

HOUSE No. 3695

Message from His Excellency the Governor recommending legislation making appropriations for the fiscal year 2011 to provide for supplementing certain existing appropriations and for certain other activities and projects. August 25, 2011.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act making appropriations for the fiscal year 2011 to provide for supplementing certain existing appropriations and for certain other activities and projects.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make supplemental appropriations for fiscal year 2011 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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 supplementing certain items in the general appropriation act
2 and other appropriation acts for fiscal year 2011, the sums set forth in section 2 are hereby
3 appropriated from the General Fund unless specifically designated otherwise in this act or in
4 those appropriation acts, for the several purposes and subject to the conditions specified in this
5 act or in those appropriation acts, and subject to the laws regulating the disbursement of public
6 funds for the fiscal year ending June 30, 2011. These sums shall be in addition to any amounts
7 previously appropriated and made available for the purposes of those items.

8 SECTION 2.

9	STATE AUDITOR	
10	Office of the State Auditor	
11	0710-0000	\$874,830
12	ATTORNEY GENERAL	
13	Office of the Attorney General	
14	0810-0000	\$671,665
15	INSPECTOR GENERAL	
16	Office of the Inspector General	
17	0910-0200	\$709,394
18	OFFICE OF THE STATE COMPTROLLER	
19	Office of the State Comptroller	
20	1599-3384	\$2,000,000
21	EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE	
22	Office of the Secretary of Administration and Finance	
23	1599-4227	\$3,813,028
24	EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES	
25	Office of the Secretary of Health and Human Services	

26	4000-0300	\$3,000,000
27	Department of Public Health	
28	4510-0100	\$2,313,560
29	Department of Mental Health	
30	5046-0000	\$3,000,000
31	Department of Youth Services	
32	4200-0300	\$600,000
33	Department of Transitional Assistance	
34	4403-2000	\$8,200,000
35	Department of Children and Families	
36	4800-0015	\$1,580,000
37	4800-1100	\$650,000
38	Department of Developmental Services	
39	5920-2000	\$5,000,000
40	5920-3000	\$5,500,000
41	EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT	
42	Department of Workforce Development	

43 7002-0012 \$9,000,000

44 EXECUTIVE OFFICE OF EDUCATION

45 Department of Elementary and Secondary Education

46 7035-0002 \$5,000,000

47 SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to
48 provide for an alteration of purpose for current appropriations, and to meet certain requirements
49 of law, the sums set forth in this section are hereby appropriated from the General Fund unless
50 specifically designated otherwise in this section, for the several purposes and subject to the
51 conditions specified in this section, and subject to the laws regulating the disbursement of public
52 funds for the fiscal year ending June 30, 2011. These sums shall be in addition to any amounts
53 previously appropriated and made available for the purposes of those items.

54 OFFICE OF THE STATE COMPTROLLER

55 Office of the State Comptroller

56 1599-3393 For a reserve for the Hayes settlement \$5,000,000

57 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

58 Office of the Secretary of Administration and Finance

59 1599-0029 For a reserve to meet the fiscal year 2012 costs of employee training and
60 other economic benefits authorized by the collective bargaining agreement between the
61 commonwealth and service employees international union local 1199; provided, that the
62 secretary of administration and finance may transfer from the sum appropriated in this item to

63 other items of appropriation amounts that are necessary to meet these costs where the amounts
64 otherwise available are insufficient for the purpose; and provided further, that funds under this
65 item shall not revert but shall be made available for expenditure until June 30, 2012

66 \$1,000,000

67 1599-1706 For a reserve for the state share of costs to certain municipalities relating
68 to the June 1, 2011 storms; provided, that the comptroller shall transfer funds made available in
69 this item to municipalities for this purpose upon the written request of the secretary of
70 administration and finance \$10,000,000

71 1599-1707 For a reserve for the state share of costs to certain municipalities and
72 municipal lighting plants as identified by the Federal Emergency Management Agency for
73 Emergency Declaration 3296 relating to the December 2008 severe winter storm, for the counties
74 of Berkshire, Bristol, Essex, Franklin, Hampden, Hampshire, Middlesex, Suffolk and Worcester;
75 provided, that the comptroller shall transfer funds made available in this item to municipalities
76 for this purpose upon the written request of the secretary of administration and finance
77 \$6,200,000

78 1599-2013 For a reserve for costs associated with the Commonwealth's defense in the
79 case of Connor B., et al v. Patrick, et al, civil action No. 3:10-cv30073; provided, that the
80 secretary may transfer from the sum appropriated in this item to other items of appropriation
81 amounts that are necessary to meet these costs where the amounts otherwise available are
82 insufficient for the purpose. \$2,500,000

83 1599-3381 For a reserve to pay attorneys' fees in the lawsuit known as Hutchinson v.
84 Patrick, pending in the United States District Court. \$745,000

85 1599-4204 For a reserve to meet the fiscal year 2011 and 2012 costs of salary
86 adjustments and other economic benefits authorized by the collective bargaining agreement
87 between the Commonwealth and the State Police Association of Massachusetts \$4,509,518

88 1599-4252 For a reserve to meet the fiscal year 2011 and 2012 costs of salary
89 adjustments and other economic benefits authorized by the collective bargaining agreement
90 between the commonwealth and the Coalition for Public Safety, Unit 5 \$140,000

91 1599-4343 For a reserve to meet the fiscal year 2011 and fiscal year 2012 costs of
92 salary adjustments and other economic benefits authorized by the collective bargaining
93 agreement between the Suffolk county sheriff's department and the County Correction
94 Officers/AFSCME Local 414 \$293,950

95 1599-4430 For a reserve to meet the fiscal year 2011 and 2012 costs of salary
96 adjustments and other economic benefits authorized by the collective bargaining agreement
97 between the commonwealth and NAGE local 229 \$1,300,000

98 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

99 Office of the Secretary of Health and Human Services

100 4000-0114 For the purposes of establishing an EOHHS pilot program that would link
101 increased training to modest pay increases in order to reduce turnover rates; provided, that
102 EOHHS shall issue regulations for the administration and distribution of such funds and shall
103 submit said regulations to the House and Senate Committees on Ways and Means \$3,800,000

104 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

105 Department of Housing and Community Development

106 7004-0109 For a pilot program for stabilization services provided by regional
107 homeless networks, including programs designed to support and leverage HomeBASE; provided,
108 that this implementation shall be developed in collaboration with the interagency council to end
109 homelessness, as established in Executive Order 492 \$5,000,000

110 EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

111 Department of Career Services

112 7002-1500 For the operation of the commonwealth corps program \$500,000

113 SECTION 2C.I. For the purpose of making available in fiscal year 2012 balances of
114 appropriations which otherwise would revert on June 30, 2011, the unexpended balances of the
115 maintenance appropriations listed below, not to exceed the amount specified below for each
116 item, are hereby re-appropriated for the purposes of and subject to the conditions stated for the
117 corresponding item in section 2 of the general appropriation act for fiscal year 2011. However,
118 for items which do not appear in section 2 of the general appropriation act, the amounts in this
119 section are re-appropriated for the purposes of and subject to the conditions stated for the
120 corresponding item in section 2 or 2A of this act or in prior appropriation acts. Amounts in this
121 section are re-appropriated from the fund or funds designated for the corresponding item in
122 section 2 of the general appropriation act; provided, however, that for items which do not appear
123 in section 2 of the general appropriation act, the amounts in this section are re-appropriated from
124 the fund or funds designated for the corresponding item in section 2 or 2A of this act or in prior
125 appropriation acts. The sums re-appropriated in this section shall be in addition to any amounts
126 available for said purposes.

127 TREASURER AND RECEIVER-GENERAL

128	Lottery Commission	
129	0640-0000	\$815,000
130	SHERIFFS	
131	Essex Sheriff's Department	
132	8910-0619	\$21,578
133	STATE AUDITOR	
134	Office of the State Auditor	
135	0710-0000	\$874,830
136	ATTORNEY GENERAL	
137	Office of the Attorney General	
138	0810-0000	\$671,665
139	INSPECTOR GENERAL	
140	Office of the Inspector General	
141	0910-0200	\$709,394
142	OFFICE OF THE STATE COMPTROLLER	
143	Office of the State Comptroller	
144	1599-3384	\$2,000,000

145	1599-3393	\$5,000,000
146	EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE	
147	Office of the Secretary of Administration and Finance	
148	1100-1560	\$440,693
149	1599-0016	\$110,000
150	1599-0029	\$1,000,000
151	1599-1706	\$10,000,000
152	1599-1707	\$6,200,000
153	1599-2013	\$2,500,000
154	1599-3381	\$745,000
155	1599-4204	\$4,509,518
156	1599-4227	\$4,132,356
157	1599-4252	\$140,000
158	1599-4281	\$10,000
159	1599-4282	\$10,000
160	1599-4283	\$10,000
161	1599-4284	\$10,000

162	1599-4343	\$293,950
163	1599-4430	\$1,300,000
164	EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES	
165	Office of the Secretary of Health and Human Services	
166	4000-0114	\$3,800,000
167	4000-0300	\$3,000,000
168	Department of Public Health	
169	4510-0100	\$2,313,560
170	Department of Mental Health	
171	5046-0000	\$3,000,000
172	Department of Youth Services	
173	4200-0300	\$600,000
174	Department of Transitional Assistance	
175	4403-2000	\$8,200,000
176	Department of Children and Families	
177	4800-0015	\$1,580,000
178	4800-0038	\$500,000

179	4800-0041	\$2,500,000
180	4800-1100	\$2,000,000
181	Massachusetts Commission for the Deaf and Hard of Hearing	
182	4125-0100	\$90,000
183	Department of Developmental Services	
184	5920-2000	\$5,000,000
185	5920-3000	\$5,500,000
186	EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT	
187	Department of Housing and Community Development	
188	7004-0109	\$5,000,000
189	EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT	
190	Department of Workforce Development	
191	7002-0012	\$9,000,000
192	Department of Career Services	
193	7002-1500	\$500,000
194	EXECUTIVE OFFICE OF EDUCATION	
195	Department of Elementary and Secondary Education	

196 7035-0002 \$5,000,000

197 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

198 Office of the Secretary of Public Safety and Security

199 8000-0600 \$6,500

200 Department of State Police

201 8100-1001 \$2,700,000

202 Military Division

203 8700-0001 \$200,000

204 Parole Board

205 8950-0001 \$500,000

206 SECTION 2C.II. For the purpose of making available in fiscal year 2012 balances of
207 retained revenue and intragovernmental chargeback authorizations which otherwise would revert
208 on June 30, 2011, the unexpended balances of the authorizations listed below, not to exceed the
209 amount specified below for each item, are hereby re-authorized for the purposes of and subject to
210 the conditions stated for the corresponding item in section 2 or 2B of the general appropriation
211 act for fiscal year 2009. However, for items which do not appear in section 2 or 2B of the
212 general appropriation act, the amounts in this section are re-authorized for the purposes of and
213 subject to the conditions stated for the corresponding item in section 2, 2A, or 2B of this act or in
214 prior appropriation acts. Amounts in this section are re-authorized from the fund or funds
215 designated for the corresponding item in section 2 or 2B of the general appropriation act;

216 however, for items which do not appear in section 2 or 2B of the general appropriation act, the
217 amounts in this section are re-authorized from the fund or funds designated for the corresponding
218 item in section 2, 2A, or 2B of this act or in prior appropriation acts. The sums re-authorized in
219 this section shall be in addition to any amounts available for those purposes.

220 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

221 Office of the Secretary of Public Safety and Security

222 8000-0004 \$3,000,000

223 Municipal Police Training Committee

224 8200-0222 \$48,000

225 SECTION 2E. The sums set forth in this section are hereby appropriated for transfer
226 from the General Fund to the trust funds named within each item unless specifically designated
227 otherwise in this section, for the purposes and subject to the conditions specified in this section
228 and subject to the laws regulating the disbursement of public funds for the fiscal year ending
229 June 30, 2011. Items in this section shall not be subject to allotment under section 9B of chapter
230 29 of the General Laws or reduction under section 9C of said chapter 29, without express
231 authorization from the general court. Notwithstanding section 19A of said chapter 29, any
232 transfer under this section shall be made by the comptroller in accordance with a transfer
233 schedule to be developed for each item by the comptroller, after consulting with the appropriate
234 agency secretary, the secretary of administration and finance and the state treasurer. The
235 schedule for each appropriation shall provide for transfers in increments considered appropriate
236 to meet the cash flow needs of each fund and all transfers under the schedule shall be completed

237 not later than June 30, 2011. Not later than 7 days after the schedules receive final approval by
238 the comptroller, they shall be reported to the house and senate committees on ways and means.

239 OFFICE OF THE STATE COMPTROLLER

240 Office of the State Comptroller

241 1595-6583 For an operating transfer to the Infrastructure Development Fund

242 \$35,000,000

243 1595-6585 For an operating transfer to the Low Income Housing Tax Credit Fund

244 \$10,000,000

245 1599-0030 For an operating transfer to the Health Care Workforce Training

246 Fund..... \$15,000,000

247 1599-6584 For an operating transfer to the Innovation Investment and Access Fund

248 \$15,000,000

249 EXECUTIVE OFFICE OF EDUCATION

250 Department of Higher Education

251 7066-0035 For the support of the science, technology, engineering, and mathematics

252 grant fund established by section 2MMM of chapter 29 of the General Laws \$500,000

253 Authorize United States Treasury Reciprocal Offset Program

254 SECTION 3 . (A) Chapter 7A of the General Laws is hereby amended by adding the

255 following section: -

Section 19. (a) Notwithstanding any other general or special law to the contrary, the comptroller may enter into an agreement with the Secretary of the Treasury to participate in a reciprocal Treasury Offset Program pursuant to 31 U.S.C. section 3716 for the collection of any debts owed to the commonwealth or to state agencies from federal payments to vendors, contractors and taxpayers. The agreement may provide for the United States to submit non-tax debts owed to federal agencies for offset against state payments otherwise due and owing to taxpayers, vendors and contractors providing goods or services to the commonwealth, its departments, agencies or institutions.

(b) For purposes of this section the following words have the following meanings:

“Agreement” or “offset agreement” means the agreement between the comptroller and the Secretary of the Treasury authorized by this section.

“Debt” means a delinquent state tax or non-tax debt certified by the state treasurer or a federal non-tax debt certified by a federal official and shall include but shall not be limited to fines, fees, penalties and other non-tax assessments imposed by or payable to the commonwealth or federal government that are finally determined to be due and owing.

"Federal official" means a unit or official of the federal government charged with the collection of non-tax liabilities payable to the federal government and with the authority to enter into the offset agreement.

"Person" means an individual, vendor, contractor, partnership, society, association, joint stock company, limited liability company, corporation, estate, receiver, trustee, assignee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, or any combination of the foregoing.

278 “Refund” means an amount described as a refund of tax under the provision of the state
279 tax law that authorized its payment.

280 "State payments" shall include tax refunds and any vendor or contractor payments made
281 by the commonwealth to any person including expense reimbursements to an employee of the
282 commonwealth, provided that "state payments" do not include salary, wages, pension and any
283 other type, class or amount of payment as the comptroller determines to impact the health or
284 welfare of the citizens of the commonwealth.

285 (c) Pursuant to the agreement, a federal official may:

286 (1) certify to the comptroller the existence of a person's delinquent, non-tax debt owed by
287 the person to the federal government by providing:

288 (A) the full name and address of the person and any other names known to be used by the
289 person;

290 (B) the social security number or federal tax identification number;

291 (C) the amount of the federal non-tax liability; and

292 (D) a statement certifying that the debt is past due, that due process has been provided
293 and that the debt is legally enforceable in the amount certified, which may be provided in
294 procedures for certifying payments in the agreement.

295 (E) Any other information pursuant to the agreement;

296 (2) Request the comptroller to withhold any state payment to which the person is entitled;
297 and

298 (3) Retain a portion of the proceeds of any federal administrative setoff authorized by the
299 federal offset program.

300 (d) As required or permitted by state law, federal law or the offset agreement, the
301 comptroller:

302 (1) Shall determine if a person for whom a certification is received is due a state
303 payment;

304 (2) Shall withhold a state payment that is due a person whose name has been certified by
305 a federal official;

306 (3) Shall notify the person of the amount withheld in accordance with the offset
307 agreement;

308 (4) Shall pay to the federal official the lesser of:

309 (A) The entire state payment; or

310 (B) The amount certified; and

311 (C) Pay any refund or state payment in excess of the certified amount to the person less
312 any fee pursuant to subsection (e);

313 (D) If an individual filed a joint income tax return and the debt certified by a federal
314 official is not the liability of both parties to the joint income tax return, the comptroller may not
315 withhold or pay to the federal official that portion of the income tax refund attributable to the
316 individual not owing the debt. The comptroller and the commissioner of revenue shall adopt
317 procedures notifying parties to a joint income tax return of a proposed offset of a state income

318 tax refund for a debt certified by a federal official and shall allow the parties to such return 60
319 days to assert in writing that a portion of the income tax refund is attributable to the individual
320 not owing the debt. If no such assertion by a party to the joint return is made within 60 days of
321 notice, all of the income tax refund shall be deemed attributable to the individual owing the debt.

322 (5) May certify to a federal official a person's delinquent debt owed to the commonwealth
323 by providing the federal official:

324 (A) the full name and address of the person and any other names known to be used by the
325 person;

326 (B) the social security number or federal tax identification number;

327 (C) the amount of the liability; and

328 (D) a statement certifying that the debt is past due, that due process has been provided
329 and that the debt is legally enforceable in the amount certified, which may be provided in
330 procedures for certifying payments in the agreement.

331 (E) Any other information required by state statute or regulation applicable to the
332 collection of the debt by offset of federal payments;

333 (6) May request that the federal official withhold any federal vendor or other federal
334 payment pursuant to the offset agreement to which the person is entitled:

335 (A) The entire federal payment; or

336 (B) The amount certified; and

(C) Pay any refund or federal payment in excess of the certified amount to the person less any fee pursuant to subsection (e);

(e) The comptroller may, by rule, establish a reasonable administrative fee to be charged to the person for the provision of the state offset of a federal debt or the federal offset of a state debt. The fee is a separate debt and may be withheld from any refund, reimbursement or other monies held for the person. The comptroller may charge the person who is the subject of federal offset of a state debt, a fee equal to the fee authorized in subsection (c). Any state administrative fees may be retained by the comptroller, without further appropriation, for the costs of the intercept program, including reporting, and for costs associated with other revenue generation and cost savings initiatives as determined by the comptroller.

(f) The comptroller and the heads of the various state agencies may enter into interagency agreements for the purpose of protecting a person's return information as defined under state tax law and collecting debts, fees and penalties due the commonwealth, its departments, agencies or institutions.

(B) Section 1 of chapter 62D of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the numeral "29", in line 29, the following words:- , or any federal agency as certified by a federal official to the comptroller pursuant to section 19 of chapter 7A.

(C) Section 13 of said chapter 62D, as so appearing, is hereby amended by inserting after the numeral "29", in line 15, the following words:- , or any federal agency as certified by a federal official to the comptroller pursuant to section 19 of chapter 7A.

Accommodating Workforce Training Fund Receipt of Revenues

Section 3A. Subsection (a) of the section 2RR of chapter 29 of the General Laws, as amended by section 93 of chapter 3 of the acts of 2011, is hereby further amended by adding the following sentence:- For the purpose of accommodating discrepancies between the receipt of revenues and related expenditures, the director of career services may incur obligations and the comptroller may certify payment amounts not to exceed the most recent revenue estimate submitted by the department and approved by the comptroller; provided, however, that the fund shall be in balance by the close of each fiscal year.

Filing Change for Regulatory Small Business Impact Statements

SECTION 4. (A) Section 2 of chapter 30A of the General Laws is hereby amended by striking out the fourth paragraph, inserted by section 67 of chapter 240 of the acts of 2010, and inserting in place thereof the following paragraph:-

A small business impact statement shall be filed with the state secretary on the same day the notice is filed and shall accompany the notice. Notwithstanding section 6, the state secretary shall include the small business impact statement on the electronic website of the state secretary, and the statement may be inspected and copied in the office of the state secretary during business hours.

(B) Section 3 of said chapter 30A is hereby amended by striking out the fourth paragraph, inserted by section 68 of said chapter 240, and inserting in place thereof the following paragraph:-

A small business impact statement shall be filed with the state secretary on the same day the notice is filed and shall accompany the notice. Notwithstanding section 6, the state secretary shall include the small business impact statement on the electronic website of the state secretary,

and the statement may be inspected and copied in the office of the state secretary during business hours.

End State Police Quinn Benefits

SECTION 5. (A) Section 108L of chapter 41 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out, in lines 3 to 5, the words “, uniformed members of the department of state police appointed under said section ten, state police detectives appointed under section ten of said chapter twenty-two C”.

(B) The fifth paragraph of said section 108L of said chapter 41, as so appearing, is hereby amended by striking out the third sentence.

Allow “Evergreen” Clauses in Public-Sector Collective Bargaining Agreements

SECTION 6. (A) Subsection (a) of section 7 of chapter 150E of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding after the word “years”, in line 3, the following words:- ; but a provision in a collective bargaining agreement stating that the agreement’s terms remain in effect beyond 3 years while the parties negotiate a successor agreement shall be valid and enforceable.

(B) Subsection (A) shall apply retroactively to a collective bargaining agreement that contained a provision stating that the agreement’s terms remain in effect beyond 3 years while the parties negotiate a successor agreement but otherwise expired before the effective date of this act, unless the continued effectiveness of such an agreement was the subject of judicial proceedings pending on October 22, 2010 in a state or federal court in the commonwealth.

DCF Access to CPCS Indigency Forms

SECTION 7. Subsection (c) of section 2A of chapter 211D of the General Laws, as appearing in section 112 of chapter 68 of the acts of 2011, is hereby amended by adding the following paragraph:-

Upon request by the department of children and families, the commissioner of probation shall provide to the department a copy of a person's indigency intake form, final assessment of financial circumstances, and any report certifying that the person either continues to meet or no longer meets the definition of indigency prepared by the chief probation officer in accordance with this section. The department shall use these forms and reports for the purpose of completing eligibility determinations under Title IV-E of the Social Security Act and for no other purpose. The commissioner of probation and the commissioner of children and families shall jointly determine the process by which the department of children and families shall obtain and maintain these forms and reports. The department of children and families shall not make, and shall prohibit, any dissemination of such information for any purpose other than those set forth in this paragraph.

Mass. Service Alliance to Administer Commonwealth Corps

SECTION 8. Chapter 192 of the acts of 2007 is hereby amended by striking out sections 5 to 11, inclusive, and inserting in place thereof the following 4 sections:-

Section 5. As used in sections 5 to 11, inclusive, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

"Corps members", individuals who commit to service in the commonwealth corps pursuant to this act.

“Corps projects”, programs established pursuant to this act to satisfy unmet community needs.

“Corps sponsors”, non-profit and public entities that participate in corps projects.

“Massachusetts Service Alliance,” or “MSA”, the non-profit organization which administers the commonwealth corps program.

“Unmet community needs”, needs including, but not limited to, those pertaining to education, public health, public safety, the environment and other human needs in underserved populations and areas in the commonwealth.

Section 6. (a) Subject to the receipt of adequate funding by the commonwealth or other sources, there shall be a commonwealth corps.

(b) The commonwealth corps shall be composed of corps members who will commit to no more than 12 months of full-time, part-time or flex-time service to the commonwealth to address unmet community needs.

(c) Corps members shall be residents of the commonwealth who are at least 18 years of age. Members shall be the responsibility of the corps sponsors with support from the MSA. Corps members shall undertake meaningful service projects addressing unmet community needs in areas including, but not limited to, the environment, education, health and basic human services and may serve full or part-time; but, members having direct contact with minor children or vulnerable adults shall be required to pass a background check.

(d) The MSA and the corps sponsors shall, to the extent practicable, ensure that corps members are placed with corps projects that match their interests, geographic constraints, skills

and abilities. Corps sponsors may enroll individuals who choose to defer a stipend to serve as a corps member. Corps sponsors shall seek to enroll individuals who are economically, geographically, ethnically, socially, physically or educationally diverse.

(e) A corps member shall not be subject to chapter 31 or chapter 30, section 9A of the General Laws. Corps members shall not be considered to be an employee of the commonwealth entitled to the benefit of chapter 152 of the General Laws, nor shall a corps member be considered to be an employee of the commonwealth for any other purpose.

Section 7. (a) The MSA shall administer the commonwealth corps and in so doing shall:

- (1) provide the personnel necessary to carry out the purposes of this chapter; (2) recruit corps sponsors; (3) coordinate among agencies of the commonwealth and other organizations using community service and volunteerism as a strategy to assist in the solution of local, regional and statewide problems; (4) initiate studies and analyses of proposed and implemented service and volunteer projects, which will aid in solving local, regional and statewide problems; (5) recommend expansion of corps opportunities to address all community needs, such as education, environment, public safety, public health and employment and training; (6) encourage the corporate community of the commonwealth to become an active partner in the support, advocacy and promotion of community service and volunteer opportunities in the commonwealth; (7) develop a grant application and selection process using the criteria set forth in subsection (b) for non-profit organizations and public entities, including schools and educational institutions, seeking to participate in the commonwealth corps; (8) review grant applications from non-profit organizations and public entities, including schools and educational institutions and selecting grant awardees; (9) establish criteria and procedures for recruiting residents of the commonwealth who are 18 years or older to serve as corps members; (10) establish procedures

for matching and placing corps members with corps projects; (11) establish personnel policies and procedures for corps members; (12) determine the appropriate financial match support levels by private business, community groups, foundations, public agencies and individuals; (13) assist corps sponsors in the development of scholarships and matching funds from private businesses, community groups, foundations, public agencies and individuals in order to support a portion of a corps member's stipend and benefits; and (14) monitor corps members and corps sponsors for compliance with all state and federal laws and funding agreements.

(b) The MSA shall give projects meeting the following criteria preference: (1) projects addressing a well-established unmet community need; (2) projects articulating measurable goals, including an assessment of the impact on the corps members and on the targeted community; (3) projects providing services to communities and organizations throughout the commonwealth; (4) projects not using corps members to replace previously budgeted positions or to reduce overtime, hours of work or opportunities for advancement for employees or members of corps sponsors; and (5) projects falling within 1 or both of the following categories: (i) direct service projects that give corps members opportunities to provide direct services addressing unmet community needs including, but not limited to, tutoring or mentoring, providing health care education, providing services to the homeless, enhancing historic, cultural, and natural resources of the commonwealth, enhancing environmental restoration, enhancing emergency preparedness and response; or (ii) volunteer-generating projects that give corps members the opportunity to recruit, train and support volunteers to participate in civic projects and to meet unmet community needs.

Section 8. The MSA shall file with the governor, on or before January 1 and on or before July 1 of each year, a report, which shall include but not be limited to the following: (1) a financial statement summarizing its expenditures and available funds; (2) the number of projects

and proposed placements submitted to it; (3) the number of volunteers assigned to corps sponsors; (4) the number of hours served by corps members; (5) the number of beneficiaries served by corps projects; (6) a description of corps projects and a summary of the work completed; (7) a measure of outputs and outcomes; and (8) information on other pertinent service data as may be determined by the governor.

Highway Fund Accounts Change

SECTION 9. Section 2 of chapter 131 of the acts of 2010 is hereby amended by striking out the figure “0340-0101” and inserting in place thereof the following figure:- 0340-0198.

SECTION 10. Said section 2 of said chapter 131 is hereby further amended by striking out the figure “0340-0201” and inserting in place thereof the following figure:-0340-0298.

SECTION 11. Said section 2 of said chapter 131 is hereby further amended by striking out the figure “0340-0301” and inserting in place thereof the following figure:- 0340-0398.

SECTION 12. Said section 2 of said chapter 131 is hereby further amended by striking out the figure “0340-0401” and inserting in place thereof the following figure:- 0340-0498.

SECTION 13. Said section 2 of said chapter 131 is hereby further amended by striking out the figure “0340-0501” and inserting in place thereof the following figure:- 0340-0598.

SECTION 14. Said section 2 of said chapter 131 is hereby further amended by striking out the figure “0340-0601” and inserting in place thereof the following figure:-0340-0698.

SECTION 15. Said section 2 of said chapter 131 is hereby further amended by striking out the figure “0340-0701” and inserting in place thereof the following figure:- 0340-0798.

510 SECTION 16. Said section 2 of said chapter 131 is hereby further amended by striking
511 out the figure “0340-0801” and inserting in place thereof the following figure:- 0340-0898.

512 SECTION 17. Said section 2 of said chapter 131 is hereby further amended by striking
513 out the figure “0340-0901” and inserting in place thereof the following figure:- 0340-0998.

514 SECTION 18. Said section 2 of said chapter 131 is hereby further amended by striking
515 out the figure “0340-1001” and inserting in place thereof the following figure:- 0340-1098.

516 SECTION 19. Said section 2 of said chapter 131 is hereby further amended by striking
517 out the figure “0340-1101” and inserting in place thereof the following figure:- 0340-1198.

518 SECTION 20. Said section 2 of said chapter 131 is hereby further amended by striking
519 out the figure “0699-0016” and inserting in place thereof the following figure:- 0699-0014.

520 SECTION 21. Said section 2 of said chapter 131 is hereby further amended by striking
521 out the figure “0699-2004” and inserting in place thereof the following figure:- 0699-2005.

522 SECTION 22. Said section 2 of said chapter 131 is hereby further amended by striking
523 out the figure “0810-0007” and inserting in place thereof the following figure:- 0810-0098.

524 SECTION 23. Said section 2 of said chapter 131 is hereby further amended by striking
525 out the figure “8000-0000” and inserting in place thereof the following figure:- 8000-0600.

526 SECTION 24. Said section 2 of said chapter 131 is hereby further amended by striking
527 out the figure “8100-0000” and inserting in place thereof the following figure:- 8100-1001.

528 SECTION 25. Said section 2 of said chapter 131 is hereby further amended by striking
529 out the figure “8100-0011” and inserting in place thereof the following figure:- 8100-0018.

530 SECTION 26. Section 2 of chapter 68 of the acts of 2011 is hereby amended by striking
531 out the figure “0340-0101” and inserting in place thereof the following figure:- 0340-0198.

532 SECTION 27. Said section 2 of said chapter 68 is hereby further amended by striking out
533 the figure “0340-0201” and inserting in place thereof the following figure:-0340-0298.

534 SECTION 28. Said section 2 of said chapter 68 is hereby further amended by striking out
535 the figure “0340-0301” and inserting in place thereof the following figure:- 0340-0398.

536 SECTION 29. Said section 2 of said chapter 68 is hereby further amended by striking out
537 the figure “0340-0401” and inserting in place thereof the following figure:- 0340-0498.

538 SECTION 30. Said section 2 of said chapter 68 is hereby further amended by striking out
539 the figure “0340-0501” and inserting in place thereof the following figure:- 0340-0598.

540 SECTION 31. Said section 2 of said chapter 68 is hereby further amended by
541 striking out the figure “0340-0601” and inserting in place thereof the following figure:-0340-
542 0698.

543 SECTION 32. Said section 2 of said chapter 68 is hereby further amended by striking out
544 the figure “0340-0701” and inserting in place thereof the following figure:- 0340-0798.

545 SECTION 33. Said section 2 of said chapter 68 is hereby further amended by striking out
546 the figure “0340-0801” and inserting in place thereof the following figure:- 0340-0898.

547 SECTION 34. Said section 2 of said chapter 68 is hereby further amended by striking out
548 the figure “0340-0901” and inserting in place thereof the following figure:- 0340-0998.

549 SECTION 35. Said section 2 of said chapter 68 is hereby further amended by striking out
550 the figure “0340-1001” and inserting in place thereof the following figure:- 0340-1098.

551 SECTION 36. Said section 2 of said chapter 68 is hereby further amended by striking out
552 the figure “0340-1101” and inserting in place thereof the following figure:- 0340-1198.

553 SECTION 37. Said section 2 of said chapter 68 is hereby further amended by striking out
554 the figure “0699-0016” and inserting in place thereof the following figure:- 0699-0014.

555 SECTION 38. Said section 2 of said chapter 68 is hereby further amended by striking out
556 the figure “0699-2004” and inserting in place thereof the following figure:- 0699-2005.

557 SECTION 39. Said section 2 of said chapter 68 is hereby further amended by striking out
558 the figure “0810-0007” and inserting in place thereof the following figure:- 0810-0098.

559 SECTION 40. Said section 2 of said chapter 68 is hereby further amended by striking out
560 the figure “8000-0000” and inserting in place thereof the following figure:- 8000-0600.

561 SECTION 41. Said section 2 of said chapter 68 is hereby further amended by striking out
562 the figure “8100-0000” and inserting in place thereof the following figure:- 8100-1001.

563 SECTION 42. Said section 2 of said chapter 68 is hereby further amended by striking out
564 the figure “8100-0011” and inserting in place thereof the following figure:- 8100-0018.

565 Bristol County Sheriff Retained Revenue

566 SECTION 43. Item 8910-8310 of said section 2 of said chapter 131 is hereby amended
567 by striking out the figure "\$8,000,000", inserted by section 25 of chapter 409 of the acts of 2010,

568 wherever it appears, and inserting in place thereof in each instance the following figure:-

569 \$9,495,000

570 HRD Civil Service Retained Revenue

571 SECTION 44. Item 1750-0102 of section 2 of chapter 68 of the acts of 2011 is hereby
572 amended by striking out the figure “\$2,056,966”, both times it appears, and inserting in place
573 thereof, in each instance, the following figure:- \$2,700,000.

574 SAVE Funding

575 SECTION 45. (A) Item 4000-0300 of said section 2 of said chapter 68 is hereby further
576 amended by adding the following words:- ; and provided further, that funds may be expended for
577 the purposes of implementing the federal Systematic Alien Verification for Entitlements, or
578 SAVE, system.

579 DHCFP Funding

580 SECTION 46. (A) Said section 2 of said chapter 68 is hereby further amended by striking
581 out item 4100-0059.

582 (B) Item 4100-0060 of said section 2 of said chapter 68 is hereby amended by striking out
583 the words “between July 1, 2011 and December 31, 2011”.

584 (C) Said item 4100-0060 of said section 2 of said chapter 68 is hereby further amended
585 by striking out the figure “\$10,578,754” and inserting in place thereof the following figure:-
586 \$21,157,507.

587 DCF Transferability

SECTION 47. (A) Item 4800-0015 of said section 2 of said chapter 68 is hereby amended by striking out the words “; and provided further, that no funds shall be transferred from 4800-0040 to any of those items”.

(B) Said item 4800-0015 of said section 2 of said chapter 68 is hereby further amended by adding the following words:- ; and provided further, that the commissioner of the department of children and families may transfer funds into item 4800-0030 from 4800-0038, 4800-0040 and 4800-0041 as necessary under an allocation plan which shall detail, by object class, the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means 15 days prior to any such transfer”.

State Police Training

SECTION 48. (A) Said section 2 of said chapter 68 is hereby amended by striking out item 8100-0011 and inserting in place thereof the following item:-

8100-0011 For the department of state police, which may expend an amount not to exceed \$4,100,000 for certain police activities provided pursuant to agreements authorized in this item; provided, that for fiscal year 2012, the colonel of state police may enter into service agreements with the commanding officer or other person in charge of a military reservation of the United States located in the Massachusetts Development Finance Agency, established in chapter 23G of the General Laws; provided further, that such agreements shall establish the responsibilities pertaining to the operation and maintenance of police services including, but not limited to: (a) provisions governing payment to the department for the cost of regular salaries, overtime, retirement, and other employee benefits; and (b) provisions governing payment to the department for the cost of furnishings and equipment necessary to provide such police services;

610 provided further, that the department may charge any recipients of police services for the cost of
611 such services, as authorized by this item; provided further, that the department may retain the
612 revenue so received and expend such revenue as necessary pursuant to this item to provide the
613 agreed level of services; provided further, that the colonel may enter into service agreements as
614 may be necessary to enhance the protection of persons, as well as assets and infrastructure
615 located within the commonwealth, from possible external threat or activity; provided further, that
616 such agreements shall establish the responsibilities pertaining to the operation and maintenance
617 of police services including, but not limited to: (a) provisions governing payment to the
618 department for the cost of regular salaries, overtime, retirement, and other employee benefits;
619 and (b) provisions governing payment to the department for the cost of training and /or
620 equipment necessary to provide such police services; provided further, that the department may
621 charge any recipients of police services for the cost of such services, as authorized by this item;
622 provided further, that the department may retain the revenue so received and expend such
623 revenue as necessary pursuant to this item to provide the agreed level of services; provided
624 further, that the colonel may expend from this item costs associated with joint federal and state
625 law enforcement activities from federal reimbursements received therefore; and provided further,
626 that notwithstanding any general or special law to the contrary, for the purposes of
627 accommodating discrepancies between the receipt of retained revenues and related expenditures,
628 the department may incur expenses and the comptroller may certify for payment amounts not to
629 exceed the lower of this authorization or the most recent revenue estimate as reported in the state
630 accounting system \$4,100,000

631 (B) Said section 2 of said chapter 68 is hereby further amended by striking out item 8100-
632 0515 and inserting in place thereof the following item:-

633 8100-0515 For trainee salary, salary-related and medical expenses, including mental
634 and medical health screening, and for the operating and clerical costs associated with the
635 Massachusetts State Police Academy for the purpose of hiring and training state police recruits to
636 maintain the strength of the department of state police \$2,000,000

637 DOC Retained Revenue Correction

638 SECTION 49. Item 8900-0010 of said section 2 of said chapter 68 is hereby amended by
639 striking out the words “amounts collected” and inserting in place thereof the following words:- to
640 the comptroller the amounts to be transferred from the Commonwealth Transportation Fund to
641 the department of correction revenue source 9000.

642 Senior Care Options Notification

643 SECTION 50. The executive office of health and human service shall provide to each
644 beneficiary age 65 and over a one-time notice of options available for enrollment in voluntary
645 programs including Program of All Inclusive Care for the Elderly plans, MassHealth Senior Care
646 Options, Frail Elder Home and Community Based Waiver Program and any other voluntary
647 elected benefit to which the beneficiary is entitled to supplement or replace such beneficiary’s
648 MassHealth benefits. The executive office shall include in the notice the names and contact
649 information for the program providers, general contact information for the division and a general
650 description of the benefits of joining particular programs. The notice shall be written in clear and
651 simple language and shall include instructions for requesting a copy of such notice in a language
652 other than English. The notice shall include a method for the beneficiary to request from the
653 executive office additional information on any program described in the notice. Before the
654 content and format of the annual notice is finalized, the executive office shall forward the

proposed draft for review and comment to the program providers. The executive office shall work with the program providers and other appropriate stakeholders to assess whether, and to what extent, barriers to program enrollment shall be alleviated through modifications to the program or the enrollment process.

CPCS Transferability

SECTION 51. Notwithstanding any general or special law to the contrary, at the request of the committee for public counsel services, with written approval of the secretary of administration and finance, the comptroller shall allow the transfer of funds at any time from item 0321-1510 to item 0321-1520 for the purpose of reducing any deficiency in the latter appropriation. All such transfers, in aggregate, shall not exceed \$3,200,000 and shall be effective for fiscal year 2011.

Balance Remaining in Workforce Training Trust Fund

SECTION 52. Notwithstanding any general or special law to the contrary, any unexpended funding made available under item 7003-0701 of section 2 of chapter 131 of the acts of 2010 shall not revert, but shall remain available for expenditure from the Workforce Training Trust Fund, established by section 2RR of chapter 29 of the General Laws.

MDDC Waiver

SECTION 53. Notwithstanding any general or special law to the contrary, the budget director may waive up to \$86,000 in costs that would otherwise be collected by the state comptroller from the Massachusetts developmental disabilities council under sections 5D and 6B of chapter 29 of the General Laws. The waiver shall be in writing and the budget director shall

provide copies to the house and senate committees on ways and means. The waiver shall be solely for the purpose of state match funding for federal grant awards received from the National Association of Councils on Developmental Disabilities. The waiver shall be effective until June 30, 2012.

Health Care Workforce Training Fund

SECTION 54. There shall be established and set up on the books of the commonwealth a fund to be known as the Health Care Workforce Training Fund. The fund shall be used to provide employment and training opportunities for health care employees. The secretary of administration and finance shall serve as the fund's trustee and may, in consultation with the secretary of labor and workforce development, make expenditures or transfer funds to other departments for the purposes of providing additional employment and training opportunities for health care workers in the commonwealth.

The fund shall support the distribution of state incentive grants to selected health systems, non-profit organizations, labor unions, labor-industry partnerships and others. Such grants shall incentivize cooperative efforts with the healthcare workforce to better align education programs with industry needs, and to provide job retraining, career ladder and/or educational services. The fund shall support programs for current healthcare workforce employees and healthcare workers who are seeking new positions or placements within the health care industry. The fund shall supplement and not replace existing publicly-financed training and educational programs available for the healthcare workforce.

The fund shall be credited with any appropriations, bond proceeds or other monies authorized by the general court and specifically designated to be credited to it, such additional

funds as are subject to the direction and control of the secretary, any pension funds, federal grants or loans, royalties or private investment capital which may properly be applied in furtherance of the objectives of the fund, any proceeds from the sale of qualified investments secured or held by the fund, any fees and charges imposed relative to the making of qualified investments as defined by the secretary, secured or held by the fund and any other monies which may be available to the secretary for the purposes of the fund from any other source or sources.

This fund shall be in effect until June 30, 2014.

Low Income Housing Tax Credit Fund

SECTION 55. There shall be established and set up on the books of the commonwealth a fund to be known as the state low income housing tax credit fund. The commissioner of revenue shall serve as the fund's trustee. Funds made available for this fund shall only be used for the purpose of offsetting General Fund costs associated with the state low income housing tax credit claimed annually by eligible taxpayers in the commonwealth. By June 30 of every fiscal year during which this fund is effective, the commissioner shall determine the projected costs to the state of the state low income housing tax credit within the fiscal year and request that the comptroller transfer funding from the fund to the General Fund in an amount not to exceed the projected costs, but no such transfer shall be processed without the written approval of the secretary of administration and finance. The aggregate amount of transferred funds for all fiscal year during which the fund is effective shall not exceed \$10,000,000. The fund shall remain in effect until June 30, 2014.

Infrastructure Development Fund

SECTION 56. There shall be established and set up on the books of the commonwealth a fund to be known as the Infrastructure Development Fund. The secretary of housing and economic development shall serve as the fund's trustee. The fund is created for purpose of creating jobs and stimulating economic development in the commonwealth through infrastructure-related investments made by the secretary of housing and economic development in consultation with the secretary of transportation. Allowable purposes of this fund shall include shovel-ready infrastructure projects including, but not limited to, transit and highway projects, business expansion and redevelopment use and other related projects found by the secretary of housing and economic development to create economic opportunity and jobs both directly and indirectly across the state. Funds may be used by the secretary of housing and economic development to support matching funds for certain capital expenditures which are sponsored by higher education institutions for scientific or technology research and development. No funds shall be expended from this fund, including any spending by the secretary of housing and economic development for the oversight of the fund, without the written approval of the secretary of administration and finance. This fund shall remain in effect until June 30, 2013.

Projects that are eligible under this fund include, up to \$5,000,000 for infrastructure supporting downtown redevelopment in Quincy; up to \$1,250,000 for Main Street streetscape improvements in the town of Bourne; up to \$3,000,000 for infrastructure to support the redevelopment of the Dever School in the city of Taunton; up to \$2,000,000 for the Acushnet Avenue International Marketplace in the city of New Bedford; up to \$750,000 for the reconstruction of Dicks Brook culvert and downtown streetscape improvements in the town of Barre; up to \$2,500,000 for rehabilitation of downtown parking structure in the city of Pittsfield; up to \$1,300,000 for downtown revitalization and streetscape improvements in the town of

742 Randolph; up to \$1,000,000 for Everett Avenue reconstruction in the city of Chelsea; up to
743 \$2,500,000 for downtown revitalization and sewer improvements in the town Easton; up to
744 \$2,200,000 for construction of an access road at Holyoke Community College in the city of
745 Holyoke; up to \$1,250,00 for road and infrastructure improvements to support downtown
746 revitalization in the town of Amesbury; up to \$1,550,000 for Commerce Way improvements in
747 the town of Plymouth; up to \$2,000,000 for infrastructure improvements to support
748 redevelopment of Greylock Glen in the town of Adams; up to \$1,000,000 for the restoration of
749 rail crossing and the towns of Hopedale and Milford; up to \$2,000,000 for the Route 1 water
750 main relocation in the town Saugus; up to \$1,000,000 for the Merrimack Street parking facility
751 and streetscape improvements for the town of Haverhill; up to \$1,200,000 for South End
752 streetscape improvements in the city of Springfield; up to \$1,500,000 for public infrastructure
753 improvements at Northwest Park in the town of Burlington; up to \$500,000 for the Ingelside
754 Park revitalization in the town of Winthrop; and up to \$1,500,000 for downtown streetscape
755 improvements in the city of Brockton.

756 Innovation Investments and Access Fund

757 SECTION 57. There shall be established and set up on the books of the commonwealth a
758 fund to be known as the Innovation Investments and Access Fund. The secretary of housing and
759 economic development shall serve as the fund's trustee. The fund is created for the purpose of
760 supporting innovation across the commonwealth through investments that target growth
761 industries that will create jobs. Allowable purposes of this fund shall include targeted
762 investments by the secretary, including through other state departments or quasi-public agencies
763 where, in his determination, the state has a great opportunity for economic growth and business
764 development. No funds shall be expended from this fund, including any spending by the

765 secretary of housing and economic development for the oversight of the fund, without the written
766 approval of the secretary of administration and finance. This fund shall remain in effect until
767 June 30, 2013.