive services and shall be submitted, together with a draft of
16193 any recommended legislation, to the speaker of the house of representatives, the president of the

16194 senate, the house and senate committees on ways and means and the joint committee on
16195 education not later than December 31, 2010. SECTION 324: The inspector general, in
16196 consultation with the attorney general, shall enter into a contract with a third party for the
16197 purposes of auditing all affordable housing projects built through the comprehensive permit
16198 process since July 1, 1998 as outlined in sections 20 to 23, inclusive, of chapter 40B of the
16199 General Laws. The third party shall be hired through a competitive bidding process and meet
16200 minimum professional qualifications as determined by the inspector general.

16201 Audits performed pursuant to this section shall be conducted in accordance with
16202 generally accepted auditing standards, and shall include but not be limited to a review of the
16203 submitted cost certification, agreements between the developer and the financing authority,
16204 purchase and sales agreements, documentation relating to the real estate appraisal of the relevant
16205 property or properties, reported expenses and revenues, documentation regarding the purchase,
16206 sale or lease, of all constructed units, and any other matter requested by the inspector general.

16207 At the request of the third party, the inspector general may require by summons the
16208 production of all records, reports, audits, reviews, papers, books, documents, recommendations,
16209 correspondence and any other data and material relevant to any matter under audit or
16210 investigation, in accordance with section 9 of chapter 12A of the General Laws.

16211 The findings of every audit, including any evidence of illegal or fraudulent activities, or
16212 cases where the actual realized profit of an individual project exceeds 20 per cent, shall be
16213 presented immediately upon completion to the inspector general for his review. The inspector
16214 general may take whatever further action he considers necessary, in accordance with said section
16215 10 of said chapter 12A .

16216 It shall be the responsibility of the attorney general to recover all monies owed to the host
16217 communities. The third party hired to conduct the initial audit may receive a pre-determined
16218 percentage of all recovered monies, not to exceed 10 per cent, with the balance being returned to
16219 the host community. SECTION 325. The governor shall execute a compact, on behalf of the
16220 commonwealth, with any other state or states legally joined therein in the form substantially set
16221 out in section 120A of the General Laws; provided, however, that the commissioner of the
16222 department of youth services shall serve as the compact administrator; and provided further, that
16223 accused status offenders and non-offender juveniles shall not be detained in a secure detention
16224 facility or as otherwise prohibited by the purpose and intent of applicable state or federal
16225 laws. SECTION 326. There shall be a special task force to investigate and study the feasibility
16226 and advisability of transferring authority over the office of probation, office of community
16227 corrections and the parole board including, but not limited to, the power of appointment,
16228 assignment, discipline and termination of staff, to either the chief justice for administration and
16229 management or the executive office of public safety and security, in an effort to best provide
16230 enhanced accountability, oversight, leadership, effectiveness in carrying out essential functions
16231 and efficiency of administration. The investigation shall include, but not be limited to,
16232 consideration of models from other states, best practices for management in government,
16233 performance measures, clarity of reporting lines and responsibilities and opportunities for budget
16234 savings through efficiencies, all while protecting the safety of the public. The task force shall
16235 consider, in its investigation and study, the reports and recommendations of both the visiting
16236 committee on management of the state courts and the court management advisory board. The
16237 commission shall consist of 1 person to be appointed by the senate president and 1 person to be
16238 appointed by the speaker of the house each of whom shall have expertise in applied criminal

16239 justice research, 1 person to be appointed by the minority leader of the senate and 1 person to be
16240 appointed by the minority leader of the house of representatives with an expertise in financial
16241 management and public policy, the attorney general, who shall serve as chair, the secretary of
16242 administration and finance, the chief counsel of the committee for public counsel services or his
16243 designee, the president of the Massachusetts District Attorneys' Association or his designee, a
16244 representative of the Massachusetts Bar Association and 1 person to be appointed by the chief
16245 justice of the supreme judicial court who shall be a retired first justice with court management
16246 experience. The commission shall report its findings and recommendations to the joint
16247 committee on judiciary, the joint committee on public safety and the senate and house
16248 committees on ways and means not later than October 1, 2010.SECTION 327. Notwithstanding
16249 any special or general law to the contrary a body politic of the commonwealth which engages in
16250 commercial advertising paid for by the commonwealth to promote its office, a program offered
16251 by its office, or any other official action shall publicize on the official website of the
16252 commonwealth in a form approved by the state auditor the cost of each advertisement, including
16253 the cost of the production of the advertisement and the cost of placement of the advertisement,
16254 not later than 7 days after the placement of the advertisement.SECTION 328. The secretary of
16255 the executive office for administration and finance shall develop and promulgate regulations
16256 governing the use of state-owned vehicles by state employees; provided, however, that the
16257 regulations shall prohibit the use of state-owned vehicles from the close of business each Friday
16258 to the start of business each Monday for all activities not explicitly related to the performance of
16259 an employee's official and authorized duties.SECTION 329. Notwithstanding any general or
16260 special law to the contrary, the governor, through the secretary of administration and finance,
16261 shall develop a report detailing all action undertaken by the executive department in fiscal year

16262 2010 and those planned to be undertaken in fiscal year 2011, to reduce the costs of employee
16263 compensation. The report shall also include an itemization of any and all staffing reductions,
16264 furlough and salary wage reductions in addition to any salary and wage increases and any
16265 increases in staffing levels from 2009 to 2010 to those projected for 2011.

16266 The report shall be filed with the clerks of the senate and house of representatives and the
16267 house and senate committees on ways and means and posted electronically on the official
16268 website of the commonwealth not later than 3 months following the effective date of this
16269 act. SECTION 330. Notwithstanding any general or special law to the contrary, the governor
16270 shall ensure that the secretaries of the various departments and executive offices promulgate
16271 standards requiring all forms for services, licenses and applications to be as uniform as
16272 reasonably possible. Each document shall have a uniform layout and font for the general
16273 information needed on each form, including, but not limited to, name, date of birth, address,
16274 telephone number and sex. Such documents shall be made available electronically whenever
16275 reasonably possible. SECTION 331. The secretary of public safety and security shall conduct an
16276 audit and inventory of the Commonwealth's public safety vehicles and equipment including, but
16277 not limited to, those in possession of the department of the state police, sheriff's offices, the
16278 department of correction, the Massachusetts Bay Transportation Authority police department and
16279 any law enforcement council incorporated or formed under the authority of a general or special
16280 law. The audit and inventory shall detail the type, age and use of the vehicles and equipment,
16281 whether similar vehicles and equipment are owned by multiple departments or underutilized by 1
16282 department whereby the sharing of underutilized vehicles and equipment may be suitable for
16283 realizing cost savings and any other information as the secretary deems pertinent. The secretary
16284 shall report the findings to the clerks of senate and house of representatives, the chairs of the

16285 senate and house committees on ways and means and the senate and house chairs of the joint
16286 committee on public safety and homeland security not later than January 1, 2011. SECTION 332.
16287 Notwithstanding any general or special law to the contrary, there shall be a special commission
16288 to investigate and study the expenditure of funds received through the American Reinvestment
16289 and Recovery Act. The commission shall specifically investigate the possibility that the funds
16290 have been spent on or through non-domestic entities including, but not limited to, the purchase of
16291 raw materials, contracting of labor or the transaction of business with companies located, based
16292 or incorporated in a foreign country. The commission shall consist of the chairs of the joint
16293 committee on federal stimulus oversight, who shall chair the commission, the house and senate
16294 chairs of ways and means or their designees, the secretary of administration and finance or his
16295 designee, the attorney general or his designee, the treasurer of the commonwealth or his
16296 designee, the auditor of the commonwealth or his designee, the comptroller of the
16297 commonwealth or his designee, the minority leader of the senate and the minority leader of the
16298 house of representatives or their designees and 1 person to be appointed by the governor. The
16299 commission shall report its findings and its recommendations, if any, to the clerks of the senate
16300 and house of representatives, the house minority leader and the senate minority leader not later
16301 than January 30, 2011. SECTION 333. Subsection (b) of section 75 of chapter 303 of the acts of
16302 2008 shall not apply in fiscal year 2011. SECTION 334. The registrar of motor vehicles shall
16303 evaluate the feasibility of utilizing municipally-owned buildings and the facilities therein for the
16304 provision of those services currently available at branch offices of the registry of motor vehicles.
16305 Such evaluation shall include, but not be limited to, the consideration of the geographic
16306 dispersion of such buildings, the potential to increase access and convenience to those served by
16307 the registry by deploying services in them, the potential cost savings which may result from

16308 relocating services to such buildings from leased or rented facilities and any benefits which may
16309 accrue to municipalities, including rental income from payments otherwise expended on private
16310 buildings and facilities.

16311 In conducting the evaluation, the registrar shall solicit information from each city and
16312 town as to the availability and potential cost of buildings and facilities and shall conduct not less
16313 than 2 public hearings to receive testimony on the feasibility of providing services as described
16314 herein.

16315 The registrar shall submit a report containing the results of the evaluation and its
16316 recommendations, if any, together with drafts of legislation necessary to carry those
16317 recommendations into effect by filing the same with the clerks of the senate and house of
16318 representatives not later than May 31, 2011. SECTION 335. The Massachusetts Department of
16319 Transportation shall conduct a comprehensive analysis of the availability of public parking in
16320 downtown Peabody, which shall include recommendations to improve and increase access to
16321 public parking. The department shall provide its report and recommendations to the governor, to
16322 the house and senate committees on ways and means and to the joint committee on transportation
16323 not later than January 1, 2011. SECTION 336. The executive office of health and human services
16324 shall report to the general court on the implementation of chapter 257 of the acts of 2008. The
16325 report shall include: (i) current rates for social service programs under section 22N of chapter 7
16326 of the General Laws (ii) the status of implementation of the prospective rate system established
16327 in said chapter 257; (iii) the process for establishing rates for social service programs, including
16328 inflation and geographic cost adjustments pursuant to section 2A of chapter 118G; (iv) the extent
16329 to which implementation of said chapter 257 has addressed the concerns raised in the executive
16330 office of health and human services report dated October 2007, entitled Financial Health of

16331 Providers in the Massachusetts Human Service System; and (v) initiatives undertaken to promote
16332 efficiency or to reduce or control costs and the results thereof. The executive office shall submit
16333 its report to the clerks of the house and senate, the house and senate committees on ways and
16334 means, the joint committee on health care financing and the joint committee on children, families
16335 and persons with disabilities not later than December 1, 2010. SECTION 337. There shall be a
16336 study by the legislative library caucus to assess the costs, benefits and impact of changes in
16337 regional library systems and to provide a recommendation on the role of the library of last
16338 recourse with regards to funding, jurisdiction and purpose. SECTION 338. The secretary of
16339 administration and finance and the secretary of health and human services shall evaluate the
16340 feasibility of contracting for recycling durable medical equipment purchased and issued by the
16341 commonwealth through its medical assistance programs.

16342 Said evaluation shall include, but not be limited to, a request for qualifications and
16343 proposals for entities capable of developing, implementing and operating a system of recycling
16344 whereby an inventory of such equipment is developed and managed so as to maximize the
16345 quality of service delivery to equipment recipients and to minimize costs and losses attributable
16346 to waste, fraud and abuse.

16347 After completion of the evaluation, if the secretary of health and human services, in
16348 consultation with the secretary of administration and finance, determines that there is a proposal
16349 that would result in substantial cost savings for the commonwealth, the secretary of health and
16350 human services may adopt the proposal. SECTION 339. The inspector general shall review and
16351 comment, within 30 days after the effective date of this act, on any award, transfer or
16352 procurement by the executive office of health and human services of any of the services
16353 currently being provided under the Customer Services Contract responsible for "The Provision of

16354 Key Operations Services to the Mass Health Member and Provider Communities”, to private
16355 vendor or to any department of the commonwealth as defined in 815 CMR 6.02.SECTION 340.
16356 in municipalities where regional planning agencies have regulatory authority, a regional planning
16357 agency shall define the appropriate scale of offshore renewable energy facilities and review
16358 those facilities as developments of regional impact, and the applicant may seek review of the
16359 regional planning agency’s development of regional impact determination, but not its
16360 determination of appropriate scale, pursuant to the authority of the energy facilities siting board
16361 to issue certificates of environmental impact and public interest pursuant to sections 69K to 69O,
16362 inclusive, of chapter 164 of the General Laws.SECTION 341. Notwithstanding any general or
16363 special law to the contrary, the Massachusetts Bay Transportation Authority shall be subject to
16364 subsection (e) of section 19 of chapter 6A of the General Laws and sections 12 to 14, inclusive,
16365 of chapter 86 of the acts of 2008. The board of the Massachusetts Bay Transportation Authority
16366 shall execute a delegation of authority with terms of delegation identical to that executed by the
16367 board of the Massachusetts Department of Transportation to the highway division of said
16368 department in November, 2009. The board of the Massachusetts Bay Transportation Authority
16369 shall amend its by-laws to require the board’s approval of the development of the capital
16370 investment programs required under subsection (g) of section 5 of chapter 161A of the General
16371 Laws, and to require the board’s approval of the operating budget of said authority.SECTION
16372 342. The department of revenue shall submit a report to the house and senate committees on
16373 ways and means and the joint committee on revenue on the planned encrypted digital tax stamp
16374 system to be implemented pursuant to section 7B of chapter 64C of the General Laws and
16375 section 3A of chapter 64H of the General Laws, within 60 days after the effective date of this act.
16376 The report shall include a detailed analysis of the department’s financing plan for the encrypted

16377 digital tax stamp system which shall include, but not be limited to, the department's estimates of
16378 the cost of the acquisition and installation of the new equipment and the ongoing costs of
16379 maintaining and operating the equipment, including any annual service contract required. The
16380 report shall also include the estimated net revenue increase projected to be realized by the
16381 commonwealth as a result of the encrypted digital tax stamp system, recommendations, if any,
16382 and drafts of legislation necessary to carry those recommendations into effect in order to
16383 implement this program and a report by the department in the area of tobacco tax
16384 enforcement. SECTION 343. No at-will employee of a state authority as defined in section 1 of
16385 chapter 29 of the General Laws shall be provided compensation in salary or wages in excess of
16386 the salary provided to the governor under section 1 of chapter 6 of the General Laws unless
16387 documentation, signed by the secretary of administration and finance, exists justifying such
16388 higher compensation.

16389 SECTION 344. No state authority as defined in section 1 of chapter 29 of the General
16390 Laws shall enter into a contract with an employee that provides compensation in salary or wages
16391 in excess of the salary provided to the governor under section 1 of chapter 6 of the General Laws
16392 unless documentation, signed by the secretary of administration and finance, exists justifying
16393 such higher compensation.

16394 SECTION 345. Each state authority as defined in section 1 of chapter 29 of the General
16395 Laws shall submit a compensation reduction report that shall include, but not be limited to, a
16396 plan detailing all percentage salary reductions, wage freezes, furloughs and reduction of
16397 employees, including attrition, to the house and senate committees on ways and means not later
16398 than December 31, 2010.

16399 SECTION 346. Notwithstanding any special or general law to the contrary, the secretary
16400 of administration and finance shall review the sick and vacation time buyback program of each
16401 state authority as defined in section 1 of chapter 29 and shall make recommendations to align
16402 those benefits with benefits commensurate to those available to state employees. The secretary
16403 shall provide his findings and recommendations to the board of the applicable state authority not
16404 less than 90 after the effective date of this act. SECTION 347. Notwithstanding sections 40E to
16405 40K, inclusive, and sections 52 to 55, inclusive, of chapter 7 of the General Laws, the division of
16406 capital asset management and maintenance, using the competitive proposal processes as the
16407 division considers necessary or appropriate, in consultation with the department of conservation
16408 and recreation, shall lease and enter into other agreements with 1 or more persons or entities for
16409 terms not to exceed 25 years, for the continued use, operation, maintenance, repair and
16410 improvement of any ice skating rinks, pools and golf courses owned and operated by the
16411 commonwealth. SECTION 348. (a) Notwithstanding any general or special law to the contrary,
16412 the University of Massachusetts School of Law – Dartmouth shall operate without direct
16413 appropriation or subsidy from the commonwealth or university system. The University of
16414 Massachusetts School of Law – Dartmouth shall maintain and fund all academic and
16415 administrative personnel but nothing in this act shall prevent the law school from accessing
16416 supplemental services from the campus and university system in order to reduce duplication of
16417 systems and services.

16418 (b) The University of Massachusetts School of Law - Dartmouth shall retain all tuition
16419 and fees received by the board of trustees in a revolving trust fund and shall be expended as the
16420 board may direct for the operation and support of the law program. Any balance in the trust fund

16421 at the close of a fiscal year shall remain available for expenditure in subsequent fiscal years and
16422 shall not revert to the General Fund. The trust fund shall be subject to audit by the state auditor.

16423 (c) The University of Massachusetts School of Law – Dartmouth shall prepare an annual
16424 financial report at the end of each fiscal year. The report shall be filed with the house and senate
16425 committees on ways and means and to the board of higher education on or before December
16426 31. SECTION 349. Notwithstanding any general or special law to the contrary, the department of
16427 energy resources shall report on its implementation of chapter 206 of the acts of 2008. The report
16428 shall include, but not be limited to, the following topics: (i) the promulgation of regulations
16429 under subsection (8) of section 249H1/2 of chapter 94 of the General Laws and subsection (8) of
16430 section 295G1/2 of said chapter 94; (2) the establishment of a commission on incentives to
16431 promote advanced biofuels pursuant to section 5 of said chapter 206; (iii) progress on efforts to
16432 reach an agreement with participating states on establishing a regional low-carbon fuel standard;
16433 and (iv) the establishment of a commission to promote the use of advanced biofuels by the
16434 commonwealth, its agencies, political subdivisions and regional transit authorities. The report
16435 shall also include a timetable for regulatory action on each of those topics which has not been
16436 completed. The report shall be submitted to the senate and house chairs of the joint committee
16437 on telecommunications, utilities and energy, the chairs of the house and senate committees on
16438 global warming and climate change and the senate and house chairs of the joint committee on
16439 environment, natural resources and agriculture not later than 30 days after the effective date of
16440 this act SECTION 350. (a) Notwithstanding any general or special law to the contrary, the dispute
16441 resolution functions of the bureau of special education appeals, which was established as an
16442 independent entity by the department of elementary and secondary education within the
16443 executive office of education, its employees, proceedings, rules and regulations, and legal

16444 obligations are hereby transferred to the division of administrative law appeals established in
16445 section 4H of chapter 7 of the General Laws.

16446 (b) Those employees of the department of elementary and secondary education covered
16447 by a collective bargaining agreement who, before the effective date of this act, were assigned to
16448 the bureau of special education appeals, including those who immediately before the effective
16449 date of this act hold permanent appointment in positions classified under chapter 31 of the
16450 General Laws or who have tenure in their positions as provided by section 9A of chapter 30 of
16451 the General Laws, are hereby transferred to the division of administrative law appeals without
16452 interruption of service within the meaning of said section 9A of said chapter 30, without
16453 impairment of seniority, retirement or other rights of the employees and without reduction in
16454 compensation or salary grade and without loss of accrued rights to holidays, sick leave, vacation
16455 and other benefits and without change in union representation, if any, or certified collective
16456 bargaining unit as certified by the state labor relations commission or in local union
16457 representation or affiliation. Any collective bargaining agreement in effect immediately before
16458 the transfer date shall continue in effect and the terms and conditions of employment therein
16459 shall continue as if the employees had not been so transferred. The reorganization shall not
16460 impair the civil service status of any such reassigned employee who immediately before the
16461 effective date of this act either holds a permanent appointment in a position classified under said
16462 chapter 31 or has tenure in a position by reason of said section 9A of said chapter 30.

16463 Notwithstanding any general or special law to the contrary, all employees assigned to the bureau
16464 of special education appeals covered by collective bargaining agreements shall continue to retain
16465 their right to collectively bargain pursuant to chapter 150E of the General Laws and shall be
16466 considered employees for the purposes of said chapter 150E. Nothing in this section shall confer

16467 upon an employee any right not held immediately before the date of this transfer or prohibit any
16468 reduction of salary grade, transfer, reassignment, suspension, discharge, layoff or abolition of
16469 position not prohibited before the transfer date.

16470 (c) The assistant director of special education appeals is hereby transferred to the division
16471 of administrative law appeals as the initial director of the bureau of special education appeals
16472 without interruption of service within the meaning of section 9A of chapter 30 of the General
16473 Laws, without impairment of seniority, retirement or other rights of the employee and without
16474 reduction in compensation or salary grade and without loss of accrued rights to holidays, sick
16475 leave, vacation and other benefits. The reorganization shall not impair any civil service status of
16476 such reassigned employee who immediately before the effective date of this act either holds a
16477 permanent appointment in a position classified under chapter 31 of the General Laws or has
16478 tenure in a position by reason of said section 9A of said chapter 30.

16479 (d) All petitions, requests, hearings and other proceedings appropriately and duly brought
16480 before the bureau of special education appeals and pending before it before the effective date of
16481 this act shall continue unabated and remain in force, but shall be assumed and completed by the
16482 bureau of special education appeals as part of the division of administrative law appeals.

16483 (e) All orders issued by the bureau of special education appeals that are in force
16484 immediately before the effective date of this act shall continue in full force and effect in
16485 accordance with the terms of such orders.

16486 (f) All rules and regulations governing the bureau of special education appeals which are
16487 in force immediately before the effective date of this act shall continue in full force and effect
16488 until superseded, revised, rescinded or canceled by the board of elementary and secondary

16489 education, in consultation with the director of special education appeals and the chief
16490 administrative magistrate of the division of administrative law appeals.

16491 SECTION 351. The special education appeals advisory council established in section 2A
16492 of chapter 71B of the General Laws shall hold its first meeting not later than 45 days after the
16493 effective date of this act and shall include in its duties advice and feedback relating to the bureau
16494 of special education appeals' transition to the division of administrative law appeals. SECTION
16495 352. (a) As used in this chapter, the following words shall have the following meanings unless
16496 the context clearly requires otherwise:

16497 "I-95 corridor", the area within the town of Boxford located approximately 1,500 feet
16498 from any portion of interstate highway route 95.

16499 "Safe drinking water", water that meets or exceeds all primary and secondary standards
16500 and recommended guidelines for drinking water as defined by the department of environmental
16501 protection.

16502 (b) The Massachusetts Department of Transportation shall conduct a comprehensive
16503 study to determine the cumulative and immediate effects of deicing chemical storage and deicing
16504 operations on the groundwater aquifers and bedrock fissures within the I-95 corridor.
16505 Specifically, the study shall determine how and why deicing chemicals applied to interstate
16506 highway route 95 have infiltrated the groundwater aquifers and bedrock fissures and what
16507 measures need to be taken to prevent it from occurring in the future. The study shall provide
16508 recommendations as to: (i) the proximate causes of deicing chemicals, including sodium and
16509 chloride, infiltration into the groundwater aquifers and bedrock fissures within the I-95 corridor;
16510 (ii) short-term and long-term remedial actions necessary to restore groundwater quality to a safe

16511 drinking water standard within the I-95 corridor; (iii) a plan to modify highway drainage systems
16512 to prevent storm water runoff and highway drainage from adversely impacting aquifers, bedrock
16513 fissures and adjacent wetland resource areas; and (iv) alternative means to provide a reliable and
16514 adequate safe drinking water supply to the residents located within the I-95 corridor that meet all
16515 state and local requirements.

16516 (c) The department shall conduct the study utilizing an independent consultant. The
16517 development of the study scope of work, the selection of the independent consultant and the
16518 review of study recommendations shall all be conducted jointly by the department and a
16519 committee to be appointed by the Boxford board of selectmen and the Boxford Board of Health.
16520 Within 1 year after the effective date of this act, the department shall file a report of its activities
16521 and the developed recommendations with the governor and the clerks of the senate and house of
16522 representatives who shall forward the same to the house and senate committees on ways and
16523 means and other committees as appropriate. To the extent the report provides for disbursement of
16524 appropriations or other moneys authorized by the general court, the plan shall be subject to the
16525 approval of the secretary of transportation and the secretary of administration and
16526 financeSECTION 353 (a) Notwithstanding any general or special law to the contrary, the
16527 undersecretary of housing and community development shall make a report detailing
16528 recommended regulations to end the practice of housing homeless residents in hotels and motels
16529 and the costs associated with that practice. The report shall include, but not be limited to: the
16530 recommended guidelines for usage of temporary housing alternatives which provide cost savings
16531 to the commonwealth; a timeline to eliminate the practice of using hotels and motels within 1
16532 year after the report; the cost of school transportation from out-of-district emergency assistance
16533 placements; the cost of the usage of hotels and motels versus the cost of using shelters; and the

16534 availability of unused shelter space not currently under contract by the department. The report
16535 shall be submitted to the clerks of the senate and house of representatives and to the chairs of the
16536 house and senate committees on ways and means not later than 60 days after the effective date of
16537 this act.

16538 (b) Recipients of shelter benefits provided through the program of emergency assistance
16539 pursuant to section 30 of chapter 23B of the General Laws shall be placed in hotels and motels
16540 only when other shelter units available to the department are not adequate to meet the needs of a
16541 recipient of benefits; provided, however, that a recipient of shelter benefits may be placed in a
16542 hotel or motel when the number of shelter units for which the department has contracted is
16543 insufficient to meet demand or when such placements are to accommodate a disability, allow
16544 placement near a home community or enable a child to continue attending school in such
16545 community or otherwise meets the needs of an eligible family that cannot be met through
16546 placement in contracted shelter units.

16547 (c) Any family placed in a hotel or motel shall receive assessment and housing search
16548 services within 10 business days after such placement and regularly thereafter. When the
16549 department places a child under the age of 3 in a hotel or motel, the department shall notify the
16550 department of children and families within 24 hours of such hotel or motel placement; provided
16551 further, that the department of housing and community development shall ensure that any such
16552 family with a child under the age of 3 shall be provided with a crib for such child upon
16553 placement at the hotel or motel; provided further, that the department of children and families
16554 shall make an inspection of the room and crib provided to ensure the safety of the child; and
16555 provided further, that if the hotel or motel in which any such child under the age of 3 is placed

16556 fails to provide such child with a safe and adequate crib, the hotel or motel may be subject to a
16557 fine not to exceed \$10,000 per violation.

16558 (d) Prior to contracting with a hotel or motel to provide rooms for families receiving
16559 emergency assistance, the department shall notify the local department of health. Within 5
16560 business days of placing a family with a school aged child in a motel, the department shall notify
16561 the local school department. SECTION 354. Notwithstanding any general or special law to the
16562 contrary, eligible recipients of direct cash assistance shall not use direct cash assistance funds
16563 held on electronic benefit transfer cards for the purchase of alcoholic beverages or tobacco
16564 products. An individual or store owner who knowingly accepts electronic benefit transfer cards
16565 in violation of this section shall be punished by imprisonment in a house of correction for not
16566 more than 2 ½ years or a fine of \$1,000 or both such fine and imprisonment.

16567 SECTION 355. Notwithstanding any general or special law to the contrary, whoever
16568 embezzles, willfully misapplies, steals or obtains by fraud any funds, assets or property provided
16569 by the department of transitional assistance and whoever receives, conceals or retains such funds,
16570 assets or property for his own interest knowing such funds, assets or property have been
16571 embezzled, willfully misapplied, stolen or obtained by fraud shall, if such funds, assets or
16572 property are of a value of \$100 or more, be punished by a fine of not more than \$25,000 or by
16573 imprison for not more than 5 years or both, or if such funds, assets or property are of a value of
16574 less than \$100, by a fine of not more than \$1,000 or by imprisonment for not more than 1 year or
16575 both. SECTION 356. Notwithstanding any general or special law to the contrary and subject to
16576 appropriation and the availability of funds as determined by the executive office of health and
16577 human services, MassHealth shall include in its medical home demonstration authorized in
16578 section 30 of chapter 305 of the acts of 2008 all practice sites that have participated in the

16579 Commonwealth Fund Safety Net Medical Home Initiative, hereinafter referred to as SNMHI,
16580 and that have submitted a qualifying response to the executive office's Primary Care Medical
16581 Home Initiative Request for Responses. Subject to appropriation and the availability of funds as
16582 determined by the executive office, the executive office may selectively contract with additional
16583 practice sites that have not participated in SNMHI. SECTION 357 Notwithstanding any special
16584 or general law to the contrary, the department of elementary and secondary education shall
16585 pursue federal funding under the United States Department of Education's race to the top fund
16586 phase 2 grant process and shall file its application not later than June 1, 2010. If the receipt of
16587 funds in the preceding sentence exceeds \$27,200,000, then not more than \$2,800,000 shall be
16588 distributed as incentive payments to nursing facilities meeting certain pay for performance
16589 requirements as described in item 4000-0600 of said section 2SECTION 358. The division of
16590 healthcare finance and policy shall conduct a study of the fiscal impacts of 114.5 CMR 12:00 on
16591 nursing home facilities. The study shall include, but not be limited to: the economic impact and
16592 equity of the class structure established in 114.5 CMR 12.03; the economic impact of extending
16593 user fee waivers to certain facilities currently not exempted from the user fee under 42 USC
16594 section 1396b(w)(3)(B); the cost-effectiveness of striking clause (d) of Class IV of section (1) of
16595 that regulation; and the feasibility of establishing a new classification system which applies
16596 consistent rules to all facilities regardless of geographic location. The study shall take into
16597 account said 42 USC, Section 1396b (w)(3)(B) as it applies to the user fee. The
16598 recommendations and findings shall be filed with the joint committee on health care finance and
16599 the house and senate committees on ways and means not later than January 15, 2011. SECTION
16600 359. There shall be a Distressed Community Provider Trust Fund, which shall be administered
16601 by the secretary of health and human services.

16602 Notwithstanding any general or special law to the contrary, in fiscal year 2011, the
16603 comptroller shall transfer not less than \$10,000,000 from the General Fund to the Distressed
16604 Community Provider Trust Fund for the purpose of making expenditures as described in this
16605 section. The secretary shall authorize expenditures from the fund, without further appropriation,
16606 to assist acute care hospitals, including disproportionate share hospitals, that are in extreme
16607 financial distress. The secretary shall consider applications from hospitals that meet any of the
16608 following criteria: (i) have an operating margin below the median operating margin of eligible
16609 disproportionate share hospitals in hospital fiscal years 2007, 2008 and 2009; (ii) have a total
16610 margin below zero for both hospital fiscal years 2008 and 2009; (iii) have an operating margin at
16611 or below the median of eligible disproportionate share hospitals in hospital fiscal year 2009; (iv)
16612 operate an American College of Surgeons-verified region 3 level 3 trauma center; (v) operate a
16613 hospital licensed by the department of public health as a chronic disease hospital providing
16614 services solely to children and adolescents; (vi) operate as both a disproportionate share hospital
16615 and a sole community hospital; or (vii) operate as a disproportionate share hospital with a
16616 psychiatric lockdown inpatient unit in region 5. The secretary shall structure expenditures under
16617 this section to maximize allowable federal reimbursement under Title XIX. Hospitals receiving
16618 funds under this section shall not be precluded from also receiving funds through grants or rates
16619 authorized under items 4000-0500 or 4000-0700 of section 2 and expended to enhance the ability
16620 of hospitals, community health centers and primary care clinicians to serve populations in need
16621 more efficiently and effectively. The secretary shall accept applications to receive funds up to
16622 January 1, 2011, and shall distribute those funds not later than March 31, 2011. The secretary
16623 shall file with the house and senate committees on ways and means a distribution plan for the
16624 funds, and the extent to which expenditures qualify for federal financial participation, on or

16625 before March 1, 2011. All federal reimbursements received by the commonwealth for
16626 expenditures made from the fund shall be deposited into the General Fund. SECTION 360. A
16627 special commission is hereby established to consider the circumstances under which project
16628 labor agreements should be utilized, including consideration of their appropriateness and
16629 function and the size, complexity and duration of the public construction projects for which they
16630 should be utilized. The commission shall consist of the secretary of administration and finance or
16631 designee , the attorney general or designee , the auditor or designee, the commissioner of capital
16632 planning and operations or designee, a representative of the Construction Industries of
16633 Massachusetts, a representative of the Massachusetts Building Trades Council, a representative
16634 of the Associated Builders and Contractors of Massachusetts and a representative of the
16635 Association of Commercial and Industrial Builders of Massachusetts. The commission shall
16636 report its findings, together with drafts of any legislation it recommends, to the joint committee
16637 on labor and workforce development not later than July 1, 2011. SECTION 361. (a)
16638 Notwithstanding any general or special law to the contrary, the commissioner of capital asset
16639 management and maintenance, on behalf of the department of conservation and recreation, may
16640 convey the property acquired by the former metropolitan district commission pursuant to item
16641 6005-9575 of section 2H of chapter 273 of the acts of 1994, together with all trees and structures
16642 thereon, if any, and appurtenant access, utility and other easements, collectively referred to in
16643 this section as the 'DCR Parcel' as directed herein. The DCR Parcel is shown on the plan
16644 entitled "Plan of Land Between Reserved Channel and East First Street in the South Boston
16645 Designated Port Area," dated March 24, 2010, drawn by _John A. Hammer III, PLS, on file with
16646 the Massachusetts Port Authority. The DCR Parcel shall be conveyed subject to and with the
16647 benefit of that certain lease between the Massachusetts Bay Transportation Authority and the

16648 Boston Harbor Lobstermen’s Association, Inc., dated April 1, 1984, with respect to
16649 approximately 96,000 square feet of land and associated water sheet and access rights. The exact
16650 boundaries of the DCR Parcel are set forth in section 106 of said chapter 273.

16651 (b) Notwithstanding any general or special law to the contrary, the commissioner of
16652 capital asset management and maintenance, on behalf of the department of conservation and
16653 recreation, may convey the portion of the DCR Parcel consisting of 569,517 square feet, as
16654 shown on the plan described in subsection (a) as the “Designated Port Area Parcel,” to the
16655 Massachusetts Port Authority. The legal description of the Designated Port Area Parcel is as
16656 follows:

16657 Beginning at a point at the northeasterly corner of the parcel at the intersection of the
16658 westerly line of a street formerly known as O Street and the southerly line of the Reserved
16659 Channel,

16660 Thence S88-23-28W a distance of 802.82 feet by said Reserved Channel,

16661 Thence S01-36-32E, a distance of 770.00 feet by land now or formerly of Exelon New
16662 Boston, LLC,

16663 Thence N88-23-28E, a distance of 562.83 feet,

16664 Thence N37-45-36E, a distance of 51.74 feet,

16665 Thence N01-36-32W, a distance of 120.00 feet,

16666 Thence N88-23-28E, a distance of 300.00 feet to said former O Street,

16667 Thence N01-36-32W, a distance of 610.00 feet by said former O Street to the point of the
16668 beginning,

16669 (c) Notwithstanding any general or special law to the contrary, the commissioner of
16670 capital asset management and maintenance, on behalf of the department of conservation and
16671 recreation, may convey the portion of the DCR Parcel consisting of 67,400 square feet, as shown
16672 on the plan described in subsection (a) as “MBTA Use Area,” to the Massachusetts Bay
16673 Transportation Authority. The legal description of the MBTA Use Area is as follows:

16674 Beginning at a point on East First Street being N88-23-28E, a distance of 810.00 feet
16675 from the intersection of the northerly sideline of East First Street and the easterly sideline of
16676 Summer Street,

16677 Thence N88-23-28E, a distance of 80.00 feet by said East First Street,

16678 Thence N01-36-32W, a distance of 280.00 feet,

16679 Thence N88-23-28E, a distance of 100.00 feet,

16680 Thence N01-36-32W, a distance of 250.00 feet, said last three courses by other land of
16681 the MBTA,

16682 Thence S88-23-28W, a distance of 272.83 feet by the previously described Designated
16683 Port Parcel,

16684 Thence S01-36-32E, a distance of 530.00 feet by land now or formerly of Exelon New
16685 Boston, LLC to the point of the beginning.

16686 (d) Notwithstanding any general or special law to the contrary, the Massachusetts Bay
16687 Transportation Authority may convey to the Massachusetts Port Authority the parcel of land
16688 consisting of 159,309 square feet shown on the plan described in subsection (a) as “Excess
16689 MBTA Parcel”, together with all trees and structures thereon, if any, and appurtenant access,
16690 utility or other easements. The legal description of the Excess MBTA Parcel is as follows:

16691 Beginning at a point on East First Street being N88-23-28E, a distance of 1362.82 feet
16692 from the intersection of the northerly sideline of East First Street and the easterly sideline of
16693 Summer Street,

16694 Thence N88-23-28E, a distance of 210.00 feet by said East First Street,

16695 Thence N43-23-28E, a distance of 56.57 feet by land of Massport,

16696 Thence N01-36-32W, distance of 650.00 feet by said former O Street,

16697 Thence S88-23-28W, a distance of 300.00 feet,

16698 Thence S01-36-32E, a distance of 120.00 feet,

16699 Thence S37-45-33W, a distance of 51.74 feet, said last three courses by said Designated
16700 Port Area Parcel,

16701 Thence reversing southeasterly along a non-tangent curve to the right of radius 144.08
16702 feet, an arc distance of 114.93 feet, on a chord bearing S49-15-39E,

16703 Thence S19-21-25E, a distance of 169.03 feet,

16704 Thence southeasterly along a non-tangent curve to the left of radius 340.00 feet, an arc
16705 distance of 82.05 feet, on a chord bearing S26-39-44E,

16706 Thence continuing southeasterly along a tangent curve to the left of radius 282.00 feet, an
16707 arc distance of 100.89 feet, on a chord bearing S43-49-31E,
16708 Thence S01-36-32E, a distance of 45.15 feet,
16709 Thence S88-23-28W, a distance of 150.28 feet,
16710 Thence S01-36-28E, a distance of 100.00 feet, said last seven courses by remaining land
16711 of MBTA shown as MBTA PARCEL, to the point of the beginning.

16712 (e) Notwithstanding any general or special law to the contrary, upon acquisition of the
16713 Designated Port Area Parcel and the Excess MBTA Parcel pursuant to this section, the
16714 Massachusetts Port Authority shall dedicate a haul road right-of-way for future truck access to
16715 and egress from the Conley Terminal. The location and dimensions of such right-of-way may be
16716 established and changed by the Massachusetts Port Authority from time to time as long as such
16717 right-of-way remains north of, and does not encroach upon or cross, the Buffer Zone Area
16718 described in subsection (f) or the Extended Buffer Areas described in subsection (g). At such
16719 time as the additional right of way of appropriate width and dimensions is made available to the
16720 Massachusetts Port Authority to enable the haul road right of way to connect directly from
16721 Conley Terminal across the Excess MBTA Parcel and the Designated Port Area Parcel to
16722 Summer Street, the Massachusetts Port Authority shall have the obligation to design and
16723 construct said haul road.

16724 (f) Notwithstanding any general or special law to the contrary, the Massachusetts Bay
16725 Transportation Authority is authorized by this act to convey to the Massachusetts Port Authority
16726 the parcel of land abutting East First Street in South Boston shown as “Buffer Zone Area” on the
16727 Plan referenced in subsection (a), which shall be used by the Massachusetts Port Authority as a

16728 buffer zone to help reduce visual and noise impacts associated with existing and future uses
16729 along Reserved Channel. The Massachusetts Bay Transportation Authority shall retain an
16730 easement within the Buffer Zone Area to maintain, repair and replace its existing access, egress
16731 and utilities across such Buffer Zone Area, as the same may be relocated, modified or expanded
16732 in a manner consistent with this section and with the approval of the Massachusetts Port
16733 Authority. The legal description of the Buffer Zone Area is as follows:

16734 Beginning at a point on East First Street being N88-23-28E, a distance of 810.00 feet
16735 from the intersection of the northerly sideline of East First Street and the easterly sideline of
16736 Summer Street,

16737 Thence N88-23-28E, a distance of 552.82 feet by said East First Street,

16738 Thence N01-36-32W, a distance of 80.00 feet,

16739 Thence S88-23-28W, a distance of 472.82 feet,

16740 Thence N01-36-32W, a distance of 20.00 feet,

16741 Thence S88-23-28W, a distance of 80.00 feet,

16742 Thence S01-36-32E, a distance of 100.00 feet to the point of the beginning.

16743 (g) Notwithstanding any general or special law to the contrary, upon acquisition of the
16744 Designated Port Area Parcel, the Excess MBTA Parcel, and the Buffer Zone Area pursuant to
16745 this section, the Massachusetts Port Authority shall: (i) dedicate the use of the Buffer Zone Area
16746 and the areas labeled as “Extended Buffer Areas” on the plan described in subsection (a), as a
16747 buffer zone along East First street to help reduce visual and noise impacts associated with
16748 existing and future uses along Reserved Channel; and (ii) promptly engage in a planning process,

16749 with a committee of South Boston community residents, to design the Buffer Zone Area and
16750 Extended Buffer Areas to achieve the purposes of this section. The committee shall be
16751 comprised of 10 members, 2 of whom shall be appointed by the mayor of the city of Boston, 2 of
16752 whom shall be appointed by the senator in the general court representing the South Boston
16753 district in which the DCR Parcel is located, 2 of whom shall be appointed by the representative
16754 in the general court representing the South Boston district in which the DCR Parcel is located, 2
16755 of whom shall be appointed by the city district councilor representing the South Boston district
16756 in which the DCR Parcel is located and 2 of whom shall be appointed by the Massachusetts Port
16757 Authority. The legal descriptions of the areas labeled as “Extended Buffer Areas” on the plan
16758 described in subsection (a) are as follows:

16759 Beginning at a point on East First Street at the southwesterly corner of said Excess
16760 MBTA Parcel being N88-23-28E, a distance of 1362.82 feet from the intersection of the
16761 northerly sideline of East First Street and the easterly sideline of Summer Street,

16762 Thence N88-23-28E, a distance of 1382.43 feet by said East First Street,

16763 Thence N01-36-32W, a distance of 100.00 feet,

16764 Thence S88-23-28W, a distance of 1382.43 feet,

16765 Thence S01-36-32E, a distance of 100.00 feet to the point of the beginning,

16766 (h) The Massachusetts Port Authority may provide access and egress and utility services
16767 across the Buffer Zone Area and Extended Buffer Areas described in this section; provided,
16768 however, that after the acquisition of the Designated Port Area Parcel, the Excess MBTA Parcel
16769 and the Buffer Zone Area by the Massachusetts Port Authority under this section, freight hauling

16770 to and from Conley Terminal shall not encroach upon or cross the Buffer Zone Area or Extended
16771 Buffer Areas.

16772 (i) The transfers in legal title and changes in use of land authorized in this shall occur
16773 notwithstanding any inconsistent public use and no compensation shall be paid. Notwithstanding
16774 any general or special law or regulation to the contrary, the transfers in legal title and changes in
16775 use of land authorized by this section may be implemented without any review, approval,
16776 authorization, or procedure otherwise applicable under any general or special law or rule or
16777 regulation.

16778 (j) After acquisition of the Designated Port Area Parcel, the Excess MBTA Parcel and the
16779 Buffer Zone Area by the Massachusetts Port Authority under this act, the Massachusetts Port
16780 Authority shall use and maintain the Buffer Zone Area and Extended Buffer Areas as described
16781 herein as a buffer zone along East First street to help reduce visual and noise impacts associated
16782 with the existing and future uses along Reserved Channel and the Buffer Zone Area and the
16783 Extended Buffer Areas shall be subject to the Article XCVII of the Constitution.

16784 (k) Notwithstanding section 2B of chapter 59 of the General Laws or section 17 of
16785 chapter 465 of the acts of 1956, leasehold improvements leased to a foreign or domestic electric
16786 company, distribution company or generating company, as such terms are defined in section 1 of
16787 chapter 164 of the General Laws, constructed on land acquired by the Massachusetts Port
16788 Authority pursuant to this section shall be subject to taxation and assessment to the lessee thereof
16789 in the same manner as the lands and buildings thereon would be taxed to such lessee under said
16790 section 2B of said chapter 59 by the city of Boston, except that the payment of the tax shall not
16791 be enforced by a lien upon or sale of the lands; provided, however, that a sale of the leasehold

16792 interest therein and of the buildings thereon may be made by the collector of the city of Boston in
16793 the manner provided by law for the nonpayment of taxes on real property. Except as expressly
16794 provided in this section, the land acquired by the Massachusetts Port Authority pursuant to this
16795 act shall not be subject to taxation or assessment by the city of Boston nor shall the
16796 Massachusetts Port Authority be required to make payments in lieu of taxes to the city of Boston
16797 with respect to such land, such land being used for an essential governmental functionSECTION
16798 362. Notwithstanding any general or special law to the contrary, the Massachusetts Technology
16799 Collaborative shall conduct a review and evaluation of the feasibility and efficacy of managing
16800 and treating patients with specified chronic medical conditions using telehealth. The study shall
16801 include the cost effectiveness, quality improvements and hospital admission and readmission
16802 rates associated with utilizing telehealth in treating chronic medical conditions which require
16803 health care services of unusually high frequency, urgency, or duration. The evaluation may
16804 include a demonstration project in consultation with home health agencies and manufacturers of
16805 telehealth monitoring devices. The collaborative shall submit a final report and
16806 recommendations for use of telehealth technology, with any drafts of legislation necessary to
16807 carry out those recommendations into effect, by filing the same with the joint committee on
16808 health care financing and the house and senate committees on ways and means not later than July
16809 1, 2011.SECTION 363. Notwithstanding any general or special law to the contrary, the division
16810 of health care finance and policy shall conduct a review and evaluation of the tobacco use
16811 cessation treatment benefits included in policies of insurance for accident or sickness, or
16812 agreement for medical or health services available through the commonwealth care health
16813 insurance program established in chapter 118H of the General Laws and the group insurance
16814 commission established in chapter 32A. The evaluation shall examine the availability of said

16815 benefits, the consistency of benefits available to subscribers and the cost effectiveness of said
16816 benefits. The division shall submit a final report and recommendations for consistent benefit
16817 strategies, together with any drafts of legislation necessary to carry out those recommendations
16818 by filing the same with the joint committee on health care financing and the house and senate
16819 committees on ways and means not later than December 31, 2010. SECTION 364. (a)
16820 Notwithstanding sections 40E to 40J, inclusive, of chapter 7 of the General Laws or any other
16821 general or special law to the contrary, the commissioner of capital asset management and
16822 maintenance, in consultation with the department of conservation and recreation and the
16823 University of Massachusetts at Lowell, may convey to the city of Lowell, 3 parcels of land,
16824 generally shown as parcels 13, 22 and 25 in a plan entitled "Plan of the Road in the City of
16825 Lowell, Middlesex County, Bridge Replacement, University Avenue over the Merrimack River"
16826 on file with the city engineer of the city of Lowell.

16827 (b) The first parcel to be conveyed, parcel 22, contains approximately or 0.082 acres. The
16828 parcel is bounded by the line described as follows: beginning at a point, said point being
16829 $S60^{\circ}39'05''W$ and 82.92 feet from station 13+34.63 of the University Avenue baseline thence,
16830 turning and running $N53^{\circ}29'54''E$ 147.38 feet to a point said point also being $N60^{\circ}39'05''E$
16831 and 63.32 feet from station 13+52.98 of said baseline thence, turning and running $N40^{\circ}59'40''W$
16832 25.26 feet more or less to a point on the shoreline of the Northern Canal said point also being
16833 $N60^{\circ}39'05''E$ and 58.22 feet from station 13+77.71 of said baseline thence, turning and running
16834 by the shoreline of the Northern Canal 145 feet more or less to a point said point also being
16835 $S60^{\circ}39'05''W$ and 85.82 feet from station 13+57.74 of said baseline thence, turning and running
16836 $S36^{\circ}30'06''E$ 23.30 feet to the point of beginning.

16837 (c) The second parcel to be conveyed, parcel 25, contains approximately 0.289 acres. The
16838 parcel adjoins the southerly location line of the Veterans of Foreign Wars Highway of the 1949
16839 State Highway Layout (Layout No. 3648) and bounded by the line described as follows:
16840 beginning at a point, said point being S45°06'49"E and 41.50 feet from station 144+83.52 of said
16841 baseline thence, turning and running S45°06'49"E 9.69 feet to a point said point also being
16842 S45°06'49"E and 51.19 feet from station 144+83.52 of said baseline thence running
16843 N47°45'45"E 15.00 to a point of curvature said point also being S45°06'49"E and 51.95 feet
16844 from station 144+68.54 of said baseline thence running by a curve to the right having a radius of
16845 23.10 feet an arc distance of 41.48 feet said point of also being S45°06'49"E and 81.29 feet from
16846 station 144+47.47 of said baseline thence turning and running S29°20'55"E 115.95 feet more or
16847 less to a point on the shoreline of the Merrimack River said point being S45°06'49"E and 192.88
16848 feet from station 144+78.97 of said baseline and also S60°39'05"W and 50.00 feet from station
16849 17+80.78 of the University Avenue baseline, thence turning and running easterly along the
16850 shoreline of said Merrimack River 112 feet more or less to a point said point also being
16851 S45°06'49"E and 181.96 feet from station 143+67.96 of the Veterans of Foreign Wars Highway
16852 of the 1949 State Highway Layout (Layout No. 3648) baseline and also N60°39'05"E and 53.87
16853 feet from station 18+21.46 of the University Avenue baseline, thence turning and running
16854 N45°23'58"W 75.74 to a point on the southerly location line of the Veterans of Foreign Wars
16855 Highway of the 1949 State Highway Layout (Layout No. 3648) said point also being 106.23 feet
16856 from station 143+68.34 of said baseline and also N60°39'05"E and 32.93 feet from station
16857 18+94.24 of the University Avenue baseline.

16858 (d) The third parcel to be conveyed, parcel 13, contains approximately 0.118 acres. The
16859 parcel adjoins the northerly location line of the Veterans of Foreign Wars Highway of the 1949

16860 State Highway Layout (Layout No. 3648) and bounded by the line described as follows:
16861 beginning at a point, said point being N45°06'49"W and 55.01 feet from station 144+17.32 of
16862 the Veterans of Foreign Wars Highway of the 1949 State Highway Layout (Layout No. 3648)
16863 baseline and also S55°41'24"W and 54.10 feet from station 20+40.90 of the University Avenue
16864 baseline thence, turning and running by a curve to the left having a radius of 15.00 feet an arc
16865 distance of 20.74 feet to a point said point also being N45°06'49"W and 67.20 feet from station
16866 144+02.58 from the Veterans of Foreign Wars Highway of the 1949 State Highway Layout
16867 (Layout No. 3648) baseline and also S54°53'31"W and 41.81 feet from station 20+56.22 of the
16868 University Avenue baseline thence, turning and running by a curve to the left having a radius of
16869 986.45 feet an arc distance of 188.37 feet to a point said point also being S44°42'06"W and
16870 40.51 feet from station 22+51.86 of said University Avenue baseline thence, turning and running
16871 N45°16'43"W 8.55 feet to a point said point also being S44°37'45"W and 40.49 feet from station
16872 22+60.74 of said University Avenue baseline thence, turning and running N45°00'09"W 164.54
16873 feet to a point said point also being S44°37'45"W and 39.44 feet from station 24+25.00 of said
16874 University Avenue baseline thence turning and running N44°37'45"E 9.24 feet to a point on the
16875 westerly sideline of the University Avenue layout line said point also being S44°37'45"W and
16876 30.20 feet from station 24+25.00 of said University Avenue baseline.

16877 (e) The consideration for the conveyance shall be the full and fair market value of the
16878 parcels as determined by the commissioner of capital asset management and maintenance
16879 pursuant to 1 or more independent professional appraisals.

16880 (f) Notwithstanding any general or special law to the contrary, the inspector general shall
16881 review and approve the appraisal required pursuant to subsection (e). The inspector general shall
16882 prepare a report of his review of the methodology utilized for the appraisal and shall file the

16883 report with the commissioner of capital asset management and maintenance, the house and
16884 senate committees on ways and means and the joint committee on bonding, capital expenditures
16885 and state assets. The commissioner of capital asset management and maintenance shall, 30 days
16886 before the execution of any conveyance authorized by this section or any subsequent amendment
16887 thereto, submit the proposed conveyance or amendment and a report thereon to the inspector
16888 general for his review and comment. The inspector general shall issue his review and comment
16889 within 15 days after receipt of the proposed conveyance or amendment. The commissioner of
16890 capital asset management and maintenance shall submit the proposed conveyance or amendment
16891 and the reports and the comments of the inspector general, if any, to the house and senate
16892 committees on ways and means and the joint committee on bonding, capital expenditures and
16893 state assets at least 15 days before execution of the conveyance.

16894 (g) The city shall be responsible for all costs and expenses including, but not limited to,
16895 costs associated with any engineering, surveys, appraisals and deed preparation related to the
16896 conveyance authorized in this subsection (a) as such costs may be determined by the
16897 commissioner.

16898 SECTION 365 The searchable website created pursuant to section 14C of chapter 7 of
16899 the General Laws shall be accessible to the public on or before January 1, 2011 and shall contain
16900 data for fiscal year 2010; provided, that the requirement for the location of a recipient or agency
16901 receiving a state award in clause (1) of subsection (b) of said section 14C of said chapter 7 shall
16902 not take effect until July 1, 2011.

16903 SECTION 366. The searchable website created pursuant to section 14C of chapter 7 of
16904 the General Laws shall be accessible to the public not later than January 1, 2011, and shall

16905 contain data for fiscal year 2010; provided, that the requirement for the location of a recipient or
16906 agency receiving a state award under clause (1) of subsection (b) of said section 14C of said
16907 chapter 7 shall not take effect until July 1, 2011.

16908 SECTION 367. The first annual report required under subsection (k) of section 11C1/2 of
16909 chapter 25A of the General Laws shall be filed not later than January 1, 2012. The rules and
16910 procedures required under subsection (l) of said section 11C1/2 of said chapter 25A shall be filed
16911 not later than December 1, 2010.

16912 SECTION 368. Notwithstanding any general or special law to the contrary and except as
16913 expressly provided otherwise, sections 43, 48 and 50 shall apply only to employees who become
16914 members of a retirement system after January 1, 2011, sections 46 and 47 shall apply only to
16915 repayments and purchases of creditable service after January 1, 2011, and sections 49 and 68
16916 shall apply only to employees who are members of retirement systems who retire after January 1,
16917 2011.

16918 SECTION 369. Notwithstanding any general or special law to the contrary, no increases
16919 in allowances provided pursuant to sections 52, 53 and 66 shall take effect before January 1,
16920 2011.

16921 SECTION 370. Sections 2 and 3 of chapter 30C of the General Laws shall apply as
16922 follows:

16923 (1) on or after September 1, 2010, with respect to public employers, contractors, or
16924 subcontractors of 500 or more employees;

16925 (2) on or after September 1, 2011, with respect to public employers, contractors, or
16926 subcontractors of 100 or more employees; and

16927 (3) on or after September 1, 2012, with respect to all public employers, contractors or
16928 subcontractors.

16929 SECTION 371. Nothing in section clause (n1/2) of section 5 of chapter 614 of the acts of
16930 1968, inserted by section 218 shall apply to the person holding the office of commissioner of
16931 probation on the effective date of this act. SECTION 372. Sections 6, 14, 41, 55, 57 to 63,
16932 inclusive, 72 to 77, inclusive, and sections 176 shall take effect 90 days after the effective date of
16933 this act. SECTION 373. Sections 7, 15, 169, 170, 210, 215 and 248 shall take effect on July 1,
16934 2011.

16935 SECTION 374. Section 16 shall be effective for tax years beginning on or after January
16936 1, 2010, with respect to installment obligations as of the close of the tax year.

16937 SECTION 375. Section 56 shall take effect as of January 1, 2011.

16938 SECTION 376. Sections 84, 85, 93 and 97 shall take effect on January 1, 2011.

16939 SECTION 377. Section 100 shall take effect on July 1, 2012. SECTION 378. Section 159
16940 shall take effect on October 1, 2010.

16941 SECTION 379. Sections 159 and 160 shall apply retroactively to persons who, before the
16942 effective date of this act, have attained the age of 18 and have not yet reached the age of
16943 22. SECTION 380. Section 1 and sections 3 to 8, inclusive, of chapter 140B1/2 of the General
16944 Laws, inserted by section 171, shall take effect on July 1, 2011.

16945 SECTION 381. Section 2 of chapter 140B1/2 of the General Laws, inserted by said
16946 section 171, shall take effect on January 1, 2011. SECTION 382. Except as otherwise specified,
16947 this act shall take effect on July 1, 2010.