

**SENATE . . . . . No. 1920**

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Senate, Thursday, May 26, 2011– Text of the Senate amendments to the House Bill making appropriations for the fiscal year 2012 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. 3401).

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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An Act Senate, Thursday, May 26, 2011– Text of the Senate amendments to the House Bill making appropriations for the fiscal year 2012 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. 3401)..

*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 operations of the several departments, boards,  
2           commissions and institutions of the commonwealth and other services of the commonwealth, and  
3           for certain permanent improvements and to meet certain requirements of law, the sums set forth  
4           in sections 2, 2B, 2D, 2E and 3, for the several purposes and subject to the conditions specified  
5           in sections 2, 2B, 2D, 2E and 3, are hereby appropriated from the General Fund unless  
6           specifically designated otherwise, subject to the provisions of law regulating the disbursement of  
7           public funds and the approval thereof for the fiscal year ending June 30, 2012. All sums  
8           appropriated under this act, including supplemental and deficiency budgets, shall be expended in  
9           a manner reflecting and encouraging a policy of nondiscrimination and equal opportunity for  
10          members of minority groups, women and handicapped persons. All officials and employees of an  
11          agency, board, department, commission or division receiving monies under this act shall take

12 affirmative steps to ensure equality of opportunity in the internal affairs of state government, as  
13 well as in their relations with the public, including those persons and organizations doing  
14 business with the commonwealth. Each agency, board, department, commission or division of  
15 the commonwealth, in spending appropriated sums and discharging its statutory responsibilities,  
16 shall adopt measures to ensure equal opportunity in the areas of hiring, promotion, demotion or  
17 transfer, recruitment, layoff or termination, rates of compensation, in-service or apprenticeship  
18 training programs and all terms and conditions of 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, 2012 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

33 Fiscal Year 2012 Revenue by Source and Budgeted Fund (in Millions)

	Source All Budgeted Funds*	General Fund	Commonwealth	Transportation Fund		
	Massachusetts Tourism	Other**				
34						
35						
36						
37	Alcohol. Bev.	\$73.1	\$73.1	\$0.0	\$0.0	\$0.0
38	Cigarettes	\$445.6	\$445.6	\$0.0	\$0.0	\$0.0
39	Corporations	\$1,763.2	\$1,763.2	\$0.0	\$0.0	\$0.0
40	Deeds	\$120.6	\$120.6	\$0.0	\$0.0	\$0.0
41	Estate Inheritance	\$226.9	\$226.9	\$0.0	\$0.0	\$0.0
42	Financial Institutions	\$47.6	\$47.6	\$0.0	\$0.0	\$0.0
43	Income	\$11,577.8	\$11,577.8	\$0.0	\$0.0	\$0.0
44	Insurance	\$339.9	\$339.9	\$0.0	\$0.0	\$0.0
45	Motor Fuels	\$688.3	\$0.0	\$687.4	\$0.0	\$0.9
46	Public Utilities	-\$0.6	-\$0.6	\$0.0	\$0.0	\$0.0
47	Room Occupancy	\$119.4	\$77.6	\$0.0	\$41.8	\$0.0
48	Sales-Regular	\$3,574.9		\$3,354.7	\$220.2	\$0.0
49	Sales-Meals	\$848.4	\$796.1	\$52.3	\$0.0	\$0.0
50	Sales-Motor Vehicles		\$663.4	\$622.5	\$40.9	\$0.0
51	Miscellaneous	\$16.5	\$16.5	\$0.0	\$0.0	\$0.0

52	UI Surcharges	\$19.9	\$0.0	\$0.0	\$0.0	\$19.9	
53	Total Consensus Tax Revenues:		\$20,525.0	\$19,461.7	\$1,000.8	\$41.8	
54	\$20.8						
55							
56	Transfer to School Modernization and Reconstruction Trust (SMART) Fund						-
57	\$678.1	-\$678.1					
58	Transfer to MBTA State and Local Contribution Fund				-\$779.6	-\$779.6	
59							
60	Transfer to Pension Reserves Investment Trust Fund				-\$1,478.0	-\$1,478.0	
61							
62	Transfer to workforce Training Fund	-\$19.9				-\$19.9	
63							
64	Total Consensus Tax Revenue for Budget:	\$17,569.4	\$16,525.9	\$1,000.8			
65	\$41.8	\$0.9					
66							
67	Revenue Changes						
68	Delay of FAS 109	\$45.9	\$45.9	\$0.0	\$0.0	\$0.0	
69	Tax Revenue Enhancements	\$66.5	\$66.5	\$0.0	\$0.0	\$0.0	
70							

71	Total Taxes Available for Budget:	\$17,681.8	\$16,638.2	\$1,000.8	\$41.8
72	\$0.9				
73					
74	Non-Tax Revenue				
75	Federal Reimbursements	\$7,854.6	\$7,848.4	\$0.0	\$6.2
76	Departmental Revenue	\$2,851.9	\$2,310.5	\$525.0	\$16.4
77	Consolidated Transfers	\$1,961.6	\$2,139.5	\$33.0	-\$210.8
78	GRAND TOTAL	\$30,349.9	\$28,936.6	\$1,558.8	-\$187.0

79 \* Includes revenue deposited into and transfers out of the Workforce Training Fund,  
80 Mass Tourism Fund, Inland Fish and Game Fund, Marine Recreational Fisheries Development  
81 Fund and Stabilization Fund.

82 \*\* Includes tax revenue into the Workforce Training Fund, the Mass Tourism Fund and  
83 the Inland Fish and Game Fund

84 SECTION 1B. The comptroller shall keep a distinct account of actual receipts of non-tax  
85 revenues by each department, board, commission or institution to furnish the executive office for  
86 administration and finance and the house and senate committees on ways and means with  
87 quarterly statements comparing such receipts with projected receipts set forth herein and to  
88 include a full statement comparing such receipts with projected receipts in the annual report for  
89 such fiscal year pursuant to section 13 of chapter 7A of the General Laws. The quarterly and

90 annual reports shall also include detailed statements of any other sources of revenue for the  
91 budgeted funds in addition to those specified in this section.

92 Non-Tax Revenue: Department Summary

93	Revenue Source	Unrestricted	Restricted	Total	
94	Judiciary				
95	Supreme Judicial Court	\$2,974,865	\$0	\$2,974,865	
96	Committee for Public Counsel		\$4,027,926	\$8,900,000	\$12,927,926
97	Appeals Court \$448,538	\$0	\$448,538		
98	Trial Court	\$63,041,500	\$53,000,000	\$116,041,500	
99	TOTAL:	\$70,492,829	\$61,900,000	\$132,392,829	

100 District Attorneys

101	District Attorney's Association		\$0	\$344,790	\$344,790
102	District Attorney Middle	\$100	\$0	\$100	
103	TOTAL:	\$100	\$344,790	\$344,890	

104 Secretary of the Commonwealth

105	Secretary of the Commonwealth		\$202,180,397	\$30,000	\$202,210,397
106	TOTAL:	\$202,180,397	\$30,000	\$202,210,397	

107 Treasurer and Receiver-General

108	Office of the Treasurer	\$360,990,490	\$20,000,000	\$380,990,490
109	State Lottery Commission	\$175,584,087	\$812,694,829	\$988,278,916
110	TOTAL:	\$536,574,577	\$832,694,829	\$1,369,269,406
111	Attorney General			
112	Office of the Attorney General	\$38,186,492	\$775,000	\$38,961,492
113	TOTAL:	\$38,186,492	\$775,000	\$38,961,492
114	Inspector General			
115	Office of the Inspector General	\$0	\$600,000	\$600,000
116	TOTAL:	\$0	\$600,000	\$600,000
117	Office of Campaign and Political Finance			
118	Office of Campaign and Political Finance	\$75,050	\$0	\$75,050
119	TOTAL:	\$75,050	\$0	\$75,050
120	Massachusetts Commission Against Discrimination			
121	Massachusetts Commission Against Discrimination	\$177,500		\$2,000,054
122		\$2,177,554		
123	TOTAL:	\$177,500	\$2,000,054	\$2,177,554
124	Office of the State Comptroller			
125	Office of the State Comptroller	\$437,959,446	\$0	\$437,959,446

126	TOTAL:	\$437,959,446	\$0	\$437,959,446
127	Executive Office for Administration and Finance			
128	Executive Office of Administration and Finance	\$37,165,500	\$0	\$37,165,500
129	Secretary of Administration and Finance	\$71,478,666	\$650,000	\$72,128,666
130	Division of Capital Asset Management & Maintenance	\$10,035,446	\$16,550,000	
131	\$26,585,446			
132	Bureau of State Office Buildings	\$168,600	\$0	\$168,600
133	Civil Service Commission	\$20,000	\$0	\$20,000
134	Group Insurance Commission	\$759,553,229	\$1,033,566	\$760,586,795
135	Division of Administrative Law Appeals	\$45,000	\$0	\$45,000
136	Department of Revenue	\$207,750,876	\$6,547,280	\$214,298,156
137	Appellate Tax Board	\$2,057,005	\$400,000	\$2,457,005
138	Human Resources Division	\$1,000	\$2,056,966	\$2,057,966
139	Operational Services Division	\$7,888,174	\$4,347,876	\$12,236,050
140	Information Technology Division	\$0	\$609,730	\$609,730
141	Public Employee Retirement Administration	\$179	\$0	\$179
142	TOTAL:	\$1,096,163,675	\$32,195,418	\$1,128,359,093
143	Executive Office of Energy & Environmental Affairs			



144	Executive Office of Energy & Environmental Affairs		\$4,287,450	\$385,000
145			\$4,672,450	
146	Department of Environmental Protection	\$31,996,559	\$3,341,028	\$35,337,587
147	Department of Fish and Game	\$15,830,750	\$317,989	\$16,148,739
148	Department of Agricultural Resources	\$5,584,440	\$0	\$5,584,440
149	Department of Conservation and Recreation	\$12,447,228	\$8,486,831	\$20,934,059
150	Department of Public Utilities	\$13,962,530	\$2,350,000	\$16,312,530
151	Department of Energy Resources	\$4,016,486	\$0	\$4,016,486
152	TOTAL:	\$88,125,443	\$14,880,848	\$103,006,291
153	Executive Office of Health and Human Services			
154	Department of Veterans' Services	\$15,000	\$300,000	\$315,000
155	Secretary of Health and Human Services	\$4,808,448,578		\$225,000,000
156				\$5,033,448,578
157	Division of Health Care Finance and Policy	\$309,280,977	\$4,100,000	\$313,380,977
158	Mass Commission for the Blind	\$2,996,692	\$0	\$2,996,692
159	Massachusetts Rehabilitation Commission	\$4,477,690	\$0	\$4,477,690
160	Mass Commission for the Deaf	\$164,047	\$0	\$164,047
161	Chelsea Soldiers' Home	\$13,380,222	\$370,000	\$13,750,222

162	Holyoke Soldiers' Home	\$13,617,075	\$1,071,530	\$14,688,605
163	Department of Youth Services	\$2,963,963	\$0	\$2,963,963
164	Department of Transitional Assistance	\$430,584,120	\$0	\$430,584,120
165	Department of Public Health	\$101,017,136	\$60,043,378	\$161,060,514
166	Department of Children and Families	\$187,168,695	\$2,858,735	\$190,027,430
167	Department of Mental Health	\$80,537,591	\$10,125,000	\$90,662,591
168	Department of Developmental Services	\$461,436,263	\$150,000	\$461,586,263
169	Department of Elder Affairs	\$1,415,180,956	\$750,000	\$1,415,930,956
170	TOTAL:	\$7,831,269,005	\$304,768,643	\$8,136,037,648
171	Massachusetts Department of Transportation			
172	Massachusetts Department of Transportation	\$524,290,000	\$0	\$524,290,000
173	TOTAL:	\$524,290,000	\$0	\$524,290,000
174	Board of Library Commissioners			
175	Board of Library Commissioners	\$2,200	\$0	\$2,200
176	TOTAL:	\$2,200	\$0	\$2,200
177	Executive Office of Housing & Economic Development			
178	Department of Housing & Community Development		\$2,699,068	\$2,323,853
179		\$5,022,921		

180	Office of Consumer Affairs and Business Regulation		\$563,535	\$500,126
181				\$1,063,661
182	Division of Banks	\$20,983,532	\$2,650,000	\$23,633,532
183	Division of Insurance	\$81,021,250	\$0	\$81,021,250
184	Division of Professional Licensure	\$17,219,989	\$540,123	\$17,760,112
185	Division of Standards	\$1,623,925	\$418,751	\$2,042,676
186	Department of Telecommunications and Cable		\$5,045,970	\$0
				\$5,045,970
187	TOTAL:	\$129,157,269	\$6,432,853	\$135,590,122
188	Executive Office of Labor & Workforce Development			
189	Department of Labor Standards	\$2,575,962	\$452,850	\$3,028,812
190	Department of Industrial Accidents	\$23,010,250	0	\$23,010,250
191	Department of Labor Relations	\$102,000	\$86,550	\$188,550
192	TOTAL:	\$25,688,212	\$539,400	\$26,227,612
193	Executive Office of Education			
194	Department of Early Education and Care	\$198,791,489	\$0	\$198,791,489
195	Department of Elementary and Secondary Education		\$6,717,591	\$1,367,409
196				\$8,085,000
197	University of Massachusetts	\$38,433,873	\$0	\$38,433,873

198	Bridgewater State College	\$2,276,247	\$0	\$2,276,247	
199	Fitchburg State College	\$2,334,287	\$0	\$2,334,287	
200	Framingham State College	\$2,017,273	\$0	\$2,017,273	
201	Massachusetts College of Liberal Arts		\$371,415	\$0	\$371,415
202	Salem State College	\$3,225,560	\$0	\$3,225,560	
203	Westfield State College	\$2,492,530	\$0	\$2,492,530	
204	Worcester State College	\$1,978,891	\$0	\$1,978,891	
205	Massachusetts Maritime Academy	\$318	\$0	\$318	
206	Berkshire Community College	\$202,950	\$0	\$202,950	
207	Bristol Community College	\$656,803	\$0	\$656,803	
208	Cape Cod Community College	\$456,343	\$0	\$456,343	
209	Greenfield Community College	\$206,784	\$0	\$206,784	
210	Holyoke Community College	\$931,611	\$0	\$931,611	
211	Mass Bay Community College	\$949,652	\$0	\$949,652	
212	Massasoit Community College	\$834,611	\$0	\$834,611	
213	Mount Wachusett Community College	\$381,498	\$0	\$381,498	
214	Northern Essex Community College	\$585,998	\$0	\$585,998	

215	North Shore Community College	\$781,979	\$0	\$781,979	
216	Quinsigamond Community College	\$383,760	\$0	\$383,760	
217	Springfield Technical Community College	\$855,067	\$0	\$855,067	
218	Roxbury Community College	\$185,333	\$529,843	\$715,176	
219	Middlesex Community College	\$431,435	\$0	\$431,435	
220	Bunker Hill Community College	\$999,634	\$0	\$999,634	
221	TOTAL:	\$267,482,932	\$1,897,252	\$269,380,184	
222	Executive Office of Public Safety and Security				
223	Executive Office of Public Safety and Security		\$80,000	\$0	\$80,000
224	Office of the Chief Medical Examiner		\$0	\$2,060,000	\$2,060,000
225	Criminal History Systems Board	\$7,032,940	\$0	\$7,032,940	
226	Criminal Justice Training Council	\$2,000	\$900,000	\$902,000	
227	Department of State Police	\$544,400	\$32,016,200	\$32,560,600	
228	Department of Public Safety	\$22,387,294	\$6,790,182	\$29,177,476	
229	Department of Fire Services	\$21,653,808	\$8,500	\$21,662,308	
230	Military Division	\$2,500	\$1,400,000	\$1,402,500	
231	Emergency Management Agency	\$736,407	\$0	\$736,407	

232	Department of Corrections	\$900,000	\$15,589,000	\$16,489,000
233	Parole Board	\$400,000	\$600,000	\$1,000,000
234	TOTAL:	\$53,739,349	\$59,363,882	\$113,103,231
235	Sheriffs			
236	Sheriff's Department Hampden	\$744,000	\$3,800,000	\$4,544,000
237	Sheriff's Department Worcester	\$151,680	\$0	\$151,680
238	Sheriff's Department Middlesex	\$204,000	\$950,000	\$1,154,000
239	Sheriff's Department Franklin	\$64,860	\$2,500,000	\$2,564,860
240	Sheriff's Department Hampshire	\$212,500	\$500,000	\$712,500
241	Sheriff's Department Essex	\$692,300	\$2,000,000	\$2,692,300
242	Sheriff's Department Berkshire	\$44,000	\$750,000	\$794,000
243	Sheriff's Department Association	\$0	\$344,790	\$344,790
244	Sheriff's Department Barnstable	\$0	\$250,000	\$250,000
245	Sheriff's Department Bristol	\$0	\$8,460,000	\$8,460,000
246	Sheriff's Department Nantucket	\$0	\$2,500,000	\$2,500,000
247	Sheriff's Department Plymouth	\$0	\$16,000,000	\$16,000,000
248	Sheriff's Department Suffolk	\$0	\$8,000,000	\$8,000,000

249 TOTAL: \$2,113,340 \$46,054,790 \$48,168,130

250 Total Non-Tax Revenue : \$11,303,677,816 \$1,364,477,759

251 \$12,668,155,575

252

253 SECTION 2

254 JUDICIARY.

255 Supreme Judicial Court.

256 0320-0003.. For the operation of the supreme judicial court, including salaries of the  
257 chief justice and the 6 associate

258 justices.....\$7,437,172

259 0320-0010.. For the operation of the clerk’s office of the supreme judicial court for  
260 Suffolk county.....\$1,124,585

261 0321-0001.. For the operation of the commission on judicial conduct

262 .....\$575,359

263 0321-0100.. For the services of the board of bar examiners

264 ..... \$1,061,436

265 Committee for Public Counsel Services.

266 0321-1500 For the operation of the committee for public counsel services, as authorized  
267 by chapter 211D of the General Laws; provided, that the committee shall develop and

268 implementa system in which no less than 30 per cent of indigent defendants shall be represented  
269 by public defenders by the end of fiscal year 2012; provided further, that the committee shall  
270 provide a report to the legislature, not later than October 3, 2011, detailing an implementation  
271 plan for meeting the requirements of the previous proviso that shall include, but not be limited to,  
272 the following: (1) the expected surplus or deficiency for fiscal year 2012 of items 0321-1500 and  
273 0321-1510; (2) the current and projected number of public defenders and private bar advocates  
274 assigned to each court house; and (3) any perceived impediments to implementing this plan by  
275 the end of fiscal year 2012 and possible solutions to such impediments; provided further, that in  
276 hiring public defenders, priority shall be given to current private bar advocates; provided further,  
277 that the committee shall submit a report to the clerks of the house of representatives and senate,  
278 the joint committee on the judiciary and the house and senate committees on ways and means,  
279 not later than January 30, 2012, that shall include, but not be limited to, the following: (1) the  
280 number of clients assisted by the committee in the prior fiscal year, delineated by public defender  
281 and private bar advocate representation, and further delineated by type of case and geographic  
282 location; (2) the average cost for public defender services rendered per client, delineated by type  
283 of case and geographic location; (3) the average cost for private bar advocate services rendered  
284 per client, delineated by type of case and geographic location; (4) the average number of hours  
285 spent per case by public defenders, delineated by type of case and geographic location; (5) the  
286 average number of hours billed by private bar advocates, delineated by type of case and  
287 geographic location; (6) the total amount of counsel fees paid to the committee by clients for  
288 services rendered, delineated by type of case and geographic location; (7) the total of indigent  
289 but able to contribute fees paid to the committee by clients for services rendered, delineated by  
290 type of case and geographic location; provided further, that the committee shall submit quarterly



291 reports to the house and senate committees on ways and means starting on January 2, 2012 and  
292 ending on September 30, 2012 detailing progress made in providing up to 30 per cent of indigent  
293 defense through public defenders; provided further, that the report shall include, but not be  
294 limited to, the following: (1) the number of public defenders that have been hired to date; (2) the  
295 offices and divisions that these public defenders have been assigned to; (3) the total number of  
296 cases that have been assigned to these public defenders, delineated by type of case; (4) the total  
297 number of cases that have been assigned to all public defenders, delineated by type of case; (5)  
298 the number of public defender vacancies to be filled; (6) the total number of support staff,  
299 investigators, attorneys in charge and management that have been hired; (7) the number of cases  
300 that have been assigned to private bar advocates, delineated by type of case; (8) the total billable  
301 hours to date of private bar advocates, delineated by type of case; (9) the billable hours of private  
302 bar advocates broken down by: travel time, time spent in court, including wait time and trial  
303 preparation time, including interview time, investigating time and research time; (10) the number  
304 of private bar advocates that have been hired as public defenders; (11) changes to the private bar  
305 advocate billing system; (1) staffing efficiencies that have been undertaken; (12) the number and  
306 cost of private investigators used, delineated by firm; (13) the number and cost of psychologists  
307 and psychiatrists used, delineated by firm; and (14) the progress of obtaining temporary and  
308 permanent office space; and provided further, that this data shall be provided in a cumulative  
309 manner, delineated by quarter .....\$66,261,8290321-1510.. For compensation paid to private  
310 counsel assigned to criminal and civil cases under paragraph (b) of section 6 of chapter 211D of  
311 the General Laws, pursuant to section 11 of said chapter 211D; provided, that not more than  
312 \$2,000,000 of the sum appropriated in this item may be expended for services rendered before  
313 fiscal year 2012..... \$88,032,356

314           0321-1518.. For the chief counsel for the committee for public counsel services which  
315 may expend an amount not to exceed \$8,900,000 from revenues collected from fees charged for  
316 attorney representation of indigent  
317 clients.....\$8,900,000

318           0321-1520.. For fees and costs as defined in section 27A of chapter 261 of the General  
319 Laws, as ordered by a justice of the appeals court or a justice of a department of the trial court of  
320 the commonwealth on behalf of indigent persons, as defined in said section 27A of said chapter  
321 261; provided, that not more than \$1,000,000 of the sum appropriated in this item may be  
322 expended for services rendered before fiscal year  
323 2012.....\$9,010,351

324           Massachusetts Legal Assistance Corporation.

325           0321-1600.. For the Massachusetts Legal Assistance Corporation to provide legal  
326 representation for indigent or otherwise disadvantaged residents of the commonwealth; provided,  
327 that the corporation shall submit a report to the house and senate committees on ways and means  
328 not later than January 30, 2012 that shall include, but not be limited to, the following: (a) the  
329 number of persons whom the programs funded by the corporation assisted in the prior fiscal  
330 year; (b) any proposed expansion of legal services delineated by type of service, target  
331 population and cost; and (c) the total number of indigent or otherwise disadvantaged residents of  
332 the commonwealth who received services of the corporation, by type of case and geographic  
333 location; provided further, that the corporation may contract with any organization for the  
334 purpose of providing the representation; and provided further, that notwithstanding the first  
335 paragraph of section 9 of chapter 221A of the General Laws, funds shall be expended for the

336 Disability Benefits Project, the Medicare Advocacy Project and the Battered Women’s Legal  
337 Assistance Project..... \$9,500,000

338 Mental Health Legal Advisors.

339 0321-2000.. For the operation of the mental health legal advisors committee and for  
340 certain programs for the indigent mentally ill, established pursuant to section 34E of chapter 221  
341 of the General  
342 Laws.....\$781,177

343 Prisoners’ Legal Services.

344 0321-2100.. For the expenses of Prisoners’ Legal  
345 Services.....\$902,016

346 Social Law Library.

347 0321-2205.. For the expenses of the social law library located in Suffolk  
348 county.....\$1,000,000

349 Appeals Court.

350 0322-0100.. For the appeals court, including the salaries, traveling allowances and  
351 expenses of the chief justice, recall judges and the associate justices  
352 .....\$10,430,108

353 Trial Court.

354 0330-0101.. For the salaries of the justices of the 7 departments of the trial  
355 court..... \$47,456,156

356 0330-0300.. For the central administration of the trial court, including costs associated  
357 with trial court non-employee services, trial court dental and vision health plan agreements, jury  
358 expenses, trial court law libraries, statewide telecommunications, private and municipal court  
359 rentals and leases, operation of courthouse facilities, rental of county court facilities, witness  
360 fees, printing expenses, equipment maintenance and repairs, the court interpreter program,  
361 insurance and chargeback costs, the Massachusetts sentencing commission, permanency  
362 mediation services, alternative dispute resolution, court security and judicial training; provided,  
363 that the trial court shall record all fees that are collected pursuant to subsection (e) of section 2½  
364 of chapter 211D of the General Laws and shall record said fees in a separate source code entitled  
365 “indigent misrepresentation fees”; provided further, that the trial court shall record all fees that  
366 are collected pursuant to subsection (f) of said section 2½ of said chapter 211D and shall record  
367 said fees in a separate source code entitled “indigent counsel fees”; provided further, that the trial  
368 court shall record all fees collected pursuant to S.J.C. Rule 3:10 (10)(c)(ii) and shall record said  
369 fees in a separate source code entitled “indigent but able to contribute fees”; provided further,  
370 that notwithstanding any general or special law to the contrary, the chief justice for  
371 administration and management shall submit a report to the joint committee on the judiciary and  
372 the house and senate committees on ways and means 90 days prior to the temporary closure or  
373 temporary relocation of courthouses; provided further, that said report shall include, but not be  
374 limited to, the transfer of personnel, the reallocation of resources, the impact on other  
375 courthouses resulting from the temporary closure of said court and other factors that may affect  
376 implementation of said temporary closure; provided further, that 50 per cent of all fees payable  
377 pursuant to Massachusetts Rules of Criminal Procedure 15(d) and 30(c)(8) shall be paid from  
378 this item; provided further, that notwithstanding section 9A of chapter 30 of the General Laws,

379 or any other general or special law to the contrary, the rights afforded to a veteran, pursuant to  
380 said section 9A of said chapter 30, shall also be afforded to any such veteran who holds a trial  
381 court office or position in the service of the commonwealth not classified under chapter 31 of the  
382 General Laws, other than an elective office, an appointive office for a fixed term or an office or  
383 position under section 7 of chapter 30 and who: (1) has held the office or position for not less  
384 than 1 year; and (2) has 30 years of total creditable service to the commonwealth, as defined in  
385 chapter 32 of the General Laws; provided further, that the trial court shall submit a report to the  
386 victim and witness assistance board detailing the amount of assessments imposed within each  
387 court by a justice or clerk-magistrate during the previous calendar year pursuant to section 8 of  
388 chapter 258B of the General Laws; provided further, that the report shall include, but not be  
389 limited to, the number of cases in which the assessment was reduced or waived by a judge or  
390 clerk-magistrate within the courts; and provided further, that the report shall be submitted to the  
391 victim and witness assistance board on or before January 10,

392 2012.....\$184,917,997

393 0330-3333.. For the chief justice for administration and management who may expend  
394 for the operation of the trial court an amount not to exceed \$27,000,000 from fees charged and  
395 collected pursuant to section 3 of chapter 90C of the General Laws, section 22 of chapter 218 of  
396 the General Laws and sections 2, 4A, 4B, 4C, 39 and 40 of chapter 262 of the General Laws;  
397 provided, that a schedule detailing the full allotment of said \$27,000,000 shall be submitted to  
398 the house and senate committees on ways and means not later than January 31, 2012; provided  
399 further, that the first \$50,000,000 of revenue received from the fees shall be deposited in the  
400 General Fund and not retained; and provided further, that notwithstanding any general or special  
401 law to the contrary, for the purpose of accommodating timing discrepancies between the receipt

402 of revenues and related expenditures, the chief justice may incur expenses and the comptroller  
403 shall certify for payments amounts not to exceed the lower of 1/2 of this authorization or the  
404 most recent revenue estimate, as reported in the state accounting system.....\$27,000,000

405       0330-3334.. For the chief justice for administration and management who may expend  
406 for the operation of the department an amount not to exceed \$26,000,000 from fees charged and  
407 collected under section 87A of chapter 276 of the General Laws; provided, that any expenditures  
408 or allocations shall be made in accordance with schedules submitted to the house and senate  
409 committees on ways and means not later than 30 days before the expenditures or allocations are  
410 made; and provided further, that a schedule detailing the full allotment of said \$26,000,000 shall  
411 be submitted to the house and senate committees on ways and means not later than January 31,  
412 2012.....\$26,000,000

413       Superior Court Department.

414       0331-0100.. For the operation of the superior court department; provided, that the clerk of  
415 the court shall have responsibility for the internal administration of his office, including  
416 personnel, staff services and record  
417 keeping.....\$22,154,471

418       District Court Department.

419       0332-0100.. For the operation of the district court department, including a civil  
420 conciliation  
421 program.....\$38,178,651

422       Probate and Family Court Department.

423 0333-0002.. For the operation of the probate and family court  
424 department.....\$19,048,736

425 Land Court Department.

426 0334-0001.. For the operation of the land court  
427 department.....\$2,632,230

428 Boston Municipal Court Department.

429 0335-0001.. For the operation of the Boston municipal court department  
430 .....\$7,289,966

431 Housing Court Department.

432 0336-0002.. For the operation of the housing court department  
433 .....\$4,274,309

434 Juvenile Court Department.

435 0337-0002.. For the operation of the juvenile court  
436 department.....\$10,326,270

437 Office of the Commissioner of Probation.

438 0339-1001.. For the office of the commissioner of probation; provided, that the office  
439 shall submit quarterly reports on indigency verification to the joint committee on the judiciary  
440 and the house and senate committees on ways and means to include, but not be limited to: (a) the  
441 number of individuals determined to be indigent; (b) the number of individuals determined not to  
442 be indigent; (c) the number of individuals found to be misrepresenting assets; (d) the number of

443 individuals found to no longer qualify for appointment of counsel upon any re-assessment of  
444 indigency, as defined in section 2 ½ of chapter 211D of the General Laws; (e) the total number  
445 and amount of indigent misrepresentation fees collected; (f) the total number and amount of  
446 indigent counsel fees collected and the total number and amount of indigent counsel fees waived;  
447 (g) the average indigent counsel fee that each court division collects; (h) the total number and  
448 amount of indigent but able to contribute fees collected and waived; (i) the range of indigent but  
449 able to contribute fees collected; and (j) the number of cases in which community service in lieu  
450 of indigent counsel fees was performed; provided further, that the information within such report  
451 shall be delineated by court division; provided further, that the office shall submit quarterly  
452 reports to the joint committee on the judiciary and the house and senate committees on ways and  
453 means that shall include: (a) the office's definition of supervisory and nonsupervisory cases; (b)  
454 a detailed description of what each level of supervision within these classifications entails in  
455 terms of responsibilities of the probation officer; (c) the average time commitment for a  
456 probation officer for each level of supervision on a monthly basis; (d) the overall number of  
457 individuals on probation; (e) the number of individuals added to probation and the number  
458 removed from probation for each month within that quarter; (f) the total number of full time  
459 employees who administer probationary cases; provided further, that these figures shall be  
460 delineated by level of supervisory and nonsupervisory probation and further delineated by court  
461 division; provided further, that the overall number of individuals on probation and added to  
462 probation each month shall be separately delineated by originating court or referral source; and  
463 provided further, that the report shall include the number of probationers served by community  
464 correction centers and electronic monitoring including, but not limited to, global positioning



465 systems, and delineated by level of supervisory and nonsupervisory  
466 probation.....\$108,153,535

467       0339-1003.. For the office of community corrections and performance-based contracts for  
468 the operation of community corrections centers, for the period from July 1, 2011 to December  
469 31, 2011; provided, that the office shall submit a report to the house and senate committees on  
470 ways and means no later than October 12, 2011 on the benchmarks used to assess performance-  
471 based contracts; provided further, that the executive director shall submit a spending and  
472 management plan for each community corrections center, to include, but not be limited to, the  
473 progress and outcomes of performance-based contracting, to the house and senate committees on  
474 ways and means not later than January 31, 2012; and provided further, that any unexpended  
475 funds from this item after December 31, 2011 may be transferred to item 0339-1010 for use after  
476 December 31, 2011..... \$11,254,969

477       0339-1010 For the office of community corrections and renewal of performance-based  
478 contracts for the operation of community corrections centers, for the period from January 1, 2012  
479 to June 30, 2012, inclusive; provided, that funds from this item shall not be expended for centers  
480 which failed to meet minimum performance-based contract requirements as determined by the  
481 commissioner of probation between June 30, 2011 and December 31, 2011; provided further,  
482 that the commissioner may make funds from this item available for rehabilitative pilot programs  
483 that incorporate evidence-based correctional practices; and provided further, that the executive  
484 director shall submit a spending and management plan for each community corrections center  
485 which shall include, but not be limited to, the progress and outcomes of performance-based  
486 contracting, to the house and senate committees on ways and means not later than June 30, 2012.  
487 . . . \$8,758,928

488           0339-2100.. For the office of the jury commissioner in accordance with chapter 234A of  
489 the General  
490 Laws.....\$2,398,691

491           DISTRICT ATTORNEYS.

492           Suffolk District Attorney.

493           0340-0100.. For the Suffolk district attorney’s office, including the victim and witness  
494 assistance program, the child abuse and sexual assault prosecution program, the domestic  
495 violence unit and the children’s advocacy center; provided, that 50 per cent of fees payable  
496 pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by  
497 the office shall be paid from this item; provided further, that no assistant district attorney shall be  
498 paid an annual salary of less than \$37,500; and provided further, that at least 30 days before  
499 transferring any funds authorized in this item from the AA object class, the district attorney shall  
500 notify the house and senate committees on ways and means of its intention to make that transfer  
501 .....\$16,052,775

502           0340-0101.. For the overtime costs of state police officers assigned to the Suffolk district  
503 attorney’s office  
504 .....\$354,303

505           Middlesex District Attorney.

506           0340-0200.. For the Middlesex district attorney’s office, including the victim and witness  
507 assistance program, the child abuse and sexual assault prosecution program and the domestic  
508 violence unit; provided, that 50 per cent of fees payable pursuant to Massachusetts Rules of

509 Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this  
510 item; provided further, that no assistant district attorney shall be paid an annual salary of less  
511 than \$37,500; and provided further, that at least 30 days before transferring any funds authorized  
512 in this item from the AA object class, the district attorney shall notify the house and senate  
513 committees on ways and means of its intention to make that transfer  
514 .....\$13,690,462

515 0340-0201.. For the overtime costs of state police officers assigned to the Middlesex  
516 district attorney's office  
517 .....\$516,485

518 Eastern District Attorney.

519 0340-0300.. For the Eastern district attorney's office, including the victim and witness  
520 assistance program, the child abuse and sexual assault prosecution program and the domestic  
521 violence unit; provided, that 50 per cent of fees payable pursuant to Massachusetts Rules of  
522 Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this  
523 item; provided further, that no assistant district attorney shall be paid an annual salary of less  
524 than \$37,500; and provided further, that at least 30 days before transferring any funds authorized  
525 in this item from the AA object class, the district attorney shall notify the house and senate  
526 committees on ways and means of its intention to make that  
527 transfer..... \$8,411,609

528 0340-0301.. For the overtime costs of state police officers assigned to the Eastern district  
529 attorney's office  
530 .....\$504,351

531 Worcester District Attorney.

532 0340-0400.. For the Worcester district attorney's office, including the victim and witness  
533 assistance program, the child abuse and sexual assault prosecution program and the domestic  
534 violence unit; provided, that 50 per cent of fees payable pursuant to Massachusetts Rules of  
535 Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this  
536 item; provided further, that no assistant district attorney shall be paid an annual salary of less  
537 than \$37,500; and provided further, that at least 30 days before transferring any funds authorized  
538 in this item from the AA object class, the district attorney shall notify the house and senate  
539 committees on ways and means of its intention to make that transfer  
540 .....\$8,889,774

541 0340-0401.. For the overtime costs of state police officers assigned to the Worcester  
542 district attorney's office  
543 .....\$413,499

544 0340-0410.. For the analysis of narcotic drug synthetic substitutes, poisons, drugs,  
545 medicines and chemicals at the University of Massachusetts Medical School in order to support  
546 the law enforcement efforts of the district attorneys, the state police and municipal police  
547 departments.....\$420,000

548 Hampden District Attorney.

549 0340-0500.. For the Hampden district attorney's office, including the victim and witness  
550 assistance program, the child abuse and sexual assault prosecution program and the domestic  
551 violence unit; provided, that 50 per cent of fees payable pursuant to Massachusetts Rules of  
552 Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this

553 item; provided further, that no assistant district attorney shall be paid an annual salary of less  
554 than \$37,500; and provided further, that at least 30 days before transferring any funds authorized  
555 in this item from the AA object class, the district attorney shall notify the house and senate  
556 committees on ways and means of its intention to make that transfer

557 ..... \$8,004,233

558           0340-0501.. For the overtime costs of state police officers assigned to the Hampden  
559 district attorney's office

560 .....\$339,899

561           Hampshire/Franklin District Attorney.

562           0340-0600.. For the Hampshire/Franklin district attorney's office, including the victim  
563 and witness assistance program, the child abuse and sexual assault prosecution program and the  
564 domestic violence unit; provided, that 50 per cent of fees payable pursuant to Massachusetts  
565 Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid  
566 from this item; provided further, that no assistant district attorney shall be paid an annual salary  
567 of less than \$37,500; and provided further, that at least 30 days before transferring any funds  
568 authorized in this item from the AA object class, the district attorney shall notify the house and  
569 senate committees on ways and means of its intention to make that transfer

570 .....\$4,983,716

571           0340-0601.. For the overtime costs of state police officers assigned to the  
572 Hampshire/Franklin district attorney's office

573 .....\$294,248

574           Norfolk District Attorney.

575           0340-0700.. For the Norfolk district attorney’s office, including the victim and witness  
576 assistance program, the child abuse and sexual assault prosecution program and the domestic  
577 violence unit; provided, that 50 per cent of fees payable pursuant to Massachusetts Rules of  
578 Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this  
579 item; provided further, that no assistant district attorney shall be paid an annual salary of less  
580 than \$37,500; and provided further, that at least 30 days before transferring any funds authorized  
581 in this item from the AA object class, the district attorney shall notify the house and senate  
582 committees on ways and means of its intention to make that transfer  
583 .....\$8,200,596

584           0340-0701.. For the overtime costs of state police officers assigned to the Norfolk district  
585 attorney’s office  
586 .....\$427,306

587           Plymouth District Attorney.

588           0340-0800.. For the Plymouth district attorney’s office, including the victim and witness  
589 assistance program, the child abuse and sexual assault prosecution program and the domestic  
590 violence unit; provided, that 50 per cent of fees payable pursuant to Massachusetts Rules of  
591 Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this  
592 item; provided further, that no assistant district attorney shall be paid an annual salary of less  
593 than \$37,500; and provided further, that at least 30 days before transferring any funds authorized  
594 in this item from the AA object class, the district attorney shall notify the house and senate  
595 committees on ways and means of its intention to make that transfer  
596 .....\$7,113,287

597           0340-0801.. For the overtime costs of state police officers assigned to the Plymouth  
598 district attorney's office  
599 .....\$429,842

600           Bristol District Attorney.

601           0340-0900.. For the Bristol district attorney's office, including the victim and witness  
602 assistance program, the child abuse and sexual assault prosecution program and the domestic  
603 violence unit; provided, that 50 per cent of fees payable pursuant to Massachusetts Rules of  
604 Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this  
605 item; provided further, that no assistant district attorney shall be paid an annual salary of less  
606 than \$37,500; and provided further, that at least 30 days before transferring any funds authorized  
607 in this item from the AA object class, the district attorney shall notify the house and senate  
608 committees on ways and means of its intention to make that transfer  
609 .....\$7,401,003

610           0340-0901.. For the overtime costs of state police officers assigned to the Bristol district  
611 attorney's office  
612 .....\$326,318

613           Cape and Islands District Attorney.

614           0340-1000.. For the Cape and Islands district attorney's office, including the victim and  
615 witness assistance program, the child abuse and sexual assault prosecution program and the  
616 domestic violence unit; provided, that 50 per cent of fees payable pursuant to Massachusetts  
617 Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid  
618 from this item; provided further, that no assistant district attorney shall be paid an annual salary

619 of less than \$37,500; and provided further, that at least 30 days before transferring any funds  
620 authorized in this item from the AA object class, the district attorney shall notify the house and  
621 senate committees on ways and means of its intention to make that transfer  
622 .....\$3,617,658

623           0340-1001.. For the overtime costs of state police officers assigned to the Cape and  
624 Islands district attorney's office  
625 .....\$278,735

626           Berkshire District Attorney.

627           0340-1100.. For the Berkshire district attorney's office, including the victim and witness  
628 assistance program, the child abuse and sexual assault prosecution program, the drug task force  
629 and the domestic violence unit; provided, that 50 per cent of fees payable pursuant to  
630 Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office  
631 shall be paid from this item; provided further, that no assistant district attorney shall be paid an  
632 annual salary of less than \$37,500; provided further, that at least 30 days before transferring any  
633 funds authorized in this item from the AA object class, the district attorney shall notify the house  
634 and senate committees on ways and means of its intention to make that transfer; and provided  
635 further, that funds shall be expended for the operation and management of the Berkshire County  
636 Drug Task Force  
637 .....\$3,522,666

638           0340-1101.. For the overtime costs of state police officers assigned to the Berkshire  
639 district attorney's office  
640 .....\$215,126



641 DISTRICT ATTORNEYS ASSOCIATION.

642 0340-2100 For the operation of the Massachusetts District Attorneys Association,  
643 including the implementation and related expenses of the district attorneys' offices automation  
644 and case management and tracking system; provided, that expenses associated with the system  
645 may be charged directly to this item; provided further, that the 11 district attorneys may  
646 contribute a portion of their fiscal year 2012 appropriation to the Massachusetts District  
647 Attorneys Association in order to alleviate the cost of the system and the cost of data lines  
648 associated with the district attorneys' computer network; provided further, that the department  
649 shall work in conjunction with the disabled persons protection commission and the 11 district  
650 attorneys' offices to prepare a report that shall include, but not be limited to: (a) the number of  
651 abuse cases that are referred to each district attorney's office for further investigation; (b) the  
652 number of those referrals resulting in the filing of criminal charges, delineated by type of charge;  
653 (c) the number of cases referred to each district attorney's office that remains open as of the date  
654 for submission of the report; and (d) the number of cases that resulted in a criminal prosecution  
655 and the disposition of each such prosecution; provided further, that the report shall be submitted  
656 to the house and senate committees on ways and means and the clerks of the house of  
657 representatives and the senate not later than March 14, 2012; provided further, that the  
658 association shall work in conjunction with the 11 district attorneys' offices to prepare and submit  
659 a report to the house and senate committees on ways and means and the clerks of the house of  
660 representatives and the senate not later than February 28, 2012, summarizing the number and  
661 types of criminal cases managed or prosecuted by all district attorneys' offices in calendar year  
662 2011 and the disposition or status thereof which shall be delineated by each jurisdiction of the  
663 district, juvenile, probate, superior, appeals and supreme judicial courts in which the cases were

664 managed or prosecuted; provided further, that for each jurisdiction of the courts, the report shall  
665 include, but not be limited to: (a) the type of criminal case; (b) the total number of defendants  
666 charged under the type of case; and (c) a summary of the dispositions or statuses thereof;  
667 provided further, that the association shall work in conjunction with the 11 district attorneys'  
668 offices to prepare and submit a report to the house and senate committees on ways and means  
669 and the clerks of the house of representatives and the senate not later than February 28, 2012,  
670 detailing all district attorneys' offices' use of drug forfeiture funds collected pursuant to chapter  
671 94C of the General Laws; provided further, that the report shall include, but not be limited to: (a)  
672 the amount of the funds deposited into an office's special law enforcement trust fund in fiscal  
673 years 2009, 2010 and 2011; (b) how the funds were used in those fiscal years; and (c) the balance  
674 in the fund as of January 2, 2012; provided further, that the department shall work together with  
675 the 11 district attorneys' offices to submit a report to the house and senate committees on ways  
676 and means and the clerks of the house of representatives and the senate not later than January 31,  
677 2012, detailing the total number and use of private attorneys participating in any volunteer  
678 prosecutor program; and provided further, that the report shall include, but not be limited to: (a)  
679 the total number of personnel from private law firms participating in the program at each of the  
680 11 district attorney's offices; (b) the name and address of the law firms; (c) the duties performed  
681 by the personnel; and (d) the benefits and cost savings associated with the  
682 program.....\$1,660,006

683 0340-8908 For the costs associated with maintaining the Massachusetts District  
684 Attorneys Association's wide area network .....\$1,317,090

685 EXECUTIVE.

686           0411-1000.. For the offices of the governor, the lieutenant governor and the governor's  
687 council; provided, that the amount appropriated in this item may be used at the discretion of the  
688 governor for the payment of extraordinary expenses not otherwise provided for and for transfer  
689 to appropriation accounts where the amounts otherwise available may be insufficient; provided  
690 further, that funds may be expended for the governor's commission on intellectual disability;  
691 provided further, that funds may be expended for the governor's development coordinating  
692 council; and provided further, that the advisory council on Alzheimer's disease and related  
693 disorders, as established in the office of the governor by section 379 of chapter 194 of the acts of  
694 1998 and section 80 of chapter 236 of the acts of 2000, shall continue during fiscal year 2012  
695 .....\$4,293,342

696           Office Of The Child Advocate.

697           0411-1005.. For the operation of the office of the child  
698 advocate..... \$243,564

699           SECRETARY OF THE COMMONWEALTH.

700           Office of the Secretary of the Commonwealth.

701           0511-0000.. For the operation of the office of the secretary; provided, that the secretary  
702 may transfer funds between items 0540-0900, 0540-1000, 0540-1100, 0540-1200, 0540-1300,  
703 0540-1400, 0540-1500, 0540-1600, 0540-1700, 0540-1800, 0540-1900, 0540-2000 and 0540-  
704 2100 pursuant to an allocation schedule filed with the house and senate committees on ways and  
705 means not less than 30 days before the transfer; provided further, that each register of deeds  
706 using electronic record books shall ensure that all methods of electronically recording  
707 instruments conform to the regulations or standards established by the secretary of state and the

708 records conservation board; and provided further, that those regulations shall be issued not later  
709 than June 29,

710 2012.....\$5,912,424

711 0511-0001.. For the secretary of state who may expend revenues not to exceed \$30,000

712 from the sale of merchandise at the Massachusetts state house gift shop for the purpose of

713 replenishing and restocking gift shop inventory

714 .....\$30,000

715 0511-0002.. For the operation of the corporations division; provided, that the division

716 shall implement a corporate dissolution program which shall have a specific focus on limited

717 liability corporations and limited liability partnerships that have failed in their statutory

718 responsibility to file an annual report; and provided further, that the division shall file quarterly

719 reports with the house and senate committees on ways and means detailing the total number of

720 annual reports filed as a result of this program and the amount of revenue generated for the

721 commonwealth.....\$254,213

722 0511-0200.. For the operation of the archives

723 division.....\$378,121

724 0511-0230.. For the operation of the records

725 center.....\$36,217

726 0511-0250.. For the operation of the archives

727 facility.....\$296,521

728           0511-0260.. For the operation of the commonwealth  
729 museum.....\$243,684

730           0511-0270.. For the secretary of state who may contract with the University of  
731 Massachusetts Donahue Institute to provide the commonwealth with technical assistance on  
732 United States census data and to prepare annual population estimates; provided, that the contract  
733 shall be for no less than  
734 \$300,000.....\$550,000

735           0511-0420.. For the operation of the address confidentiality program.  
736 .....\$130,858

737           0517-0000.. For the printing of public  
738 documents.....\$450,000

739           0521-0000.. For the operation of the elections division, including preparation, printing  
740 and distribution of ballots and for other miscellaneous expenses for primary and other elections;  
741 provided, that the secretary of state may award grants for voter registration and education; and  
742 provided further, that the registration and education activities may be conducted by community-  
743 based voter registration and education organizations prior appropriation  
744 continued.....\$4,900,000

745           0521-0001.. For the operation of the central voter registration computer  
746 system.....\$4,900,000

747           0524-0000.. For providing information to voters.....  
748 ..... \$300,000

749           0526-0100.. For the operation of the Massachusetts historical commission  
750 ..... \$750,000

751           0527-0100.. For the operation of the ballot law  
752 commission.....\$10,545

753           0528-0100.. For the operation of the records conservation  
754 board..... \$34,056

755           0540-0900.. For the registry of deeds located in the city of Lawrence in the former county  
756 of Essex.....\$1,017,334

757           0540-1000.. For the registry of deeds located in the city of Salem in the former county of  
758 Essex.....\$2,703,583

759           0540-1100.. For the registry of deeds in the former county of  
760 Franklin.....\$449,288

761           0540-1200.. For the registry of deeds in the former county of  
762 Hampden.....\$1,643,100

763           0540-1300.. For the registry of deeds in the former county of  
764 Hampshire.....\$471,423

765           0540-1400.. For the registry of deeds located in the city of Lowell in the former county of  
766 Middlesex..\$1,113,611

767 0540-1500.. For the registry of deeds located in the city of Cambridge in the former  
768 county of  
769 Middlesex.....\$2,875,012

770 0540-1600.. For the registry of deeds located in the town of Adams in the former county  
771 of Berkshire....\$250,700

772 0540-1700.. For the registry of deeds located in the city of Pittsfield in the former county  
773 of Berkshire...\$419,400

774 0540-1800.. For the registry of deeds located in the town of Great Barrington in the  
775 former county of  
776 Berkshire.....\$209,483

777 0540-1900.. For the registry of deeds in the former county of Suffolk  
778 .....\$1,734,615

779 0540-2000.. For the registry of deeds located in the city of Fitchburg in the former county  
780 of  
781 Worcester.....\$655,072

782 0540-2100.. For the registry of deeds located in the city of Worcester in the former  
783 county of  
784 Worcester.....\$2,161,481

785 TREASURER AND RECEIVER-GENERAL.

786 Office of the Treasurer and Receiver General.

787           0610-0000.. For the office of the treasurer and receiver-general; provided, that the  
788 treasurer shall provide computer services required by the teachers' retirement board; provided  
789 further, that the treasurer's office shall submit a report to the victim and witness assistance board  
790 which details the amount of assessments transmitted to the treasurer during the previous calendar  
791 year on a monthly basis from the courts, the registrar of motor vehicles and the sheriff or  
792 superintendent of any correctional facility pursuant to section 8 of chapter 258B; provided  
793 further, that the report shall be submitted to the board on or before January 13, 2012; provided  
794 further, that funds may be expended for the payment of bank fees; and provided further, that the  
795 treasurer's office shall pay half of the administrative costs of the municipal finance oversight  
796 board from this  
797 item.....\$9,181,660

798           0610-0010.. For programs to promote and improve financial literacy for Massachusetts  
799 residents.....\$85,000

800           0610-0050.. For the administration of the alcoholic beverages control commission in its  
801 efforts to regulate and control the conduct and condition of traffic in alcoholic beverages;  
802 provided, that said commission shall maintain at least 1 chief investigator and other investigators  
803 for the purpose of regulating and controlling the traffic of alcoholic beverages; provided further,  
804 that said commission shall work and cooperate with the Bureau of Alcohol, Tobacco, Firearms  
805 and Explosives in the United States Department of Justice and other relevant federal agencies to  
806 assist in its efforts to regulate and control the traffic of alcoholic beverages; and provided further,  
807 that the commission shall seek out matching federal dollars and apply for federal grants that may  
808 be available to assist in the enforcement of laws pertaining to the traffic of alcoholic  
809 beverages.....\$1,893,262



810           0610-0060.. For the costs associated with the investigation and enforcement division of  
811 the alcoholic beverages control commission's implementation of the enhanced liquor  
812 enforcement programs, known as Safe Campus, Safe Holidays, Safe Prom, and Safe Summer;  
813 provided, that funds from this appropriation shall not support other operating costs of item 0610-  
814 0050.....\$100,000

815           0610-0140.. For the purpose of funding administrative, transactional and research  
816 expenses associated with maintaining and increasing the interest earnings on the General Fund  
817 and the Commonwealth Stabilization Fund  
818 investments.....\$21,582

819           0610-2000.. For payments made to veterans pursuant to section 16 of chapter 130 of the  
820 acts of 2005; provided, that the office of the state treasurer may expend not more than \$205,000  
821 for costs incurred in the administration of these  
822 payments.....\$2,500,000

823           0611-1000.. For bonus payments to war  
824 veterans.....\$44,500

825           Lottery Commission.

826           0640-0000.. For the operation of the state lottery commission and arts lottery; provided,  
827 that no funds shall be expended from this item for any costs associated with the promotion or  
828 advertising of lottery games; provided further, that positions funded by this item shall not be  
829 subject to chapters 30 and 31 of the General Laws; and provided further, that 25 per cent of the  
830 amount appropriated herein shall be transferred quarterly from the State Lottery Fund to the

831 General Fund.....

832 . \$77,414,012

833 0640-0005.. For the costs associated with the continued implementation of monitor

834 games; provided, that any funds expended on promotional activities shall be limited to point-of-

835 sale promotions and agent newsletters; and provided further, that 25 per cent of the amount

836 appropriated in this item shall be transferred quarterly from the State Lottery Fund to the General

837 Fund

838 .....\$2,715,484

839 0640-0010.. For the promotional activities associated with the state lottery program;

840 provided, that 25 per cent of the amount appropriated in this item shall be transferred quarterly

841 from the State Lottery Fund to the General Fund

842 .....\$2,000,000

843 0640-0096.. For the purpose of the commonwealth’s fiscal year 2012 contributions to the

844 health and welfare fund established pursuant to the collective-bargaining agreement between the

845 lottery commission and the service employees international union, Local 888, AFL-CIO;

846 provided, that the contributions shall be paid to the trust fund on such basis as the collective

847 bargaining agreement provides; and provided further, that 25 per cent of the amount appropriated

848 in this item shall be transferred quarterly from the State Lottery Fund to the General

849 Fund.....\$355,945

850 Massachusetts Cultural Council.

851 0640-0300.. For the services and operations of the council, including grants to or

852 contracts with public and non-public entities; provided, that notwithstanding any general or

853 special law to the contrary, the council may expend the amounts herein appropriated for the  
854 purposes of the council as provided in sections 52 to 58, inclusive, of chapter 10 of the General  
855 Laws in amounts and at times as the council may determine pursuant to section 54 of said  
856 chapter 10; provided further, that 25 per cent of the amount appropriated herein shall be  
857 transferred quarterly from the Arts Lottery Fund to the General Fund; provided further, that any  
858 funds expended from this item for the benefit of schoolchildren shall be expended for the benefit  
859 of all Massachusetts schoolchildren and on the same terms and conditions; provided further, that  
860 the council shall not expend funds from this item for any grant or contract recipient that, in any  
861 program or activity for Massachusetts schoolchildren, does not apply the same terms and  
862 conditions to all such schoolchildren; and provided further, that a person employed under this  
863 item shall be considered an employee within the meaning of section 1 of chapter 150E of the  
864 General Laws and shall be placed in the appropriate bargaining unit..... \$5,449,866

865 Debt Service.

866 0699-0005 For the state treasurer which may retain and expend an amount not to  
867 exceed \$20,000,000 in fiscal year 2012 from premiums paid on the sales of revenue anticipation  
868 notes and expend such premium payments for the purposes of paying principal and interest on  
869 account of the revenue anticipation  
870 notes.....\$20,000,000

871 0699-0015.. For the payment of interest, discount and principal on certain bonded debt  
872 and the sale of bonds of the commonwealth; provided, that notwithstanding any general or  
873 special law to the contrary, the state treasurer may make payments pursuant to section 38C of  
874 chapter 29 of the General Laws from this item, items 0699-9100, 0699-2004 and 0699-0016;

875 provided further, that the payments shall pertain to the bonds, notes, or other obligations  
876 authorized to be paid from each item; provided further, that notwithstanding any general or  
877 special law to the contrary, the comptroller may transfer the amounts that would otherwise be  
878 unexpended on June 30, 2012, from this item to items 0699-9100, 0699-2004 and 0699-0016 or  
879 from items 0699-9100, 0699-2004 and 0699-0016 to this item which would otherwise have  
880 insufficient amounts to meet debt service obligations for the fiscal year ending June 30, 2012;  
881 provided further, that each amount transferred shall be charged to the funds as specified in the  
882 item to which the amount is transferred; provided further, that payments on bonds issued  
883 pursuant to section 20 of said chapter 29 shall be paid from this item and shall be charged to the  
884 Infrastructure sub-fund of the Commonwealth Transportation Fund; provided further, that  
885 notwithstanding any general or special law to the contrary or other provisions of this item, the  
886 comptroller may charge the payments authorized in the item to the appropriate budgetary or  
887 other fund subject to a plan which the comptroller shall file 10 days in advance with the house  
888 and senate committees on ways and means; and provided, further, that the comptroller shall  
889 transfer from this item to the Government Land Bank Fund an amount equal to the amount by  
890 which debt service charged to the fund exceeds revenue deposited to the  
891 fund.....\$1,883,842,211

892           General Fund..... 54.09%

893           Commonwealth Transportation Fund.....45.91%

894           0699-0016.. For the payment of interest, discount and principal on certain indebtedness  
895 incurred under chapter 233 of the acts of 2008 for financing the accelerated bridge  
896 program..... \$25,217,567

897 Commonwealth Transportation Fund..... 100%

898 0699-2004.. For the payment of interest, discount and principal on certain indebtedness  
899 which may be incurred for financing the central artery/third harbor tunnel funding  
900 shortfall.....\$86,189,403

901 Commonwealth Transportation Fund..... 100%

902 0699-9100.. For the payment of costs associated with any bonds, notes or other  
903 obligations of the commonwealth, including issuance costs, interest on bonds, bond and revenue  
904 anticipation notes, commercial paper and other notes pursuant to sections 47 and 49B of chapter  
905 29 of the General Laws and for the payment to the United States pursuant to section 148 of the  
906 Internal Revenue Code of 1986 of any rebate amount or yield reduction payment owed with  
907 respect to any bonds or notes or other obligations of the commonwealth; provided, that the  
908 treasurer shall certify to the comptroller a schedule of the distribution of costs among the various  
909 funds of the commonwealth; provided further, that the comptroller shall charge costs to the funds  
910 in accordance with the schedule; and provided further, that any deficit in this item at the close of  
911 the fiscal year ending June 30, 2012 shall be charged to the various funds or to the General Fund  
912 or Commonwealth Transportation Fund debt service reserves..... \$27,951,544

913 0699-9101.. For the purpose of depositing with the trustee under the trust agreement  
914 authorized in section 10B of chapter 11 of the acts of 1997, an amount to be used to pay the  
915 interest due on notes of the commonwealth issued pursuant to section 9 of said chapter 11 and  
916 secured by the Federal Highway Grant Anticipation Note Trust  
917 Fund..... \$22,607,000

918 Commonwealth Transportation Fund..... 100%

919 STATE AUDITOR.

920 Office of the State Auditor.

921 0710-0000.. For the office of the state auditor, including the review and monitoring of

922 privatization contracts in accordance with sections 52 to 55, inclusive, of chapter 7 of the

923 General

924 Laws.....\$13,659,122

925 0710-0100.. For the operation of the division of local

926 mandates.....\$379,092

927 0710-0200.. For the operation of the bureau of special investigations; provided, that the

928 office shall file quarterly reports with the house and senate committees on ways and means

929 detailing the total amount of fraudulently obtained benefits identified by the bureau of special

930 investigations of the office of the state auditor, the total value of settlement restitution payments,

931 actual monthly collections and any circumstances that produce shortfalls in

932 collections.....\$1,776,138

933 0710-0225.. For the operation of the Medicaid Audit Unit within the Division of Audit

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

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

936 50 per cent; provided further, that the division shall submit a report no later than December 1,

937 2011 to the house and senate committees on ways and means detailing all findings on activities

938 and payments made through the MassHealth system; provided further, that the unit shall engage

939 in a memorandum of understanding with the secretary of administration and finance to develop a

940 system for the recovery of identified funds; and provided further, that the unit shall file a report

941 with the house and senate committees on ways and means no later than February 22, 2012 on the  
942 total amount of recoveries identified, actual recovery collections, and any reasons why identified  
943 funds were not collected.....\$897,829

944 ATTORNEY GENERAL.

945 Office of the Attorney General.

946 0810-0000.. For the office of the attorney general, including the administration of the  
947 local consumer aid fund, the operation of the anti-trust division, all regional offices, a high-tech  
948 crime unit and the victim and witness compensation program; provided, that the victim and  
949 witness assistance program shall be administered in accordance with chapters 258B and 258C of  
950 the General Laws; and provided further, that the attorney general shall submit to the general  
951 court and the secretary of administration and finance a report detailing the claims submitted to  
952 the state treasurer for payment under item 0810-0004 indicating both the number and costs for  
953 each category of  
954 claim.....\$22,251,155

955 0810-0004.. For compensation to victims of violent crimes; provided, that  
956 notwithstanding chapter 258C of the General Laws, if a claimant is 60 years of age or older at  
957 the time of the crime and is not employed or receiving unemployment compensation, such  
958 claimant shall be eligible for compensation in accordance with said chapter 258C even if the  
959 claimant has suffered no out-of-pocket loss; provided further, that compensation to such claimant  
960 shall be limited to a maximum of \$50; and provided further, that notwithstanding any general or  
961 special law to the contrary, victims of the crime of rape shall be notified of all available services  
962 designed to assist rape victims including, but not limited to, the provisions outlined in section 5

963 of chapter 258B of the General

964 Laws.....\$2,088,340

965       0810-0007.. For the overtime costs of state police officers assigned to the attorney  
966 general; provided, that expenditures shall not be made on or after the effective date of this act  
967 which would cause the commonwealth’s obligation for the purpose of this item to exceed the  
968 amount appropriated in this  
969 item.....\$340,676

970       0810-0013.. For the office of the attorney general which may expend for a false claims  
971 program an amount not to exceed \$775,000 from revenues collected from enforcement of the  
972 false claims law; provided, that notwithstanding any general or special law to the contrary, for  
973 the purpose of accommodating timing discrepancies between the receipt of retained revenues and  
974 related expenditures, the department may incur expenses and the comptroller may certify for  
975 payment amounts not to exceed the lower of this authorization or the most recent revenue  
976 estimate as reported in the state accounting  
977 system.....\$775,000

978       0810-0014.. For the operation of the department of public utilities proceedings unit  
979 within the office of the attorney general, pursuant to section 11E of chapter 12 of the General  
980 Laws; provided, that notwithstanding any general or special law to the contrary, the amount  
981 assessed under said section 11E of said chapter 12, shall equal the amount expended from this  
982 item and the associated fringe benefits costs for personnel paid from this item; and provided  
983 further, that funds shall be expended for the expenses of legal and technical personnel and  
984 associated administrative and travel expenses relative to participation in regulatory proceedings



985 at the Federal Energy Regulatory Commission on behalf of Massachusetts  
986 ratepayers.....\$2,355,145

987           0810-0021.. For the operation of the Medicaid fraud control unit; provided, that the  
988 federal reimbursement for any expenditure from this item shall not be less than 75 per cent of the  
989 expenditure; provided, that funds shall continue to be used specifically for the investigation and  
990 prosecution of abuse, neglect, mistreatment and misappropriation based on referrals from the  
991 department of public health pursuant to section 72H of chapter 111 of the General Laws;  
992 provided further, that the unit shall provide training for all investigators of the department's  
993 division of health care quality responsible for the investigations on a periodic basis pursuant to a  
994 comprehensive training program to be developed by the division and the unit; and provided  
995 further, that training shall include instruction on techniques for improving the efficiency and  
996 quality of investigations of abuse, neglect, mistreatment and misappropriation pursuant to said  
997 section 72H of said chapter  
998 111.....\$4,064,923

999           0810-0045.. For the labor law enforcement program pursuant to subsection (b) of section  
1000 1A of chapter 23 of the General Laws; provided, that notwithstanding any general or special law  
1001 to the contrary, a non-management position funded by this item shall be considered a job title in  
1002 a collective bargaining unit as prescribed by the labor relations commission and shall be subject  
1003 to chapter 150E of the General  
1004 Laws.....\$3,116,570

1005           0810-0201.. For the costs incurred in administrative or judicial proceedings on insurance  
1006 as authorized by section 11F of chapter 12 of the General Laws; provided, that funds made

1007 available in this item may be used to supplement the automobile insurance fraud unit and the  
1008 workers' compensation fraud unit of the office of the attorney general; provided further, that  
1009 notwithstanding any general or special law to the contrary, the amount assessed for these costs  
1010 shall be equal to the amount expended from this item and the associated fringe benefits costs for  
1011 personnel paid from this item; and provided further, that funds may be expended for costs  
1012 associated with health insurance rate  
1013 hearings.....\$1,539,942

1014 0810-0338.. For the investigation and prosecution of automobile insurance fraud;  
1015 provided, that notwithstanding any general or special law to the contrary, the amount assessed  
1016 for these costs shall be equal to the amount appropriated by this  
1017 item.....\$438,506

1018 0810-0399.. For the investigation and prosecution of workers' compensation fraud;  
1019 provided, that notwithstanding any general or special law to the contrary, the amount assessed  
1020 for these costs shall be equal to the amount appropriated by this item; provided further, that the  
1021 attorney general shall investigate and prosecute, when appropriate, employers who fail to provide  
1022 workers' compensation insurance in accordance with the laws of the commonwealth; and  
1023 provided further, that the unit shall investigate and report on all companies not in compliance  
1024 with chapter 152 of the General Laws.....\$284,456

1025 Victim and Witness Assistance Board.

1026 0840-0100.. For the operation of the victim and witness assistance board; provided, that  
1027 the board shall submit a comprehensive report compiled from the required information submitted  
1028 to the office by the trial court, the registry of motor vehicles and the state treasurer relative to the

1029 collection of assessments for the previous calendar year under section 8 of chapter 258B of the  
1030 General Laws; and provided further, that the report shall be submitted to the house and senate  
1031 committees on ways and means on or before February 16, 2012.....\$509,267

1032 0840-0101.. For the salaries and administration of the SAFEPLAN advocacy program, to  
1033 be administered by the Massachusetts office of victim assistance; provided, that the office shall  
1034 submit to the house and senate committees on ways and means, not later than February 1, 2012, a  
1035 report detailing the effectiveness of contracting for the program including, but not limited to: (a)  
1036 the number and type of incidents to which the advocates responded; (b) the type of services and  
1037 service referrals provided by the domestic violence advocates; (c) the cost of providing such  
1038 services and the extent of coordination with other service providers; and (d) state  
1039 agencies.....\$741,199

1040 STATE ETHICS COMMISSION.

1041 0900-0100.. For the operation of the state ethics commission  
1042 .....\$1,796,500

1043 OFFICE OF THE INSPECTOR GENERAL.

1044 0910-0200.. For the operation of the office of the inspector general  
1045 .....\$2,163,589

1046 0910-0210.. For the office of the inspector general which may expend revenues collected  
1047 up to a maximum of \$600,000 from the fees charged to participants in the Massachusetts public  
1048 purchasing official certification program and the certified public manager program for the  
1049 operation of such programs; provided, that for the purpose of accommodating discrepancies

1050 between the receipts of retained revenues and related expenditures, the office of the inspector  
1051 general may incur expenses and the comptroller may certify for payment amounts not to exceed  
1052 the lower of this authorization or the most recent revenue estimate as reported in the state  
1053 accounting system  
1054 .....\$600,000

1055 OFFICE OF CAMPAIGN AND POLITICAL FINANCE.

1056 0920-0300.. For the operation of the office of campaign and political  
1057 finance..... \$1,197,262

1058 MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION.

1059 0940-0100.. For the office of the commission, including the processing and resolution of  
1060 cases pending before the commission that were filed on or before July 1, 2005; provided, that on  
1061 or before November 1, 2011, the commission shall submit to the house and senate committees on  
1062 ways and means a report on the total number of all currently pending cases and the total number  
1063 of the cases in the investigation, conciliation, post-probable cause and pre-public hearing and  
1064 post-hearing stages; provided further, that the commission shall file an update of the report with  
1065 the committees on or before March 7, 2012; provided further, that the commission shall identify  
1066 in the reports the number of cases in which the commission has determined there is probable  
1067 cause to believe that a violation of chapter 151B of the General Laws has been committed in a  
1068 case in which the Massachusetts Bay Transportation Authority is named as a respondent;  
1069 provided further, that the commission shall report to the house and senate committees on ways  
1070 and means, on or before November 1, 2011, the number of cases pending before the commission  
1071 in which a state agency or state authority is named as a respondent, specifying those cases in

1072 which the Massachusetts Bay Transportation Authority is named as a respondent, and the  
 1073 number of the cases in which there is probable cause to believe that a violation of said chapter  
 1074 151B has been committed; provided further, that the commission shall include in the report the  
 1075 total number of new cases filed in fiscal year 2011 and the total number of cases closed by the  
 1076 commission in fiscal year 2011; provided further, that funds made available in this item shall be  
 1077 in addition to funds available in item 0940-0101; provided further, that all positions, except  
 1078 clerical, shall be exempt from chapter 31 of the General Laws; and provided further, that the  
 1079 commission shall pursue the highest allowable rate of federal  
 1080 reimbursement.....\$2,543,312

1081 0940-0101.. For the Massachusetts commission against discrimination which may expend  
 1082 not more than \$1,930,054 from revenues from federal reimbursements received for the purposes  
 1083 of the United States Department of Housing and Urban Development fair housing type 1  
 1084 program and the equal opportunity resolution contract program during fiscal year 2012 and  
 1085 federal reimbursements received for these and other programs in prior years; provided, that  
 1086 notwithstanding any general or special law to the contrary, the commission may also expend  
 1087 revenues generated through the collection of fees and costs so authorized; and provided further,  
 1088 that for the purposes of accommodating discrepancies between the receipt of retained revenues  
 1089 and related expenditures, the commission may incur expenses and the comptroller may certify  
 1090 for payment amounts not to exceed the lower of this authorization or the most recent revenue  
 1091 estimate as reported in the state accounting system.....\$1,930,054

1092 0940-0102.. For the Massachusetts commission against discrimination which may expend  
 1093 not more than \$70,000 from revenues collected from fees charged for the training and

1094 certification of diversity trainers for the operation of the discrimination prevention certification  
1095 program.....\$70,000

1096 COMMISSION ON THE STATUS OF WOMEN.

1097 0950-0000.. For the commission on the status of  
1098 women..... \$70,000

1099 0950-0050 For the commission on gay and lesbian youth; provided, that funds shall be  
1100 used to address issues related to the implementation of chapter 92 of the acts of  
1101 2010.....\$100,000

1102 OFFICE OF THE STATE COMPTROLLER.

1103 1000-0001.. For the office of the state comptroller; provided, that the amount of any  
1104 federal funds and grant receipts credited and expended from this item shall be reported to the  
1105 house and senate committees on ways and means; provided further, that the comptroller shall  
1106 maintain a special federal and non-tax revenue unit which shall operate under policies and  
1107 procedures developed in conjunction with the secretary of administration and finance; provided  
1108 further, that the comptroller shall provide quarterly reports to the house and senate committees  
1109 on ways and means which shall include for each state agency for which the commonwealth is  
1110 billing, the eligible state services and the full-year estimate of revenues and revenues collected;  
1111 provided further, that notwithstanding any general or special law to the contrary, should the  
1112 comptroller receive notification from any member of the General Court that a reporting  
1113 requirement stipulated within this act has not been met, the comptroller shall give immediate  
1114 notice to the agency head and require the reporting requirement be met within 10 days; provided  
1115 further, that the comptroller shall deduct \$1,000 from the item of appropriation that contains the

1116 reporting requirement; provided further, that all amounts deducted shall be deposited into the  
1117 General Fund and the comptroller shall notify the house and senate committees on ways and  
1118 means of all amounts so deducted; provided further, that notwithstanding any general or special  
1119 law to the contrary, the comptroller may enter into contracts with private vendors to identify and  
1120 pursue cost avoidance opportunities for programs of the commonwealth and to enter into  
1121 interdepartmental service agreements with state agencies, as applicable, for such purpose;  
1122 provided further, that 60 days before entering into any interdepartmental service agreement the  
1123 comptroller shall notify the house and senate committees on ways and means; provided further,  
1124 that the notification shall include, but not be limited to, a description of the project, the purpose  
1125 and intent of the interdepartmental service agreement, a projection of the costs avoided in the  
1126 current fiscal year, a copy of the contract with the private vendor including the proposed rate of  
1127 compensation and any previous agreements related or similar to the new agreement with the  
1128 above information; provided further, that payments to private vendors on account of such cost  
1129 avoidance projects shall be made only from such actual cost savings as have been certified in  
1130 writing to the house and senate committees on ways and means by the comptroller and the  
1131 budget director as attributable to such cost avoidance projects; provided further, that the  
1132 comptroller may establish such procedures, in consultation with the budget director and the  
1133 affected departments, as he deems appropriate and necessary to accomplish the purpose of this  
1134 item; and provided further, that the comptroller shall submit a report on such projects as a part of  
1135 his annual report pursuant to section 12 of chapter 7A of the General Laws

1136 .....\$7,722,891

1137           DISABLED PERSONS PROTECTION COMMISSION.

1138           1107-2501.. For the disabled persons protection commission; provided, that the  
1139 commission shall facilitate compliance by the department of mental health and the department of  
1140 developmental services with uniform investigative standards; provided further, that the  
1141 commission shall report to the house and senate committees on ways and means no later than the  
1142 last day of each quarter on the number of claims of abuse by caretakers made by employees or  
1143 contracted service employees of the department of developmental services, the department of  
1144 mental health, and the Massachusetts rehabilitation commission; provided further, that the report  
1145 shall include: (a) the number of substantiated claims; (b) the number of unsubstantiated claims;  
1146 and (c) the number of false claims reported as a result of intentional and malicious action; and  
1147 provided further, that the commission shall ensure that it is capable of recording all calls that are  
1148 made to the commission’s 24-hour hotline, that all persons who call the hotline shall be  
1149 immediately informed that all calls are routinely recorded and that each such person shall be  
1150 provided with the opportunity to elect that the call not be  
1151 recorded..... \$2,214,159

1152           BOARD OF LIBRARY COMMISSIONERS.

1153           7000-9101.. For the operation of the board of library  
1154 commissioners.....\$817,877

1155           7000-9401.. For state aid to regional public libraries; provided, that the board of library  
1156 commissioners may provide quarterly advances of funds for purposes authorized by clauses (1)  
1157 and (2) of section 19C of chapter 78 of the General Laws, as it considers proper, to regional  
1158 public library systems throughout each fiscal year, in compliance with the office of the  
1159 comptroller’s regulations on state grants, 815 CMR 2.00; provided further, that notwithstanding



1160 any general or special law to the contrary, in calculating the fiscal year 2012 distribution of funds  
1161 appropriated in this item, the board of library commissioners shall employ population figures  
1162 used to calculate the fiscal year 2011 distribution; and provided further, that the board shall  
1163 provide funds for the continued operation of a single regional library system to serve the  
1164 different geographic regions of the commonwealth and requiring that physical locations be  
1165 maintained in both eastern and western Massachusetts to serve the residents of those regions ;  
1166 and provided further, that notwithstanding any general or special law to the contrary, the library  
1167 of the commonwealth shall receive not less than 35.9 cents for each resident of the  
1168 commonwealth

1169 .....\$9,131,475

1170           7000-9402.. For the talking book library at the Worcester public  
1171 library.....\$421,143

1172           7000-9406.. For the Braille and talking book library at Watertown, including the  
1173 operation of the machine lending  
1174 agency..... \$2,241,016

1175           7000-9501.. For state aid to public libraries; provided, that notwithstanding any general  
1176 or special law to the contrary, no city or town shall receive any money under this item in any  
1177 year when the appropriation of the city or town for free public library services is below an  
1178 amount equal to 102.5 per cent of the average of the appropriations for free public library service  
1179 for the 3 years immediately preceding; provided further, that notwithstanding any general or  
1180 special law to the contrary, the board of library commissioners may grant waivers in excess of  
1181 the waiver limit set forth in the second paragraph of section 19A of chapter 78 of the General

1182 Laws in fiscal year 2012 for a period of not more than 1 year; provided further, that  
1183 notwithstanding any general or special law to the contrary, of the amount by which this item  
1184 exceeds the amount appropriated in chapter 194 of the acts of 1998, funds shall be distributed  
1185 under the guidelines of the municipal equalization grant program, the library incentive grant  
1186 program and the nonresident circulation offset program; and provided further, that any payment  
1187 made under this item shall be deposited with the treasurer of the city or town and held in a  
1188 separate account and shall be expended by the public library of that city or town without  
1189 appropriation, notwithstanding any general or special law to the  
1190 contrary.....\$6,823,657

1191           7000-9506.. For the technology and automated resource sharing  
1192 networks.....\$1,929,238

1193           EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

1194           Office of the Secretary of Administration and Finance.

1195           1100-1100.. For the office of the secretary; provided, that the secretary shall conduct an  
1196 ongoing review of affirmative action steps taken by the various agencies, boards, departments,  
1197 commissions or divisions to determine whether such agencies, boards, departments, commissions  
1198 or divisions are complying with the commonwealth's policies of nondiscrimination and equal  
1199 opportunity; provided further, that whenever noncompliance is determined by the secretary, the  
1200 secretary shall hold a public hearing on the matter and report the resulting recommendations to  
1201 the head of the particular agency, board, department, commission or division, to the governor  
1202 and to the Massachusetts commission against discrimination; provided further, that the secretary  
1203 shall report on the status of each agency, board, department, commission or division receiving

1204 monies under this act, including supplemental and deficiency budgets, as to compliance or  
 1205 noncompliance with affirmative action policies to the chairs of the house and senate committees  
 1206 on ways and means, the joint committee on public service and the joint committee on labor and  
 1207 workforce development on or before December 1, 2011; and provided further, that agencies  
 1208 within the executive office may, with the prior approval of the secretary, streamline and improve  
 1209 administrative operations pursuant to interdepartmental service  
 1210 agreements.....\$2,768,871

1211           1100-1201.. For the assistant secretary for commonwealth performance, accountability  
 1212 and transparency, who may expend an amount not to exceed \$650,000 in fiscal year 2012 from  
 1213 the indirect costs charged under section 5D of chapter 29 to support the work of the office for  
 1214 commonwealth performance, accountability and transparency; provided, that one-time purchases  
 1215 of equipment that could be procured through capital spending shall not be made from this item;  
 1216 provided further, that the secretary of administration and finance shall report to the house and  
 1217 senate committees on ways and means, on or before April 1, 2012, on the expenditures made  
 1218 from this account by object class; and provided further, that notwithstanding any general or  
 1219 special law to the contrary, for the purpose of accommodating timing discrepancies between the  
 1220 receipt of revenues and related expenditures, the office may incur expenses and the comptroller  
 1221 may certify for payment the amounts not to exceed the lower of this authorization or the most  
 1222 recent revenue estimate as reported in the state accounting system.....\$650,000

1223           1100-1700.. For the provision of information technology services within the executive  
 1224 office for administration and  
 1225 finance.....\$25,502,591

1226 1106-0064.. For the Massachusetts caseload forecast office; provided, that the office shall  
1227 estimate enrollment or caseload for certain state programs in fiscal year 2013; provided further,  
1228 that the office shall forecast: (1) MassHealth enrollment by group; (2) participation in state  
1229 subsidized child care provided through items 3000-3050, 3000-4050 and 3000-4060; (3)  
1230 participation in emergency assistance and housing programs provided through items 7004-0101  
1231 and 7004-0108; (4) enrollment, both active member and dependent, in the group insurance  
1232 commission; and (5) recipients of direct benefits provided by the department of transitional  
1233 assistance through items 4403-2000, 4405-2000 and 4408-1000; provided further, that the office  
1234 shall report its forecasts to the executive office for administration and finance and the house and  
1235 senate committees on ways and means not later than December 1, 2011; and provided further,  
1236 that the office shall submit an updated forecast to the executive office for administration and  
1237 finance and the house and senate committee on ways and means not later than March 14,  
1238 2012.....\$400,000

1239 Division of Capital Asset Management and Maintenance.

1240 1102-3205 For the division of capital asset management and maintenance which may  
1241 expend for the maintenance and operation of the Massachusetts information technology center,  
1242 the state transportation building and the Springfield state office building an amount not to exceed  
1243 \$16,250,000 in revenues collected from rentals, commissions, fees, parking fees and any other  
1244 sources pertaining to the operations of said facilities; provided, that the division shall work with  
1245 the committee on public counsel services to ensure that all public defenders hired in fiscal year  
1246 2012 shall have access to adequate office space; provided further, that the division shall identify  
1247 any office space that may be vacated by the staffing plan implemented pursuant to item 0321-  
1248 1500 and shall prioritize use for public defenders; and provided further, that notwithstanding any

1249 general or special law to the contrary, and for the purpose of accommodating discrepancies  
1250 between the receipt of retained revenues and related expenditures, the division may incur  
1251 expenses and the comptroller may certify for payment amounts not to exceed the lower of this  
1252 authorization or the most recent revenue estimate, as reported in the state accounting  
1253 system.....\$16,250,000

1254           1102-3232.. For the division of capital asset management and maintenance; provided,  
1255 that the division may expend not more than \$300,000 received from application fees charged in  
1256 conjunction with the certification of contractors and subcontractors pursuant to section 44D of  
1257 chapter 149 of the General Laws; provided further, that only expenses, including staffing,  
1258 incurred to implement and operate the certification program shall be funded from this item; and  
1259 provided further, that for the purpose of accommodating discrepancies between the receipt of  
1260 retained revenues and related expenditures, the division may incur expenses and the comptroller  
1261 may certify for payment amounts not to exceed the lower of this authorization or the most recent  
1262 revenue estimate, as reported in the state accounting  
1263 system.....\$300,000

1264           Bureau of State Office Buildings.

1265           1102-3301.. For the operation of the bureau and for the maintenance and operation of  
1266 buildings under the jurisdiction of the state superintendent of buildings; provided, that the bureau  
1267 shall continue to provide funding for all janitorial services at the same level provided in fiscal  
1268 year 2011 for all the buildings under the jurisdiction of the state superintendent; and provided  
1269 further, that the bureau shall retain jurisdiction over all contracts, purchases and payments for

1270 materials and services required in the operation of the  
1271 bureau.....\$4,270,117

1272           1102-3302.. For the purposes of utility costs and associated contracts for the properties  
1273 managed by the bureau of state office  
1274 buildings.....\$4,905,820

1275           1102-3306.. For the maintenance and joint operation of the state house under the  
1276 jurisdiction of the state superintendent of state office buildings and the legislature's joint  
1277 committee on rules; provided, that the bureau shall work in coordination with the house of  
1278 representatives and the senate relative to the maintenance, repair, purchases and payments for  
1279 materials and services  
1280 .....\$700,034

1281           1102-3307.. For state house accessibility coordination, including communications access  
1282 to public hearings and meetings; provided, that access shall include interpreter services for the  
1283 deaf and hard of  
1284 hearing.....\$138,476

1285           Office on Disability.

1286           1107-2400.. For the Massachusetts office on  
1287 disability.....\$539,539

1288           Civil Service Commission.

1289           1108-1011.. For the civil service commission; provided, that the General Fund shall be  
1290 reimbursed for the appropriation herein through a fee charged on a per claim basis; provided

1291 further, that said commission shall develop and implement regulations to provide for  
1292 reimbursement to the General Fund; and provided further, that the civil service commission may  
1293 assess a fee upon the appointing authority when inappropriate action has  
1294 occurred.....\$410,000

1295           Group Insurance Commission.

1296           1108-5100.. For the administration of the group insurance commission; provided, that the  
1297 commission shall generate the maximum amounts allowable under the federal Consolidated  
1298 Omnibus Budget Reconciliation Act, as amended, and from reimbursements allowed by sections  
1299 8, 10B, 10C and 12 of chapter 32A of the General Laws; provided further, that the group  
1300 insurance commission shall report to the executive office for administration and finance and the  
1301 house and senate committees on ways and means on all entities that have the employer share of  
1302 their health insurance coverage paid through item 1108-5200; provided further, that the group  
1303 insurance commission shall provide the caseload forecasting office with enrollment data and any  
1304 other information pertinent to caseload forecasting that is requested by the office on a monthly  
1305 basis; provided, however, that the information is provided in a manner that meets all applicable  
1306 federal and state privacy and security requirements; and provided further, that \$125,000 shall be  
1307 used for wellness programs as established in Chapter 288 of the Acts of  
1308 2010.....\$2,570,379

1309           1108-5200.. For the commonwealth's share of the group insurance premium and plan  
1310 costs incurred in fiscal year 2012; provided, that notwithstanding any general or special law to  
1311 the contrary, funds in this item shall not be available during the accounts-payable period of fiscal  
1312 year 2012 and any unexpended balance in this item shall revert to the General Fund on June 30,

1313 2012; provided further, that the secretary of administration and finance shall charge the division  
1314 of unemployment assistance and other departments, authorities, agencies and divisions which  
1315 have federal or other funds allocated to them for this purpose, for that portion of insurance  
1316 premiums and plan costs as the secretary determines should be borne by such funds, and shall  
1317 notify the comptroller of the amounts to be transferred, after similar determination, from the  
1318 several state or other funds and amounts received in payment of all such charges or such  
1319 transfers shall be credited to the General Fund; provided further, that funds may be expended  
1320 from this item for the commonwealth's share of group insurance premium and plan costs  
1321 provided to employees and retirees in prior fiscal years; provided further, that the group  
1322 insurance commission shall report quarterly to the house and senate committees on ways and  
1323 means the amounts expended from this item for prior year costs; provided further, that the group  
1324 insurance commission shall obtain reimbursement for premium and administrative expenses  
1325 from other agencies and authorities not funded by state appropriation; provided further, that the  
1326 secretary of administration and finance may charge all agencies for the commonwealth's share of  
1327 the health insurance costs incurred on behalf of any employees of those agencies who are on  
1328 leave of absence for a period of more than 1 year; provided further, that the amounts received in  
1329 payment for the charges shall be credited to the General Fund; provided further, that  
1330 notwithstanding section 26 of chapter 29 of the General Laws, the commission may negotiate,  
1331 purchase and execute contracts before July 1 of each year for policies of group insurance as  
1332 authorized by chapter 32A of the General Laws; provided further, that notwithstanding chapter  
1333 150E of the General Laws and as provided in section 8 of said chapter 32A and for the purposes  
1334 of section 14 of said chapter 32A, the commonwealth's share of the group insurance premiums  
1335 for state employees who have retired before July 1, 1994 shall be 90 per cent and the



1336 commonwealth's share of the group insurance premiums for state employees who have retired on  
1337 or after July 1, 1994 shall be 85 per cent; provided further, that the commonwealth's share of the  
1338 group insurance premiums for active state employees hired on or before June 30, 2003 and their  
1339 dependents shall be 80 per cent; provided further, that the commonwealth's share of the group  
1340 insurance premiums for active state employees hired after June 30, 2003 and their dependents  
1341 shall be 75 per cent; provided further, that the commonwealth's share of the group insurance  
1342 premiums for active state employees who filed an application for retirement on or after August 7,  
1343 2009, and on or before October 1, 2009, for a retirement date not later than January 31, 2010,  
1344 shall be 85 per cent; provided further, that the commonwealth's share of the group insurance  
1345 premiums for active state employees who file an application for retirement after October 1, 2009,  
1346 shall be 80 per cent until a different contribution rate is established under said section 8 of said  
1347 chapter 32A; provided further, that the commission shall notify the house and senate committees  
1348 on ways and means by April 1 of each year of the cost of the commonwealth's projected share of  
1349 group insurance premiums for the next fiscal year; provided further, that the group insurance  
1350 commission may pay premium and plan costs for municipal employees and retirees who are  
1351 enrolled in the group insurance commission's health plans pursuant to the commission's  
1352 regulations; provided further, that the group insurance commission shall report no later than  
1353 December 1, 2011 to the house and senate committees on ways and means on the premiums of  
1354 enrollees of municipalities participating in the group insurance commission for fiscal years 2010  
1355 and 2011; and provided further, that such report shall include the premium reimbursement paid  
1356 by each municipality per active enrollee by plan, the average employee premium contribution by  
1357 plan for each municipality, estimates for the total premium per active enrollee by plan for each  
1358 municipality and a comparison of the total premium estimate with the sum total of municipality

1359 reimbursement and average employee premium  
1360 contribution.....\$1,131,305,510

1361           1108-5201.. For the costs incurred by the group insurance commission associated with  
1362 providing municipal health insurance coverage pursuant to section 19 of chapter 32B of the  
1363 General Laws; provided, that the commission may expend revenues in an amount not to exceed  
1364 \$1,033,566 from the revenue received from administrative fees associated with providing  
1365 municipal health insurance coverage pursuant to said section 19 of said chapter 32B; and  
1366 provided further, that notwithstanding any general or special law to the contrary, for the purpose  
1367 of accommodating timing discrepancies between the receipt of revenues and related  
1368 expenditures, the commission may incur expenses and the comptroller may certify for payment  
1369 the amounts not to exceed the lower of this authorization or the most recent revenue estimate as  
1370 reported in the state accounting  
1371 system.....\$1,033,566

1372           1108-5350.. For elderly governmental retired employee premium  
1373 payments.....\$340,000

1374           1108-5400.. For the costs of the retired municipal teachers' premiums and the audit of  
1375 such premiums  
1376 .....\$64,386,762

1377           1108-5500.. For the costs, notwithstanding chapter 32A of the General Laws, of dental  
1378 and vision benefits for those active employees of the commonwealth, not including employees of  
1379 authorities and any other political subdivision, who are not otherwise provided those benefits  
1380 pursuant to a separate appropriation or the terms of a contract or collective bargaining

1381 agreement; provided, that the employees shall pay 15 per cent of monthly premiums established  
1382 by the commission for the benefits  
1383 .....\$9,104,973

1384 Division of Administrative Law Appeals.

1385 1110-1000.. For the operation of the division of administrative law appeals, established  
1386 by section 4H of chapter 7 of the General Laws; provided, that the division shall maintain, to the  
1387 fullest extent practicable, a complete physical and technological separation from any agency,  
1388 department, board, commission or program whose decisions, determinations or actions may be  
1389 appealed to it; and provided further, that every decision issued by a commissioner or other head  
1390 of agency, or designee, following the issuance of a recommended decision by an administrative  
1391 law judge of the division, shall be an agency decision subject to judicial review pursuant to  
1392 chapter 30A of the General  
1393 Laws.....\$1,077,076

1394 George Fingold Library.

1395 1120-4005.. For the administration of the George Fingold  
1396 Library.....\$796,229

1397 Department of Revenue.

1398 1201-0100.. For the operation of the department of revenue, including tax collection  
1399 administration and audits of certain foreign corporations and the division of local services;  
1400 provided, that the department may allocate funds to the office of the attorney general for the  
1401 purpose of the tax prosecution unit; provided further, that the department may charge the

1402 expenses for computer services, including the costs of personnel and other support costs  
1403 provided to the child support enforcement unit, from this item to item 1201-0160, consistent with  
1404 the costs attributable to said unit; provided further, that the department shall provide to the  
1405 general court access to the municipal data bank; provided further, that notwithstanding section 1  
1406 of chapter 31 of the General Laws, seasonal positions funded by this account shall be positions  
1407 requiring the services of an incumbent, on either a full-time or less than full-time basis beginning  
1408 no earlier than December 1 and ending no later than November 30; and provided further, that  
1409 seasonal positions funded by this account shall not be filled by an incumbent for more than 10  
1410 months within a 12-month  
1411 period.....\$80,469,544

1412           1201-0130.. For the department of revenue which may expend for the operation of the  
1413 department not more than \$23,940,257 from revenues collected by the additional auditors for an  
1414 enhanced audit program; provided, that the auditors shall: (1) discover and identify persons who  
1415 are delinquent either in the filing of a tax return or the payment of a tax due and payable to the  
1416 commonwealth; (2) obtain such delinquent returns; and (3) collect such delinquent taxes for a  
1417 prior fiscal year; provided further, that notwithstanding any general or special law to the  
1418 contrary, for the purpose of accommodating timing discrepancies between the receipt of retained  
1419 revenues and related expenditures, the department may incur expenses and the comptroller may  
1420 certify for payment amounts not to exceed the lower of this authorization or the most recent  
1421 revenue estimate as reported in the state accounting system; and provided further, that the  
1422 department shall submit quarterly reports to the house and senate committees on ways and means  
1423 that shall include, but not be limited to, the following: (1) the amount of revenue produced from  
1424 these additional auditors; and (2) the amount of revenue produced by this item in fiscal years

1425 2008, 2009, 2010 and  
1426 2011.....\$23,940,257

1427 1201-0160.. For child support enforcement; provided, that the department may allocate  
1428 funds appropriated herein to the department of state police, the district courts, the probate and  
1429 family courts, the district attorneys and other state agencies for the performance of certain child  
1430 support enforcement activities, and those agencies may expend the funds for the purposes of this  
1431 item; provided further, that all such allocations shall be reported quarterly to the house and  
1432 senate committees on ways and means upon the allocation of the funds; provided further, that the  
1433 federal receipts associated with the child support computer network shall be drawn down at the  
1434 highest possible rate of reimbursement and deposited into a revolving account to be expended for  
1435 the network; provided further, that federal receipts associated with child support enforcement  
1436 grants shall be deposited into a revolving account to be drawn down at the highest possible rate  
1437 of reimbursement and to be expended for the grant authority; provided further, that the  
1438 department shall file quarterly reports with the house and senate committees on ways and means,  
1439 detailing the balance, year-to-date and projected receipts and year-to-date and projected  
1440 expenditures, by subsidiary, of the child support trust fund established pursuant to section 9 of  
1441 chapter 119A of the General Laws; and provided further, that notwithstanding any general or  
1442 special law to the contrary, for the purpose of accommodating timing discrepancies between the  
1443 receipt of revenues and related expenditures, the department may incur expenses and the  
1444 comptroller may certify for payment the amounts not to exceed the lower of this authorization or  
1445 the most recent revenue estimate as reported in the state accounting system for federal incentives  
1446 and said network in accounts 1201-0161, 1201-0410 and 1201-0412.....\$33,676,820

1447           1201-0164.. For the child support enforcement division; provided, that the division may  
 1448    expend revenues in an amount not to exceed \$6,547,280 from the federal reimbursements  
 1449    awarded for personnel and lower subsidiary related expenditures; and provided further, that  
 1450    notwithstanding any general or special law to the contrary, for the purpose of accommodating  
 1451    timing discrepancies between the receipt of revenues and related expenditures, the department  
 1452    may incur expenses and the comptroller may certify for payment the amounts not to exceed the  
 1453    lower of this authorization or the most recent revenue estimate, as reported in the state  
 1454    accounting  
 1455    system.....\$6,547,280

1456           1231-1000.. For the Commonwealth Sewer Rate Relief Fund, established in section 2Z of  
 1457    chapter 29 of the General  
 1458    Laws.....\$500,000

1459           1232-0100.. For underground storage tank reimbursements to parties that have  
 1460    remediated spills of petroleum products pursuant to chapter 21J of the General Laws; provided,  
 1461    that in the prioritization of claims, payment of approved claims shall be as follows: to claimant  
 1462    who owns, or formerly owned, at least 1 but not more than 2 dispensing facilities; then payment  
 1463    to claimant who owns 3 but not more than 5 facilities; then payment to claimant who owns 6 but  
 1464    not more than 9 facilities; then payment to claimant who owns more than 9 facilities; and  
 1465    provided further, that not more than 50 percent of this appropriation shall be allocated to  
 1466    approved claimants prior to January 1,  
 1467    2012.....\$13,000,000

1468           1232-0200.. For the Underground Storage Tank Petroleum Cleanup Fund Administrative  
1469 Review Board established by section 8 of chapter 21J of the General Laws and for the  
1470 administration of the underground storage tank program associated with the implementation of  
1471 said chapter 21J; provided, that notwithstanding section 4 of said chapter 21J or any other  
1472 general or special law to the contrary, appropriations made in this item shall be sufficient to  
1473 cover the administrative expenses of the underground storage tank program; provided further,  
1474 that the board shall submit to the house and senate committees on ways and means a report on  
1475 the status of the underground storage program, including, but not limited to, the number of  
1476 municipal grants made for the removal and replacement of underground storage tanks and the  
1477 reimbursements for remediated petroleum spills; provided further, that the report shall detail how  
1478 many tanks are out of compliance with said chapter 21J; and provided further, that the report  
1479 shall be submitted not later than February 16, 2012  
1480 .....\$2,033,299

1481           1233-2000.. For the tax abatement program for certain veterans, widows, blind persons  
1482 and the elderly; provided, that cities and towns shall be reimbursed for the abatements granted  
1483 under clauses Seventeenth, Twenty-second, Twenty-second A, Twenty-second B, Twenty-  
1484 second C, Twenty-second D, Twenty-second E, Thirty-seventh, Thirty-seventh A, Forty-first,  
1485 Forty-first B, Forty-first C, Forty-first C 1/2 and Fifty-second of section 5 of chapter 59 of the  
1486 General Laws; provided further, that the commonwealth shall reimburse each city or town that  
1487 accepts said clause Forty-first B or said clause Forty-first C for additional costs incurred in  
1488 determining eligibility of applicants under those clauses in an amount not to exceed \$2 per  
1489 exemption granted; and provided further, that funds in this item shall be available for  
1490 reimbursements to cities and towns for additional exemptions from the motor vehicle excise

1491 granted pursuant to the seventh paragraph of section 1 of chapter 60A of the General  
1492 Laws..... \$25,301,475

1493 1233-2350.. For the distribution to cities and towns of the balance of the State Lottery  
1494 Fund in accordance with clause (c) of the second paragraph of section 35 of chapter 10 of the  
1495 General Laws, and additional aid to municipalities, as provided for in section  
1496 3.....\$833,980,293

1497 1233-2400.. For reimbursements to cities and towns in lieu of taxes on state-owned land  
1498 pursuant to sections 13 to 17, inclusive, of chapter 58 of the General  
1499 Laws.....\$27,270,000

1500 1233-2401 For reimbursements to certain cities and towns for additional educational  
1501 costs pursuant to chapter 40S of the General Laws; provided, that cities and towns eligible for  
1502 reimbursements in fiscal year 2010 shall receive  
1503 funding.....\$363,399

1504 Appellate Tax Board.

1505 1310-1000.. For the operation of the appellate tax board; provided, that the board shall  
1506 schedule hearings in not less than 9 geographically diverse regions of the state; and provided  
1507 further, that the board shall report to the house and senate committees on ways and means not  
1508 later than December 1, 2011 on the number of hearings held at each  
1509 location.....\$1,459,270

1510 1310-1001.. For the appellate tax board which may expend revenues up to a maximum of  
1511 \$400,000 from fees collected; provided, that in order to accommodate discrepancies between the



1512 receipt of retained revenues and related expenditures, the board may incur expenses and the  
1513 comptroller may certify for payment amounts not to exceed the lower of this authorization or the  
1514 most recent revenue estimate as reported in the state accounting  
1515 system.....\$400,000

1516 Reserves.

1517 1599-0018.. For a reserve to fund revenue maximization efforts that cannot be realized on  
1518 a contingent basis; provided, that the secretary of administration and finance shall pursue these  
1519 efforts in consultation with the state comptroller and other state agencies where appropriate; and  
1520 provided further, that the secretary shall report to the house and senate committees on ways and  
1521 means not later than March 5, 2012 which shall include, but not be limited to, revenue and  
1522 savings generated through revenue maximization efforts, further opportunities for revenue  
1523 maximization and savings, and areas originally identified for revenue maximization and savings  
1524 which did not generate expected revenue or savings.....\$750,000

1525 1599-0024.. For a reserve to be administered by the office of the comptroller to fund a  
1526 competitive grant program for the purpose of funding auditors at agencies and departments that  
1527 demonstrate: (a) a reduction in audit functions due to budget reductions; (b) a decrease in fraud  
1528 and waste recoveries in the past 3 fiscal years; and (c) a plan for expenditure of audit funds and  
1529 an estimate of recoveries greater than the award received; provided, that funds shall be awarded  
1530 to state entities that are most likely to generate savings or revenue from enhanced auditing or  
1531 program integrity greater than the award received; provided further, that grants shall be made on  
1532 a one-time, non-recurring basis and the comptroller shall develop guidelines and an application  
1533 process and award all grants no later than October 3, 2011; provided further, that funds from this

1534 item may be expended for additional child support enforcement personnel at the department of  
1535 revenue; provided further, that agencies awarded grants shall report to the comptroller quarterly  
1536 detailing their expenditures and recoveries made with grant resources; and provided further, that  
1537 the comptroller shall report to the house and senate committees on ways and means no later than  
1538 March 1, 2012 on the grant recipients, their audit outcomes and the effectiveness of the grant  
1539 program.....\$1,250,000

1540           1599-0026.. For a reserve for 1-time grants to support municipal improvements;  
1541 provided, that no less than \$4,000,000 shall be transferred to the division of local services and  
1542 shall be expended for a multi-year competitive grant program to provide financial support for 1-  
1543 time transition costs related to regionalization and other efficiency initiatives, with allowable  
1544 applicants to include municipalities, regional schools,school districts considering forming a  
1545 regional school district or regionalizing servicesregional planning agencies and councils of  
1546 governments; provided further, that regional planning agencies and councils of governments may  
1547 also serve as the administrative or fiscal agent on behalf of municipalities; provided further, that  
1548 funds may be expended to reimburse municipalities for planning costs associated with municipal  
1549 infrastructure improvements incurred in fiscal year 2011; provided further, that said grant  
1550 program shall be administered by the division of local services; provided further, that\$3,000,000  
1551 shall be transferred to the executive office of public safety and security for a competitive grant  
1552 program to be administered by the office; provided further, that grants shall be awarded to  
1553 communities that: (i) have a population of at least 65,000; and (ii) demonstrate that its police  
1554 department had an operating budget per capita of less than \$200 in 2010; provided further, that  
1555 \$2,000,000 shall be transferred to the department of elementary and secondary education to be  
1556 distributed through a competitive grant program; provided further, that the competitive grant

1557 program shall include only those local education authorities whose chapter 70 aid in fiscal year  
 1558 2012, as a percentage of foundation budget, is less than that local education authorities' target  
 1559 aid share for fiscal year 2012; provided further, notwithstanding any general or special law to the  
 1560 contrary, any payments made pursuant to this item to any school districts shall be deposited with  
 1561 the treasurer of such city, town or regional school district and held as a separate account and  
 1562 shall be expended by the school committee of such city, town or regional school district without  
 1563 municipal appropriation; and provided further, that each state entity administering grant funds  
 1564 through this item shall report to the house and senate committees on ways means no later than  
 1565 January 18, 2012 detailing grants awarded through this item and the criteria used for distribution  
 1566 ..... \$9,000,000

1567           1599-0050.. For Route 3 North contract assistance  
 1568 payments.....\$5,409,158

1569           Commonwealth Transportation Fund..... 100%

1570           1599-0093.. For contract assistance to the water pollution abatement trust for debt service  
 1571 obligations of the trust, pursuant to sections 6, 6A and 18 of chapter 29C of the General Laws;  
 1572 prior appropriation  
 1573 continued.....\$64,654,037

1574           1599-1970.. For a reserve for the Massachusetts Department of Transportation for the  
 1575 purpose of defraying costs of the Massachusetts Turnpike Authority, or its successor, incurred in  
 1576 fiscal year 2012 under section 138 of chapter 27 of the acts of  
 1577 2009.....\$125,000,000

1578           Commonwealth Transportation Fund..... 100%

1579           1599-1977.. For contract assistance and other payments to the Massachusetts  
1580 Development Finance Agency for payment of debt service and related obligations in connection  
1581 with bonds issued by the agency under chapter 293 of the acts of 2006 and chapter 303 of the  
1582 acts of 2008.....\$2,165,500

1583           1599-2009.. For a reserve for Hale Hospital in the city of  
1584 Haverhill.....\$1,000,000

1585           1599-3234.. For the commonwealth’s South Essex sewerage district debt service  
1586 assessment ..... \$90,100

1587           1599-3384.. For a reserve for the payment of certain court judgments, settlements and  
1588 legal fees, in accordance with regulations promulgated by the comptroller, which were ordered to  
1589 be paid in the current fiscal year or a prior fiscal year; provided, that the comptroller shall report  
1590 quarterly to the house and senate committees on ways and means on the amounts expended from  
1591 this item; provided further, that this item shall also fund benefits authorized by section 100A of  
1592 chapter 32 of the General Laws for public safety employees killed in the line of duty upon  
1593 certification by the state board of retirement; provided further, that funds from this item shall  
1594 also fund benefits authorized by section 81 of chapter 48 of the General Laws upon certification  
1595 by the commissioners on firemen’s relief; and provided further, that the comptroller’s office shall  
1596 provide immediate written notification to the secretary of administration and finance and the  
1597 house and senate committees on ways and means upon the expenditure of funds for the purposes  
1598 of this item .....\$5,000,000

1599           1599-3856.. For rent and associated costs at the Massachusetts information technology  
1600 center in Chelsea  
1601 .....\$600,000

1602           1599-3857.. For capital lease payments from the University of Massachusetts to the  
1603 Massachusetts Development Finance Agency and for annual operations of the advanced  
1604 technology and manufacturing center in Fall  
1605 River.....\$1,581,922

1606           1599-4417.. For the Edward J. Collins, Jr. center for public management at the University  
1607 of  
1608 Massachusetts.....\$496,518

1609           1599-7104.. For a reserve for the facility costs associated with the college of visual and  
1610 performing arts at the University of Massachusetts at Dartmouth; provided, that funds may be  
1611 expended for Bristol Community  
1612 College.....\$2,700,000

1613           Division of Human Resources.

1614           1750-0100.. For the operation of the human resources division and the costs of  
1615 administration, training and customer support related to the commonwealth’s human resources  
1616 and compensation management system; provided, that the information technology division shall  
1617 continue a chargeback system for its bureau of computer services, including the operation of the  
1618 commonwealth’s human resources and compensation management system, which complies with  
1619 the requirements of section 2B; provided further, that the division shall be responsible for the  
1620 administration of examinations for state and municipal civil service titles, establishment of

1621 eligible lists, certification of eligible candidates to state and municipal appointing authorities and  
1622 technical assistance in selection and appointment to state and municipal appointing authorities;  
1623 provided further, that notwithstanding clause (n) of section 5 of chapter 31 of the General Laws,  
1624 or any other general or special law to the contrary, the secretary of administration and finance  
1625 shall charge a fee of not less than \$50 to be collected from each applicant for a civil service  
1626 examination; provided further, that the division shall administer a program of state employee  
1627 unemployment management, including, but not limited to, agency training and assistance;  
1628 provided further, that the division shall administer the statewide classification system, including,  
1629 but not limited to, maintaining a classification pay plan for civil service titles within the  
1630 commonwealth in accordance with generally accepted compensation standards and reviewing  
1631 appeals for reclassification; provided further, that the secretary of administration and finance  
1632 shall file with the house and senate committees on ways and means the amounts of any economic  
1633 benefits necessary to fund any incremental cost items contained in any collective bargaining  
1634 agreements with the various classified public employees' unions; and provided further, that the  
1635 nature and scope of economic proposals contained in those agreements shall include all fixed  
1636 percentage or dollar-based salary adjustments, non-base payments or other forms of  
1637 compensation and all supplemental fringe benefits resulting in any incremental  
1638 costs.....\$2,618,785

1639           1750-0102.. For the human resources division which may expend not more than  
1640 \$2,056,966 from revenues collected from fees charged to applicants for civil service and non-  
1641 civil service examinations and fees charged for the costs of goods and services rendered in  
1642 administering training programs; provided, that the division shall collect from participating non-  
1643 state agencies, political subdivisions and the general public fees sufficient to cover all costs of

1644 the programs, including, but not limited to, a fee to be collected from each applicant for a civil  
1645 service examination or non-civil service examination, notwithstanding clause (n) of section 5 of  
1646 chapter 31 of the General Laws or any other general or special law to the contrary; provided  
1647 further, that the human resources division may also expend revenues collected for  
1648 implementation of the health and physical fitness standards program established pursuant to  
1649 sections 61A of said chapter 31 and the wellness program established pursuant to section 61B of  
1650 said chapter 31 and those programs in chapter 32 of the General Laws; provided further, that the  
1651 personnel administrator shall charge a fee of not less than \$50 to be collected from each  
1652 applicant who participates in the physical ability test; and provided further, that notwithstanding  
1653 any general or special law to the contrary, for the purpose of accommodating timing  
1654 discrepancies between the receipt of retained revenues and related expenditures, the division may  
1655 incur expenses and the comptroller may certify for payment amounts not to exceed the lower of  
1656 this authorization or the most recent revenue estimate as reported in the state accounting  
1657 system.....\$2,056,966

1658           1750-0119.. For payment of workers' compensation benefits to certain former employees  
1659 of Middlesex and Worcester counties; provided, that the division shall routinely recertify the  
1660 former employees pursuant to current workers' compensation  
1661 procedures.....\$52,057

1662           1750-0300.. For the commonwealth's contributions in fiscal year 2012 to health and  
1663 welfare funds established pursuant to certain collective bargaining agreements; provided, that the  
1664 contributions shall be calculated as provided in the applicable collective bargaining agreement  
1665 and shall be paid to the health and welfare trust funds on a monthly basis or on such other basis

1666 as the applicable collective bargaining agreement  
1667 provides.....\$26,950,000

1668           Operational Services Division.

1669           1775-0100.. For the operation of the operational services division; provided, that the  
1670 division shall expend funds for the purpose of achieving savings pursuant to this  
1671 act.....\$200,000

1672           1775-0106.. For the operation of an enhanced vendor auditing unit within the operational  
1673 services division; provided, that the unit will use a risk analysis program to identify vendor areas  
1674 at high risk of fraud, overbilling or unallowable expenses; provided further, that the risk analysis  
1675 will use vendor filed uniform financial reports, contracts with state entities and MMARS billing  
1676 records; provided further, that in determining risk, the unit shall consider: (1) failure to file in a  
1677 timely manner annual uniform financial reports and required private audits; (2) related-party  
1678 transactions; (3) use of management companies; (4) amounts of billed expenditures on credit  
1679 cards; (5) expenditures for non-program expenses such as travel, meals and vehicles; and (6)  
1680 referrals or complaints from other state agencies, public officials and consumers; provided  
1681 further, that the unit shall conduct field audits as necessary to determine evidence of fraud,  
1682 overbilling or unallowable expenses; provided further, that the unit shall develop a recovery plan  
1683 to recoup all funds received by a vendor due to fraud, overbilling or unallowable expenses and  
1684 shall be responsible for recovering said funds; provided further, that any recovery plan that  
1685 provides for less than the full restitution of misspent funds shall not be implemented without the  
1686 approval of the secretary of administration and finance; provided further, that all funds recovered  
1687 shall be deposited in the General Fund; provided further, that audits which indicate criminal



1688 fraud shall be referred to the office of the attorney general for investigation; and provided  
1689 further, that the unit shall file a report to the executive office of administration and finance and  
1690 the house and senate committees on ways and means no later than March 7, 2012 on the  
1691 activities of the unit including number of audits conducted, number of vendors audited, number  
1692 of vendors demonstrating the risk factors listed in this item, funds identified for recoupment,  
1693 funds recouped, any reasons why identified funds were not recouped and details of recovery  
1694 plans that required the approval of the secretary of administration and  
1695 finance.....\$475,000

1696 1775-0115.. For the operational services division; provided, that the division may expend  
1697 for the purpose of procuring, managing and administering statewide contracts an amount not to  
1698 exceed \$2,989,876 from revenue collected from the statewide contract administrative fee; and  
1699 provided further, that for the purpose of accommodating discrepancies between the receipt of  
1700 retained revenues and related expenditures, the operational services division may incur expenses  
1701 and the comptroller may certify for payment amounts not to exceed the lower of this  
1702 authorization or the most recent revenue estimate as reported in the state accounting system,  
1703 including the costs of personnel.....\$2,989,876

1704 1775-0124.. For the operational services division; provided, that the division may expend  
1705 an amount not to exceed \$500,000 from revenue collected in the recovery of cost-reimbursement  
1706 and non-reimbursable over billing and recoupment for health and human service agencies and as  
1707 a result of administrative reviews, as determined during the division's audits and reviews of  
1708 providers pursuant to section 22N of chapter 7 of the General Laws; provided further, that the  
1709 division may only retain revenues collected in excess of \$207,350; and provided further, that  
1710 notwithstanding any general or special law to the contrary, for the purpose of accommodating

1711 discrepancies between the receipt of retained revenues and related expenditures, the department  
1712 may incur expenses and the comptroller may certify for payment amounts not to exceed the  
1713 lower of this authorization or the most recent revenue estimate, as reported in the state  
1714 accounting system.....\$500,000

1715           1775-0200.. For the operation and administration of the supplier diversity office;  
1716 provided, that the office shall provide training and other services to supplier diversity office  
1717 certified minority- and women-owned businesses, which allows them to better compete for state  
1718 contracts and also ensures that equitable practices and policies in the public marketplace are  
1719 maintained; provided further, that the office shall administer an electronic business certification  
1720 application which shall be accessible to business applicants through use of the internet; provided  
1721 further, that the office shall ensure the integrity and security of personal and financial  
1722 information transmitted by electronic application; provided further, that the office shall, using all  
1723 existing available resources, provide certification services to all supplier diversity office  
1724 qualified applicants, throughout the commonwealth and beyond; and provided further, that the  
1725 office shall develop and implement measures and procedures to continue to improve the  
1726 efficiency and the timeliness of the certification  
1727 process.....\$495,141

1728           1775-0600.. For the operational services division; provided, that the division may expend  
1729 not more than \$750,000 in revenues from the sale of state surplus personal property and the  
1730 disposal of surplus motor vehicles, including, but not limited to, state police vehicles from  
1731 vehicle accident and damage claims and from manufacturer warranties, rebates and settlements  
1732 for the payment, expenses and liabilities for the acquisition, warehousing, allocation and  
1733 distribution of surplus property and the purchase of motor vehicles; and provided further, that for

1734 the purpose of accommodating discrepancies between the receipt of retained revenues and  
1735 related expenditures, the operational services division may incur expenses and the comptroller  
1736 may certify for payment amounts not to exceed the lower of this authorization or the most recent  
1737 revenue estimate as reported in the state accounting system, including the costs of personnel  
1738 .....\$750,000

1739       1775-0700.. For the operational services division; provided, that the division may expend  
1740 not more than \$53,000 in revenues collected in addition to the amount authorized in item 1775-  
1741 1000 of section 2B for printing, photocopying, related graphic art or design work and other  
1742 reprographic goods and services provided to the general public, including all necessary  
1743 incidental expenses; and provided further, that for the purpose of accommodating discrepancies  
1744 between the receipt of retained revenues and related expenditures, the operational services  
1745 division may incur expenses and the comptroller may certify for payment amounts not to exceed  
1746 the lower of this authorization or the most recent revenue estimate as reported in the state  
1747 accounting system  
1748 .....\$53,000

1749       1775-0900.. For the operational services division; provided, that the division may expend  
1750 not more than \$55,000 in revenues collected under chapter 449 of the acts of 1984 and section  
1751 4L of chapter 7 of the General Laws, including the costs of personnel, from the sale of federal  
1752 surplus property, including the payment, expenses and liabilities for the acquisition,  
1753 warehousing, allocation and distribution of federal surplus property; and provided further, that  
1754 for the purpose of accommodating discrepancies between the receipt of retained revenues and  
1755 related expenditures, the operational services division may incur expenses and the comptroller

1756 may certify for payment amounts not to exceed the lower of this authorization or the most recent  
1757 revenue estimate as reported in the state accounting system.....\$55,000

1758 Information Technology Division.

1759 1790-0100.. For the operation of the information technology division; provided, that the  
1760 division shall operate the geographic information system pursuant to subsection (d) of section 4B  
1761 of chapter 21A of the General Laws; provided further, that the division shall continue a  
1762 chargeback system for its bureau of computer services, including the operation of the  
1763 commonwealth's human resources and compensation management system, which complies with  
1764 the requirements of section 2B; provided further, that the division shall develop a formula to  
1765 determine the cost that will be charged to each agency for its use of the human resources and  
1766 compensation management system; provided further, that the division may coordinate with any  
1767 state agency or state authority which administers a grant program to develop a statewide grant  
1768 information page on the commonwealth's official website, that shall include all necessary  
1769 application forms and a grant program reference in a format that is retrievable and printable;  
1770 provided further, that the division shall continue conducting audits and surveys to identify and  
1771 realize savings in the acquisition and maintenance of communications lines; provided further,  
1772 that the chief information officer shall file a status report with the house and senate committees  
1773 on ways and means by May 31, 2012, with actual and projected savings and expenditures for the  
1774 audits in the fiscal year ending June 30, 2012; provided further, that the state comptroller shall  
1775 establish accounts and procedures as he deems appropriate and necessary to assist in  
1776 accomplishing the purposes of this item; provided further, that any planned information  
1777 technology development project or purchase by any agency under the authority of the governor  
1778 for which the total projected cost exceeds \$200,000, including the cost of any related hardware,

1779 software, or consulting fees, and regardless of fiscal year or source of funds, shall be reviewed  
1780 and approved by the chief information officer before such agency may obligate funds for the  
1781 project or purchase; provided further, that the chief information officer may establish rules and  
1782 procedures necessary to implement this item; and provided further, that the division shall file a  
1783 report with the secretary of administration and finance and the house and senate committees on  
1784 ways and means not later than December 15, 2011, that shall include, but not be limited to, the  
1785 following: (a) financial statements detailing savings realized from the consolidation of  
1786 information technology services within each executive office; (b) the number of personnel  
1787 assigned to the information technology services within each executive office; and (c) efficiencies  
1788 that have been achieved from the sharing of resources.....\$3,287,139

1789           1790-0151.. For the division of information technology which may expend an amount not  
1790 to exceed \$55,000 from fees charged to entities other than political subdivisions of the  
1791 commonwealth for the distribution of digital cartographic and other  
1792 data.....\$55,000

1793           1790-0300.. For the information technology division which may expend not more than  
1794 \$554,730 from revenues collected from the provision of computer resources and services to the  
1795 general public for the costs of the bureau of computer services, including the purchase, lease or  
1796 rental of telecommunications lines, services and equipment; provided, that notwithstanding any  
1797 general or special law to the contrary, for the purpose of accommodating timing discrepancies  
1798 between the receipt of retained revenues and related expenditures, the division may incur  
1799 expenses and the comptroller may certify for payment amounts not to exceed the lower of this  
1800 authorization or the most recent revenue estimate, as reported in the state accounting  
1801 system.....\$554,730

1802 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS.

1803 Office of the Secretary.

1804 2000-0100.. For the operation of the office of the secretary of energy and environmental  
1805 affairs, including the water resources commission, the hazardous waste facility site safety  
1806 council, the coastal zone management program, environmental impact reviews conducted  
1807 pursuant to chapter 30 of the General Laws and the mosquito-borne disease vector control  
1808 chapter program; provided, that the executive office shall expend not less than \$150,000 for a  
1809 program of collaborative research with academic institutions that apply satellite and other  
1810 technologies in an innovative manner to an existing methodological model previously used in  
1811 other fisheries to assess the biomass of groundfish in the region managed by the New England  
1812 Fishery Management Council; provided further, that the executive office shall execute a  
1813 memorandum of agreement with any such academic institution not later than 30 days after the  
1814 effective date of this act; and provided further, that the memorandum shall require the timely  
1815 production of information for use in the fisheries management process

1816 ..... 5,695,430

1817 2000-1011.. For the office of environmental law enforcement which may expend  
1818 revenues in an amount not to exceed \$85,000 from the administrative handling charge revenues  
1819 received from electronic transactions processed through its online licensing and registration  
1820 systems; provided, that notwithstanding any general or special law to the contrary, for the  
1821 purpose of accommodating timing discrepancies between the receipt of revenues and related  
1822 expenditures, the office of environmental law enforcement may incur expenses and the  
1823 comptroller may certify for payment the amounts not to exceed the lower of this authorization or

1824 the most recent revenue estimate, as reported in the state accounting  
1825 system.....\$85,000

1826 2000-1700.. For the operation of information technology services within the executive  
1827 office of energy and environmental  
1828 affairs.....\$7,653,102

1829 2030-1000.. For the operation of the office of environmental law enforcement; provided,  
1830 that officers shall provide monitoring pursuant to the National Shellfish Sanitation Program; and  
1831 provided further, that funds from this item shall not be expended for the purposes of item 2030-  
1832 1004.....\$8,649,962

1833 2030-1004.. For environmental police private details; provided, that the office may  
1834 expend revenues of up to \$300,000 collected from the fees charged for private details; and  
1835 provided further, that notwithstanding any general or special law to the contrary, for the purpose  
1836 of accommodating timing discrepancies between the receipt of retained revenues and related  
1837 expenditures, the department may incur expenses and the comptroller may certify for payment  
1838 amounts not to exceed the lower of this authorization or the most recent revenue estimate as  
1839 reported in the state accounting  
1840 system.....\$300,000

1841 Department of Public Utilities.

1842 2100-0012.. For the operation of the department of public utilities; provided, that  
1843 notwithstanding the second sentence of the first paragraph of section 18 of chapter 25 of the  
1844 General Laws to the contrary, the assessments levied for fiscal year 2012 under said first  
1845 paragraph shall be made at a rate sufficient to produce the amount expended from this item as

1846 well as the associated fringe benefits costs for personnel paid from this  
1847 item.....\$7,632,539

1848 2100-0013.. For the operation of the transportation division; provided, that not less than  
1849 \$300,000 shall be used for the addition of 4 full-time staff members whose responsibilities may  
1850 include the identification of unlicensed companies now operating within the  
1851 commonwealth.....\$675,051

1852 2100-0014.. For the department of public utilities, which may expend for the operation of  
1853 the energy facilities siting board an amount not to exceed \$50,000 from application fees  
1854 collected in fiscal year 2012 and prior fiscal years from utility  
1855 companies.....\$50,000

1856 2100-0015.. For the department of public utilities, which may expend for the operation of  
1857 the transportation division an amount not to exceed \$2,300,000 from unified carrier registration  
1858 fees collected in fiscal year 2012 and prior fiscal years from motor carrier  
1859 companies.....\$2,300,000

1860 2100-0016.. For the department of public utilities to regulate steam distribution  
1861 companies; provided, that notwithstanding section 18A of chapter 25 of the General Laws to the  
1862 contrary, the assessments levied for fiscal year 2012 shall be made at a rate sufficient to produce  
1863 the amount expended from this item and the associated fringe benefits costs for personnel paid  
1864 from this  
1865 item.....\$300,000

1866 Department of Environmental Protection.



1867           2200-0100.. For the operation of the department of environmental protection, including  
1868 the environmental strike force, the bureau of policy and planning, the bureau of resource  
1869 protection, the bureau of waste prevention, the Senator William X. Wall experimental station,  
1870 and a contract with the University of Massachusetts for environmental research; provided, that  
1871 section 3B of chapter 7 of the General Laws shall not apply to fees established pursuant to  
1872 section 18 of chapter 21A of the General  
1873 Laws.....\$24,890,767

1874           2200-0102.. For the department of environmental protection, which may expend an  
1875 amount not to exceed \$260,812 from revenues collected from fees for wetland permits; provided,  
1876 that notwithstanding any general or special law to the contrary, for the purpose of  
1877 accommodating timing discrepancies between the receipt of revenues and related expenditures,  
1878 the department may incur expenses and the comptroller may certify for payment the amounts not  
1879 to exceed the lower of this authorization or the most recent revenue estimate as reported in the  
1880 state accounting  
1881 system.....\$260,812

1882           2200-0107.. For technical assistance, grants, and support of efforts consistent with the  
1883 Massachusetts recycling and solid waste master plan and climate protection  
1884 plan.....\$275,000

1885           2210-0105.. For the department of environmental protection, which may expend for the  
1886 administration and implementation of the Massachusetts Toxics Use Reduction Act under  
1887 chapter 21I of the General Laws an amount not to exceed \$3,080,216 from the revenue collected  
1888 from fees, penalties, grants and tuition under said chapter 21I; provided, that not less than

1889 \$1,657,449 from this item shall be made available for the operation of the Toxics Use Reduction  
 1890 Institute program at the University of Massachusetts at Lowell; provided further, that the  
 1891 department shall enter into an interagency service agreement with the University of  
 1892 Massachusetts to make such funding available for this purpose; provided further, that not less  
 1893 than \$562,567 from this item shall be made available for toxics use reduction technical  
 1894 assistance and technology in accordance with said chapter 21I; provided further, that the  
 1895 department shall enter into an interagency service agreement with the executive office of energy  
 1896 and environmental affairs to make such funding available for this purpose; and provided further,  
 1897 that notwithstanding any general or special law to the contrary, for the purpose of  
 1898 accommodating timing discrepancies between the receipt of revenues and related expenditures,  
 1899 the department may incur expenses and the comptroller may certify for payment the amounts not  
 1900 to exceed the lower of this authorization or the most recent revenue estimate as reported in the  
 1901 state accounting  
 1902 system.....\$3,080,216

1903           2220-2220.. For the administration and implementation of the federal Clean Air Act,  
 1904 including the operating permit program, the emissions banking program, the auto-related state  
 1905 implementation program, the low emission vehicle program, the non-auto-related state  
 1906 implementation program and the commonwealth's commitments under the New England  
 1907 Governors/Eastern Canadian Premiers Action Plans for reducing acid rain deposition and  
 1908 mercury emissions  
 1909 .....\$843,672

1910            2220-2221.. For the administration and implementation of the operating permit and  
1911 compliance program required under the federal Clean Air  
1912 Act..... \$1,657,263

1913            2250-2000.. For the purpose of state implementation of the federal Safe Drinking Water  
1914 Act under section 18A of chapter 21A of the General  
1915 Laws.....\$1,264,499

1916            2260-8870.. For the expenses of the hazardous waste cleanup and underground storage  
1917 tank programs, notwithstanding section 4 of chapter 21J of the General  
1918 Laws.....\$11,973,797

1919            2260-8872.. For the brownfields site audit program  
1920 .....\$1,020,002

1921            2260-8875.. For the development of a wastewater build-out and cost analysis for the  
1922 Cape Cod region...\$150,000

1923            2260-8881.. For the operation of the board of registration of hazardous waste site cleanup  
1924 professionals, notwithstanding section 19A of chapter 21A of the General  
1925 Laws.....\$326,681

1926            Department of Fish and Game.

1927            2300-0100.. For the office of the commissioner; provided, that the commissioner's office  
1928 shall assess and receive payments from the division of marine fisheries, the division of fisheries  
1929 and wildlife, the public access board, the division of ecological restoration and riverways  
1930 program and all other programs under the control of the department of fish and game; provided

1931 further, that the purpose of those assessments shall be to cover appropriate administrative costs  
1932 of the department, including but not limited to payroll, personnel, legal and budgetary costs; and  
1933 provided further, that the amount and contribution from each division or program shall be  
1934 determined by the commissioner of fish and game.....\$614,758

1935           2300-0101.. For a division of ecological restoration and riverways protection program,  
1936 for the promotion of public access to rivers and wetland restoration, including grants to public  
1937 and nonpublic entities; provided, that the positions funded in this item shall not be subject to  
1938 chapter 31 of the General  
1939 Laws.....\$416,974

1940           2310-0200.. For the administration of the division of fisheries and wildlife, including  
1941 expenses of the fisheries and wildlife board, the administration of game farms and wildlife  
1942 restoration projects, wildlife research and management, the administration of fish hatcheries, the  
1943 improvement and management of lakes, ponds and rivers, fish and wildlife restoration projects,  
1944 the commonwealth's share of certain cooperative fisheries and wildlife programs and for certain  
1945 programs reimbursable under the federal Aid to Fish and Wildlife Restoration Act; provided  
1946 further, that funds from this item shall be made available to the University of Massachusetts  
1947 Amherst for the purposes of wildlife and fisheries research in an amount not to exceed the  
1948 amount received in fiscal year 2011 for such research; provided further, that the department may  
1949 expend the amount necessary to restore anadromous fish in the Connecticut and Merrimack river  
1950 systems; and provided further, that expenditures for such programs shall be contingent upon  
1951 prior approval of the proper federal authorities for reimbursement of at least 75 per cent of the  
1952 amount so expended.....\$9,985,455

1953 Inland Fisheries and Game Fund..... 100%

1954 2310-0300.. For the operation of the natural heritage and endangered species

1955 program.....\$150,000

1956 2310-0306.. For the hunter safety training program

1957 .....\$410,511

1958 Inland Fisheries and Game Fund..... 100%

1959 2310-0316.. For the purchase of land containing wildlife habitat and for the costs of the

1960 division of fisheries and wildlife directly related to the administration of the wildlands stamp

1961 program pursuant to sections 2A and 2C of chapter 131 of the General Laws; provided, that

1962 funds shall not be expended from this item in the AA object class for the compensation of state

1963 employees assigned to any

1964 item.....\$1,000,000

1965 Inland Fisheries and Game Fund..... 100%

1966 2310-0317.. For the waterfowl management program established pursuant to section 11

1967 of chapter 131 of the General Laws

1968 .....\$65,000

1969 Inland Fisheries and Game Fund..... 100%

1970 2320-0100.. For the administration of the public access board, including the maintenance,

1971 operation, and improvements of public access land and water areas; provided, that positions

1972 funded in this item shall not be subject to chapter 31 of the General Laws

1973 .....\$446,574

1974            2330-0100 For the operation of the division of marine fisheries, including expenses of the  
1975 Annisquam river marine research laboratory, marine research programs, a commercial fisheries  
1976 program, a shellfish management program, including coastal area classification, mapping and  
1977 technical assistance and for the operation of the Newburyport shellfish purification plant and  
1978 shellfish classification program; provided, that funds shall be expended on a recreational  
1979 fisheries program to be reimbursed by federal funds; provided further, that the division shall  
1980 continue to develop strategies to improve federal regulations governing the commercial fishing  
1981 industry to promote sustainable fisheries; provided further, that \$400,000 shall be spent for the  
1982 operation of the Newburyport shellfish purification plant; and provided further, that the  
1983 commissioner shall develop a feasible plant management plan to reduce, to the maximum extent  
1984 possible, the amount by which the cost of operating the plant exceeds the revenue it generates,  
1985 and the plan shall include, but not be limited to, the following: (i) enabling the shellfish  
1986 purification plant to accept for treatment those shellfish harvested by valid permit holders from  
1987 waters not meeting the requirements for open status for acceptable water quality as a result of  
1988 heavy rainfall pursuant to the National Sshellfish Sanitation Program Guide For The Control Of  
1989 Molluscan Shellfish; (ii) requiring the division to perform additional testing on permanently  
1990 closed areas to ascertain the possibility of opening those areas as clean areas, with special  
1991 consideration given to areas 2 and 3 north of Boston, or to developing regulations to permit the  
1992 acceptance of shellfish harvested from those areas or other moderately contaminated areas for  
1993 purification at the plant; (iii) reviewing the plant hours of operation and making adjustments to  
1994 better accommodate tide schedules and weekend harvesting and increasing plant processing  
1995 volume; (iv) increasing the frequency of testing at conditionally approved areas and making  
1996 results of the testing expediently available to the general public; and (v) capturing opportunities

1997 for the use of the plant for shellfish not requiring purification, but for which additional cleansing,  
1998 including from sand particulates, creates increased market value and increases the utilization of  
1999 the plant and its revenues; provided further, that the commissioner shall evaluate each of these  
2000 options in developing the plan; provided further, that the plan shall provide an explanation for  
2001 the reasons for which any element described in this item is not included in the plan; and provided  
2002 further, that the plan shall be submitted to the house and senate ways and means committees on  
2003 or before February 15, 2012.....\$4,355,647.

2004           2330-0120.. For the division of marine fisheries for a program of enhancement and  
2005 development of marine recreational fishing and related programs and activities, including the  
2006 cost of equipment, maintenance, staff and the maintenance and updating of  
2007 data.....\$515,754

2008           2330-0121.. For the division of marine fisheries to utilize reimbursable federal sportfish  
2009 restoration funds to further develop marine recreational fishing and related programs, including  
2010 the costs of activities that increase public access for marine recreational fishing, support research  
2011 on artificial reefs and otherwise provide for the development of marine recreational fishing;  
2012 provided, that the division of marine fisheries may expend not more than \$217,989 in revenues  
2013 collected from federal sportfish restoration funds and from the sale of materials which promote  
2014 marine recreational fishing.....\$217,989

2015           2330-0150...For the operation and maintenance of the Newburyport shellfish purification  
2016 plant; provided, that the division of marine fisheries may expend not more than \$100,000 from  
2017 revenue collected from fees generated by operations; provided further, that the division shall  
2018 submit a report detailing the revenues collected and expended and shellfish volume increase

2019 realized from the acceptance of shellfish from rainfall closures to the executive office of  
2020 environmental affairs, the executive office for administration and finance and the house and  
2021 senate committee on ways and means by June 30, 2012; and provided further, that for the  
2022 purpose of accommodating discrepancies between the receipt of retained revenues and related  
2023 expenditures, the division of marine fisheries may incur expenses and the comptroller may  
2024 certify for payment amounts not to exceed the lower of this authorization or the most recent  
2025 revenue estimate as reported in the state accounting system.....\$100,000

2026           2330-0300.. For the administration and operation of the saltwater fishing permit program,  
2027 in accordance with chapter 161 of the acts of  
2028 2009.....\$516,576

2029           Marine Recreational Fisheries Development Fund..... 100%

2030           Department of Agricultural Resources.

2031           2511-0100.. For the operation of the department of agricultural resources, including the  
2032 division of administration, the integrated pest management program, the board of agriculture, the  
2033 division of agricultural development, the division of animal health, the division of agricultural  
2034 technical assistance, the division of crop and pest services, including a program of laboratory  
2035 services at the University of Massachusetts Amherst, the expenses of the pesticide board and  
2036 other responsibilities associated with the promotion and development of the commonwealth's  
2037 primary industries including agriculture, forestry and fisheries; provided, that funds may be  
2038 expended to enhance the buy local effort in western, central, northeastern and southern  
2039 Massachusetts; and provided further, that funds may be expended for the statewide 4-H  
2040 program.....\$4,100,108



2041           2511-0105.. For the purchase of supplemental foods for the emergency food assistance  
2042 program within the Feeding America nationally-certified food bank system of Massachusetts;  
2043 provided, that the funds appropriated herein shall reflect the Feeding America allocation formula  
2044 in order to benefit the 4 regional food banks in the commonwealth; and provided further, that the  
2045 department may assess an administrative charge not to exceed 2 per cent of the total  
2046 appropriation herein.....\$11,500,000

2047           2511-3002.. For the integrated pest management  
2048 program.....\$47,560

2049           Department of Conservation and Recreation.

2050           2800-0100.. For the operation of the department of conservation and recreation; provided,  
2051 that said department shall enter into an interagency service agreement with the department of  
2052 state police to provide police coverage on department of conservation and recreation properties  
2053 and parkways; provided further, that the department of state police shall reimburse said  
2054 department of conservation and recreation for costs incurred by said department including, but  
2055 not limited to, vehicle maintenance and repairs, the operation of department of state police  
2056 buildings and other related costs; provided further, that notwithstanding any general or special  
2057 law to the contrary, all offices and positions of the division performing construction activities for  
2058 the department of conservation and recreation shall be subject to classification under sections 45  
2059 to 50, inclusive, of chapter 30 of the General Laws; provided further, that notwithstanding  
2060 section 3B of chapter 7 of the General Laws, the department shall establish or renegotiate fees,  
2061 licenses, permits, rents and leases, and adjust or develop other revenue sources to fund the  
2062 maintenance, operation and administration of the department; provided further, that funds may

2063 be expended for cleanup of Pilayella algae; and provided further, that no funds shall be expended  
2064 from this item for personnel overtime costs.....\$3,517,586

2065           2800-0101.. For the watershed management program to operate and maintain reservoirs,  
2066 watershed lands and related infrastructure of the department and the office of water resources in  
2067 the department of conservation and recreation; provided, that the amount of the payment shall be  
2068 charged to the General Fund and shall not be included in the amount of the annual determination  
2069 of fiscal year charges to the Massachusetts Water Resources Authority assessed to the authority  
2070 under the General Laws; provided further, that the department shall continue to make payments  
2071 pursuant to chapter 616 of the acts of 1957, as amended by section 89 of chapter 801 of the acts  
2072 of 1963; and provided further, that the department shall continue to make payments pursuant to  
2073 chapter 307 of the acts of 1987 for the use of certain land  
2074 .....\$1,002,565

2075           2800-0401.. For a program to provide stormwater management for all properties and  
2076 roadways under the care, custody and control of the department of conservation and recreation;  
2077 provided, that the department shall implement a stormwater management program in compliance  
2078 with federal and state stormwater management requirements; provided further, that the  
2079 department shall inventory all stormwater infrastructure, assess its stormwater practices, analyze  
2080 long term capital and operational needs and develop a stormwater management plan to comply  
2081 with federal and state regulatory requirements; and provided further, that in order to protect  
2082 public safety and to protect water resources for water supply, recreational and ecosystem uses,  
2083 the department shall immediately implement interim stormwater management practices  
2084 including, but not limited to, street sweeping, inspection and cleaning of catch basins and

2085 emergency repairs to roadway  
2086 drainage.....\$391,237

2087           2800-0501.. For the operation of the beaches, pools and spray pools under the control of  
2088 the department of conservation and recreation; provided, that the seasonal hires of the  
2089 department of conservation and recreation’s parks, beaches, pools and spray pools be paid from  
2090 this item; provided further, that all beaches, pools and spray pools shall remain open and staffed  
2091 from Memorial Day through Labor Day; provided further, that the beaches, pools and spray  
2092 pools shall be fully maintained; provided further, that no funds from this item shall be expended  
2093 for year-round seasonal employees; provided further, that seasonal employees who are hired  
2094 before the second Sunday before Memorial Day and whose employment continues beyond the  
2095 Saturday following Labor Day and who received health insurance benefits in fiscal year 2011  
2096 shall continue to receive such benefits in fiscal year 2012 during the period of their seasonal  
2097 employment; provided further, that notwithstanding section 1 of chapter 31 of the General Laws,  
2098 seasonal positions funded by this item shall be positions requiring the services of an incumbent,  
2099 on either a full-time or less than full-time basis beginning not earlier than April 1 and ending not  
2100 later than November 30, or beginning not earlier than September 1 and ending not later than  
2101 April 30; provided further, that no expenditures shall be made from this item other than for the  
2102 purposes identified in this item; and provided further, that notwithstanding said section 1 of said  
2103 chapter 31, seasonal positions funded by this item shall not be filled by an incumbent for more  
2104 than 8 months within a 12-month period..... \$11,175,488

2105           2800-0700.. For the office of dam safety; provided, that the department shall, in  
2106 collaboration with the department of environmental protection and the department of fish and  
2107 game, establish and maintain a comprehensive inventory of all dams and develop a coordinated

2108 permitting and regulatory approach to dam removal for stream restoration and public safety; and  
2109 provided further, that the department shall file a report with the house and senate committees on  
2110 ways and means not later than December 16, 2011, that shall include, but not be limited to, the  
2111 following: (a) the number of dam inspections that are scheduled for fiscal year 2012; and (b) the  
2112 number of dams that are in need of repair or replacement ..... \$290,151

2113           2810-0100.. For the operation of the department’s state and urban parks; provided, that  
2114 funds appropriated in this item shall be used: (i) to operate all of the division of state parks and  
2115 recreation’s parks, parkways, boulevards, roadways, bridges, and related appurtenances under  
2116 the care, custody and control of the division, flood control activities of the division, reservations,  
2117 campgrounds, beaches and pools; (ii) for the oversight of rinks; and (iii) to protect and manage  
2118 the division’s lands and natural resources, including the forest and parks conservation services  
2119 and the bureau of forestry development; provided further, that the same properties shall be open  
2120 in fiscal year 2012 as were open on July 1, 2010; provided further, that the crossing guards  
2121 located at department of conservation and recreation intersections shall continue to perform the  
2122 duties where state police previously performed such duties; provided further, that no funds from  
2123 this item shall be made available for payment to true seasonal employees; provided further, that  
2124 the rinks under the control of the department shall remain open and staffed for the full rink  
2125 season; provided further, that the department may issue grants to public and nonpublic entities  
2126 from this item; and provided further, that funds may be expended for the purposes of item 2800-  
2127 9004 of section 2 of chapter 182 of the acts of 2008.....\$42,173,702

2128           2810-2041.. For the division of state parks and recreation which may expend not more  
2129 than \$5,314,030 from revenue collected from fees charged by the division, including revenues  
2130 collected from campsite reservation transactions from the automated campground reservation

2131 and registration program for additional expenses, upkeep and improvements to the parks and  
 2132 recreation system and for the personnel costs of seasonal employees; provided, that no funds  
 2133 from this item shall be expended for the costs of full-time equivalent personnel; provided further,  
 2134 that for the purpose of accommodating timing discrepancies between the receipt of retained  
 2135 revenues and related expenditures, the division may incur expenses and the comptroller may  
 2136 certify for payment amounts not to exceed the lower of this authorization or the most recent  
 2137 revenue estimate as reported in the state accounting system; provided further, that no  
 2138 expenditures made in advance of the receipts shall be permitted to exceed 75 per cent of the  
 2139 amount of revenues projected by the first quarterly statement required by section 1B; provided  
 2140 further, that the comptroller shall notify the house and senate committees on ways and means at  
 2141 the time subsequent quarterly statements are published of the variance between actual and  
 2142 projected receipts in each such quarter and the implications of that variance for expenditures  
 2143 made; and provided further, that the division may issue grants to public and nonpublic entities  
 2144 from this item and provided further, that the department may retain and deposit 70 per cent of the  
 2145 aforementioned fees generated above \$9,000,000 into the Conservation Trust; and provided  
 2146 further, that any revenue above \$9,000,000 spent from this item shall be verified on a monthly  
 2147 basis with monthly revenue estimates filed at the close of each month with the house and senate  
 2148 committees on ways and  
 2149 means.....\$5,314,030

2150           2820-0101.. For the costs associated with the department's urban park rangers specific to  
 2151 the security of the state house; provided, that funds appropriated in this item shall only be  
 2152 expended for the costs of security and urban park rangers at the state  
 2153 house.....\$1,327,967

2154           2820-1000.. For the division of state parks and recreation which may expend not more  
2155 than \$200,000 from revenue collected pursuant to section 34B of chapter 92 of the General  
2156 Laws..... \$200,000

2157           2820-1001.. For the division of state parks and recreation which may expend not more  
2158 than \$50,000 from revenue collected for the operation and maintenance of the division’s  
2159 telecommunications system from revenues received from the Massachusetts Water Resources  
2160 Authority, the Massachusetts Convention Center Authority, the division of highways, the Central  
2161 Artery/Ted Williams Tunnel Project, the department of state police and quasi-public and private  
2162 entities through a system of user fees and other charges established by the commissioner of  
2163 conservation and recreation; provided, that nothing in this item shall impair or diminish the  
2164 rights of access and utilization of all current users of the system under agreements previously  
2165 entered into; and provided further, that this item may be reimbursed by political subdivisions of  
2166 the commonwealth and private entities for direct and indirect costs expended by the division to  
2167 maintain the telecommunications system .....\$50,000

2168           2820-2000.. For the operation of street lighting and the expenses of maintaining the  
2169 parkways of the department of conservation and  
2170 recreation.....\$3,000,000

2171           2820-3001.. For the division of state parks and recreation which may expend not more  
2172 than \$1,000,000 from revenue collected from skating rink fees and rentals for the operation and  
2173 maintenance, including personnel costs, of 4 rinks between September 1, 2011 and April 30,  
2174 2012, for an extended rink season; provided, that when assigning time for the use of its rinks, the  
2175 division shall give priority to those which qualify under applicable state and federal law as

2176 nonprofit organizations or as a public  
2177 school.....\$1,000,000

2178           2820-4420.. For the operation and maintenance of the Ponkapoag golf course; provided,  
2179 that the division of state parks and recreation may expend not more than \$1,098,011 from  
2180 revenue collected from fees generated by the golf course; provided further, that for the purposes  
2181 of accommodating discrepancies between the receipt of retained revenue and related  
2182 expenditures, the division may incur expenses and the comptroller may certify for payment  
2183 amounts not to exceed the lower of this authorization or the most recent revenue estimate as  
2184 reported in the state accounting system; and provided further, that notwithstanding section 1 of  
2185 chapter 31 of the General Laws, seasonal positions funded by this account shall be positions  
2186 requiring the services of an incumbent on either a full-time or less than a full-time basis  
2187 beginning not earlier than April 1 and ending not later than November  
2188 30.....\$1,098,011

2189           2820-4421.. For the operation and maintenance of the Leo J. Martin golf course;  
2190 provided, that the division of state parks and recreation may expend not more than \$824,790  
2191 from revenue collected from fees generated by the golf course; provided further, that for the  
2192 purposes of accommodating discrepancies between the receipt of retained revenue and related  
2193 expenditures, the division may incur expenses and the comptroller may certify for payment  
2194 amounts not to exceed the lower of this authorization or the most recent revenue estimate as  
2195 reported in the state accounting system; and provided further, that notwithstanding section 1 of  
2196 chapter 31 of the General Laws, seasonal positions funded by this account shall be positions  
2197 requiring the services of an incumbent on either a full-time or less than a full-time basis

2198 beginning not earlier than April 1 and ending not later than November

2199 30.....\$824,790

2200 Department of Energy Resources.

2201 7006-1001.. For the residential conservation service program under chapter 465 of the

2202 acts of 1980, and the commercial and apartment conservation service program pursuant to

2203 section 11A of chapter 25A of the General Laws; provided, that the assessments levied for fiscal

2204 year 2012 pursuant to chapter 465 of the acts of 1980 shall be made at a rate sufficient to

2205 produce the amount expended from this item as well as the associated fringe benefit costs for

2206 personnel paid from this

2207 item.....\$205,340

2208 7006-1003.. For the operation of the department of energy resources; provided, that

2209 notwithstanding any general or special law to the contrary, the amount assessed under section

2210 11H of chapter 25A of the General Laws shall be equal to the amount expended from this item as

2211 well as the associated fringe benefit costs for personnel paid from this

2212 item.....\$3,005,424

2213 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

2214 Office of the Secretary.

2215 4000-0050.. For the operation of the personal care attendant quality workforce council

2216 established under section 29 of chapter 118G of the General Laws

2217 .....\$167,708



2218           4000-0300.. For the operation of the executive office of health and human services,  
2219 including the operation of the managed care oversight board; provided, that the executive office  
2220 shall provide technical and administrative assistance to agencies under the purview of the  
2221 secretariat receiving federal funds; provided further, that the executive office and its agencies,  
2222 when contracting for services on the islands of Martha’s Vineyard and Nantucket, shall take into  
2223 consideration the increased costs associated with the provision of goods, services and housing on  
2224 said islands; provided further, that the executive office shall monitor the expenditures and  
2225 completion timetables for systems development projects and enhancements undertaken by all  
2226 agencies in the secretariat, and shall ensure that all measures are taken to make such systems  
2227 compatible with one another for enhanced interagency interaction; provided further, that the  
2228 executive office shall continue to develop and implement the common client identifier; provided  
2229 further, that the executive office shall ensure that any collaborative assessments for children  
2230 receiving services from multiple agencies within the secretariat shall be performed within  
2231 existing resources; provided further, that funds appropriated in this item shall be expended for  
2232 administrative and contracted services related to the implementation and operation of programs  
2233 authorized by chapter 118E of the General Laws; provided further, that in consultation with the  
2234 division of health care finance and policy, no rate increase shall be provided to existing Medicaid  
2235 provider rates without taking all measures possible under Title XIX of the Social Security Act to  
2236 ensure that rates of payment to providers do not exceed the rates that are necessary to meet only  
2237 those costs which must be incurred by efficiently and economically operated providers in order  
2238 to provide services of adequate quality; provided further, that funds may be expended for the  
2239 operation of the office of health equity within the executive office of health and human services;  
2240 provided further, that subject to appropriation, the executive office of health and human services

2241 may employ such additional staff or consultants as it may deem necessary for the office of health  
2242 equity; provided further, that the office of health equity may prepare an annual health disparities  
2243 report card with regional disparities data, evaluate effectiveness of interventions and replicate  
2244 successful programs across the commonwealth; provided further, that the office of health equity  
2245 shall work with a disparities reduction program with a focus on supporting efforts by  
2246 community-based health agencies and community health workers to eliminate racial and ethnic  
2247 health disparities, including efforts addressing social factors integral to such disparities; provided  
2248 further, that expenditures for the purposes of each item appropriated for programs authorized by  
2249 chapter 118E of the General Laws shall be accounted for in the Massachusetts management  
2250 accounting and reporting system not more than 10 days after the expenditures have been made  
2251 by the Medicaid management information system; provided further, that no expenditures shall be  
2252 made that are not federally reimbursable, including those related to Titles XIX or XXI of the  
2253 Social Security Act or the MassHealth demonstration waiver approved under section 1115(a) of  
2254 said Social Security Act or the community first section 1115 demonstration waiver, whether  
2255 made by the executive office or another commonwealth entity, except as specifically authorized  
2256 herein, or unless made for cost containment efforts, the purposes and amounts of which have  
2257 been submitted to the executive office of administration and finance and the house and senate  
2258 committees on ways and means 30 days prior to making such expenditures; provided further, that  
2259 the executive office of health and human services may continue to recover provider  
2260 overpayments made in the current and prior fiscal years through the Medicaid management  
2261 information system and that these recoveries shall be considered current fiscal year expenditure  
2262 refunds; provided further, that the executive office may collect directly from a liable third party  
2263 any amounts paid to contracted providers under chapter 118E of the General Laws for which the

2264 executive office later discovers another third party is liable if no other course of recoupment is  
2265 possible; provided further, that no funds shall be expended for the purpose of funding  
2266 interpretive services directly or indirectly related to a settlement or resolution agreement with the  
2267 office of civil rights or any other office, group or entity; provided further, that interpretive  
2268 services currently provided shall not give rise to enforceable legal rights for any party or to an  
2269 enforceable entitlement to interpretive services; provided further, that the federal financial  
2270 participation received from claims filed based on in-kind administrative services related to  
2271 outreach and eligibility activities performed by certain community organizations, under the  
2272 “covering kids initiative,” and in accordance with the federal revenue criteria in 45 CFR 74.23 or  
2273 any other federal regulation which provides a basis for federal financial participation, shall be  
2274 credited to this item and may be expended, without further appropriation, on administrative  
2275 services including those covered under an agreement with the organizations participating in the  
2276 initiative; provided further, that notwithstanding any general or special law to the contrary, the  
2277 executive office shall require the commissioner of mental health to approve any prior  
2278 authorization or other restriction on medication used to treat mental illness in accordance with  
2279 written policies, procedures and regulations of the department of mental health; provided further,  
2280 that the executive office of health and human services shall submit a report to the house and  
2281 senate committees on ways and means no later than September 1, 2011, providing a detailed  
2282 analysis of savings to be achieved in fiscal year 2012; provided further, that this report shall  
2283 include, but not be limited to, savings from provider rate cuts, reprocurement of contracts and  
2284 changes to MassHealth benefits; provided further, that the executive office of health and human  
2285 services shall report to the house and senate committees on ways and means no later than  
2286 February 1, 2012 on savings achieved in the MassHealth program for the first half of fiscal year

2287 2012; provided further, that not later than September 1, 2011, the executive office of health and  
2288 human services shall submit a report to the house and senate committees on ways and means  
2289 detailing planned fiscal year 2012 expenditures by the executive office as funded by chargebacks  
2290 to the 17 executive office cluster agencies; provided further, that any projection of deficiency in  
2291 item 4000-0430, 4000-0500, 4000-0600, 4000-0700, 4000-0870, 4000-0875, 4000-0880, 4000-  
2292 0890, 4000-0895, 4000-0950, 4000-0990, 4000-1400 or 4000-1405 shall be reported to the house  
2293 and senate committees on ways and means not less than 90 days before the projected exhaustion  
2294 of funding; provided further, that MassHealth shall notify the house and senate committees on  
2295 ways and means not less than 60 days in advance of any change in the clinical eligibility criteria  
2296 or rates paid to providers of adult day health services; provided further, that MassHealth shall  
2297 adopt regulations by September 30, 2011, establishing a minimum criteria for licensure of an  
2298 adult day health provider which shall set forth a standard of quality measures for services  
2299 provided to members as a condition of licensure; provided further, that MassHealth shall adopt  
2300 regulations establishing a process for the periodic inspection of adult day health providers by the  
2301 agency to ensure compliance with those standards; provided further, that the regulations shall be  
2302 the subject of at least 1 public hearing prior to their adoption; provided further, that MassHealth  
2303 shall file a report with the house and senate committees on ways and means, the joint committee  
2304 on health care financing and the clerks of the senate and house of representatives relative to the  
2305 impact of the regulations on the service to current members and recommended drafts of  
2306 legislation necessary to comply with this item; provided further, that MassHealth shall notify the  
2307 house and senate committees on ways and means not less than 60 days in advance of any change  
2308 in the rates paid to providers of adult foster care and group adult foster care services; provided  
2309 further, that MassHealth shall notify the house and senate committees on ways and means not

2310 less than 60 days in advance of any change in services or rates paid to providers of adult day  
2311 habilitation services; provided further, that said reports shall include an explanation of said  
2312 deficiencies, including but not limited to updated utilization and caseload information, as well as  
2313 initiatives that did not generate expected savings; provided, however, that the information is  
2314 provided in a manner that meets all applicable federal and state privacy and security  
2315 requirements; and provided further, that any unexpended balance in these accounts shall revert to  
2316 the General Fund on June 30, 2012 provided further, that the secretary of health and human  
2317 services shall report semi-annually to the house and senate committees on ways and means  
2318 relative to the impact of the reductions in adult dental services in MassHealth; and provided  
2319 further, that such semi-annual reports shall include, but not be limited to, a detailed itemization  
2320 of covered services and service utilization by service type, utilization of health safety net  
2321 services, geographical location of the member receiving the service and the number of  
2322 MassHealth clients unable to receive restorative dental health services who are pregnant,  
2323 developmentally disabled, medically compromised patients or with HIV/AIDS, data detailing the  
2324 time that elapses between a member's request for services and commencement of services and  
2325 semi-annual data on utilization rates of emergency room visits related to dental health; provided  
2326 further, that in calculating rates of payment for children enrolled in MassHealth receiving  
2327 inpatient services at acute care pediatric hospitals and pediatric subspecialty units, as defined in  
2328 section 1 of chapter 118G of the General Laws, the executive office may make a supplemental  
2329 payment sufficient to assure that inpatient SPAD and outlier payments for discharges with a case  
2330 mix acuity greater than 3.5 shall be at least equal to 85 per cent of the expenses incurred in  
2331 providing services to those children; and provided further, that the executive office shall conduct  
2332 a study to determine whether individuals in the Greater Brockton area who are receiving

2333 MassHealth benefits through a health maintenance organization under contract with the  
2334 executive office have adequate access to those health care providers that have historically served  
2335 those individuals

2336 .....\$84,00  
2337 0,300

2338 4000-0301.. For the costs of MassHealth provider and member audit and utilization  
2339 review activities including, but not limited to, eligibility verification, disability evaluations,  
2340 provider financial and clinical audits and initiatives intended to enhance program  
2341 integrity.....\$1,736,425

2342 4000-0309.. For the expansion of auditing activities in MassHealth, including, but not  
2343 limited to field audits of high risk services; provided, that no expenditures shall be made from  
2344 this item that are not federally reimbursable; provided further, that notwithstanding any general  
2345 or special law to the contrary, the state Medicaid office is hereby authorized to conduct a trial to  
2346 determine the effectiveness of various fraud management tools to identify potential fraud at  
2347 claims submission and validation in order to reduce Medicaid fraud prior to payment; provided  
2348 further, that the state Medicaid office may employ strategies to improve systems for detection  
2349 and may allow for the use of external data sources; provided further, that any such trial may test  
2350 innovative technologies to improve Medicaid fraud detection and evaluate the efficacy of, among  
2351 other things, a real-time model to identify and investigate potential Medicaid fraud cases prior to  
2352 payment; provided further, that the Medicaid office may use actual claims data, in accordance  
2353 with federal law, to identify specific suspicious provider billing patterns, document the results of  
2354 any potential fraud findings and estimate anticipated savings and benefits to the commonwealth

2355 associated with such a fraud detection system; provided further, that the executive office of  
 2356 health and human services shall submit 2 reports to the house and senate committees on ways  
 2357 and means detailing recoveries and offsets generated by said audits; and provided further, that  
 2358 the first report shall be delivered no later than January 16, 2012 and that the second report shall  
 2359 be delivered no later than June 15,  
 2360 2012.....\$1,000,000

2361           4000-0320.. For the executive office of health and human services which may expend for  
 2362 medical care and assistance rendered in the current year an amount not to exceed \$225,000,000  
 2363 from the monies received from recoveries and collections of any current or prior year  
 2364 expenditures; provided, that notwithstanding any general or special law to the contrary, the  
 2365 balance of any personal needs accounts collected from nursing and other medical institutions  
 2366 upon a medical assistance member's death and held by the executive office for more than 3 years  
 2367 may be credited to this item; and provided further, that no funds from this item shall be used for  
 2368 the purposes of item 4000-  
 2369 0300.....\$225,000,000

2370           4000-0430.. For the CommonHealth program to provide primary and supplemental  
 2371 medical care and assistance to disabled adults and children under sections 9A, 16 and 16A of  
 2372 chapter 118E of the General Laws; provided, that funds may be expended from this item for  
 2373 health care services provided to the recipients in prior fiscal years; provided further, that the  
 2374 executive office shall maximize federal reimbursement for state expenditures made on behalf of  
 2375 such adults and children; provided further, that children shall be determined eligible for the  
 2376 medical care and assistance if they meet the disability standards as defined by the executive  
 2377 office, which shall be no more restrictive than the standards in effect on July 1, 1996; and

2378 provided further, that the executive office shall process CommonHealth applications within 45  
2379 days of receipt of a completed application or within 90 days if a determination of disability is  
2380 required.....\$130,439,637

2381 4000-0500.. For health care services provided to medical assistance recipients under the  
2382 executive office’s primary care clinician/mental health and substance abuse plan or through a  
2383 health maintenance organization under contract with the executive office and for MassHealth  
2384 benefits provided to children, adolescents and adults under clauses (a) to (d), inclusive, and  
2385 clause (h) of subsection (2) of section 9A of chapter 118E of the General Laws and section 16C  
2386 of said chapter 118E; provided, that no funds shall be expended from this item for children and  
2387 adolescents under clause (c) of said subsection (2) of said section 9A of said chapter 118E whose  
2388 family incomes, as determined by the executive office, exceed 150 per cent of the federal  
2389 poverty level; provided further, that funds may be expended from this item for health care  
2390 services provided to the recipients in prior fiscal years; provided further, that \$10,000,000 shall  
2391 be expended from this item or item 4000-0700, if necessary, to achieve maximum federal  
2392 financial participation, to enhance the ability of hospitals, community health centers and primary  
2393 care clinicians to serve populations in need more efficiently and effectively; provided further,  
2394 that these funds may be allocated using the standards used in fiscal year 2010; provided further,  
2395 that these funds shall be disbursed not later than April 1, 2012; provided further, that funds may  
2396 be expended from this item or item 4000-0700, if necessary, to enhance the ability of hospitals to  
2397 address emergency room capacity issues due to individuals with mental illness who are awaiting  
2398 placement in an acute care bed; provided further, that the executive office shall maximize federal  
2399 reimbursements for state expenditures made to these providers; provided further, that  
2400 expenditures from this item shall be made only for the purposes expressly stated herein; and



2401 provided further, that notwithstanding any general or special law to the contrary, the secretary of  
2402 health and human services shall not, without prior consent, reassign the behavioral health benefit  
2403 of any eligible person to a managed care plan under contract with the office of MassHealth if the  
2404 benefit is already managed by MassHealth’s specialty behavioral health managed care  
2405 contractor; provided further, that for purposes of long-term health care cost savings and  
2406 enhanced patient care, the commonwealth shall recognize telehealth remote patient monitoring  
2407 provided by home health agencies as a service to clients otherwise reimbursable through  
2408 Medicaid..... \$3,764,835,669

2409 4000-0600.. For health care services provided to MassHealth members who are seniors  
2410 and for the operation of the senior care options program under section 9D of chapter 118E of the  
2411 General Laws; provided, that funds may be expended from this item for health care services  
2412 provided to these recipients in prior fiscal years; provided further, that funds shall be expended  
2413 for the community choices initiative; provided further, that no payment for special provider costs  
2414 shall be made from this item without the prior written approval of the secretary of administration  
2415 and finance; provided further, that benefits for this demonstration project shall not be reduced  
2416 below the services provided in fiscal year 2011; provided further, that the eligibility requirements  
2417 for this demonstration project shall not be more restrictive than those established in fiscal year  
2418 2011; provided further, that the executive office of health and human services shall submit a  
2419 report to the house and senate committees on ways and means detailing the projected costs and  
2420 the number of individuals served by the community choices initiative in fiscal year 2012  
2421 delineated by the federal poverty level; provided further, that notwithstanding any general or  
2422 special law to the contrary, funds shall be expended from this item for the purpose of  
2423 maintaining a personal needs allowance of \$72.80 per month for individuals residing in nursing

2424 homes and rest homes who are eligible for MassHealth, Emergency Aid to the Elderly, Disabled  
2425 and Children program or Supplemental Security Income; provided further, that funds shall be  
2426 expended from this item to implement the pre-admission counseling and assessment program  
2427 under the third paragraph of section 9 of chapter 118E of the General Laws, which shall be  
2428 implemented on a statewide basis through aging and disability resource consortia; provided  
2429 further, that notwithstanding any general or special law to the contrary, for any nursing home or  
2430 non-acute chronic disease hospital that provides kosher food to its residents, the executive office  
2431 of elder affairs, in consultation with the division of health care finance and policy, in recognition  
2432 of the unique special innovative program status granted by the executive office of health and  
2433 human services, shall continue to make the standard payment rates established in fiscal year  
2434 2006 to reflect the high dietary costs incurred in providing kosher food; provided further, that  
2435 notwithstanding any general or special law to the contrary, nursing facility rates effective July 1,  
2436 2011 may be developed using the costs of calendar year 2005; and provided further, that the  
2437 executive office of health and human services shall report quarterly to the house and senate  
2438 committees on ways and means the number of members receiving health promotion and  
2439 prevention, basic and complex adult day health services and the per member per month  
2440 expenditure on health promotion and prevention, basic and complex  
2441 care.....\$2,550,602,264

2442           4000-0640 For nursing facility Medicaid rates; provided, that notwithstanding any  
2443 general or special law to the contrary, in fiscal year 2012 the division of health care finance and  
2444 policy shall establish nursing facility Medicaid rates that cumulatively total \$288,500,000 more  
2445 than the annual payment rates established by the division under the rates in effect as of June 30,  
2446 2002; provided further, that an amount for expenses related to the collection and administration

2447 of section 25 of chapter 118G of the General Laws shall be transferred to the division of health  
2448 care finance and policy; and provided further, that the payments made pursuant to this item shall  
2449 be allocated in an amount sufficient to implement section 622 of chapter 151 of the acts of 1996  
2450 .....\$288,500,000

2451 4000-0700.. For health care services provided to medical assistance recipients under the  
2452 executive office’s health care indemnity/third party liability plan and medical assistance  
2453 recipients not otherwise covered under the executive office’s managed care or senior care plans,  
2454 and for MassHealth benefits provided to children, adolescents and adults under clauses (a) to (d),  
2455 inclusive and clause (h) of subsection (2) of section 9A of chapter 118E of the General Laws and  
2456 section 16C of said chapter 118E; provided, that no payments for special provider costs shall be  
2457 made from this item without the prior written approval of the secretary of administration and  
2458 finance; provided further, that no funds shall be expended from this item for children and  
2459 adolescents under clause (c) of said subsection (2) of said section 9A of said chapter 118E whose  
2460 family incomes, as determined by the executive office, exceed 150 per cent of the federal  
2461 poverty level; provided further, that children who have aged out of the custody of the department  
2462 of children and families shall be eligible for benefits until they reach age 21; provided further,  
2463 that funds shall be expended from this item for members who qualify for early intervention  
2464 services; provided further, that funds may be expended from this item for health care services  
2465 provided to the recipients in prior fiscal years; provided further, that funds may be expended  
2466 from this item, or item 4000-0500, if necessary to achieve maximum federal financial  
2467 participation, to enhance the ability of hospitals, community health centers and primary care  
2468 clinicians to more efficiently and effectively serve populations in need; provided further, that  
2469 these funds may be allocated using the standards used in fiscal year 2010; provided further, that

2470 these funds shall be disbursed not later than April 1, 2012; provided further, that funds may be  
2471 expended from this item or 4000-0500, if necessary, to enhance the ability of hospitals to address  
2472 emergency room capacity issues due to individuals with mental illness who are awaiting  
2473 placement in an acute care bed; provided further, that the executive office shall maximize federal  
2474 reimbursements for state expenditures made to these providers; provided further, that the  
2475 executive office shall not, in fiscal year 2012, fund programs relating to case management with  
2476 the intention of reducing length of stay for neonatal intensive care unit cases; provided further,  
2477 that notwithstanding the foregoing, funds may be expended from this item for the purchase of  
2478 third party insurance including, but not limited to, Medicare for any medical assistance recipient;  
2479 provided further, that the executive office may reduce MassHealth premiums or copayments or  
2480 offer other incentives to encourage enrollees to comply with wellness goals; and provided  
2481 further, that funds may be expended from this item for activities relating to disability  
2482 determinations or utilization management and review, including patient screenings and  
2483 evaluations, regardless of whether such activities are performed by a state agency, contractor,  
2484 agent or provider..... \$2,030,206,633

2485 4000-0870.. For health care services provided to adults participating in the medical  
2486 assistance program pursuant to clause (g) of subsection (2) of section 9A of chapter 118E of the  
2487 General Laws; provided, that funds may be expended from this item for health care services  
2488 provided to the recipients in prior fiscal  
2489 years.....\$157,016,626

2490 4000-0875.. For the provision of benefits to eligible women who require medical  
2491 treatment for either breast or cervical cancer in accordance with section  
2492 1902(a)(10)(A)(ii)(XVIII) of the Breast and Cervical Cancer Prevention and Treatment Act of

2493 2000, Public Law 106-354, and in accordance with section 10D of chapter 118E of the General  
2494 Laws; provided, that the executive office shall provide those benefits to women whose income,  
2495 as determined by the executive office, does not exceed 250 per cent of the federal poverty level,  
2496 subject to continued federal approval; provided further, that eligibility for benefits shall be  
2497 extended solely for the duration of the cancerous condition; provided further, that before the  
2498 provision of any benefits covered by this item, the executive office shall require screening for  
2499 either breast or cervical cancer through the comprehensive breast and cervical cancer early  
2500 detection program operated by the department of public health, in accordance with item 4570-  
2501 1512 of section 2D; and provided further, that funds may be expended from this item for health  
2502 care services provided to these recipients in prior fiscal years  
2503 .....\$4,770,999

2504 4000-0880.. For MassHealth benefits under clause (c) of subsection (2) of section 9A of  
2505 chapter 118E of the General Laws and section 16C of said chapter 118E for children and  
2506 adolescents whose family incomes as determined by the executive office are above 150 per cent  
2507 of the federal poverty level; provided, that funds may be expended from this item for health care  
2508 services provided to these children and adolescents in prior fiscal  
2509 years..... \$218,925,814

2510 4000-0890.. For the cost of health insurance subsidies paid to employees and employers  
2511 of small businesses in the insurance reimbursement program under section 9C of chapter 118E of  
2512 the General Laws; provided, that funds may be expended from this item for health care services  
2513 provided to these persons in prior fiscal years  
2514 .....\$58,181,956

2515           4000-0895.. For the healthy start program to provide medical care and assistance to  
2516 pregnant women and infants residing in the commonwealth pursuant to section 10E of chapter  
2517 118E of the General Laws; provided, that funds may be expended from this item for health care  
2518 services provided to these persons in prior fiscal  
2519 years.....\$13,800,000

2520           4000-0950.. For the purposes of administrative and program expenses associated with the  
2521 children’s behavioral health initiative, in accordance with the settlement agreement in the case of  
2522 Rosie D. et al. v. Romney, United States District Court for the District of Massachusetts civil  
2523 action No. 01-30199-MAP, to provide comprehensive, community-based behavioral health  
2524 services to children suffering from severe emotional disturbances; provided, that funds may be  
2525 expended from this item for health care services provided to these persons in prior fiscal years;  
2526 provided further, that the secretary of health and human services shall report biannually to the  
2527 house and senate committees on ways and means relative to implementation of the initiative;  
2528 provided further, that such biannual reports shall include, but not be limited to, details of the  
2529 implementation plan, results of the scheduled plan to date, including a schedule detailing  
2530 commencement of services and associated costs by service type, an analysis of compliance with  
2531 the terms of the settlement agreement to date, a detailed itemization of services and service  
2532 utilization by service type, geographical location and the age of the member receiving the  
2533 service, data detailing the time that elapses between a member’s request for services and  
2534 commencement of an initial assessment for services, the time to complete the initial assessment  
2535 and the time that elapses between initial assessment for services and commencement of services  
2536 and a quarterly update of whether projected expenditures are likely to exceed the amount  
2537 appropriated herein; provided further, that any unexpended balance in this item shall revert to the

2538 General Fund on June 30, 2012; and provided further, that funds shall not be transferred from  
2539 this item without notifying the house and senate committees on ways and means not less than 30  
2540 days prior to such a transfer; and provided further, that \$2,000,000 may be allocated from this  
2541 item to item 5042-5000 to support the department of mental health's role in implementing the  
2542 children's behavioral health initiative

2543 .....\$314,743,708

2544 4000-0990.. For the children's medical security plan to provide primary and preventive  
2545 health services for uninsured children from birth through age 18; provided, that the executive  
2546 office shall prescreen enrollees and applicants for Medicaid eligibility; provided further, that no  
2547 applicant shall be enrolled in the program until the applicant has been denied eligibility for the  
2548 MassHealth program; provided further, that the MassHealth benefit request shall be used as a  
2549 joint application to determine the eligibility for both MassHealth and the children's medical  
2550 security plan; provided further, that the executive office shall maximize federal reimbursements  
2551 for state expenditures made on behalf of the children; provided further, that the executive office  
2552 shall expend all necessary funds from this item to ensure the provision of the maximum benefit  
2553 levels for this program, as authorized by section 10F of chapter 118E of the General Laws;  
2554 provided further, that the maximum benefit levels for this program shall be made available only  
2555 to those children who have been determined by the executive office to be ineligible for  
2556 MassHealth benefits; and provided further, that funds may be expended from this item for health  
2557 care services provided to these persons in prior fiscal years ..... \$12,600,000

2558 4000-1400.. For the purposes of providing MassHealth benefits to persons with a  
2559 diagnosis of human immunodeficiency virus with incomes up to 200 per cent of the federal

2560 poverty level; provided, that funds may be expended from this item for health care services  
2561 provided to these persons in prior fiscal  
2562 years.....\$18,541,135

2563 4000-1405.. For the operation of a program of preventive and primary care for  
2564 chronically unemployed persons who are not receiving unemployment insurance benefits and  
2565 who are not eligible for medical assistance but who are determined by the executive office of  
2566 health and human services to be long-term unemployed; provided, that such persons shall meet  
2567 the eligibility requirements of the MassHealth program established in section 9A of chapter 118E  
2568 of the General Laws; provided further, that persons eligible under subsection (7) of section 16D  
2569 of said chapter 118E shall also be eligible to receive benefits under this item; provided further,  
2570 that the income of such persons shall not exceed 100 per cent of the federal poverty level;  
2571 provided further, that the eligibility requirements shall not exclude from eligibility persons who  
2572 are employed intermittently or on a non-regular basis; provided further, that the provision of care  
2573 to such persons under this program may, taking into account capacity, continuity of care, and  
2574 geographic considerations, be restricted to certain providers; provided further, that the secretary  
2575 may limit or close enrollment if necessary in order to ensure that expenditures from this item do  
2576 not exceed the amount appropriated herein; provided further, that no such limitation shall be  
2577 implemented unless the secretary has given 90 days' notice to the house and senate committees  
2578 on ways and means and the joint committee on health care financing; and provided further, that  
2579 funds may be expended from this item for health care services provided to recipients in prior  
2580 fiscal years.....\$389,757,408



2581           4000-1420.. For the purposes of making payment to the federal Centers for Medicare and  
2582 Medicaid Services in compliance with Title XIX of the Social Security Act  
2583 .....\$211,370,985

2584           4000-1700.. For the provision of information technology services within the executive  
2585 office of health and human  
2586 services..... \$81,762,075

2587           Office for Refugees and Immigrants.

2588           4003-0122.. For a citizenship for new Americans program to assist legal permanent  
2589 residents of the commonwealth

2590           in becoming citizens of the United States; provided, that the office for refugees and  
2591 immigrants shall administer the program; provided further, that the program funded by this item  
2592 shall provide assistance to persons who are within 3 years of eligibility to become citizens of the  
2593 United States; provided further, that services shall be designed to include: ESOL/civics classes,  
2594 citizenship application assistance, interview preparation and support services including, but not  
2595 limited to, interpretation and referral services; provided further, that persons who would qualify  
2596 for benefits under chapter 118A of the General Laws but for their status as legal non-citizens  
2597 shall be given highest priority for services; and provided further, that persons who currently  
2598 receive state-funded benefits which could be replaced, in whole or in part, by federally-funded  
2599 benefits if these persons become citizens, shall be given priority for  
2600 services.....\$237,500

2601           Division of Health Care Finance and Policy.

2602           4100-0060.. For the operation of the division of health care finance and policy and the  
2603 administration of the Health Safety Net Trust Fund established in section 36 of chapter 118G of  
2604 the General Laws; provided, that notwithstanding any general or special law to the contrary, the  
2605 assessment to acute hospitals authorized pursuant to section 5 of said chapter 118G for the  
2606 estimated expenses of the division shall include in fiscal year 2012 the estimated expenses,  
2607 including indirect costs, of the division and shall be equal to the amount appropriated in this item  
2608 less amounts projected to be collected in fiscal year 2012 from: (1) filing fees; (2) fees and  
2609 charges generated by the division's publication or dissemination of reports and information; and  
2610 (3) federal financial participation received as reimbursement for the division's administrative  
2611 costs; provided further, that the assessed amount shall not be less than 55 per cent of the total  
2612 expenses appropriated for the division and the health safety net office; provided further, for the  
2613 purposes of supporting the division's expanded role in developing health care policies that  
2614 benefit government entities, providers, purchasers and consumers, the division shall assess  
2615 surcharge payors as defined in section 34 of said chapter 118G, not less than 10 per cent of the  
2616 total estimated expenses appropriated for the division and the health safety net office, including  
2617 indirect costs, in fiscal year 2012, less amounts projected to be collected in fiscal year 2012  
2618 from: (1) filing fees; (2) fees and charges generated by the division's publication or  
2619 dissemination of reports and information; and (3) federal financial participation received as  
2620 reimbursement for the division's administrative costs; provided further, that the assessment on  
2621 surcharge payors shall be calculated in a manner similar to the assessment authorized under  
2622 section 38 of said chapter 118G and shall be collected in a manner consistent with the provisions  
2623 of said chapter 118G and deposited in the General Fund; provided further, that the division shall  
2624 promulgate regulations requiring all hospitals receiving payments from the Health Safety Net

2625 Trust Fund to report to the division the following utilization information: the number of inpatient  
2626 admissions and outpatient visits by age category, income category, diagnostic category and  
2627 average charge per admission; provided further, that the division shall submit quarterly reports to  
2628 the house and senate committees on ways and means compiling this data; provided further, that  
2629 the division, in consultation with the executive office of health and human services, shall not  
2630 promulgate any increase in Medicaid provider rates without taking all measures possible under  
2631 Title XIX of the Social Security Act or any successor federal statute to ensure that rates of  
2632 payment to providers do not exceed such rates as are necessary to meet only those costs incurred  
2633 by efficiently and economically operated providers in order to provide services of adequate  
2634 quality; provided further, that the division shall meet the reporting requirements of section 25 of  
2635 chapter 203 of the acts of 1996; provided further, that funds may be expended for the purposes of  
2636 a survey and study of the uninsured and underinsured in the commonwealth, including the health  
2637 insurance needs of the residents of the commonwealth; provided further, that this study shall  
2638 examine the overall impact of programs administered by the executive office of health and  
2639 human services on the uninsured, the underinsured and the role of employers in assisting their  
2640 employees in affording health insurance pursuant to section 23 of chapter 118G of the General  
2641 Laws; provided further, that the division shall publish annual reports on the financial condition  
2642 of hospitals and other health care providers through the Health Benchmarks project website, in  
2643 collaboration with the executive office of health and human services, the office of the attorney  
2644 general and the University of Massachusetts; provided further, that the division shall submit to  
2645 the house and senate committees on ways and means and the joint committee on health care  
2646 financing not later than December 8, 2011 a report detailing utilization of the Health Safety Net  
2647 Trust Fund; provided further, that the report shall include: (1) the number of persons in the

2648 commonwealth whose medical expenses were billed to the Health Safety Net Trust Fund in fiscal  
2649 year 2011; (2) the total dollar amount billed to the Health Safety Net Trust Fund in fiscal year  
2650 2011; (3) the demographics of the population using the Health Safety Net Trust Fund; and (4) the  
2651 types of services paid for out of the Health Safety Net Trust Fund in fiscal year 2011; provided  
2652 further, that the division shall include in the report an analysis on hospitals' responsiveness to  
2653 enrolling eligible individuals into the MassHealth program upon the date of service rather than  
2654 charging those individuals to the Health Safety Net Trust Fund; provided further, that the  
2655 division shall include in the report possible disincentives the state could provide to hospitals to  
2656 discourage such behavior; provided further, that funds shall be expended for the operation of the  
2657 health care quality and cost council established in section 16K of chapter 6A of the General  
2658 Laws to promote high-quality, cost-effective, patient-centered care; provided further, that the  
2659 council shall file quarterly reports with the house and senate committees on ways and means  
2660 delineating the progress made pursuant to the goals stated in said section 16K of said chapter 6A;  
2661 provided further, that in fiscal year 2012, the division of health care finance and policy shall  
2662 allocate \$2,000,000 for the Catastrophic Illness in Children Relief Fund, established in section  
2663 2ZZ of chapter 29 of the General Laws, from funds previously allocated for a demonstration  
2664 project under section 22 of chapter 47 of the acts of 1997; provided further, that within 60 days  
2665 after the effective date of this act, the division shall enter into an interagency agreement with the  
2666 executive office of health and human services to perform health safety net claims adjudication  
2667 with a full range of claims editing including edits to capture duplicate claims, medically  
2668 unnecessary services, medically unlikely services and incorporating correct coding initiative  
2669 edits through its MMIS system as soon as feasible but not later than June 30, 2012; and provided  
2670 further, that the division and the executive office shall file a report no later than October 1, 2011

2671 with the house and senate committees on ways and means on the plan to transition health safety  
2672 net claims processing to the MMIS system.....\$21,157,507

2673           4100-0061 For the division of health care finance and policy which may expend for the  
2674 development, operations and maintenance of an all payer claims database an amount not to  
2675 exceed \$4,000,000 from amounts paid to the division for any and all fees paid for health data  
2676 information and from any federal financial participation associated with the collection and  
2677 administration of health care claims data; provided, that notwithstanding any general or special  
2678 law to the contrary, and for the purpose of accommodating discrepancies between the receipt of  
2679 retained revenues and related expenditures, the division may incur expenses and the comptroller  
2680 may certify for payment amounts not to exceed the lower of this authorization or the most recent  
2681 revenue estimate, as reported in the state accounting  
2682 system.....\$4,000,000

2683           4100-0360.. For the health care quality and cost council established pursuant to section  
2684 16K of chapter 6A of the General Laws; provided, that the council may expend an amount not to  
2685 exceed \$100,000 from the monies received from the sale of data  
2686 reports.....\$100,000

2687           Massachusetts Commission for the Blind.

2688           4110-0001.. For the office of the  
2689 commissioner.....\$911,811

2690           4110-1000.. For the community services program; provided, that the Massachusetts  
2691 commission for the blind shall work in collaboration with the Massachusetts commission for the  
2692 deaf and hard of hearing to provide assistance and services to the deaf-blind community through

2693 the deaf-blind community access  
2694 network.....\$3,871,792

2695 4110-1010.. For aid to the adult blind; provided, that funds may be expended from this  
2696 item for burial expenses incurred in the prior fiscal year and for sheltered workforce employee  
2697 retirement  
2698 benefits.....\$8,351,643

2699 4110-2000.. For the turning 22 program of the commission; provided, that the  
2700 commission shall work in conjunction with the department of developmental services to secure  
2701 the maximum amount of federal reimbursements available for the care of turning 22 clients  
2702 .....\$11,034,194

2703 4110-3010.. For a program of vocational rehabilitation for the blind in cooperation with  
2704 the federal government; provided, that no funds from federal vocational rehabilitation grants or  
2705 state appropriation shall be deducted for pensions, group health and life insurance, or any other  
2706 such indirect costs of federally reimbursed state employees  
2707 .....\$ 3,044,673

2708 Massachusetts Rehabilitation Commission.

2709 4120-1000.. For the operation of the commission; provided, that the commissioner shall  
2710 report quarterly to the house and senate committees on ways and means and the secretary of  
2711 administration and finance on the number of clients served and the amount expended on each  
2712 type of service; provided further, that upon the written request of the commissioner of revenue,  
2713 the commission shall provide lists of individual clients to whom or on behalf of whom payments  
2714 have been made for the purpose of verifying eligibility and detecting and preventing fraud, error

2715 and abuse in the programs administered by the commission; and provided further, that the lists  
2716 shall include client names and social security numbers and payee names and other identification,  
2717 if different from a client's .....\$408,729

2718 4120-2000.. For vocational rehabilitation services operated in cooperation with the  
2719 federal government; provided, that no funds from the federal vocational rehabilitation grant or  
2720 state appropriation shall be deducted for pensions, group health and life insurance and any other  
2721 such indirect cost of the federally-reimbursed state employees; and provided further, that the  
2722 commissioner, in making referrals to service providers, shall take into account the client's place  
2723 of residence and the geographic proximity of the nearest provider to the  
2724 residence.....\$10,013,228

2725 4120-3000.. For employment assistance services; provided, that vocational evaluation  
2726 and employment services for severely disabled adults may be  
2727 provided.....\$2,362,792

2728 4120-4000.. For independent living assistance services; provided, that all independent  
2729 living centers identified in item 4120-4000 of section 2 of chapter 182 of the acts of 2008 shall  
2730 receive the same amount in fiscal year 2012 as they received in said chapter 182  
2731 ..... \$12,176,933

2732 4120-4001.. For the housing registry for the  
2733 disabled.....\$80,000

2734 4120-4010.. For the turning 22 program of the commission  
2735 .....\$801,551

2736           4120-5000.. For homemaking  
2737 services..... \$4,337,006

2738           4120-6000.. For services for individuals with head injuries; provided, that the  
2739 commission shall work with the executive office of health and human services to maximize  
2740 federal reimbursement for clients receiving services through this item  
2741 .....\$11,180,152

2742           Massachusetts Commission for the Deaf and Hard of Hearing.

2743           4125-0100.. For the operation of and services provided by the Massachusetts commission  
2744 for the deaf and hard of  
2745 hearing.....\$4,722,631

2746           Department of Veterans’ Services.

2747           1410-0010.. For the operation of the department of veterans’ services; provided, that the  
2748 department may fund a housing specialist from this item; provided further, that the department  
2749 may expend funds for the Glory 54th Brigade; provided further, that not less than the amount  
2750 allocated in item 1410-0010 of section 2 of chapter 182 of the acts of 2008 shall be expended for  
2751 the purpose of maintaining and rehabilitating Massachusetts Vietnam Veterans memorials;  
2752 provided further, that not less than \$15,000 shall be expended for the Vietnam Veterans Moving  
2753 Wall project in the metro west region; provided further, that the secretary of veterans’ affairs  
2754 shall submit a report to the joint committee on veterans and federal affairs and the house and  
2755 senate committees on ways and means not later than December 30, 2011 on the secretariat’s  
2756 implementation of and the outreach efforts of the so-called “welcome home bill”; and provided  
2757 further, that the report shall include the participation rates for service, hindrances to enrollment



2758 for the program and recommendations, including any necessary statutory or other changes to  
2759 increase the number of service men and women who apply for such  
2760 service..... \$2,148,506

2761 1410-0012.. For services to veterans, including the maintenance and operation of  
2762 outreach centers; provided, that the department shall increase the amount allocated to a program  
2763 or its successor listed in this item as appearing in section 2 of chapter 131 of the acts of 2010 by  
2764 no less than 14 per cent in fiscal year 2012; provided further, that funds shall not be expended for  
2765 the Middleboro Veteran Outreach Center; provided further, that the Nathan Hale Foundation in  
2766 the town of Plymouth shall be the successor to the Middleboro Veteran Outreach Center;  
2767 provided further, that the centers shall provide counseling to incarcerated veterans and to  
2768 Vietnam era veterans and their families who may have been exposed to agent orange; and  
2769 provided further, that these centers shall provide services to veterans who were discharged after  
2770 September 11, 2001, and their  
2771 families.....\$1,993,006

2772 1410-0015.. For the women veterans' outreach  
2773 program.....\$50,000

2774 1410-0018.. For the department of veterans' services which may expend not more than  
2775 \$300,000 for the maintenance and operation of Agawam and Winchendon veterans' cemeteries  
2776 from revenue collected from fees, grants, gifts or other contributions to the cemeteries; prior  
2777 appropriation continued  
2778 .....\$300,000

2779           1410-0075.. For the purpose of the Train Vets to Treat Vets program; provided, that the  
2780 department shall work in conjunction with the Massachusetts School of Professional Psychology  
2781 to establish a behavioral health career development program for returning  
2782 veterans.....\$150,000

2783           1410-0250.. For veterans' homelessness services; provided, that the department shall  
2784 increase the amount allocated to a program or its successor listed in this item as appearing in  
2785 section 2 of chapter 131 of the acts of 2010 by no less than 14 per cent in fiscal year 2012; and  
2786 provided further, that the Western Massachusetts Bilingual Veterans Outreach Center shall be  
2787 the successor to the Springfield Bilingual Veterans Outreach Center at the  
2788 YMCA.....\$2,387,767

2789           1410-0251.. For the maintenance and operation of homeless shelters and transitional  
2790 housing for veterans at the New England Center for Homeless Veterans located in the city of  
2791 Boston.....\$2,278,543

2792           1410-0300.. For the payment of annuities to certain disabled veterans and the parents and  
2793 un-remarried spouses of certain deceased veterans; provided, that the payments shall be made  
2794 pursuant to section 6B of chapter 115 of the General Laws; provided further, that the department  
2795 shall take reasonable steps to terminate payments upon the death of a recipient; provided further,  
2796 that the department shall prorate annuity payments to ensure that the total payments in fiscal year  
2797 2012 shall not exceed the amount appropriated herein; and provided further, that the secretary of  
2798 veterans' services shall file with the house and senate committees on ways and means a report  
2799 detailing the number of applications received for annuities offered under this program at the end

2800 of each fiscal quarter.....  
2801 \$20,035,820

2802 1410-0400.. For reimbursements to cities and towns for money paid for veterans' benefits  
2803 and for payments to certain veterans under section 6 of chapter 115 of the General Laws;  
2804 provided, that notwithstanding any general or special law to the contrary, 100 per cent of the  
2805 amounts of veterans' benefits paid by cities and towns to residents of a soldiers' home shall be  
2806 paid by the commonwealth to the several cities and towns; provided further, that pursuant to  
2807 section 9 of said chapter 115, the department shall reimburse cities and towns for the cost of  
2808 United States flags placed on the graves of veterans on Memorial Day; provided further, that  
2809 notwithstanding any general or special law to the contrary, the secretary of veterans' services  
2810 shall continue a training program for veterans' agents and directors of veterans' services in cities  
2811 and towns; provided further, that the department of veterans' services shall provide such training  
2812 in several locations across the commonwealth; provided further, that training will be provided  
2813 annually and on an as needed basis to veterans' services organizations to make them aware of the  
2814 provision of said chapter 115 and all other benefits to which a veteran or the veteran's  
2815 dependents may be entitled; provided further, that any person applying for veterans' benefits to  
2816 pay for services available under chapter 118E of the General Laws, shall also apply for medical  
2817 assistance under said chapter 118E to minimize cost to the commonwealth and its municipalities;  
2818 provided further, that veterans' agents shall complete applications authorized by the executive  
2819 office under said chapter 118E for any veteran, widow and dependent applying for medical  
2820 assistance under said chapter 115; provided further, that the veterans' agent shall file the  
2821 application for the veteran or dependent for assistance under said chapter 118E; provided further,  
2822 that the executive office shall act on all applications under said chapter 118E and advise the

2823 applicant and the veterans' agent of the applicant's eligibility for said chapter 118E healthcare;  
2824 provided further, that the veterans' agent shall advise the applicant of the right to assistance for  
2825 medical benefits under said chapter 115 pending approval of the application for assistance under  
2826 said chapter 118E by the executive office; provided further, that the secretary may supplement  
2827 healthcare pursuant to said chapter 118E with healthcare coverage under said chapter 115 if he  
2828 determines that supplemental coverage is necessary to afford the veteran or dependent sufficient  
2829 relief and support; provided further, that payments to or on behalf of a veteran or dependent  
2830 pursuant to said chapter 115 shall not be considered income for the purposes of determining  
2831 eligibility under said chapter 118E; and provided further, that benefits awarded pursuant to  
2832 section 6B of said chapter 115 shall be considered countable income

2833 .....\$38,980,045

2834           1410-0630.. For the administration of the veterans' cemeteries in the towns of Agawam  
2835 and  
2836 Winchendon.....\$899,451

2837           Soldiers' Home in Massachusetts.

2838           4180-0100.. For the maintenance and operation of the Soldiers' Home in Massachusetts  
2839 located in the city of Chelsea, including a specialized unit for the treatment of Alzheimer's  
2840 disease patients; provided, that graduates from the LPN school of nursing shall work in state-  
2841 operated facilities for at least 1 year; and provided further, that no fee, assessment or other  
2842 charge shall be imposed upon or required of any person for any outpatient treatment, admission  
2843 or hospitalization which exceeds the amount of fees charged in fiscal year 2011

2844 .....\$25,940,788

2845           4180-1100.. For the Soldiers' Home in Massachusetts which may expend not more than  
2846 \$370,000 in revenues for facility maintenance and patient care, including personnel costs;  
2847 provided, that 60 per cent of all revenues generated pursuant to section 2 of chapter 90 of the  
2848 General Laws through the purchase of license plates with the designation VETERAN by eligible  
2849 veterans of the commonwealth, upon compensating the registry of motor vehicles for the cost  
2850 associated with the license plates, shall be deposited into and for the purposes of this retained  
2851 revenue account of the Soldiers' Home; provided further, that the Soldiers' Home may accept  
2852 gifts, grants, donations and bequests; and provided further, that notwithstanding any general or  
2853 special law to the contrary, for the purpose of accommodating timing discrepancies between the  
2854 receipt of retained revenues and related expenditures, the Soldiers' Home may incur expenses  
2855 and the comptroller may certify for payment amounts not to exceed the lower of this  
2856 authorization or the most recent revenue estimate as reported in the state accounting system;  
2857 prior appropriation continued .....\$370,000

2858           Soldiers' Home in Holyoke.

2859           4190-0100.. For the maintenance and operation of the Soldiers' Home in Holyoke,  
2860 including the adult day care program, the Maguder House and the Chapin Mansion; provided,  
2861 that no fee, assessment or other charge shall be imposed upon or required of any person for any  
2862 outpatient treatment, admission or hospitalization which exceeds the amount of fees charged in  
2863 fiscal year  
2864 2011.....\$19,539,530

2865           4190-0101.. For the Soldiers' Home in Holyoke which may expend for its operation an  
2866 amount not to exceed \$5,000 from the licensing of the property for placement of aerial antennas  
2867 .....\$5,000

2868           4190-0102.. For the Soldiers' Home in Holyoke which may expend for the outpatient  
2869 pharmacy program an amount not to exceed \$110,000 from co-payments which it may charge to  
2870 users of the program; provided, that no co-payments shall be imposed or required of any person  
2871 which exceed the level of co-payments charged in fiscal year  
2872 2011.....\$110,000

2873           4190-0200.. For the Soldiers' Home in Holyoke which may expend not more than  
2874 \$35,000 from fees collected from veterans in its care for the purposes of providing television and  
2875 telephone services to residents; provided, that fees from the use of telephones and televisions  
2876 shall only be expended for payments to vendors for said services; and provided further, that  
2877 notwithstanding any general or special law to the contrary, for the purpose of accommodating  
2878 timing discrepancies between the receipt of retained revenues and related expenditures, the  
2879 soldiers' home may incur expenses and the comptroller may certify for payment amounts not to  
2880 exceed the lower of this authorization or the most recent revenue estimate as reported in the state  
2881 accounting  
2882 system.....\$35,000

2883           4190-0300.. For the Soldiers' Home in Holyoke which may expend not more than  
2884 \$671,530 for the operation of 12 additional long term care beds from revenue generated through  
2885 the occupancy of these beds; provided, that notwithstanding any general or special law to the  
2886 contrary, for the purpose of accommodating timing discrepancies between the receipt of retained

2887 revenues and related expenditures, the Soldiers' Home may incur expenses and the comptroller  
2888 may certify for payment amounts not to exceed the lower of this authorization or the most recent  
2889 revenue estimate as reported in the state accounting  
2890 system.....\$671,530

2891           4190-1100.. For the Soldiers' Home in Holyoke which may expend not more than  
2892 \$250,000 for facility maintenance and patient care, including personnel costs; provided, that 40  
2893 per cent of all revenues generated pursuant to section 2 of chapter 90 of the General Laws  
2894 through the purchase of license plates with the designation VETERAN by eligible veterans of the  
2895 commonwealth, upon compensating the registry of motor vehicles for the cost associated with  
2896 the license plates, shall be deposited into and for the purposes of this retained revenue account of  
2897 the Soldiers' Home; provided further, that the Soldiers' Home may accept gifts, grants, donations  
2898 and bequests; and provided further, that notwithstanding any general or special law to the  
2899 contrary, for the purpose of accommodating timing discrepancies between the receipt of retained  
2900 revenues and related expenditures, the Soldiers' Home may incur expenses and the comptroller  
2901 may certify for payment amounts not to exceed the lower of this authorization or the most recent  
2902 revenue estimate as reported in the state accounting system; prior appropriation  
2903 continued.....\$250,000

2904           Department of Youth Services.

2905           4200-0010.. For the administration of the department of youth services; provided, that the  
2906 department shall continue to collaborate with the department of elementary and secondary  
2907 education in order to align curriculum at the department of youth services with the statewide  
2908 curriculum frameworks and to ease the reintegration of youth from facilities at the department of

2909 youth services into regular public school settings; provided further, that the department shall  
2910 continue to execute its education funding initiative; provided further, that the commissioner of  
2911 the department of youth services may transfer funds between items 4200-0100, 4200-0200, and  
2912 4200-0300, as necessary, pursuant to an allocation plan, which shall detail, by object class, the  
2913 distribution of the funds to be transferred and which the commissioner shall file with the house  
2914 and senate committees on ways and means 15 days prior to any such transfer; and provided  
2915 further, that not more than 6 per cent of any item shall be transferred in fiscal year  
2916 2012.....\$4,102,498

2917           4200-0100.. For supervision, counseling and other community-based services provided to  
2918 committed youths in nonresidential care programs of the  
2919 department.....\$21,619,063

2920           4200-0200.. For pretrial detention programs, including purchase-of-service and state-  
2921 operated  
2922 programs.....\$15,756,369

2923           4200-0300.. For secure facilities, including purchase-of-service and state operated  
2924 programs incidental to the operations of the facilities; provided, that funds may be expended for  
2925 salaries for teachers at the department of youth services; provided further, that funds shall be  
2926 expended to address the needs of the female population; and provided further, that funds shall be  
2927 expended to address suicide  
2928 prevention.....\$93,039,491

2929           4200-0500.. For enhanced salaries for teachers at the department of youth services  
2930 .....\$2,000,000



2931 Department of Transitional Assistance.

2932 4400-1000.. For the central administration of the department of transitional assistance;  
2933 provided, that all costs associated with verifying disability for all programs of the department  
2934 shall be paid from this item; provided further, that the department shall submit on a monthly  
2935 basis to the house and senate committees on ways and means and the secretary of administration  
2936 and finance a status report on program expenditures, savings and revenues, error rate  
2937 measurements and public assistance caseloads and benefits; provided further, that the department  
2938 shall collect all out-of-court settlement restitution payments; provided further, that the restitution  
2939 payments shall include, but not be limited to, installment and lump sum payments; provided  
2940 further, that notwithstanding any general or special law to the contrary, unless otherwise  
2941 expressly provided, federal reimbursements received for the purposes of the department,  
2942 including reimbursements for administrative, fringe and overhead costs, for the current fiscal  
2943 year and prior fiscal years, shall be credited to the General Fund; provided further, that an  
2944 application for assistance under chapter 118 of the General Laws shall be deemed an application  
2945 for assistance under chapter 118E of the General Laws; provided further, that if assistance under  
2946 said chapter 118 is denied, the application shall be transmitted by the department to the executive  
2947 office of health and human services for a determination of eligibility under said chapter 118E;  
2948 provided further, that the department shall, to the extent feasible within the appropriation  
2949 provided, provide for extended office hours; provided further, that the department shall  
2950 accomplish the staffing of these extended office hours to the maximum extent possible through  
2951 the use of flex-time that will allow workers to modify their working hours to accommodate their  
2952 specific personal and family needs; provided further, that the department shall, to the extent  
2953 feasible within the appropriation provided, continue and expand the program of placing workers

2954 at community and human service organizations for the purposes of facilitating supplemental  
2955 nutrition assistance program applications and redeterminations; provided further, that the  
2956 department shall report to the house and senate committees on ways and means not later than  
2957 December 15, 2011 on the extended office hours and placement of workers at community and  
2958 human service organizations that the department has determined is feasible within the  
2959 appropriation provided and that the department will provide in the current fiscal year; provided  
2960 further, that the department of transitional assistance shall provide the caseload forecasting office  
2961 with enrollment data and any other information pertinent to caseload forecasting that is requested  
2962 by the office on a monthly basis; and provided, however, that the information is provided in a  
2963 manner that meets all applicable federal and state privacy and security  
2964 requirements.....\$53,084,416

2965 4400-1001.. For programs to increase the commonwealth’s participation rate in the  
2966 supplemental nutrition assistance program and other federal nutrition programs; provided, that  
2967 funds shall be expended for a grant with Project Bread -The Walk for Hunger, Inc.; provided  
2968 further, that the work of department employees paid for from this item shall be restricted to  
2969 processing supplemental nutrition assistance program applications; provided further, that the  
2970 department shall not require supplemental nutrition assistance program applicants to provide re-  
2971 verification of eligibility factors previously verified and not subject to change; provided further,  
2972 that notwithstanding any general or special law to the contrary, the department shall require only  
2973 1 signature from supplemental nutrition assistance program applicants; provided further, that the  
2974 department shall fund a unit staffed by department employees to respond to supplemental  
2975 nutrition assistance program inquiries, and arrange and conduct telephone interviews for initial  
2976 supplemental nutrition assistance program applications from this item; provided further, that the

2977 department shall fund a system to image and catalogue eligibility documents electronically from  
2978 this item; provided further, that funds may be expended for supplemental nutrition assistance  
2979 program outreach; and provided further, that the department shall report to the house and senate  
2980 committees on ways and means not later than December 1, 2011 on the status of these  
2981 programs.....\$2,933,683

2982 4400-1100.. For the payroll of the department's caseworkers; provided, that only  
2983 employees of bargaining unit 8 shall be paid from this item, prior appropriation continued  
2984 .....\$57,618,881

2985 4401-1000.. For employment programs, including and limited to: (a) programs operated  
2986 through the Massachusetts Office of Refugee and Immigrants; (b) the disability assessments  
2987 conducted by the University of Massachusetts; (c) transportation benefits for recipients of  
2988 temporary aid for families with dependent children; and (d) the Young Parents program;  
2989 provided, that certain parents who have not yet reached the age of 18 years, including those who  
2990 are ineligible for transitional aid to families with dependent children but who would qualify for  
2991 benefits under chapter 118 of the General Laws but for the deeming of the grandparents' income,  
2992 shall be eligible to receive services; and (e) Project  
2993 SAFE.....\$4,464,633

2994 4403-2000.. For a program of transitional aid to families with dependent children;  
2995 provided, that notwithstanding any general or special law to the contrary, benefits under the  
2996 program of transitional aid to families with dependent children shall be paid only to citizens of  
2997 the United States and to non-citizens for whom federal funds may be used to provide benefits;  
2998 provided further, that notwithstanding any general or special law or any provisions of this act to

2999 the contrary, no benefit under this item shall be made available to illegal or undocumented  
3000 aliens; provided further, that the need standard shall be equal to the standard in effect in fiscal  
3001 year 2011 unless the department determines that a reduction in the monthly payment standard  
3002 should be implemented before the end of the fiscal year to keep program expenditures within the  
3003 amounts appropriated in this item; provided further, that the payment standard shall be equal to  
3004 the need standard; provided further, that the payment standard for families who do not qualify for  
3005 an exempt category of assistance under subsection (e) of section 110 of chapter 5 of the acts of  
3006 1995, or any successor statute, shall be 2.75 per cent below the otherwise applicable payment  
3007 standard in fiscal year 2012, pursuant to the state plan required under the Personal Responsibility  
3008 and Work Opportunity Reconciliation Act of 1996; provided further, that the department shall  
3009 notify parents under the age of 20 receiving benefits from the program of the requirements found  
3010 in clause (2) of subsection (i) of said section 110 of said chapter 5 of the acts of 1995, or any  
3011 successor statute; provided further, that a \$40 per month rent allowance shall be paid to all  
3012 households incurring a rent or mortgage expense and not residing in public housing or subsidized  
3013 housing; provided further, that a nonrecurring children's clothing allowance in the amount of  
3014 \$150 shall be provided to each child eligible under this program in September 2011, to the extent  
3015 feasible within appropriation; provided further, that the nonrecurring clothing allotment in fiscal  
3016 year 2012 shall not be less than \$75; provided further, that the children's clothing allowance  
3017 shall be included in the standard of need for the month of September 2011; provided further, that  
3018 benefits under this program shall not be available to those families in which a child has been  
3019 removed from the household pursuant to a court order after a care and protection hearing under  
3020 chapter 119 of the General Laws, nor to adult recipients otherwise eligible for transitional aid to  
3021 families with dependent children but for the temporary removal of the dependent child or

3022 children from the home by the department of children and families in accordance with  
3023 department procedures; provided further, that notwithstanding section 2 of chapter 118 of the  
3024 General Laws, or any other general or special law to the contrary, the department shall render aid  
3025 to pregnant women with no other eligible dependent children only if it has been medically  
3026 verified that the child is expected to be born within the month the payments are to be made or  
3027 within the 3 month period after the month of payment, and who, if the child had been born and  
3028 was living with such woman in the month of payment would be categorically and financially  
3029 eligible for transitional aid to families with dependent children benefits; provided further, that  
3030 certain families that suffer a reduction in benefits due to a loss of earned income and  
3031 participation in retrospective budgeting may receive a supplemental benefit to compensate them  
3032 for the loss; provided further, that the department shall, to the extent feasible within the existing  
3033 appropriation and funding from other sources, review its disability standards to determine the  
3034 extent to which they reflect the current medical and vocational criteria; provided further, that the  
3035 department shall report on any proposed revisions by December 1, 2011, to the house and senate  
3036 committees on ways and means and the joint committee on children, families and persons with  
3037 disabilities on the results of that review before any changes to the standards are proposed;  
3038 provided further, that no funds from this item shall be expended by the department for child care  
3039 or transportation services for the employment and training program; provided further, that no  
3040 funds from this item shall be expended by the department for family reunification benefits or  
3041 informal child care; provided further, that the department shall provide oral and written  
3042 notification to all recipients of their child care benefits at the time of application and on a semi-  
3043 annual basis; provided further, that the notification shall include the full range of child care  
3044 options available, including center-based child care, family-based child care and in-home relative

3045 child care; provided further, that the notification shall detail available child care benefits for  
3046 current and former recipients, including employment and training benefits and transitional  
3047 benefits; provided further, that the notice shall further advise recipients of the availability of  
3048 supplemental nutrition assistance program benefits; provided further, that in promulgating,  
3049 amending or rescinding its regulations with respect to eligibility for, or levels of benefits under  
3050 the program, the department shall take into account the amounts available to it for expenditure by  
3051 this item so as not to exceed the appropriation; provided further, that notwithstanding any  
3052 general or special law to the contrary, 60 days before promulgating any eligibility or benefit  
3053 changes, the commissioner shall file with the house and senate committees on ways and means  
3054 and with the clerks of the senate and house of representatives a detailed and comprehensive  
3055 report setting forth the text of, basis, and reasons for the proposed changes; and provided further,  
3056 that the report shall state the department's most accurate assessment of the probable effects of  
3057 benefit or eligibility changes upon recipient

3058 families..... \$318,730,614

3059 4403-2007..For a nutritional benefit program for low-income workers; provided, that  
3060 benefits shall be provided only to those for whom receiving these benefits will improve the work  
3061 participation rate under the federal program of temporary assistance for needy  
3062 families.....\$900,000

3063 4403-2119.. For the provision of structured settings as provided in subsection (i) of  
3064 section 110 of chapter 5 of the acts of 1995, or any successor statute, for parents under the age of  
3065 20 who are receiving benefits under the transitional aid to families with dependent children  
3066 program..... \$6,436,708

3067           4405-2000.. For the state supplement to the supplemental security income program for  
3068 the aged and disabled, including a program for emergency needs for supplemental security  
3069 income recipients; provided, that the expenses of special grant recipients residing in rest homes,  
3070 as provided in section 7A of chapter 118A of the General Laws, may be paid from this item;  
3071 provided further, that the department, in collaboration with the executive office of health and  
3072 human services, may fund an optional supplemental living arrangement category under the  
3073 supplemental security income program that makes payments to persons living in assisted living  
3074 residences certified under chapter 19D of the General Laws who meet the income and clinical  
3075 eligibility criteria established by the department and the office; provided further, that the optional  
3076 category of payments shall only be administered in conjunction with the Medicaid group adult  
3077 foster care benefit; and provided further, that reimbursements to providers for services rendered  
3078 in prior fiscal years may be expended from this item..... \$222,156,525

3079           4408-1000.. For a program of cash assistance to certain residents of the commonwealth,  
3080 entitled emergency aid to the elderly, disabled and children found by the department to be  
3081 eligible for the aid under chapter 117A of the General Laws and regulations promulgated by the  
3082 department and subject to the limitations of appropriation therefore; provided, that benefits under  
3083 this item shall only be provided to residents who are citizens of the United States or qualified  
3084 aliens or non-citizens otherwise permanently residing in the United States under color of law and  
3085 shall not be provided to illegal or undocumented aliens; provided further, that the individual shall  
3086 not be subject to sponsor income deeming or related restrictions; provided further, that the  
3087 payment standard shall equal the payment standard in effect under the general relief program in  
3088 fiscal year 1991; provided further, that the department may provide benefits to persons age 65 or  
3089 older who have applied for benefits under chapter 118A of the General Laws, to persons

3090 suffering from a medically-determinable impairment or combination of impairments which is  
3091 expected to last for a period as determined by department regulations and which substantially  
3092 reduces or eliminates such individuals' capacity to support themselves and which has been  
3093 verified by a competent authority, to certain persons caring for a disabled person, to otherwise  
3094 eligible participants in the vocational rehabilitation program of the Massachusetts rehabilitation  
3095 commission and to dependent children who are ineligible for benefits under both chapter 118 of  
3096 the General Laws and the separate program created by section 210 of chapter 43 of the acts of  
3097 1997 and parents or other caretakers of dependent children who are ineligible under said chapter  
3098 118 and under said separate program; provided further, that no ex-offender, person over age 45  
3099 without a prior work history or person in a residential treatment facility shall be eligible for  
3100 benefits under this program unless the person otherwise meets the eligibility criteria described in  
3101 this item and defined by regulations of the department; provided further, that no person  
3102 incarcerated in a correctional institution shall be eligible for benefits under the program;  
3103 provided further, that no funds shall be expended from this item for the payment of expenses  
3104 associated with any medical review team, other disability screening process or costs associated  
3105 with verifying disability for this program; provided further, that the department shall adopt  
3106 emergency regulations under chapter 30A of the General Laws to implement the changes to this  
3107 program required by this item promptly and within the appropriation; provided further, that in  
3108 initially implementing the program for this fiscal year, the department shall include all eligibility  
3109 categories permitted in this item at the payment standard in effect for the former general relief  
3110 program in fiscal year 1991; provided further, that in promulgating, amending or rescinding its  
3111 regulations with respect to eligibility or benefits, including the payment standard, medical  
3112 benefits and any other benefits under this program, the department shall take into account the



3113 amounts available to it for expenditure by this item so as not to exceed the amount appropriated  
3114 in this item; provided further, that the department may promulgate emergency regulations under  
3115 chapter 30A of the General Laws to implement these eligibility or benefit changes or both;  
3116 provided further, that nothing in this item shall be construed as creating any right accruing to  
3117 recipients of the former general relief program; provided further, that reimbursements collected  
3118 from the Social Security Administration on behalf of former clients of the emergency aid to the  
3119 elderly, disabled and children program or unprocessed payments from the program that are  
3120 returned to the department shall be credited to the General Fund; provided further, that  
3121 notwithstanding any general or special law to the contrary, the funds made available in this item  
3122 shall be the only funds available for the program, and the department shall not spend funds for  
3123 the program in excess of the amount made available in this item; provided further, that  
3124 notwithstanding any general or special law to the contrary, 60 days before promulgating any  
3125 eligibility or benefit changes, the commissioner shall file with the house and senate committees  
3126 on ways and means and with the clerks of the senate and house of representatives a detailed and  
3127 comprehensive report setting forth the text of, basis, and reasons for the proposed changes; and  
3128 provided further, that the report shall state the department's most accurate assessment of the  
3129 probable effects of benefit or eligibility changes upon recipient

3130 families.....\$88,958,966

3131 Department of Public Health.

3132 4510-0020.. For the department of public health which may expend not more than  
3133 \$375,000 in revenues collected from fees charged by the food protection programs for program  
3134 costs of the department's food protection program; provided, that notwithstanding any general or  
3135 special law to the contrary, for the purpose of accommodating timing discrepancies between the

3136 receipt of retained revenue and related expenditures, the department may incur expenses and the  
3137 comptroller may certify for payment amounts not to exceed the lesser of this authorization or the  
3138 most recent revenue estimate as reported in the state accounting system.....\$375,000

3139           4510-0025.. For the department of public health which may expend not more than  
3140 \$889,889 for a school-based sealant program, known as the SEAL Program, from revenues  
3141 collected from MassHealth and other third party reimbursement for preventive oral health  
3142 procedures; provided, that funds may be expended from this item for the costs of personnel; and  
3143 provided further, that for the purpose of accommodating timing discrepancies between the  
3144 receipt of retained revenues and related expenditures, the department may incur expenses and the  
3145 comptroller may certify for payment amounts not to exceed the lower of this authorization or the  
3146 most recent revenue estimate as reported in the state accounting  
3147 system.....\$889,889

3148           4510-0040.. For the department of public health which may expend for the regulation of  
3149 all pharmaceutical and medical device companies that market their products in Massachusetts an  
3150 amount not to exceed \$421,539 from fees assessed under chapter 111N of the General Laws;  
3151 provided, that for the purpose of accommodating timing discrepancies between the receipt of  
3152 retained revenues and related expenditures, the department may incur expenses and the  
3153 comptroller may certify for payment amounts not to exceed the lower of this authorization or the  
3154 most recent revenue estimate as reported in the state accounting  
3155 system.....\$421,539

3156           4510-0100.. For the administration and operation of the department, including the  
3157 personnel support of programmatic staff within the department, including the health statistics

3158 program, the operation of the registry of vital records and statistics and the Massachusetts Cancer  
3159 Registry.....\$15,975,017

3160 4510-0110.. For community health center services; provided, that not less than \$250,000  
3161 shall be expended on a statewide program of technical assistance to community health centers to  
3162 be provided by a state primary care association qualified under section 330(f)(1) of the Public  
3163 Health Service Act, 42 U.S.C. section 254c(f)(1)

3164 ..... \$963,949

3165 4510-0600.. For an environmental and community health hazards program, including  
3166 control of radiation and nuclear hazards, consumer products protection, food and drugs, lead  
3167 poisoning prevention in accordance with chapter 482 of the acts of 1993, lead-based paint  
3168 inspections in day care facilities, inspection of radiological facilities, licensing of x-ray  
3169 technologists and the administration of the bureau of environmental health assessment pursuant  
3170 to chapter 111F of the General Laws; provided, that the department shall file a report with the  
3171 house and senate committees on ways and means, the joint committee on public health and the  
3172 joint committee on health care financing on the status of local health inspections of food  
3173 establishments, consistent with the department of public health food safety regulations and a  
3174 report on the current waiting list for indoor air inspections by October 3, 2011; provided further,  
3175 that \$100,000 shall be expended for the purpose of the continuation of an environmental risk  
3176 assessment of the health impacts of the General Lawrence Logan Airport in the East Boston  
3177 section of the city of Boston on any community that is located within a 5 mile radius of the  
3178 airport and is potentially impacted by the airport; provided further, that the assessment may  
3179 include, but not be limited to, examining incidences of respiratory diseases and cancers and

3180 performing medical and laboratory tests and examinations of residents of these communities;  
3181 and provided further, that notwithstanding any general or special law to the contrary, 100 per  
3182 cent of the amount appropriated in this item for the environmental risk assessment shall be  
3183 assessed upon the Massachusetts Port Authority and paid within 30 days after receipt of notice of  
3184 such assessment from the commissioner of public health.....\$3,305,454

3185           4510-0615.. For the department of public health which may expend not more than  
3186 \$180,000 from assessments collected under section 5K of chapter 111 of the General Laws for  
3187 services provided to monitor, survey and inspect nuclear power reactors; provided, that the  
3188 department may expend not more than \$1,494,716 from fees collected from licensing and  
3189 inspecting users of radioactive material within the commonwealth under licenses presently  
3190 issued by the Nuclear Regulatory Commission; provided further, that the revenues may be used  
3191 for the costs of both programs, including the compensation of employees; and provided further,  
3192 that for the purpose of accommodating timing discrepancies between the receipt of retained  
3193 revenues and related expenditures, the department may incur expenses and the comptroller may  
3194 certify for payment amounts not to exceed the lower of this authorization or the most recent  
3195 revenue estimate as reported in the state accounting system  
3196 .....\$1,674,716

3197           4510-0616.. For the department of public health, which may expend not more than  
3198 \$1,241,668 for a drug registration and monitoring program from revenues collected from fees  
3199 charged to registered practitioners, including physicians, dentists, veterinarians, podiatrists and  
3200 optometrists for controlled substance registration; provided, that funds may be expended from  
3201 this item for the costs of personnel; and provided further, that for the purpose of accommodating  
3202 timing discrepancies between the receipt of retained revenues and related expenditures, the

3203 department may incur expenses and the comptroller may certify for payment amounts not to  
3204 exceed the lower of this authorization or the most recent revenue estimate as reported in the state  
3205 accounting system .....\$1,241,668

3206         4510-0710.. For the operation of the division of health care quality and the office of  
3207 patient protection; provided, that the division shall be responsible for assuring the quality of  
3208 patient care provided by the commonwealth’s health care facilities and services and for  
3209 protecting the health and safety of patients who receive care and services in nursing homes, rest  
3210 homes, clinical laboratories, clinics, institutions for the mentally retarded and the mentally ill,  
3211 hospitals and infirmaries, including the inspection of ambulance services; provided further, that  
3212 investigators shall conduct investigations of abuse, neglect, mistreatment and misappropriation;  
3213 provided further, that all investigators in the division of health care quality responsible for the  
3214 investigations shall receive training by the Medicaid fraud control unit in the office of the  
3215 attorney general; provided further, that the division shall continue a comprehensive training,  
3216 education and outreach program for nursing home administrators and managers and other  
3217 supervisory personnel in long-term care to improve the quality of care in long-term care  
3218 facilities; provided further, that the program shall promote the use of best practices, models of  
3219 quality care giving and the culture of workforce retention within the facilities and shall focus on  
3220 systemic ways to reduce deficiencies; and provided further, that services funded through this  
3221 item shall include, but not be limited to: education, training, intervention, support, surveillance  
3222 and  
3223 evaluation.....\$6,493,455

3224         4510-0712.. For the department of public health; which may expend not more than  
3225 \$1,562,309 in revenues collected from the licensure of health facilities for program costs of the

3226 division of health care quality; provided further, that the department may expend not more than  
 3227 \$877,402 from revenues collected from individuals applying for emergency medical technician  
 3228 licensure and recertification; and provided further, that notwithstanding any general or special  
 3229 law to the contrary, for the purpose of accommodating timing discrepancies between the receipt  
 3230 of retained revenue and related expenditures, the department may incur expenses and the  
 3231 comptroller may certify for payment amounts not to exceed the lesser of this authorization or the  
 3232 most recent revenue estimate as reported in the state accounting system.....\$2,439,711

3233           4510-0715.. For the operation of a center for primary care recruitment and placement to  
 3234 improve access to primary care  
 3235 services.....\$157,000

3236           4510-0716.. For the operation of an evidenced-based outreach and education program  
 3237 designed to provide information and education on the therapeutic and cost-effective utilization of  
 3238 prescription drugs to physicians, pharmacists and other health care professionals authorized to  
 3239 prescribe and diagnose prescription  
 3240 drugs.....\$93,000

3241           4510-0721.. For the operation and administration of the board of registration in  
 3242 nursing.....\$795,800

3243           4510-0722.. For the operation and administration of the board of registration in  
 3244 pharmacy..... \$194,806

3245           4510-0723.. For the operation and administration of the board of registration in medicine  
 3246 and the committee on  
 3247 acupuncture.....\$997,001

3248           4510-0725.. For the operation and administration of certain health boards of registration,  
3249 including the boards of registration in dentistry, nursing home administrators, physician  
3250 assistants, perfusionists, genetic counselors and respiratory care  
3251 .....\$273,383

3252           4510-0726.. For the board of registration in medicine, including the physician profiles  
3253 program; provided, that the board may expend revenues not to exceed \$300,000 from new  
3254 revenues associated with increased license and renewal fees  
3255 .....\$300,000

3256           4510-0790.. For regional emergency medical services; provided, that no funds shall be  
3257 expended in the AA object class; and provided further, that the regional emergency medical  
3258 services councils, designated under 105 CMR 170.101 and the C-MED medical emergency  
3259 communications centers that were in existence on January 1, 1992, shall remain the designated  
3260 councils and C-MED communications  
3261 centers.....\$931,959

3262           4510-0810.. For a statewide sexual assault nurse examiner program and pediatric sexual  
3263 assault nurse examiner program for the care of victims of sexual assault; provided, that funds  
3264 shall be expended to support children’s advocacy centers; and provided further, that the program  
3265 shall operate under specific statewide protocols and by an on-call system of nurse  
3266 examiners.....\$3,196,985

3267           4512-0103.. For human immunodeficiency virus and acquired immune deficiency  
3268 syndrome services and programs and related services for persons affected by the associated  
3269 conditions of viral hepatitis and sexually transmitted infections; provided, that funds shall be

3270 expended in proportion to each of the demographic groups afflicted by HIV/AIDS and  
3271 associated conditions; and provided further, that no funds from this item shall be expended for  
3272 disease research in fiscal year  
3273 2012.....\$31,097,810

3274 4512-0106 For the department of public health which may expend for the human  
3275 immunodeficiency virus and acquired immune deficiency syndrome drug assistance program an  
3276 amount not to exceed \$7,500,000 from revenues received from pharmaceutical manufacturers  
3277 participating in the section 340B rebate program of the Public Health Service Act, administered  
3278 by the federal Health Resources and Services Administration Health Care Systems Bureau Office  
3279 of Pharmacy Affairs.....\$7,500,000

3280 4512-0200.. For the division of substance abuse services, including a program to  
3281 reimburse driver alcohol education programs for services provided for court adjudicated indigent  
3282 clients; provided, that funds may be expended for programs that received funding in fiscal year  
3283 2011.....\$74,685,802

3284 4512-0201.. For substance abuse step-down recovery services, otherwise known as level  
3285 B beds and services, and other critical recovery services with severely reduced capacity;  
3286 provided, that no funds shall be expended in the AA object  
3287 class.....\$4,800,000

3288 4512-0202.. For jail diversion programs primarily for nonviolent offenders with  
3289 OxyContin or heroin addiction to be procured by the department of public health; provided, that  
3290 each program shall have at least 60 beds and shall provide clinical assessment services to the  
3291 respective courts, inpatient treatment for up to 90 days and ongoing case management services



3292 for up to 1 year; provided further, that individuals may be diverted to this or other programs by a  
3293 district attorney in conjunction with the office of the commissioner of probation if: (a) there is  
3294 reason to believe that the individual being diverted suffers from an addiction to OxyContin or  
3295 heroin, or other substance use disorder; and (b) the diversion of an individual is clinically  
3296 appropriate and consistent with established clinical and public safety criteria; provided further,  
3297 that programs shall be established in separate counties in locations deemed suitable by the  
3298 department of public health; provided further, that the department of public health shall  
3299 coordinate operations with the sheriffs, the district attorneys, the office of the commissioner of  
3300 probation and the department of correction; provided further, that not more than \$500,000 shall  
3301 be used to support the ongoing treatment needs of clients after 90 days for which there is no  
3302 other payer; and provided further, that not later than August 2, 2011, the department of public  
3303 health shall provide a report to the joint committee on mental health and substance abuse and the  
3304 house and senate committees on ways and means as to the outcomes of the program and the cost  
3305 of operations.....\$2,000,000

3306           4512-0203.. For family intervention and care management services programs, a young  
3307 adult treatment program, and early intervention services for individuals who are dependent on or  
3308 addicted to alcohol or controlled substances or both alcohol and controlled substances  
3309 .....\$1,500,000

3310           4512-0225.. For the department of public health which may expend not more than  
3311 \$1,000,000 for a compulsive gamblers' treatment program from unclaimed prize money held in  
3312 the State Lottery Fund for more than 1 year from the date of the drawing when the unclaimed  
3313 prize money was won, and from the proceeds of a multi-jurisdictional lottery game under  
3314 subsection (e) of section 24A of chapter 10 of the General Laws; provided, that the state

3315 comptroller shall transfer the amount to the General Fund; and provided further, that  
3316 notwithstanding any general or special law to the contrary, for the purpose of accommodating  
3317 timing discrepancies between the receipt of retained revenue and related expenditures, the  
3318 department may incur expenses and the comptroller may certify for payment amounts not to  
3319 exceed the lesser of this authorization or the most recent revenue estimate as reported in the state  
3320 accounting system.....\$1,000,000

3321           4512-0500.. For dental health services; provided, that funds shall be expended to  
3322 maintain a program of dental services for the developmentally disabled; and provided further,  
3323 that funds may be expended for the Forsyth Institute’s Center for Children’s Oral  
3324 Health.....\$1,413,911

3325           4513-1000.. For the provision of family health services; provided, that funds shall be  
3326 provided for comprehensive family planning services, including HIV counseling and testing,  
3327 community-based health education and outreach services provided by agencies certified as  
3328 comprehensive family planning agencies; and provided further, that funds may be expended for  
3329 the Massachusetts birth defects monitoring  
3330 program.....\$4,656,797

3331           4513-1002.. For women, infants and children’s, WIC, nutrition services in addition to  
3332 funds received under the federal nutrition program; provided, that funds from this item shall  
3333 supplement federal funds to enable federally eligible women, infants and children to be served  
3334 through the WIC program  
3335 .....\$12,428,884

3336           4513-1012.. For the department of public health which may expend not more than  
3337 \$24,510,000 from revenues received from the federal cost-containment initiatives including, but  
3338 not limited to, infant formula rebates; provided, that for the purpose of accommodating timing  
3339 discrepancies between the receipt of retained revenues and related expenditures, the department  
3340 may incur expenses and the comptroller may certify for payment amounts not to exceed the  
3341 lesser of this authorization or the most recent revenue estimate as reported in the state accounting  
3342 system

3343 .....\$24,510,000

3344           4513-1020.. For the early intervention program; provided, that the department shall report  
3345 quarterly to the house and senate committees on ways and means the total number of units of  
3346 service purchased and the total expenditures for the units of service paid by the department, the  
3347 executive office of health and human services and third party payers for early intervention  
3348 services for the following services categories: home visit, center-based individual, child-focused  
3349 group, parent-focused group, and screening and assessment; provided further, that the  
3350 department shall make all reasonable efforts to secure third party and Medicaid reimbursements  
3351 for the services funded in this item; provided further, that funds from this item shall be expended  
3352 to provide respite services to families of children enrolled in early intervention programs who  
3353 have complex care requirements, multiple disabilities and extensive medical and health needs;  
3354 provided further, that no claim for reimbursement made on behalf of an uninsured person shall  
3355 be paid from this item until the program receives notice of a denial of eligibility for the  
3356 MassHealth program from the executive office of health and human services; provided further,  
3357 that nothing in this item shall give rise to or shall be construed as giving rise to enforceable legal  
3358 rights to any such services or an enforceable entitlement to the early intervention services funded

3359 in this item; provided further, that the department shall provide written notification to the senate  
3360 and house committees on ways and means 90 days prior to any change to its current eligibility  
3361 criteria; provided further, that these funds may be used to pay for current and prior year claims;  
3362 provided further, that MassHealth shall reimburse the department for all costs incurred for the  
3363 transportation of MassHealth members who participate in the early intervention program;  
3364 provided further, that the department of public health shall report no later than April 2, 2012 on  
3365 the number of children, by community, receiving early intervention services who without early  
3366 intervention services are likely to require special education services; and provided further, that  
3367 the department shall provide services to eligible children through one service delivery model and  
3368 shall not determine eligibility for services based on family insurance  
3369 status.....\$31,144,420

3370 4513-1023.. For the universal newborn hearing screening program; provided, that funds  
3371 appropriated in this item shall be expended for the notification of and follow through with  
3372 affected families, primary care providers and early intervention programs upon the department's  
3373 receipt of data indicative of potential hearing disorders in newborns....\$65,494

3374 4513-1026.. For the provision of statewide and community-based suicide prevention,  
3375 intervention, post-intervention and surveillance activities and the implementation of a statewide  
3376 suicide prevention plan; provided, that funds may be expended for a program to address elder  
3377 suicide behavior and attempts with the geriatric mental health services program within the  
3378 department of elder affairs; provided further, that funds shall be expended for a Veterans in  
3379 Crisis Hotline; provided further, that the hotline shall be for the use of veterans who seek  
3380 counseling programs operated by the department of veterans affairs or concerned family  
3381 members of those veterans so that they may be directed towards the programs and services

3382 offered by their local or regional Veterans Services office; and provided further, that the hotline  
3383 shall be staffed by counselors or outreach programs contracted by the department and trained in  
3384 issues of mental health counseling and veterans services  
3385 .....\$2,248,776

3386 4513-1111.. For the promotion of health and disease prevention which may include:  
3387 breast cancer prevention; diabetes screening and outreach; ovarian cancer screening; a statewide  
3388 STOP stroke program and ongoing stroke prevention and education; multiple sclerosis screening,  
3389 information, education and treatment programs and the Multiple Sclerosis Home Living  
3390 Navigating Key Services program administered by the Central New England Chapter of the  
3391 National Multiple Sclerosis Society; colorectal cancer prevention; hepatitis C prevention and  
3392 management; prostate cancer screening, education and treatment with a particular focus on  
3393 African American males; osteoporosis education; maintenance of the Amyotrophic Lateral  
3394 Sclerosis registry created pursuant to section 25A of chapter 111 of the General Laws; and  
3395 maintenance of the statewide lupus database; provided, that funds may be expended for the  
3396 operation of the Betsy Lehman Center for patient safety..... \$3,508,981

3397 4513-1130.. For domestic violence and sexual assault prevention and victim services,  
3398 including batterers' intervention and services for immigrants and refugees; provided, that funds  
3399 shall be expended for rape prevention and victim services, including the statewide Spanish  
3400 language hotline; and provided further, that funds shall be expended for the public health model  
3401 of community engagement and intervention services for crisis housing for sexual violence and  
3402 intimate partner violence in the gay, lesbian, bisexual and transgender communities; and  
3403 provided further, that funds may be expended for classroom-based domestic violence prevention  
3404 education programs administered in item 0340-0900 in fiscal year 2009.....\$5,657,970

3405           4516-0263.. For the department of public health which may expend not more than  
3406 \$1,180,224 in revenues from various blood lead testing fees collected from insurers and  
3407 individuals for the purpose of conducting such tests; provided, that notwithstanding any general  
3408 or special law to the contrary, for the purpose of accommodating timing discrepancies between  
3409 the receipt of retained revenues and related expenditures, the department may incur expenses and  
3410 the comptroller may certify for payment amounts not to exceed the lesser of this authorization or  
3411 the most recent revenue estimate as reported in the state accounting system ..... \$1,180,224

3412           4516-1000.. For the administration of the center for laboratory and communicable disease  
3413 control, including the division of communicable venereal diseases, the division of tuberculosis  
3414 control and the state laboratory institute; provided, that the department shall give priority to the  
3415 analysis of samples used in the prosecution of controlled substances offenses; provided further,  
3416 that funds shall be expended for an eastern encephalitis testing program and for tuberculosis  
3417 testing and treatment services; provided further, that no funds appropriated in this item shall be  
3418 expended for administrative, space or energy expenses of the department not directly related to  
3419 personnel or programs funded in this item; and provided further, that funds from this item may  
3420 be expended for the purchase of equipment for the drug laboratory at the state laboratory  
3421 institute.....\$13,243,542

3422           4516-1010.. For state matching funds required by the Pandemic and All-Hazards  
3423 Preparedness Act.....\$2,272,509

3424           4516-1022.. For the department of public health which may expend not more than  
3425 \$256,248 generated by fees collected from insurers for tuberculosis tests performed at the state  
3426 laboratory institute; provided, that revenues collected may be used to supplement the costs of

3427 said laboratory; and provided further, that for the purpose of accommodating timing  
3428 discrepancies between the receipt of retained revenues and related expenditures, the department  
3429 may incur expenses and the comptroller may certify for payment amounts not to exceed the  
3430 lesser of this authorization or the most recent revenue estimate as reported in the state accounting  
3431 system .....  
3432 \$256,248

3433 4518-0200.. For the department of public health which may expend not more than  
3434 \$675,000 generated by fees collected from the following services provided at the registry of vital  
3435 records and statistics: amendments of vital records, requests for vital records not issued in person  
3436 at the registry, requests for heirloom certificates and research requests performed by registry staff  
3437 at the registry; provided, that the registrar of vital records and statistics shall exempt from  
3438 payment of a fee any person requesting a verification of birth for the purpose of establishing  
3439 eligibility for Medicaid; and provided further, that for the purpose of accommodating timing  
3440 discrepancies between the receipt of retained revenues and related expenditures, the department  
3441 may incur expenses and the comptroller may certify for payment amounts not to exceed the  
3442 lesser of this authorization or the most recent revenue estimate as reported in the state accounting  
3443 system..... \$675,000

3444 4530-9000.. For teenage pregnancy prevention services; provided, that applications for  
3445 such funds shall be administered through the department upon receipt and approval of  
3446 coordinated community service plans to be evaluated in accordance with guidelines issued by the  
3447 department; provided further, that portions of the grants may be used for state agency purchases  
3448 of designated services identified by the community service plans; provided further, that funding  
3449 shall be expended on those communities with the highest teen birth rates according to an annual

3450 statistical estimate conducted by the department; provided further, that funds shall be expended  
3451 on programming directed at children under the care of the department of children and families  
3452 who are at high risk for teenage pregnancy; and provided further, that the department shall  
3453 collaborate with the department of children and families on this programming..... \$2,402,347

3454 4570-1502.. For the purposes of implementing a statewide infection prevention and  
3455 control program.....\$319,777

3456 4580-1000.. For the operation of the universal immunization program; provided, that no  
3457 funds appropriated in this item shall be expended for administrative or energy expenses of the  
3458 department not directly related to programs funded in this item; and provided further, that  
3459 notwithstanding any general or special law to the contrary, the costs of purchasing and  
3460 distributing childhood vaccines for children in this item may be assessed, in an amount  
3461 equivalent to the department's projected fiscal year 2012 costs, on surcharge payers under  
3462 section 38 of chapter 118G of the General Laws and may be collected in a manner consistent  
3463 with said chapter 118G  
3464 ..... \$51,372,377

3465 4590-0250.. For school health services and school-based health centers in public and non-  
3466 public schools; provided, that services shall include, but not be limited to: (a) strengthening the  
3467 infrastructure of school health services in the areas of personnel and policy development,  
3468 programming and interdisciplinary collaboration; (b) developing linkages between school health  
3469 services programs and community health providers; (c) incorporating health education programs,  
3470 including tobacco prevention and cessation activities in school curricula and in the provision of  
3471 school based health services; and (d) incorporating obesity prevention programs, including



3472 nutrition and wellness programs, in school curricula to address the nutrition and lifestyle habits  
3473 needed for healthy development; provided further, that the services shall meet standards and  
3474 eligibility guidelines established by the department in consultation with the department of  
3475 elementary and secondary education; provided further, that funds shall be expended for school  
3476 nurses and school-based health center programs; provided further, that funds may be expended to  
3477 address the recommendations of the permanent commission on gay and lesbian youth,  
3478 established in section 67 of chapter 3 of the General Laws, for the reduction of health disparities  
3479 for gay, lesbian bisexual and transgendered youth; and provided further, that funds may be  
3480 expended for the Massachusetts Model of Community  
3481 Coalitions.....\$10,536,723

3482           4590-0300.. For smoking prevention and cessation  
3483 programs.....\$4,150,703

3484           4590-0912.. For the department of public health which may expend an amount not to  
3485 exceed \$16,457,488 from reimbursements collected for Western Massachusetts Hospital  
3486 services, subject to the approval of the commissioner of public health; provided, that such  
3487 revenues may be expended for the purpose of hospital-related costs, including personnel, capital  
3488 expenditures, DD object class chargebacks and motor vehicle replacement; provided further, that  
3489 all revenues expended shall be pursuant to schedules submitted to the secretary of administration  
3490 and finance and the house and senate committees on ways and means; provided further, that  
3491 notwithstanding any general or special law to the contrary, the Western Massachusetts Hospital  
3492 shall be eligible to receive and retain full payment under the medical assistance program  
3493 administered by the executive office of health and human services pursuant to chapter 118E of  
3494 the General Laws for all goods and services provided by the hospital in accordance with all

3495 federal requirements; provided further, that notwithstanding any general or special law to the  
 3496 contrary, the Western Massachusetts Hospital shall reimburse the General Fund for a portion of  
 3497 employee benefit expenses, according to a schedule submitted by the commissioner of public  
 3498 health and approved by the secretary of administration and finance; provided further, that such  
 3499 reimbursement shall not exceed 10 per cent of total personnel costs for the hospital; provided  
 3500 further, that for the purpose of accommodating timing discrepancies between the receipt of  
 3501 retained revenues and related expenditures, the department may incur expenses and the  
 3502 comptroller may certify for payment amounts not to exceed the lesser of this authorization or the  
 3503 most recent revenue estimate as reported in the state accounting system; and provided further,  
 3504 that no funds appropriated herein shall be expended for administrative, space or energy expenses  
 3505 of the department not directly related to personnel or programs funded in this  
 3506 item.....\$16,457,488

3507           4590-0913.. For the department of public health which may expend not more than  
 3508 \$499,827 for payments received for those services provided by the Lemuel Shattuck hospital to  
 3509 inmates of state sheriff correctional facilities; provided, that for the purpose of accommodating  
 3510 timing discrepancies between the receipt of retained revenues and related expenditures, the  
 3511 department may incur expenses and the comptroller may certify for payment amounts not to  
 3512 exceed the lesser of this authorization or the most recent revenue estimate as reported in the state  
 3513 accounting system  
 3514 .....\$499,827

3515           4590-0915.. For the maintenance and operation of Tewksbury hospital, Massachusetts  
 3516 hospital school, Lemuel Shattuck hospital and the hospital bureau, including the state office of  
 3517 pharmacy services; provided, that no funds appropriated in this item shall be expended for

3518 administrative, space or energy expenses of the department not directly related to personnel or  
 3519 programs funded in this item; provided further, that reimbursements received for medical  
 3520 services provided at the Lemuel Shattuck Hospital to inmates of state sheriff correctional  
 3521 facilities not managed by private health care vendors shall be credited to item 4590-0903 of  
 3522 section 2B; and provided further, that notwithstanding any general or special law to the contrary,  
 3523 the department shall seek to obtain federal financial participation for care provided to inmates of  
 3524 the department of correction and of county correctional facilities who are treated at the public  
 3525 health  
 3526 hospitals.....\$139,397,307

3527           4590-0917.. For the department of public health which may expend an amount not to  
 3528 exceed \$4,122,068 from payments received from the vendor managing health services for state  
 3529 correctional facilities for inmate medical services provided by the Lemuel Shattuck hospital;  
 3530 provided, that the payments may include capitation payments, fee for service payments, advance  
 3531 payments and other compensation arrangements established by contract between the vendor and  
 3532 the hospital; and provided further, that notwithstanding any general or special law to the  
 3533 contrary, for the purpose of accommodating timing discrepancies between the receipt of retained  
 3534 revenues and related expenditures, the department may incur expenses and the comptroller may  
 3535 certify for payment amounts not to exceed the lower of this authorization or the most recent  
 3536 revenue estimate as reported in the state accounting system  
 3537 .....\$4,122,068

3538           4590-1503.. For the pediatric palliative care program established in section 24K of  
 3539 chapter 111 of the General  
 3540 Laws.....\$790,732

3541 4590-1506.. For a competitive grant program to be administered by the department of  
3542 public health to support the establishment of a comprehensive youth violence prevention  
3543 program; provided, that eligibility shall be determined by the criteria set forth in item 4590-1506  
3544 of section 2 of chapter 182 of the acts of 2008; provided further, that no grants shall be awarded  
3545 to law enforcement agencies; provided further, that the department of public health shall report  
3546 to the house and senate committees on ways and means and the executive office of  
3547 administration and finance not later than November 1, 2011, detailing the grant amount awarded  
3548 to each recipient and a description of each grant; and provided further, that each grant recipient  
3549 shall provide the department of public health with a comprehensive list of best practices that  
3550 have been instituted as a result of these grants.....

3551 \$1,000,000

3552 4590-1507.. For matching grants to the Alliance of Massachusetts YMCAs, the  
3553 Massachusetts Alliance of Boys & Girls Clubs and YWCA organizations: provided, that the  
3554 Massachusetts Alliance of Boys & Girls Clubs shall distribute funds to all Boys and Girls Clubs  
3555 that received grants from this item in fiscal year 2011 provided further, that the Alliance of  
3556 Massachusetts YMCAs shall distribute funds to all YMCAs that received grants from this item  
3557 in fiscal year 2011 .....\$1,300,000

3558 Department of Children and Families.

3559 4800-0015.. For central and area office administration; provided, that the associated  
3560 expenses of employees whose AA and DD object class costs are paid from item 4800-1100 shall  
3561 be paid from this item; provided further, that no funds shall be expended from this item for the  
3562 compensation of unit 8 employees; provided further, that the department shall not place a child

3563 or adolescent referred by, or discharged from, the care of the department of mental health until  
3564 the latter department forwards an assessment and recommendation as to whether the child or  
3565 adolescent may be appropriately placed in foster care or, if due to severe emotional disturbance,  
3566 is more appropriate for group care; provided further, that the department, in consultation with the  
3567 department of mental health, shall assist the latter department in making such assessments and  
3568 recommendations; provided further, that if placement of a child with someone other than a parent  
3569 becomes necessary, the department shall place the highest priority on identifying a family  
3570 resource within the child's kinship or family circle and shall provide services and support to  
3571 partner with the family resource in meeting the child's needs; provided further, that unless  
3572 otherwise authorized, all funds, including federal reimbursements received by the department,  
3573 shall be credited to the General Fund; provided further, that the department and the department  
3574 of early education and care shall provide standards for early education and care placements made  
3575 through the supportive child care program; provided further, that the department of children and  
3576 families, in collaboration with the department of early education and care, shall maintain a  
3577 centralized list detailing the number of children eligible for supportive child care services, the  
3578 number of supportive slots filled and the number of supportive slots available; provided further,  
3579 that no waiting list for the services shall exist; provided further, that all children eligible for  
3580 services under item 3000-3050 shall receive said services; provided further, that notwithstanding  
3581 any general or special law to the contrary, the department shall not reduce recoupment amounts  
3582 recommended by the state auditor; provided further, that by October 3, 2011, the department  
3583 shall issue draft revised regulations for public comment which shall ensure that the department  
3584 maintains an independent, timely and fair administrative hearings system and shall issue final  
3585 regulations by December 1, 2011; provided further, that not later than October 1, 2011, the

3586 department shall: (a) revise its procedures to ensure that newly requested administrative hearings  
3587 are scheduled and decided upon on a timely basis and (b) submit to the joint committee on  
3588 children, families and persons with disabilities a plan for eliminating its backlog of  
3589 administrative hearing requests; provided further, that the plan shall identify the number of fair  
3590 hearing requests that were pending as of July 1, 2011, and shall set quarterly benchmarks for  
3591 elimination of the backlog; provided further, that the department shall submit quarterly reports to  
3592 the joint committee on children, families, and persons with disabilities on the status of the  
3593 backlog; provided further, that not later than February 15 of the current fiscal year, the  
3594 department shall provide to the house and senate committees on ways and means and the joint  
3595 committee on children and families a report detailing the number of medical and psychiatric  
3596 personnel currently employed by or under contract with the department; provided further, that  
3597 the report shall include the number of foster care reviews conducted by the department and the  
3598 average length of time in which each review is completed; provided further, the report shall  
3599 contain the number of the department's contracts reviewed by the state auditor and the number of  
3600 corrective action plans issued; provided further, that the report shall also include the number of  
3601 corrective action plans entered into by the department; provided further, that the report shall  
3602 include the number of social workers and supervisors who have earned a bachelors' or masters'  
3603 degree in social work; provided further, that the report shall include the total number of social  
3604 workers and the total number of social workers holding licensure, by level; provided further, that  
3605 the department shall file a report on the first business day of each month to the senate and house  
3606 committees on ways and means and the joint committee on children and families on the caseload  
3607 of the department; provided further, that caseloads provided in this report shall include:  
3608 residential placements, congregate care, foster care, therapeutic foster care, adoption,

3609 guardianship, 51A reports, substantiated 51A reports, the number of children who die in the care  
3610 and custody of the department, the number of children currently eligible for supportive child  
3611 care and the number of children presently receiving supportive child care, and the number of  
3612 medical and psychiatric consultation requests made by the department's social workers; provided  
3613 further, that the report shall include the number of approved foster care placements; provided  
3614 further, that the report shall also include the number of children in psychiatric hospitals and  
3615 community-based acute treatment programs who remain hospitalized beyond their medically-  
3616 necessary stay while awaiting placement and the number of days each case remains in placement  
3617 beyond that which is medically-necessary; provided further, that the report shall include the  
3618 number of children under the department of children and families care and custody who are  
3619 being served in medical or psychiatric care provided through other publicly-funded sources;  
3620 provided further, that the report shall also contain the number of children served by supervised  
3621 visitation centers and the number of those children who are reunified with their families;  
3622 provided further, that the report shall also contain information on the total number of children  
3623 served, their ages, the number of children served in each service plan, the number of children in  
3624 out-of-home placements and the number of placements each child has had before receiving an  
3625 out-of-home placement; provided further, that the report shall also contain, for each area office,  
3626 the number of kinship guardianship subsidies provided in the month covered by the report and  
3627 the number of kinship guardianship subsidies provided in that month for which federal  
3628 reimbursement was received; provided further, that the report shall also contain, for each area  
3629 office, the total spending on services other than case management services provided to families  
3630 for the purposes of keeping a child with his parents or reunifying the child with his parents,  
3631 spending by type of the service, and the unduplicated number of families that receive the

3632 services; provided further, that the report shall also contain for each area office, the total number  
3633 of families in the month residing in shelter paid for by the department, a list of where the  
3634 families are sheltered, the total cost and average cost per family of those shelters, and a  
3635 description of how the department determines who does or does not qualify for shelter; provided  
3636 further, that the report shall include, for each area office, broken down by type of service, the  
3637 number of requests for voluntary services, whether the request was approved or denied, the  
3638 number of families that are denied voluntary services and receive a 51A report, the reasons for  
3639 denying the service, and what, if any, referrals were made for services by other agencies or  
3640 entities; provided further, that the report shall also contain the number of families receiving  
3641 multiple 51A reports within a 10-month period, the number of cases reopened within 6 months of  
3642 being closed and the number of children who return home and then re-enter an out-of-home  
3643 placement within 6 months; provided further, that not later than November 2, 2011, the  
3644 department shall submit a report to the house and senate committees on ways and means and the  
3645 chairs of the joint committee on children and families that includes any rules, regulations, or  
3646 guidelines established by the department to carry out its duties pursuant to chapter 119 of the  
3647 General Laws, including, but not limited to: (a) criteria used to determine whether a child has  
3648 been abused or neglected; (b) guidelines for removal of a child from the home; and (c) standards  
3649 to determine what reasonable efforts are made to keep a child in the home; provided further, that  
3650 to the extent feasible within the appropriations to all services for children and families, maintain  
3651 existing services for the aging out population; provided further, that the department may set the  
3652 quarterly clothing allotments at the same rates as in Fiscal Year 1997; provided further, that if  
3653 the number of foster children under the care of the department in the third quarter is lower than  
3654 the number of foster children under the care of the department for the first and second quarters,



3655 foster children in the care of the department may receive a clothing allowance for the fourth  
3656 quarter at an amount up to the amount provided in Fiscal Year 2011; provided further, that the  
3657 commissioner of the department of children and families may transfer funds between items,  
3658 4800-0030, 4800-0038, 4800-0040 and 4800-0041, as necessary, pursuant to an allocation plan,  
3659 which shall detail, by object class, the distribution of the funds to be transferred and which the  
3660 commissioner shall file with the house and senate committees on ways and means 15 days prior  
3661 to any such transfer; and provided further, that not more than 5 per cent of any item shall be  
3662 transferred in fiscal year 2012; and provided further, that no funds shall be transferred from  
3663 4800-0040 to any of those items.....\$62,616,711

3664         4800-0016.. For the department of children and families which may expend for the  
3665 operation of the transitional employment program an amount not to exceed \$1,000,000 from  
3666 revenues collected from various state, county and municipal government entities, as well as state  
3667 authorities, for the costs related to the provision of services by the participants and the overhead  
3668 costs and expenses incurred by the not-for-profit managing agent selected by the commissioner  
3669 for administering the program; provided, that notwithstanding any general or special law to the  
3670 contrary, the commissioner of the department of children and families may enter into a contract  
3671 with Roca, Inc., a not-for-profit community-based agency, to manage the transitional  
3672 employment program and to provide services to participants from the aging out population,  
3673 parolees, probationers, youth service releases, or other community residents considered to have  
3674 employment needs.....\$1,000,000

3675         4800-0025.. For foster care review  
3676 services.....\$3,035,868

3677           4800-0030.. For the continuation of local and regional administration and coordination of  
3678 services provided by lead agencies through purchase-of-service contracts; provided, that flex  
3679 services required by this item and provided by these agencies shall be funded from this item; and  
3680 provided further, that funding shall only be expended in the MM object  
3681 class.....\$9,300,000

3682           4800-0036.. For a sexual abuse intervention network program to be administered in  
3683 conjunction with the district  
3684 attorneys.....\$697,508

3685           4800-0038.. For guardianship, foster care, adoption, family preservation and kinship  
3686 services provided by the department of children and families; provided, that services funded  
3687 through this item shall include shelter services, substance abuse treatment, young parent  
3688 programs, parent aides, education and counseling services, foster care, adoption and  
3689 guardianship subsidies, tiered reimbursements used to promote the foster care placement of  
3690 children with special medical and social needs, assessment of the appropriateness of adoption for  
3691 children in the care of the department for more than 12 months, protective services provided by  
3692 partnership agencies, targeted recruitment and retention of foster families, respite care services,  
3693 post-adoption services, support services for foster, kinship and adoptive families and juvenile  
3694 firesetter programs; provided further, that not less than \$ 250,000 shall be expended for a  
3695 contract with Julie’s Family Learning Program, Inc. in the South Boston section of the city of  
3696 Boston; provided further, that the regional offices shall work with the contracted entities for  
3697 children placed in the intensive foster care system and with the receiving communities of these  
3698 children to ensure all necessary services are provided; provided further, that funding may be  
3699 expended on supervised visitation programs, children’s advocacy centers, services for child

3700 victims of sexual abuse and assault, family support and stabilization services, and community-  
3701 based support and education programs helping low-income, female-headed families break the  
3702 cycle of poverty; and provided further, that funds may be expended on programs that received  
3703 funding in fiscal year 2011.....\$242,173,947

3704 4800-0040.. For family preservation and reunification; provided, that services shall  
3705 include family support and stabilization services provided by the department; and provided  
3706 further, that no funds shall be expended from this item for the compensation of administrative  
3707 employees and associated administrative costs of the department  
3708 .....\$34,789,000

3709 4800-0041.. For congregate care services; provided, that funds may be expended from  
3710 this item to provide intensive community-based services, including intensive in-home support  
3711 and stabilization services to children who would otherwise be placed in residential settings; and  
3712 provided further, that the department shall oversee area review teams that shall evaluate the  
3713 feasibility of maintaining the child in the community in this manner wherever possible before  
3714 recommending placement in a residential setting..... \$192,364,169

3715 4800-0091.. For the department of children and families which may expend not more  
3716 than \$1,858,735 in federal reimbursements received under Title IV-E of the Social Security Act  
3717 during fiscal year 2012 for the purposes of developing a training institute for professional  
3718 development at the department of children and families with the University of Massachusetts  
3719 Medical School and Salem State University; provided, that for the purposes of accommodating  
3720 discrepancies between the receipt of retained revenues and related expenditures, the department  
3721 may incur expenses and the comptroller may certify for payment amounts not to exceed the

3722 lesser of this authorization or the most recent revenue estimate as reported in the state accounting  
3723 system; and provided further, that notwithstanding section 1 or any other general or special law  
3724 to the contrary, federal reimbursements received in excess of \$1,858,735 shall be credited to the  
3725 General Fund ..... \$1,858,735

3726           4800-0151.. For a program to provide alternative overnight non-secure placements for  
3727 status offenders and nonviolent delinquent youths up to the age of 17 in order to prevent the  
3728 inappropriate use of juvenile cells in police stations for such offenders, in compliance with the  
3729 federal Juvenile Justice and Delinquency Prevention Act of 1974, as amended; provided, that the  
3730 programs which provide the alternative non-secure placements shall collaborate with the  
3731 appropriate county sheriff’s office to provide referrals of those offenders and delinquent youths  
3732 to any programs within the sheriff’s office designed to positively influence youths or reduce  
3733 juvenile  
3734 crime.....\$270,919

3735           4800-1100.. For the AA and DD object class costs of the department’s social workers;  
3736 provided, that funds shall be directed toward mitigating social worker caseloads in those area  
3737 offices furthest above the statewide weighted caseload standard and toward achieving a social  
3738 worker caseload ratio of 18 to 1 statewide; and provided further, that only employees of  
3739 bargaining unit 8 as identified in the Massachusetts personnel administrative reporting and  
3740 information system shall be paid from this  
3741 item..... \$159,452,441

3742           4800-1400.. For shelters and support services for people at risk of domestic violence;  
3743 provided, that the department shall pursue the establishment of public-private partnership

3744 agreements established for family stabilization services funded from sources other than the  
3745 commonwealth; provided further, that services shall include supervised visitation programs, and  
3746 scattered site transitional housing programs, including programs to assist victims of domestic  
3747 violence in finding and maintaining permanent housing; provided further, that participants in  
3748 battered women’s programs shall be provided with information regarding local transitional  
3749 housing resources; provided further, that funding shall be made available to enhance counseling  
3750 services for children who have witnessed domestic violence; provided further, that funding shall  
3751 be made available for emergency shelters for substance abusing battered women; provided  
3752 further, that funding shall be made available for a statewide domestic violence hotline; provided  
3753 further, that the department shall continue to provide any match funding required by federal  
3754 program regulations; provided further, that domestic violence prevention specialists shall be  
3755 funded from this item; and provided further, that the department’s domestic violence prevention  
3756 specialists shall work in collaboration with the department of transitional assistance to identify  
3757 victims of domestic violence and assist victims in accessing community resources.\$20,770,858

3758 Department of Mental Health.

3759 5011-0100.. For the operation of the  
3760 department..... \$26,484,325

3761 5042-5000.. For child and adolescent services, including the costs of psychiatric and  
3762 related services provided to children and adolescents determined to be medically-ready for  
3763 discharge from acute hospital units or mental health facilities and who are experiencing  
3764 unnecessary delays in being discharged due to the lack of more appropriate settings; provided,  
3765 that for the purpose of funding those services, the commissioner of mental health may allocate

3766 funds from the amount appropriated in this item to other departments within the executive office  
3767 of health and human services; provided further, that the department shall not refer or discharge a  
3768 child or adolescent to the custody or care of the department of children and families until the  
3769 department of mental health forwards its assessment and recommendation as to whether the child  
3770 or adolescent is appropriate for foster care or, due to severe emotional disturbance, is more  
3771 appropriate for group care; and provided further, that funds shall be expended for the Child  
3772 Psychiatry Access Project.....\$69,773,509

3773           5042-6000..       For the operation of a statewide program to provide mental health  
3774 consultations by telephone, available for a minimum of 5 days a week, to pediatricians, family  
3775 physicians, nurse practitioners and youth serving primary care practices for persons under the  
3776 age of 19 who exhibit a possible mental health or substance use disorder; provided, that  
3777 notwithstanding any general or special law to the contrary, the costs of this program may be  
3778 assessed on surcharge payers under section 38 of chapter 118G of the General Laws and may be  
3779 collected in a manner consistent with said chapter 118G.....\$2,000,000

3780           5046-0000.. For adult mental health and support services; provided, that the department  
3781 shall allocate funds in an amount not to exceed \$5,000,000 from item 5095-0015 to this item, as  
3782 necessary, pursuant to allocation plans submitted to the house and senate committees on ways  
3783 and means 30 days prior to any such transfer, for residential and day services for clients formerly  
3784 receiving care at department facilities; and provided further, that the department shall report to  
3785 the house and senate committees on ways and means on the distribution of funds per adult and  
3786 child planning population and the types of services received in each region for fiscal year 2012,  
3787 not later than February 7,  
3788 2012.....\$329,255,801

3789           5046-2000.. For homelessness  
3790 services.....\$20,134,424

3791           5046-4000.. For the department of mental health which may expend not more than  
3792 \$125,000 in revenue collected from occupancy fees charged to the tenants in the creative housing  
3793 option in community environments, the CHOICE program authorized by chapter 167 of the acts  
3794 of 1987; provided, that all fees collected under that program shall be expended for the routine  
3795 maintenance and repair of facilities in the CHOICE program including the costs of  
3796 personnel.....\$125,000

3797           5047-0001.. For emergency service programs and mental health care  
3798 services..... \$34,214,489

3799           5055-0000.. For forensic services provided by the department; provided, that funds shall  
3800 be expended for juvenile court  
3801 clinics.....\$8,097,163

3802           5095-0015.. For the operation of hospital facilities and community-based mental health  
3803 services; provided, that in order to comply with the decision in Olmstead v. L.E. 527 U.S. 581  
3804 and to enhance care for clients served by the department, the department shall discharge clients  
3805 residing in the inpatient facilities to residential services in the community when the following  
3806 criteria are met: (a) the client is deemed clinically suited for a more integrated setting; (b)  
3807 community residential service capacity and resources available are sufficient to provide each  
3808 client with an equal or improved level of service; and (c) the cost to the commonwealth of  
3809 serving the client in the community is less than or equal to the cost of serving the client in  
3810 inpatient care; provided further, that any client transferred to another inpatient facility as the

3811 result of a facility closure shall receive a level of care that is equal to or better than the care that  
3812 had been received at the closed facility; provided further, that the department may allocate funds  
3813 in an amount not to exceed \$5,000,000 from this item to item 5046-0000, as necessary, under  
3814 allocation plans submitted to the house and senate committees on ways and means 30 days  
3815 before any transfer for residential and day services for clients formerly receiving inpatient care at  
3816 the centers and facilities; and provided further, that the department of mental health shall notify  
3817 the joint committee on mental health and substance abuse and the house and senate committees  
3818 on ways and means 45 days prior to the closure of any inpatient state hospital beds or  
3819 community mental health programs and shall report to the committees any associated cost  
3820 savings of any such consolidation or closure; provided further, that the department shall submit a  
3821 plan to the chairs of the house and senate committees on ways and means and the house and  
3822 senate chairs of the joint committee on mental health and substance abuse 120 days before  
3823 opening more than 50 beds in a new facility; provided further, that the plan shall include, but not  
3824 be limited to the following: (a) the number of beds in operation at the new facility; (b) the  
3825 number of beds affected at existing facilities; (c) the department's efforts to proportionally assess  
3826 bed closures across the geographic regions of the state; (d) the department's efforts to maintain  
3827 staffing levels within existing geographic regions; and (e) assessment of the inpatient bed  
3828 capacity, both public and private, in each geographic region, both prior to the new facility's  
3829 operation and following the opening of the new facility; provided further, that the department  
3830 shall not reduce beds at existing facilities prior to the submission of the plan; provided further,  
3831 that the plan shall not substantially impact any region in the state  
3832 disproportionately.....\$146,732,857



3833           5095-0017.. For the department of mental health, which may expend not more than  
3834 \$10,000,000 in revenue transferred to the General Fund from trust funds authorized in section 16  
3835 of chapter 19 of the General Laws; provided, that funds from this item may support inpatient or  
3836 community services; and provided further, that the department may allocate funds from this item  
3837 to items 5046-0000 and 5095-0015 as necessary, under allocation plans submitted to the house  
3838 and senate committees on ways and means 30 days before any  
3839 transfer.....\$10,000,000

3840           Department of Developmental Services.

3841           5911-1003.. For the administration and operations of the department of developmental  
3842 services; provided, that the department shall not charge user fees for transportation or community  
3843 day services; and provided further, that the department shall not charge fees for eligibility  
3844 determination for services provided by the department or for applications of requests for transfer  
3845 of guardianship.  
3846 .....\$57,613,847

3847           5911-2000.. For transportation costs associated with the adult services program;  
3848 provided, that the department shall provide transportation on the basis of priority of need as  
3849 determined by the department  
3850 .....\$11,641,431

3851           5920-2000.. For vendor-operated, community-based residential adult services, including  
3852 intensive individual supports; provided, that annualized funding shall be expended for turning 22  
3853 clients who began receiving the services in fiscal year 2011 pursuant to item 5920-5000 of  
3854 section 2 of chapter 131 of the acts of 2010; provided further, that the commissioner of the

3855 department of developmental services shall transfer funds from this item to item 5920-2010, as  
3856 necessary, pursuant to an allocation plan, which shall detail, by object class, the distribution of  
3857 said funds to be transferred and which the commissioner shall file with the house and senate  
3858 committees on ways and means 30 days before any such transfer; and provided further, that not  
3859 more than \$5,000,000 shall be transferred from this item in fiscal year  
3860 2012.....\$751,797,120

3861           5920-2002.. For court monitor costs in compliance with the terms of the Rolland  
3862 settlement agreement, dated June 16, 2008, Civil Action No. 98-30208-KPN, filed in the United  
3863 States District Court of Massachusetts in order to provide active services for class  
3864 members.....\$400,000

3865           5920-2010.. For state-operated, community-based residential services for adults,  
3866 including community-based health  
3867 services.....\$164,194,179

3868           5920-2025.. For community-based day and work programs for adults  
3869 .....\$123,267,971

3870           5920-3000.. For respite services and intensive family  
3871 supports.....\$32,592,372

3872           5920-3010.. For contracted support services for families with autistic children through  
3873 the autism division at the department of developmental services; provided, that funds shall be  
3874 expended for the purposes of providing services under the Children’s Autism Spectrum Disorder  
3875 Waiver; provided further, that the department shall expend not less than the amount authorized in  
3876 fiscal year 2010 on the Children’s Autism Spectrum Disorder Waiver; provided further, that at a

3877 minimum, this waiver shall include children with autism spectrum disorder ages 0 to 8, inclusive,  
3878 including children with autism spectrum disorder ages 0 to 3, inclusive, receiving services  
3879 through the department of public health’s early intervention program; provided further, that the  
3880 income eligibility for the waiver shall not be any lower than MassHealth standard income  
3881 eligibility for children; provided further, that the department shall take all steps necessary to  
3882 ensure that eligible children with autism immediately begin to receive services pursuant to such  
3883 waiver; provided further, that the department shall immediately file any waiver amendments  
3884 necessary to comply with the requirements of this item with the Centers for Medicare and  
3885 Medicaid services; provided further, that the department shall report to the house and senate  
3886 committees on ways and means, the joint committee on education and the joint committee on  
3887 children, families and persons with disabilities on the number of contracted support services  
3888 provided for families with autistic children under this item and the costs associated with such  
3889 services, not later than January 4, 2012; provided further, that such report shall include, but not  
3890 be limited to, the services provided by the Children’s Autism Spectrum Disorder Waiver, with  
3891 information regarding the number of children enrolled in the waiver and receiving services,  
3892 linguistic and cultural diversity, age, gender and geographic representation of the applicants and  
3893 the children enrolled in the program, department plans to continue to assess the demand for  
3894 waiver services, any executive office of health and human services plans to expand the waiver  
3895 for children on the autism spectrum of all ages in the future and any other information  
3896 determined relevant by the department; and provided further, that the department shall submit  
3897 copies of any amended waiver to the house and senate committees on ways and means, the joint  
3898 committee on education and the joint committee on children, families and persons with  
3899 disabilities upon submission of the amendment.....\$4,134,809

3900           5920-5000.. For services to clients of the department who turn 22 years of age during  
3901 state fiscal year 2012; provided, that the department shall report to the house and senate  
3902 committees on ways and means not later than January 4, 2012, on the use of any funds  
3903 encumbered or expended from this item including, but not limited to the number of clients served  
3904 in each region and the types of services purchased in each  
3905 region..... \$5,000,000

3906           5930-1000.. For the operation of facilities for individuals with intellectual disabilities;  
3907 provided, that in order to comply with the decision in *Olmstead v. L.E.* 527 U.S. 581 and to  
3908 enhance care for clients served by the department, the department shall discharge clients residing  
3909 in intermittent care facilities for individuals with intellectual disabilities, in this item called  
3910 ICF/MRs, to residential services in the community if the following criteria are met: (a) the client  
3911 is deemed clinically suited for a more integrated setting; (b) community residential service  
3912 capacity and resources available are sufficient to provide each client with an equal or improved  
3913 level of service; and (c) the cost to the commonwealth of serving the client in the community is  
3914 less than or equal to the cost of serving the client in ICF/MRs; provided further, that any client  
3915 transferred to another ICF/MR as the result of a facility closure shall receive a level of care that  
3916 is equal to or better than the care that had been received at the closed ICF/MR; provided further,  
3917 that the department may allocate funds from this item to items 5920-2000, 5920-2010, and 5920-  
3918 2025, as necessary, under allocation plans submitted to the house and senate committees on ways  
3919 and means 30 days before any transfer for residential and day services for clients formerly  
3920 receiving inpatient care at ICF/MRs; provided further, that the department shall maximize  
3921 federal reimbursement, whenever possible under federal regulation, for the direct and indirect  
3922 costs of services provided by the employees funded in this item; and provided further, that at

3923 least 6 months prior to closing each of the aforementioned ICF/MRs, the secretary of housing  
3924 and economic development or his designee and the commissioner of capital asset management  
3925 and maintenance or his designee shall meet jointly with affected municipal officials and produce  
3926 a plan for the timely demolition of buildings, remediation of hazardous materials and future use  
3927 of the property, including disposition by the commonwealth for redevelopment or conservation,  
3928 if appropriate; provided further; that notwithstanding any general or special law or rule or  
3929 regulation to the contrary, the division of capital asset management shall not close the pool  
3930 facilities located at the Walter E. Fernald Developmental Center in the city of Waltham, until a  
3931 comparable site has been arranged for individuals from the community who use the pool;  
3932 provided further, that a “comparable site” shall mean a site which maintains therapeutic pool  
3933 qualities, including but not limited to, maintaining a pool temperature of 90-94 degrees,  
3934 providing proper chair lifts and ramps and the presence of qualified staff trained in water safety,  
3935 lifeguarding and specialized aquatic exercise and shall be located within a reasonable and  
3936 accommodating distance from the Fernald Development  
3937 Center..... \$142,156,836

3938 5982-1000.. For the department of developmental services which may expend not more  
3939 than \$150,000 accrued through the sale of milk and other farm-related and forestry products at  
3940 the Templeton Developmental Center for program costs of the center, including supplies,  
3941 equipment, and maintenance of the facility; provided, that notwithstanding any general or special  
3942 law to the contrary and for the purpose of accommodating timing discrepancies between the  
3943 receipt of retained revenues and related expenditures, the department may incur expenses and the  
3944 comptroller may certify for payment amounts not to exceed the lower of this authorization or the

3945 most recent revenue estimate therefore as reported in the state accounting system  
3946 .....\$150,000

3947 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT.

3948 Office of the Secretary.

3949 7002-0010.. For the operation of the office of the secretary of housing and economic  
3950 development; provided, that agencies within the executive office may, with the prior approval of  
3951 the secretary, streamline and improve administrative operations pursuant to interdepartmental  
3952 service agreements  
3953 .....\$410,140

3954 7002-0017.. For the provision of information technology services within the executive  
3955 office of housing and economic development, including the homeless management information  
3956 system....\$2,067,930

3957 Department of Housing and Community Development.

3958 7004-0001.. For the commission on Indian  
3959 affairs.....\$99,010

3960 7004-0099.. For the operation of the department of housing and community development;  
3961 provided, that notwithstanding any general or special law to the contrary, the department may  
3962 make expenditures for the purposes of the department against federal grants for certain direct and  
3963 indirect costs under a cost overhead allocation plan approved by the comptroller; provided  
3964 further, that the comptroller shall maintain an account on the Massachusetts management  
3965 accounting and reporting system for the purpose of making these expenditures; provided further,

3966 that expenditures made against the account shall not be subject to appropriation and may include  
3967 the cost of personnel; provided further, that notwithstanding any general or special law, rule, or  
3968 regulation to the contrary, the department may conduct annual verifications of household income  
3969 levels based upon state tax returns for the purposes of administering the state and federal housing  
3970 subsidy programs funded in items 7004-9005, 7004-9024, 7004-9030, 7004-9033, 7004-9316  
3971 and items 7004-9009, 7004-9014, 7004-9019, 7004-9020 of section 2D; provided further, that as  
3972 a condition of eligibility or continued occupancy by an applicant or a tenant, the department may  
3973 require disclosure of the social security number of an applicant or tenant and members of the  
3974 applicant's or tenant's household for use in verification of income eligibility; provided further,  
3975 that the department may deny or terminate participation in subsidy programs for failure by an  
3976 applicant or a tenant to provide a social security number for use in verification of income  
3977 eligibility; provided further, that the department may also consult with the department of  
3978 revenue, the department of transitional assistance or any other state or federal agency to conduct  
3979 this income verification; provided further, that notwithstanding any general or special law to the  
3980 contrary, these state agencies shall consult and cooperate with the department and furnish any  
3981 information in the possession of the agencies including, but not limited to, tax returns and  
3982 applications for public assistance or financial aid; provided further, that for the purposes of  
3983 conducting this income verification, the director of the department may enter into an  
3984 interdepartmental service agreement with the commissioner of revenue to utilize the department  
3985 of revenue's wage reporting and bank match system for the purpose of verifying the income and  
3986 eligibility of participants in federally assisted housing programs and that of members of the  
3987 participants' households; provided further, that notwithstanding section 12 of chapter 490 of the  
3988 acts of 1980, the department may authorize neighborhood housing services corporations to

3989 retain, re-assign and reloan funds received in repayment of loans made under the neighborhood  
 3990 housing services rehabilitation program; provided further, that the department shall, not later  
 3991 than September 1, 2011, reaffirm regulations clarifying that a household that otherwise qualifies  
 3992 for any preference or priority for state subsidized housing or rental assistance based on homeless  
 3993 or at-risk status shall retain that preference or priority notwithstanding receipt of rental assistance  
 3994 that is intended to be temporary including, but not limited to, any temporary or bridge subsidies  
 3995 provided with state or federal funds; provided further, that the department shall provide the  
 3996 caseload forecasting office with enrollment data and any other information pertinent to caseload  
 3997 forecasting that is requested by the office on a monthly basis; and provided, however, that the  
 3998 information is provided in a manner that meets all applicable federal and state privacy and  
 3999 security  
 4000 requirements.....\$6,642,317

4001           7004-0100.. For the operations of the homeless shelter and services unit, including the  
 4002 compensation of caseworkers and support personnel; provided, that the department shall receive  
 4003 and process applications for assistance from items 7004-0101 and 7004-0108 each business day  
 4004 during normal business hours at the Fitchburg office of the department of transitional  
 4005 assistance;.....\$5,000,000

4006           7004-0101.. For certain expenses of the emergency assistance program pursuant to  
 4007 section 30 of chapter 23B of the General Laws as follows: (i) contracted temporary emergency  
 4008 family shelters and (ii) congregate emergency housing programs; provided, that eligibility for  
 4009 any such assistance shall be limited to families with incomes at or below 115 per cent of the  
 4010 2009 or a later-issued higher federal poverty level; provided further, that any family whose  
 4011 income exceeds 115 per cent of the federal poverty level while the family is receiving assistance



4012 funded by this item shall not become ineligible for assistance due to exceeding the income limit  
4013 for a period of 6 months from the date that the 115 per cent level was exceeded; provided further,  
4014 that notwithstanding any general or special law or program regulation to the contrary: (i) those  
4015 families that shall be eligible for assistance through a temporary emergency family shelter shall  
4016 include : (a) families that are at risk of domestic abuse in their current housing situation; and (b)  
4017 families that, through no fault of their own, are homeless due to fire or natural disaster; and (ii)  
4018 all families otherwise eligible for temporary emergency family shelter pursuant to departmental  
4019 regulations, including those families otherwise eligible under clause (i) of this proviso, in which  
4020 the head of household is not more than 21 years of age at the time of application for emergency  
4021 assistance, shall be served only through a young families congregate housing program; provided  
4022 further, that such facilities shall not be subject to licensing requirements of the executive office  
4023 of health and human services; provided further, that a family, who receives emergency housing  
4024 assistance due to domestic abuse, shall be connected to the appropriate social service agency;  
4025 provided further, that other families meeting eligibility requirements for temporary emergency  
4026 shelter pursuant to said section 30 of said chapter 23B and 106 CMR 309, or as later amended as  
4027 authorized by this item, shall receive temporary assistance from this item pending placement in  
4028 housing under item 7004-0108; provided further, that temporary assistance under this item shall  
4029 be terminated upon the offer of available housing or housing assistance necessary to maintain  
4030 housing under item 7004-0108; provided further, that a family shall not decline an offer for  
4031 available housing or housing assistance necessary to maintain housing if the offer accommodates  
4032 the size and disabilities of the family and the new housing placement will not result in a job loss  
4033 for the client or interruption of special education services provided pursuant to an individualized  
4034 education plan; provided further, that any family that declines an adequate offer of available

4035 housing or housing assistance necessary to maintain housing shall be ineligible for available  
4036 housing or housing assistance necessary to maintain housing from this item; provided further,  
4037 that any family receiving benefits pursuant to said section 30 of said chapter 23B as of June 30,  
4038 2011 shall not become ineligible for temporary emergency family shelter benefits if any such  
4039 family in which the head of household is more than 21 years of age shall transfer to the short-  
4040 term housing transition program, as such assistance becomes available, and any such family in  
4041 which the head of household is not more than 21 years of age shall transfer to a young families  
4042 congregate housing facility, as such facilities become available; provided further, that the  
4043 department shall establish reasonable requirements for such families to escrow a portion of their  
4044 income; provided further, that the escrowed funds shall be exempt from otherwise applicable  
4045 asset limits; provided further, that the family may withdraw the amount placed in escrow upon  
4046 transition to permanent housing or losing eligibility for shelter services; provided further, that  
4047 benefits under this item shall be provided only to residents who are citizens of the United States  
4048 or aliens lawfully admitted for permanent residence or otherwise permanently residing under  
4049 color of law in the United States; provided further, that the department shall take all steps  
4050 necessary to enforce regulations to prevent abuse of the emergency assistance program,  
4051 including a wage match agreement with the department of revenue; provided further, that no  
4052 emergency assistance expenditures shall be paid from this item unless explicitly authorized;  
4053 provided further, that an eligible household that is approved for shelter placement shall be placed  
4054 in a shelter as close as possible to the household's home community unless a household requests  
4055 otherwise; provided further, that if the closest available placement is not within 20 miles of the  
4056 household's home community, the household shall be transferred to an appropriate shelter within  
4057 20 miles of its home community at the earliest possible date unless the household requests

4058 otherwise; provided further, that eligibility for shelter by an otherwise eligible family shall not be  
4059 impaired by prior receipt of any non-shelter benefit; provided further, that the department shall  
4060 make every effort consistent with family safety to ensure that children receiving services from  
4061 this item shall continue attending school in the community in which they lived prior to receiving  
4062 services funded from this item; provided further, that should a family with a child under the age  
4063 of 3 be placed in a hotel or motel, the department of housing and community development shall  
4064 ensure that the hotel or motel provides a crib for each child under the age of 3 that meets all state  
4065 and federal safety codes; provided further, that notwithstanding any general or special law to the  
4066 contrary, the department shall immediately provide shelter for up to 30 days to a family who  
4067 appears to be eligible for such shelter based on statements provided by the family and any other  
4068 information in the possession of the department but who need additional time to obtain any third-  
4069 party verifications reasonably required by the department; provided further, that benefits  
4070 received under said section 30 of said chapter 23B shall render a family ineligible for emergency  
4071 assistance for a period of 12 months from the date upon which the family exits a temporary  
4072 emergency family shelter; provided further, that a family receiving such shelter benefits who is  
4073 found not to be eligible for continuing emergency assistance benefits shall be eligible for aid  
4074 pending a timely appeal pursuant to said chapter 23B; provided further, that the department shall  
4075 not impose unreasonable requirements for third-party verification and shall accept verifications  
4076 from a family whenever reasonable; provided further, that the department shall use its best  
4077 efforts to ensure that a family placed by the emergency assistance program shall be provided  
4078 with access to refrigeration and basic cooking facilities; provided further, that notwithstanding  
4079 any general or special law to the contrary, 60 days before promulgating any such eligibility  
4080 restrictions or benefit reductions, the undersecretary shall file with the house and senate

4081 committees on ways and means and the clerks of the senate and house of representatives a  
4082 determination by the secretary of housing and economic development that available  
4083 appropriations for the program will be insufficient to meet projected expenses and a report  
4084 setting forth such proposed changes; provided further, that all of this item shall be subject to  
4085 appropriation and, in the event of a deficiency, nothing in this item shall give rise to or shall be  
4086 construed as giving rise to any enforceable right or entitlement to services in excess of the  
4087 amounts appropriated in this item; provided further, that any amounts appropriated in this item  
4088 may be transferred to item 7004-0108 upon the approval of the secretary of administration and  
4089 finance; provided further, the department shall notify the chairs of the house and senate  
4090 committees on ways and means of any transfer within 15 days; provided further, that any transfer  
4091 of funds shall not leave this item in a projected deficit; provided further, that the department shall  
4092 submit quarterly reports to the house and senate committees on ways and means, detailing the  
4093 number of families transitioned from shelter benefits to affordable, subsidized or otherwise  
4094 assisted housing through this program; provided further, said report shall include the average,  
4095 minimum and maximum cost per family of such assistance, the number of families served who  
4096 required further assistance at a later date, the type of assistance later required and provided, and  
4097 the current housing stability of each family who received transitional housing or short-term  
4098 housing assistance within the prior 18 months; provided further, that no funds shall be expended  
4099 for personnel or administrative costs; provided further, that no funds shall be expended for costs  
4100 associated with the homeless management information system; and provided further, that the  
4101 department of housing and community development shall notify local school departments of the  
4102 placement of a family in its district within 5 days of placement; provided further, that the  
4103 department may maintain in fiscal year 2012 the same interagency service agreement with the

4104 bureau of substance abuse services in the department of public health that was in effect during  
4105 fiscal year 2011 for services to families struggling with  
4106 addiction.....\$97,797,200

4107           7004-0102.. For the homelessness program to assist individuals who are homeless or in  
4108 danger of becoming homeless, including assistance to organizations which provide shelter,  
4109 transitional housing and services that help individuals avoid entry into shelter or successfully exit  
4110 shelter; provided, that no organization providing services to the homeless shall receive less than  
4111 an average per bed/per night rate of \$20; provided further, that the department may allocate  
4112 funds to other agencies for the purposes of this program; provided further, that no funds shall be  
4113 expended for costs associated with the homeless management information system; and provided  
4114 further, that programs that currently provide shelter may renegotiate how they will use their  
4115 shelter fund, with the agreement of the department and the host cities or towns, to provide  
4116 alternative services that have proven to be effective including housing first models, transitional  
4117 housing and diversion away from  
4118 shelters.....\$37,733,331

4119           7004-0104.. For the home and healthy for good program operated by the Massachusetts  
4120 Housing and Shelter Alliance for the purpose of reducing the incidence of chronic homelessness  
4121 in the commonwealth; provided, that the Massachusetts Housing and Shelter Alliance shall be  
4122 solely responsible for the administration of this program.....  
4123 \$1,200,000

4124           7004-0108.. For a program of short-term housing assistance for: (i) families eligible for  
4125 temporary emergency shelter under section 30 of chapter 23B of the General Laws and 106

4126 CMR 309 or as later amended as authorized by item 7004-0101; (ii) families eligible for  
4127 temporary emergency shelter under said section 30 of said chapter 23B and 106 CMR 309, or as  
4128 later amended as authorized by item 7004-0101, but for the fact that they are imminently at risk  
4129 of becoming homeless; and (iii) families in which the head of household is not more than 21  
4130 years of age at the time of application for assistance and who have exited a young families  
4131 congregate shelter funded under item 7004-0101; provided, that the assistance provided under  
4132 this item shall include housing stabilization and economic self-sufficiency case management  
4133 services for each family receiving benefits hereunder; provided further, that the assistance may  
4134 include, but shall not be limited to, payments of rent and utility arrears, a portion of the  
4135 household's monthly rent, first month's rent, last month's rent, security deposit, utility charges,  
4136 extraordinary medical bills and immediate temporary housing arrangements, or any combination  
4137 thereof, so long as such assistance shall maintain housing for the family; provided further, that  
4138 assistance towards a portion of the household's monthly rent shall be an eligible use of funds  
4139 hereunder only in the event that the monthly rent for the housing does not exceed 80 per cent of  
4140 the fair market rent for such housing, as determined in accordance with the United States  
4141 Department of Housing and Urban Development; provided further, that the department shall  
4142 allow for a higher monthly rent in the event that a household already housed, that is transitioning  
4143 to this program from another time-limited assistance program, would be displaced due to the  
4144 restriction on fair market rent; provided further, that the department may exceed 80 per cent of  
4145 the fair market rent if the department determines that such placement is cost-effective and meets  
4146 the short-term housing needs of eligible families in a timely manner; provided further, that  
4147 eligible families shall not pay more than 35 per cent of household income towards rent and  
4148 utilities; provided further, that a family's eligibility for assistance provided hereunder shall not

4149 exceed a period of 36 successive months from the date the family receives assistance hereunder,  
4150 not including time spent in temporary accommodations; provided further, that a family that is  
4151 terminated from the program because it has received 36 successive months of assistance shall not  
4152 be able to receive assistance hereunder for 12 months from the last date it received assistance  
4153 through this program; provided further, that for the initial 12 month period for which the family  
4154 receives assistance hereunder, payments shall not exceed: (1) \$4,000; or (2) if assistance is used  
4155 for a portion of the household's monthly rent and utility costs, the difference between 35 per cent  
4156 of household income and the monthly cost of rent and utilities for such housing; provided  
4157 further, that administering agency shall also be able to make payments toward temporary  
4158 accommodations for the family prior to the family securing a rental housing unit with assistance  
4159 hereunder; provided, however, that such assistance shall be reduced by: (1) 5 per cent for each of  
4160 the next 12-month periods for which the family receives assistance hereunder; or (2) such lesser  
4161 amount as maintains the eligible family's contribution towards rent and utilities at not more than  
4162 35 per cent of household income; provided further, that the continued eligibility of the family  
4163 shall be determined on an annual basis; provided further, that a family shall not be deemed  
4164 ineligible as a result of any single violation of a self-sufficiency plan; provided further, that a  
4165 family that exceeds the income eligibility criteria pursuant to said section 30 of said chapter 23B  
4166 shall be eligible for continued assistance hereunder so long as they meet the requirements of their  
4167 housing stabilization plan and do not exceed 50 per cent of area median income as determined by  
4168 the department in accordance with guidelines adopted by the United States Department of  
4169 Housing and Urban Development; provided further, that benefits under this item shall be  
4170 provided only to residents who are citizens of the United States or aliens lawfully admitted for  
4171 permanent residence or otherwise permanently residing under color of law in the United States;

4172 provided further, that a family who would be eligible for temporary emergency family shelter  
4173 under said section 30 of said chapter 23B and 106 CMR 309, or as later amended as authorized  
4174 by item 7004-0101, is directed to this program, and has no feasible alternative housing, shall  
4175 have housing made immediately available to them or be able to access shelter until a housing  
4176 unit is available for the family to rent utilizing benefits hereunder; provided further, that every  
4177 rental unit shall be inspected for compliance with the state sanitary code or substantially similar  
4178 requirements to ensure its safety for occupants; provided further, that the department shall take  
4179 all steps necessary to enforce regulations to prevent abuse of the short-term housing transition  
4180 program, including a wage match agreement with the department of revenue; provided further,  
4181 that a family that did not make a good faith effort to secure an apartment or did not make a good  
4182 faith effort to follow their housing stabilization plan during the term of their assistance shall be  
4183 ineligible for benefits pursuant to said section 30 of said chapter 23B and short-term housing  
4184 transition benefits for a period of no more than 24 months from the later of the date upon which  
4185 the family exits a temporary emergency family shelter or a monthly rental assistance payment is  
4186 made to or on behalf of the family or 12 months for a family that received assistance only for  
4187 rent arrears, utility charges assistance extending for less than 12 months or extraordinary medical  
4188 bills; provided further, that no family with a head of household who is over 60 years of age or  
4189 who is disabled and who is in compliance with the requirements of a housing stabilization plan  
4190 that accommodates disabilities shall be denied short-term housing assistance; provided further,  
4191 that any such family with a head of household who is over 60 years of age or who is disabled  
4192 shall not have engaged in, or be engaged in, any activity that threatens the health, safety or  
4193 security of the family, other program participants or program staff; provided further, that families  
4194 receiving benefits under this program who are found not to be eligible for continuing benefits



4195 shall be eligible for aid pending a timely appeal pursuant to said chapter 23B; provided further,  
4196 that families who are denied assistance under this item may appeal pursuant to said chapter 23B,  
4197 including subsection (F) of section 30, and regulations adopted to implement said chapter 23B;  
4198 provided further, that the department, as a condition of continued eligibility for assistance  
4199 pursuant to this program, may require disclosure of social security numbers by all members of a  
4200 family in the short-term housing transition program for use in verification of income with other  
4201 agencies, departments and executive offices; provided further, that any family in which a  
4202 member of the family shall fail to provide a social security number for use in verifying the  
4203 family's income and eligibility shall no longer be eligible to receive benefits from the short-term  
4204 housing transition program; provided further, that the department shall administer the short-term  
4205 housing transition program through the following agencies unless administering agencies are  
4206 otherwise procured by the department: Berkshire Housing Development Corporation, Central  
4207 Massachusetts Housing Alliance, Inc., Community Teamwork, Inc., Housing Assistance  
4208 Corporation, Franklin County Housing and Redevelopment Authority, Hap, Inc., Metropolitan  
4209 Boston Housing Partnership, RCAP Solutions, Inc., South Middlesex Opportunity Council, Inc.  
4210 and South Shore Housing Development Corporation; provided further, that the department shall  
4211 use funds provided for this program for stabilization workers to focus efforts on housing  
4212 retention and link households to supports, including job training, education, job search, childcare  
4213 opportunities and long-term sustainable housing available; provided further, that the department  
4214 may enter into agreements with other public and private agencies for the provision of such  
4215 services; provided further, that a stabilization worker shall be assigned to each household;  
4216 provided further, that all of this item shall be subject to appropriation and, in the event of a  
4217 deficiency, nothing in this item shall give rise to or shall be construed as giving rise to any

4218 enforceable right or entitlement to services in excess of the amounts appropriated in this item;  
4219 provided further, that the department shall issues rules and regulations for the short-term housing  
4220 transition program; provided further, that the department shall promulgate regulations for the  
4221 short-term housing transition program, which shall include a process whereby families eligible  
4222 for short-term housing assistance under this item shall be provided with temporary housing and  
4223 shall also delegate authority for exceeding 80 per cent of fair market for assistance for rents to  
4224 the administering agencies to facilitate providing housing for households expeditiously; provided  
4225 further, that the department shall submit bi-annual reports to the house and senate committees on  
4226 ways and means, which shall include the number of families served, the type of assistance given,  
4227 the number of families assisted through this program, the average, minimum and maximum cost  
4228 per family of such assistance and the current housing stability of each family who received  
4229 assistance within the prior 18 months; and provided further, the department shall file a report  
4230 with the chairs of the house and senate committees on ways and means not later than January 13,  
4231 2012, detailing the implementation of this program, which shall include the status of families  
4232 receiving temporary emergency family shelter benefits pursuant to said section 30 of said chapter  
4233 23B as of June 30,2011; provided further, that beginning October 1, 2011, the department shall  
4234 report on a quarterly basis to the chairs of the joint committee on housing and the joint  
4235 committee on children, families and persons with disabilities, the number of families, from each  
4236 local department office, who are ineligible for further assistance by operation of the 24-month  
4237 and 12-month restrictions in this  
4238 item.....\$38,561,732

4239           7004-3036.. For housing services and counseling; provided, that funds shall be expended  
4240 as grants to 9 regional housing consumer education centers operated by the regional nonprofit

4241 housing authorities; provided further, that the grants shall be awarded through a competitive  
 4242 application process under criteria created by the department; provided further, that the  
 4243 department shall submit annual reports to the secretary of administration and finance, the house  
 4244 and senate committees on ways and means and the joint committee on housing detailing all  
 4245 expenditures of the program, including each regional housing consumer education center, the  
 4246 total number of persons who received information and referral services, the costs for such  
 4247 services rendered per consumer and the identification of consumer issues and trends; and  
 4248 provided further, that no funds shall be expended from this item in the AA object class for the  
 4249 compensation of state  
 4250 employees.....\$1,377,812

4251           7004-3045.. For a tenancy preservation program for neutral party consultation services in  
 4252 eviction cases before the housing court department of the Massachusetts trial court for  
 4253 individuals with disabilities and for families that contain individuals with disabilities if the  
 4254 disability is directly related to the reason for eviction  
 4255 .....\$250,000

4256           7004-4314.. For the expenses of a service coordinators program established by the  
 4257 department to assist tenants residing in housing developed pursuant to sections 39 and 40 of  
 4258 chapter 121B of the General Laws to meet tenancy requirements in order to maintain and  
 4259 enhance the quality of life in that housing  
 4260 .....\$325,401

4261           7004-9005.. For subsidies to housing authorities and nonprofit organizations including  
 4262 funds for deficiencies caused by certain reduced rentals in housing for the elderly, handicapped,

4263 veterans and relocated persons under sections 32 and 40 of chapter 121B of the General Laws;  
4264 provided, that notwithstanding any general or special law to the contrary, all housing authorities  
4265 operating elderly public housing shall offer first preference for elderly public housing units  
4266 which are vacant on the effective date of this act, and thereafter, to those persons 60 years of age  
4267 or older as of June 30, 2011, receiving rental assistance from the Massachusetts rental voucher  
4268 program; provided further, that the department may expend funds appropriated in this item for  
4269 deficiencies caused by certain reduced rentals which may be anticipated in the operation of  
4270 housing authorities for the first quarter of the subsequent fiscal year; provided further, that no  
4271 monies shall be expended from this item for the purpose of reimbursing the debt service reserve  
4272 included in the budgets of housing authorities; provided further, that no funds shall be expended  
4273 from this item in the AA object class for the compensation of state employees; provided further,  
4274 that the amount appropriated in this item shall be considered to meet any and all obligations  
4275 under said sections 32 and 40 of said chapter 121B; provided further, that any new reduced rental  
4276 units developed in fiscal year 2012 eligible for subsidies under this item shall not cause any  
4277 annualization that results in an amount exceeding the amount appropriated in this item; and  
4278 provided further, that all funds in excess of normal utilities, operations and maintenance costs  
4279 may be expended for capital repairs.....\$62,500,000

4280           7004-9024.. For a program of rental assistance for low-income families and elderly  
4281 persons through mobile and project-based vouchers; provided, that rental assistance shall only be  
4282 paid under a program to be known as the Massachusetts rental voucher program; provided  
4283 further, that the income of the households shall not exceed 200 per cent of the federal poverty  
4284 level; provided further, that the department may award mobile vouchers to eligible households  
4285 currently occupying project-based units that shall expire due to the nonrenewal of project-based

4286 rental assistance contracts; provided further, that the department, as a condition of continued  
4287 eligibility for vouchers and voucher payments, may require disclosure of social security numbers  
4288 by participants and members of participants' households in the Massachusetts rental voucher  
4289 program for use in verification of income with other agencies, departments and executive offices;  
4290 provided further, that any household in which a participant or member of a participant's  
4291 household shall fail to provide a social security number for use in verifying the household's  
4292 income and eligibility shall no longer be eligible for a voucher or to receive benefits from the  
4293 voucher program; provided further, that the vouchers shall be in varying dollar amounts and shall  
4294 be set by the department based on considerations, including, but not limited to, family size,  
4295 composition, income level and geographic location; provided further, that notwithstanding any  
4296 general or special law to the contrary, the monthly dollar amount of each voucher shall be the  
4297 department-approved total monthly rent of the unit less the monthly amount paid for rent by the  
4298 household; provided further, that notwithstanding any general or special law to the contrary, the  
4299 use of rent surveys shall not be required in determining the amounts of the mobile vouchers or  
4300 the project-based units; provided further, that any household which is proven to have caused  
4301 intentional damage to its rental unit in an amount exceeding 2 month's rent during any 1-year  
4302 lease period shall be terminated from the program; provided further, that notwithstanding any  
4303 general or special law to the contrary, a mobile voucher whose use is or has been discontinued  
4304 shall be re-assigned within 90 days; provided further, that the department shall pay agencies  
4305 \$32.50 per voucher per month for the costs of administering the program; provided further, that  
4306 subsidies shall not be reduced for the cost of accommodating the cost of the inspections;  
4307 provided further, that notwithstanding any general or special law to the contrary, each household  
4308 holding a project-based voucher shall pay at least 30 per cent but not more than 40 per cent of its

4309 income as rent, and each household holding a mobile voucher shall pay at least 30 per cent but  
4310 not more than 40 per cent of its income as rent; provided further, that the department shall  
4311 establish the amounts of the mobile vouchers and the project-based vouchers so that the  
4312 appropriation in this item is not exceeded by payments for rental assistance and administration;  
4313 provided further, that the department shall not enter into commitments which shall cause it to  
4314 exceed the appropriation set forth in this item; provided further, that the households holding  
4315 mobile vouchers shall have priority for occupancy of the project-based dwelling units in the  
4316 event of a vacancy; provided further, that the department may impose certain obligations for  
4317 each participant in the Massachusetts rental voucher program through a 12-month contract which  
4318 shall be executed by the participant and the department; provided further, that such obligations  
4319 may include, but shall not be limited to, job training, counseling, household budgeting and  
4320 education, as defined in regulations promulgated by the department and to the extent these  
4321 programs are available; provided further, that each participant shall be required to undertake and  
4322 meet these contractually established obligations as a condition for continued eligibility in the  
4323 program; provided further, that for continued eligibility, each participant shall execute this 12-  
4324 month contract on or before September 1, 2011, if the participant's annual eligibility  
4325 recertification date occurs between June 30, 2011 and September 1, 2011, and otherwise on or  
4326 before the annual eligibility recertification date; provided further, that any participant who is  
4327 over the age of 60 years or who is disabled may be exempted from any obligations unsuitable  
4328 under particular circumstances; provided further, that no funds shall be expended from this item  
4329 in the AA object class for the compensation of state employees; provided further, that the  
4330 department may assist housing authorities, at their written request, in the immediate  
4331 implementation of a homeless prevention program utilizing alternative housing resources

4332 available to them for low-income families and the elderly by designating participants in the  
4333 Massachusetts rental voucher program as at risk of displacement by public action through no  
4334 fault of their own; provided further, that participating local housing authorities may take all steps  
4335 necessary to enable them to transfer mobile voucher program participants from the  
4336 Massachusetts rental voucher program into another housing subsidy program; and provided  
4337 further, that the department of housing and community development shall strive to avoid a  
4338 reduction in the value of the Massachusetts rental voucher from its value as of June 30,  
4339 2011.....\$35,900,000

4340           7004-9030.. For the transitional rental assistance program established under section 16 of  
4341 chapter 179 of the acts of 1995; provided, that notwithstanding any general or special law to the  
4342 contrary, the transitional rental assistance shall be in the form of mobile vouchers; provided  
4343 further, that the vouchers shall be in varying dollar amounts set by the department based on  
4344 considerations including, but not limited to, household size, composition, household income and  
4345 geographic location; provided further, that any household which is proven to have caused  
4346 intentional damages to its rental unit in an amount exceeding 2 months' rent during any 1-year  
4347 shall be terminated from the program; provided further, that the department shall pay agencies  
4348 that administer this program an allowance not to exceed \$25 per voucher per month for the costs  
4349 of administration; provided further, that notwithstanding any general or special law to the  
4350 contrary, there shall be no maximum percentage applicable to the amount of income paid for rent  
4351 by each household holding a mobile voucher, but each household shall be required to pay not  
4352 less than 25 per cent of its net income, as defined in regulations promulgated by the department,  
4353 for units if payment of utilities is not provided by the unit owner, or not less than 30 per cent of  
4354 its income for units if payment of utilities is provided by the unit owner; provided further, that

4355 payments for the transitional rental assistance may be provided in advance; provided further, that  
4356 the department shall establish the amounts of the mobile vouchers so that the appropriation in  
4357 this item is not exceeded by payments for rental assistance and administration; provided further,  
4358 that the department shall not enter into commitments which will cause it to exceed the  
4359 appropriation set forth in this item; provided further, that the amount of a rental assistance  
4360 voucher payment for an eligible household shall not exceed the rent less the household's  
4361 minimum rent obligation; provided further, that the word rent, as used in this item, shall mean  
4362 payments to the landlord or owner of a dwelling unit under a lease or other agreement for a  
4363 tenant's occupancy of the dwelling unit, but shall not include payments made by the tenant  
4364 separately for the cost of heat, cooking fuel and electricity; provided further, that the department  
4365 shall submit an annual report to the secretary of administration and finance, and the house and  
4366 senate committees on ways and means detailing expenditures, the number of outstanding rental  
4367 vouchers and the number and types of units leased; provided further, that consistent with chapter  
4368 179 of the acts of 1995, the amount appropriated in this item shall not annualize to more than  
4369 \$4,000,000 in fiscal year 2013; and provided further, that the program shall provide funding for  
4370 not more than 800 mobile vouchers .....\$3,450,000

4371           7004-9033.. For rental subsidies to eligible clients of the department of mental health;  
4372 provided, that the department shall establish the amounts of such subsidies so that payment  
4373 thereof and of any other commitments from this item shall not exceed the amount appropriated  
4374 herein.....\$4,000,000

4375           7004-9315.. For the low-income housing tax credit program; provided, that the  
4376 department may expend not more than \$2,323,853 from revenue collected from fees collected  
4377 under Executive Order No. 291, pertaining to low-income housing tax credits, for the costs of



4378 administering and monitoring the programs, including the costs of personnel, subject to the  
4379 approval of the director of the department; and provided further, that notwithstanding any  
4380 general or special law to the contrary and for the purpose of accommodating timing  
4381 discrepancies between the receipt of retained revenues and related expenditures, the department  
4382 may incur expenses and the comptroller may certify for payment amounts not to exceed the  
4383 lower of this authorization or the most recent revenue estimate as reported in the state accounting  
4384 system.....\$2,323,853

4385           7004-9316.. For a program to provide assistance for homeless families moving into  
4386 subsidized or private housing and families at risk of becoming homeless due to a significant  
4387 reduction of income or increase in expenses; provided, that the amount of financial assistance  
4388 shall not exceed \$3,000 per family; provided further, that funds may be used for security  
4389 deposits, first and last month's rent, electric, gas, sewer and water utility payments for utility  
4390 arrearages incurred on or after December 1, 2011; provided further, that assistance shall be  
4391 administered by the department through contracts with the regional non-profit housing agencies;  
4392 provided further, that no assistance shall be provided to any family with an income in excess of  
4393 50 per cent of the area median income; provided further, that prior to authorizing a residential  
4394 assistance payment for a family, the non-profit housing agency shall make a finding that the  
4395 family experienced a significant reduction of income or increase in expenses and has secured  
4396 new income or a change in circumstances and that the payment will enable the family to retain  
4397 its current housing, obtain new housing or otherwise avoid homelessness; provided further, that  
4398 in making these findings the agency shall, unless the facts of the case warrant otherwise, apply a  
4399 presumption that the payment will enable a family to retain its housing, obtain new housing or  
4400 otherwise avoid homelessness if the family is paying less than or equal to 50 per cent of its

4401 income for that housing; provided further, that a family who is paying more than 50 per cent of  
4402 its income for its housing shall be provided a fair opportunity to establish that a residential  
4403 assistance payment will enable it to retain its housing, obtain new housing or otherwise avoid  
4404 homelessness; provided further, that residential assistance payments may be made through direct  
4405 vendor payments according to standards to be established by the department; provided further,  
4406 that the agencies shall establish a system for referring families approved for residential assistance  
4407 payments who the agencies determine would benefit from these services to existing community-  
4408 based programs that provide additional housing stabilization supports, including assistance in  
4409 obtaining housing subsidies and locating alternative housing that is safe and affordable for those  
4410 families; provided further, that the program shall be administered under guidelines established by  
4411 the department; and provided further, that the department shall provide a status report to the  
4412 secretary of administration and finance and the house and senate committees on ways and means  
4413 not later than March 1, 2012, that includes, but is not limited to, all program expenditures, the  
4414 number of recipients of the funds, the housing status of the recipients before and after receiving  
4415 assistance, the purposes for which each family used the assistance, the administrative costs and  
4416 other related costs of the program, including whether such recipient resided or continues to  
4417 reside in state or federal public housing and any other information necessary to determine the  
4418 effectiveness of the program.....\$260,000

4419 Office of Consumer Affairs and Business Regulation.

4420 7006-0000.. For the office of the director of consumer affairs and business regulation,  
4421 including expenses of an administrative services  
4422 unit.....\$768,208

4423           7006-0043.. For the office of consumer affairs which may expend for the administration  
4424 and enforcement of the home improvement contractor program an amount not to exceed  
4425 \$500,126 from the revenue collected from fees for the registration and renewal of home  
4426 improvement contractor registrations under section 11 of chapter 142A of the General Laws;  
4427 provided, that notwithstanding any general or special law to the contrary, for the purpose of  
4428 accommodating timing discrepancies between the receipt of revenues and related expenditures,  
4429 the department may incur expenses and the comptroller may certify for payment the amounts not  
4430 to exceed the lower of this authorization or the most recent revenue estimate, as reported in the  
4431 state accounting system.....  
4432 \$500,126

4433           Division of Banks.

4434           7006-0010.. For the operation of the division of banks; provided, that notwithstanding  
4435 any general or special law to the contrary, the division shall assess 100 per cent of the amount  
4436 appropriated in this item, and the associated fringe benefits costs for personnel paid from this  
4437 item, upon financial institutions which the division currently regulates under section 2 of chapter  
4438 167 of the General  
4439 Laws.....\$13,242,123

4440           7006-0011.. For the costs incurred by the division of banks associated with licensure of  
4441 loan originators pursuant to chapter 255F of the General Laws; provided, that the division may  
4442 expend revenues in an amount not to exceed \$2,650,000 from the revenue received from  
4443 administrative fees associated with the licensure fees and from civil administrative penalties  
4444 pursuant to said chapter 255F; provided further, that the division may expend from such revenue

4445 an amount to be determined by the commissioner of banks as grants for the operation of a  
4446 program for best lending practices, first-time homeowner counseling for non-traditional loans  
4447 and 10 or more foreclosure education centers pursuant to section 16 of chapter 206 of the acts of  
4448 2007; and provided further, that notwithstanding any general or special law to the contrary, for  
4449 the purpose of accommodating timing discrepancies between the receipt of revenues and related  
4450 expenditures, the commissioner may incur expenses and the comptroller may certify for payment  
4451 the amounts not to exceed the lower of this authorization or the most recent revenue estimate, as  
4452 reported in the state accounting system.....\$2,650,000

4453 Division of Insurance.

4454 7006-0020.. For the operation of the division of insurance, including the expenses of the  
4455 board of appeal on motor vehicle policies and bonds and the associated fringe benefits costs for  
4456 personnel paid from this item and certain other costs of supervising motor vehicle liability  
4457 insurance and the expenses of the fraudulent claims board; provided, that notwithstanding any  
4458 general or special law to the contrary, 100 per cent of the amount appropriated in this item and  
4459 the associated fringe costs of personnel paid from this item, shall be assessed upon the  
4460 institutions which the division currently regulates under general or special laws or regulations,  
4461 except for licensed business entity producers; and provided further, that the assessment shall be  
4462 in addition to any and all assessments currently assessed upon the  
4463 institutions.....\$11,731,274

4464 7006-0029.. For the operation of the health care access bureau of the division of  
4465 insurance; provided, that under section 7A of chapter 26 of the General Laws, the full amount  
4466 appropriated in this item, as well as the associated fringe benefits costs for personnel paid from

4467 this item, shall be assessed upon the carriers licensed under chapters 175, 176A, 176B and 176G  
 4468 of the General  
 4469 Laws.....\$1,100,000  
 4470 Division of Professional Licensure.  
 4471 7006-0040.. For the operation and administration of the division of professional  
 4472 licensure.....\$2,272,285  
 4473 7006-0110.. For the operation of the state racing  
 4474 commission.....\$1,600,253  
 4475 7006-0140.. For distribution to each city and town within which racing meetings are  
 4476 conducted under section 18D of chapter 58 of the General  
 4477 Laws.....\$1,150,000  
 4478 7006-0151.. For the division of professional licensure which may expend for the  
 4479 oversight of proprietary schools an amount not to exceed \$540,123; provided, that no  
 4480 expenditures made in advance of the receipts shall be permitted to exceed 50 per cent of the  
 4481 amount of revenues projected by the first quarterly statement required by section  
 4482 1B.....\$540,123  
 4483 Division of Standards.  
 4484 7006-0060.. For the operation of the division of  
 4485 standards.....\$658,397  
 4486 7006-0066.. For the support of the division of standards' municipal inspection efforts;  
 4487 provided, that up to 12 per cent of the amount appropriated herein may be expended for

4488 administrative costs of the  
4489 division.....\$160,372

4490 7006-0067.. For the division of standards; provided, that the division may expend for  
4491 enforcement of weights and measures laws an amount not to exceed \$58,751 from revenues  
4492 received from item pricing violations collected through municipal inspection efforts, and from  
4493 weights and measures fees and fines collected from cities and  
4494 towns.....\$58,751

4495 7006-0068.. For the division of standards; provided, that the division may expend an  
4496 amount not to exceed \$360,000 from revenue received from license fees assessed to owners of  
4497 motor vehicle repair shops  
4498 .....\$360,000

4499 Department of Telecommunications and Cable.

4500 7006-0071.. For the operation of the department of telecommunications and cable;  
4501 provided, that notwithstanding the second sentence of section 7 of chapter 25C of the General  
4502 Laws, the assessments levied for fiscal year 2012 under this section shall be made at a rate  
4503 sufficient to produce 100 per cent of the amount appropriated in this item, and the associated  
4504 fringe benefits costs for personnel paid from this  
4505 item.....\$2,703,732

4506 Massachusetts Office of Business Development.

4507           7007-0150 For the Massachusetts office of business development for contracts with  
4508 regional economic development organizations under the program established by section 3J and  
4509 3K of chapter 23A of the General Laws, prior appropriation continued ..... \$600,000

4510           7007-0300.. For the operation of the Massachusetts office of business development,  
4511 which shall include the operation and support of capital grants programs, including the  
4512 Massachusetts Opportunity Relocation and Expansion Jobs Capital Program established in  
4513 chapter 123 of the acts of 2006, and for marketing and promoting the commonwealth in order to  
4514 attract and retain targeted businesses and  
4515 industries.....\$1,666,885

4516           7007-0500.. For the operation and maintenance of the Massachusetts biotechnology  
4517 research institute for the purpose of promoting the commercialization of new, academic-based  
4518 research and development, and raising the scientific awareness of the communities of the  
4519 commonwealth..... \$200,000

4520           7007-0800.. For a grant for the state match for a small business development center;  
4521 provided, that no funds shall be expended from this item until such time as the United States  
4522 Small Business Administration has made a payment or has executed a contract to pay the  
4523 University of Massachusetts at Amherst for the operation of the center; provided further, that the  
4524 funds expended from this item shall not exceed 25 per cent of the gross operating cost of said  
4525 center; provided further, that not more than \$300,000 from this item shall be expended for  
4526 federal procurement technical assistance services within said center; provided further, that the  
4527 services shall include, but not be limited to, assisting businesses in securing federal contracts,  
4528 obtaining contract financing, generating responses to requests-for-proposals, interpreting bid

4529 documents, providing educational workshops and seminars and for the electronic identification  
4530 and tracking of federal bid opportunities; provided further, that funds expended for the purpose  
4531 of operating federal procurement technical assistance services within said center shall be subject  
4532 to the receipt of matching funds from federal or private sources, including the United States  
4533 Department of Defense; and provided further, that annual expenditure reports shall be filed with  
4534 the house and senate committees on ways and means.....\$704,286

4535           7007-0802..For the Year Up, Inc. program to provide employment, training and job  
4536 placement through a 1-year program for young urban adults ages 18 to 24 that combines an  
4537 internship with college credits and a stipend, so long as the program demonstrates at least a 6:1  
4538 private match and has a proven record of achieving at least an 80 per cent positive outcome  
4539 within 6 months after graduation, defined by either a first job earning \$30,000 or full-time  
4540 enrollment in college.....\$200,000

4541           7007-0951.. For the operation of the commonwealth zoological corporation pursuant to  
4542 chapter 92B of the General Laws; provided, that funds appropriated in this item shall be  
4543 expended for the purposes of promoting private fundraising, achieving self-sufficiency and  
4544 serving as a catalyst for urban economic development and job opportunities for local residents;  
4545 provided further, that the corporation shall take all steps necessary to increase the amount of  
4546 private funding available for the operation of the zoos; provided further, that funding in this item  
4547 may not be transferred through interdepartmental service agreements; and provided further, that  
4548 the corporation shall report to the house and senate committees on ways and means not later than  
4549 February 1, 2012, on the status of, and amounts collected from, the private fundraising and  
4550 enhanced revenue efforts identified in the draft Massachusetts Zoos Business and Operations  
4551 Plan, dated December 1996.....\$3,500,000



4552 Massachusetts Tourism Fund..... 100%

4553 Massachusetts Marketing Partnership.

4554 7008-0900.. For the operation and administration of the office of travel and tourism;

4555 provided, that the office shall be the official and lead agency to facilitate and attract major sports

4556 events and championships in the commonwealth; provided further, that the office shall be the

4557 official and lead agency to facilitate motion picture production and development within the

4558 commonwealth; and provided further, that funds appropriated within this item shall also be used

4559 for financial assistance to local tourist councils under section 14 of chapter 23A of the General

4560 Laws.....\$1,788,167

4561 Massachusetts Tourism Fund..... 100%

4562 7008-1000.. For assistance to regional tourist councils under section 14 of chapter 23A of

4563 the General Laws; provided, that notwithstanding any general or special law or rule or regulation

4564 to the contrary, each of the councils may expend an amount not to exceed 20 per cent of the

4565 funds appropriated in this item for the cost of administrative

4566 services.....\$6,000,000

4567 Massachusetts Tourism Fund..... 100%

4568 7008-1300.. For the operation of the Massachusetts international trade

4569 office.....\$100,000

4570 Massachusetts Tourism Fund..... 100%

4571 EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.

4572 Office of the Secretary.

4573 7003-0100.. For the operation of the executive office of labor and workforce  
4574 development, including the divisions under the control of the department; provided, that not later  
4575 than January 3, 2012, the executive director of labor and workforce development shall submit to  
4576 the house and senate committees on ways and means and the joint committee on labor and  
4577 workforce development a report describing the job training services, including labor exchange,  
4578 skills training and remedial education services related thereto which have been provided during  
4579 the course of the fiscal year, systems for delivery, and the costs and the sources of revenue for  
4580 such  
4581 services.....\$750,342

4582 7003-0170.. For the provision of information technology services within the executive  
4583 office of labor and workforce  
4584 development.....\$185,070

4585 7002-0012..For a youth-at-risk program targeted at reducing juvenile delinquency in high  
4586 risk areas; provided, that these funds may be expended for the development and implementation  
4587 of a year-round employment program for at-risk youth as well as existing year-round  
4588 employment programs; provided further, that \$500,000 of these funds shall be matched by  
4589 private organizations; and provided further, that funds shall be available for expenditure through  
4590 August 31, 2012; prior appropriation continued.....\$3,000,000

4591 Department of Career Services.

4592 7003-0605..For the operation and maintenance of the Massachusetts Manufacturing  
4593 Extension Partnership for the purpose of maintaining and promoting manufacturing as an integral

4594 part of the economy and for programs designed to assist small and mid-sized manufacturing  
4595 companies.....\$325,000

4596 7003-0702..For the Massachusetts Service Alliance to administer State Service Corps  
4597 grants and provide training and support to volunteer and service  
4598 organizations.....\$500,000

4599 7003-0803.. For one-stop career centers; provided that not less than \$2,750,000 may be  
4600 expended for one-stop career centers that were in existence on May 1, 1997, located in the city of  
4601 Boston, Hampden County and Metro North service delivery areas and any satellite offices of the  
4602 centers which opened on or before December 1,  
4603 1997.....\$4,494,467

4604 Department of Labor Standards.

4605 7003-0200.. For the operation of the department of labor standards; provided, that  
4606 positions for a program to evaluate asbestos levels in public schools and other public buildings  
4607 shall not be subject to chapter 31 of the General Laws; and provided further, that \$267,909 shall  
4608 be made available to fund the Division of Apprenticeship  
4609 Training.....\$2,018,561

4610 7003-0201.. For the department of labor standards; provided, that the division may  
4611 expend an amount not to exceed \$452,850 received from fees authorized under section 3A of  
4612 chapter 23 of the General Laws and civil fines issued under section 197B of chapter 111 of the  
4613 General Laws, section 46R of chapter 140 of the General Laws and section 6F1/2 of chapter 149  
4614 of the General  
4615 Laws.....\$452,850

4616 Department of Industrial Accidents.  
4617 7003-0500.. For the operation and administrative expenses of the department of industrial  
4618 accidents; provided, that the General Fund shall be reimbursed the amount appropriated in this  
4619 item and for associated indirect and direct fringe benefit costs from assessments levied pursuant  
4620 to section 65 of chapter 152 of the General  
4621 Laws.....\$19,106,544

4622 Department of Labor Relations.

4623 7003-0900.. For the operation of the department of labor  
4624 relations.....\$1,805,890

4625 7003-0901.. For the department of labor relations which may expend for the operation of  
4626 the department an amount not to exceed \$86,550 from fees collected under section 3B of chapter  
4627 7 of the General Laws or section 6 of chapter 150 of the General Laws; provided, that the first  
4628 \$100,000 of such fees collected by the division shall be deposited into the General Fund and any  
4629 fees collected in excess of \$186,550 shall be deposited into the General Fund; and provided  
4630 further, that notwithstanding any general or special law to the contrary, for the purpose of  
4631 accommodating discrepancies between the receipt of retained revenues and related expenditures,  
4632 the department may incur expenses and the comptroller may certify for payment amounts not to  
4633 exceed the lower of this authorization or the most recent revenue estimate, as reported in the  
4634 state accounting system.....\$86,550

4635 EXECUTIVE OFFICE OF EDUCATION.

4636 Department of Early Education and Care.

4637           3000-1000.. For the administration of the department of early education and care and the  
4638 costs of field operations and licensing provided through the department; provided, that the  
4639 department shall report on the first business day of each month to the joint committee on  
4640 education, the joint committee on children, families and persons with disabilities, the house and  
4641 senate committees on ways and means, and the secretary of administration and finance on the  
4642 unduplicated number of children on waiting lists for state-subsidized early education and care  
4643 programs and services, including supportive child care services; provided further, that  
4644 notwithstanding chapter 66A of the General Laws, the department of early education and care,  
4645 the lead agencies of community partnership councils, the child care resource and referral  
4646 agencies, the department of elementary and secondary education, the department of transitional  
4647 assistance, the department of children and families and the department of public health may  
4648 share with each other personal data regarding the parents and children who receive services  
4649 provided under early education and care programs administered by the commonwealth for  
4650 waitlist management, program implementation and evaluation, reporting, and policy  
4651 development purposes; provided further, that the department shall issue monthly reports detailing  
4652 the number and average cost of voucher and contracted slots funded by the department by  
4653 category of eligibility, including children who have been the subject of supported 51A cases,  
4654 children referred by or transitioning from the department of children and families and children of  
4655 income-eligible families; provided further, that said reports shall include the number of  
4656 recipients subject to subsection (f) of section 110 of chapter 5 of the acts of 1995; provided  
4657 further, that the department of early education and care shall provide the caseload forecasting  
4658 office with enrollment data and any other information pertinent to caseload forecasting that is  
4659 requested by the office on a monthly basis; and provided, however, that the information is

4660 provided in a manner that meets all applicable federal and state privacy and security  
4661 requirements.....\$11,104,990

4662 3000-2000.. For regional administration and coordination of services provided by child  
4663 care resource and referral agencies; provided, that funding for activities shall include, but not be  
4664 limited to, administrative costs of these agencies, program coordination and support, voucher  
4665 management, outreach to hard-to-reach populations, intake and eligibility services for families  
4666 seeking financial assistance to enroll in early education and care programs, resource and referral  
4667 for families with disabilities in child care programs and walk-in services for homeless  
4668 families.....\$4,433,862

4669 3000-2050.. For the administration of the Children’s Trust Fund; provided, that the  
4670 department shall not exercise any supervision or control with respect to the board of the trust  
4671 fund.....\$1,094,507

4672 3000-3050.. For supportive early education and care services; provided, that funds from  
4673 this item shall only be expended for early education and care costs of children with active cases  
4674 at the department of children and families; provided further, that the department of early  
4675 education and care, in collaboration with the department of children and families, shall maintain  
4676 a centralized list detailing the number of children eligible for services in this item, the number of  
4677 supportive slots filled and the number of supportive slots available; provided further, that funds  
4678 may be used to provide services during a transition period of 6 months for families upon the  
4679 closure of their case; provided further, that all children eligible for services under this item shall  
4680 receive those services; provided further, that if the department determines that available  
4681 appropriations for this program will be insufficient to meet projected expenses, the commissioner

4682 shall file with the house and senate committees on ways and means and the secretary of  
4683 administration and finance, a report detailing the amount of appropriation needed to address such  
4684 deficiency; and provided further, that the commissioner of early education and care may transfer  
4685 not more than 3 per cent of funds to this item from items 3000-1000, 3000-4050 and 3000-4060,  
4686 as necessary, pursuant to an allocation plan, which shall detail by object class the distribution of  
4687 the funds to be transferred and which the commissioner shall file with the house and senate  
4688 committees on ways and means 30 days before the transfer.....\$77,448,576

4689           3000-4050.. For financial assistance for families currently involved with or transitioning  
4690 from transitional aid to families with dependent children to enroll in an early education and care  
4691 program; provided, that early education and care shall be available to former participants who  
4692 are working for up to 1 year after termination of their benefits; provided further, that post-  
4693 transitional early education and care benefits shall be provided to participants who are working  
4694 for up to 1 year after the transitional period; provided further, that the department shall issue  
4695 monthly reports detailing the number and average cost of voucher and contracted slots funded  
4696 from this item and item 3000-3050; provided further, that the department may provide early  
4697 education and care benefits to parents who are under 18 years of age, who are currently enrolled  
4698 in a job training program, and who would qualify for benefits under chapter 118 of the General  
4699 Laws but for the deeming of the grandparents' income; provided further, that all teens eligible  
4700 for year-round, full-time early education and care services shall be participating in school,  
4701 education, work and training-related activities or a combination thereof for at least the minimum  
4702 number of hours required by regulations; provided further, that recipients shall not be charged  
4703 fees for care provided under this item; provided further, that early education and care slots  
4704 funded from this item shall be distributed geographically in a manner that provides fair and

4705 adequate access to early education and care for all eligible individuals; provided further, that  
4706 informal early education and care benefits may be funded from this item; provided further, that  
4707 not more than \$2 per child per hour shall be paid for the services; provided further, that the  
4708 commissioner of early education and care may transfer funds to this item from items 3000-1000  
4709 and 3000-4060, as necessary, pursuant to an allocation plan, which shall detail by object class the  
4710 distribution of the funds to be transferred and which the commissioner shall file with the house  
4711 and senate committees on ways and means at least 30 days before the transfer; and provided  
4712 further, that not more than 3 per cent of any item may be transferred in fiscal year  
4713 2012.....\$132,458,313

4714           3000-4060.. For income-eligible early education and care programs; provided, that teen  
4715 parents at risk of becoming eligible for transitional aid to families with dependent children may  
4716 be paid from this item; provided further, that informal early education and care benefits for  
4717 families meeting income-eligibility criteria may be funded from this item; provided further, that  
4718 not more than \$2 per child per hour shall be paid for the services; provided further, that early  
4719 education and care slots funded from this item shall be distributed geographically in a manner  
4720 that provides fair and adequate access to early education and care for all eligible individuals;  
4721 provided further, that the department may expend funds from this item on grants to support  
4722 inclusive learning environments; provided further, that the commissioner of early education and  
4723 care may transfer 3 per cent of funds to this item from items 3000-1000 and 3000-4050, as  
4724 necessary, pursuant to an allocation plan, which shall detail by object class the distribution of the  
4725 funds to be transferred and which the commissioner shall file with the house and senate  
4726 committees on ways and means at least 30 days before the transfer; provided further, that not  
4727 more than 3 per cent of any item may be transferred in fiscal year 2012; provided further, that



4728 said plan shall be filed with the house and senate chairs of the joint committee on education, the  
4729 chairs of the house and senate committees on ways and means and the secretary of  
4730 administration and finance; and provided further, that notwithstanding any general or special law  
4731 to the contrary, any payment made under any such grant with a school district shall be deposited  
4732 with the treasurer of such city, town, or regional school district and held as a separate account  
4733 and shall be expended by the school committee of such city, town, or regional school district  
4734 without further appropriation,.....\$227,965,287

4735           3000-5000.. For grants to head start programs; provided, that funds from this item may be  
4736 expended on early head start programs  
4737 .....\$7,500,000

4738           3000-5075.. For the Massachusetts Universal Pre-Kindergarten Program; provided, that  
4739 funds from this item shall be expended on grants to improve the quality of and expand access to  
4740 preschool programs and services to children from the age of 2 years and 9 months until they are  
4741 kindergarten eligible; provided further, that in awarding grant funds under this program,  
4742 preference shall be given to establishing preschool classrooms in towns and cities with schools  
4743 and districts at risk of or determined to be under-performing in accordance with sections 1J and  
4744 1K of chapter 69 of the General Laws, schools and districts which have been placed in the  
4745 accountability status of identified for improvement, corrective action, or restructuring pursuant to  
4746 departmental regulations or which have been designated commonwealth priority schools or  
4747 commonwealth pilot schools pursuant to said regulations, schools or districts with a high  
4748 percentage of students scoring in levels 1 and 2 on the MCAS exams or programs which serve  
4749 children not less than 50 per cent of whom are from families earning at or below 85 per cent of  
4750 the state median income; provided further, that funds may also be used to enhance community-

4751 wide capacity building efforts within statewide parameters established by the board; provided  
4752 further, that any newly-funded programs designated as Massachusetts Universal Pre-  
4753 Kindergarten Program participants shall have been accredited by the National Association for the  
4754 Education of Young Children, the New England Association of Schools and Colleges, the  
4755 National Association of Family Child Care or a Child Development Associate credential or  
4756 higher; provided further, that programs receiving grant funds may use the funds to enhance  
4757 teacher and staff quality and compensation, enhance program ability to interpret and use  
4758 assessment data effectively, enhance developmentally-appropriate practice, incorporate ancillary  
4759 services into the program, facilitate or provide access to wrap-around services for working  
4760 families or to increase capacity to expand access to age-eligible children on the centralized  
4761 waitlist maintained by the department; provided further, that preference shall be given in  
4762 awarding grants to those programs which demonstrate affordability for middle class and working  
4763 class parents according to standards to be developed by the department; and provided further,  
4764 that any payment made under any such grant with a school district shall be deposited with the  
4765 treasurer of such city, town or regional school district and held as a separate account and shall be  
4766 expended by the school committee of such city, town or regional school district without  
4767 municipal appropriation, notwithstanding any general or special law to the contrary

4768 .....\$7,500,000

4769 3000-6000.. For the establishment of a statewide network of supports for early education  
4770 and care programs to advance the quality of their services to children; provided, that supports  
4771 funded through this item shall include, but not be limited to, curriculum development, child  
4772 assessment systems, activities that encourage providers to obtain associate and bachelor degrees,  
4773 payment of fees and direct assistance to programs seeking accreditation by agencies approved by

4774 the board and professional development courses; provided further, that eligible recipients for  
4775 such grants shall include, but not be limited to, community partnership councils, municipal  
4776 school districts, regional school districts, educational collaboratives, head start programs,  
4777 licensed child care providers and child care resource and referral centers; provided further, that  
4778 supports funded through this item shall be in alignment with the quality requirements of the  
4779 Massachusetts Universal Pre-Kindergarten Program and the development of the quality rating  
4780 and improvement system; provided further, that the department shall encourage and support  
4781 early childhood education and care providers to obtain associate and bachelor degrees through  
4782 professional development programs, including, but not limited to, the building careers program  
4783 model; provided further, that where possible, funds from this item shall be coordinated with  
4784 funding from item 3000-7050; and provided further, that the department may expend funds from  
4785 the item on grants for supplemental services for children with individualized education  
4786 plans.....\$13,986,633

4787       3000-6075.. For early childhood mental health consultation services in early education  
4788 and care programs in the commonwealth; provided, that preference shall be given to those  
4789 services designed to limit the number of expulsions and suspensions from said programs; and  
4790 provided further, that eligible recipients for such grants shall include community partnership  
4791 councils, municipal school districts, regional school districts, educational collaboratives, head  
4792 start programs, licensed child care providers, child care resource and referral centers and other  
4793 qualified entities  
4794 .....\$600,000

4795       3000-7000.. For statewide neonatal and postnatal home parenting education and home  
4796 visiting programs for at-risk newborns to be administered by the Children’s Trust Fund;

4797 provided, that the department shall collaborate with the Children’s Trust Fund, whenever  
4798 appropriate, to coordinate services provided through this item with services provided through  
4799 item 3000-7050 in order to ensure that parents receiving services through this item are aware of  
4800 all opportunities available to them and their children through the department; provided further,  
4801 that such services shall be made available statewide to parents under the age of 21 years;  
4802 provided further, that notwithstanding any general or special law to the contrary, priority for such  
4803 services shall be given to low-income parents; and provided further, that the Children’s Trust  
4804 Fund shall issue a report to the joint committee on education and the house and senate  
4805 committees on ways and means, not later than February 15, 2012, detailing the expenditure of  
4806 state funds appropriated  
4807 herein.....\$10,482,355

4808         3000-7050.. For grants to programs that improve the early literacy, school readiness and  
4809 parenting skills of participants in early education and care programs in the commonwealth,  
4810 including, but not limited to the Parent-Child Home Program and Mass Family Networks;  
4811 provided, that the department shall distribute the grants no later than August 31, 2011, in order to  
4812 allow a full year of service for families involved in these programs; provided further, that the  
4813 department shall, to the maximum extent feasible, coordinate services provided through this item  
4814 with services provided through items 3000-6000 and 3000-7000 in order to ensure that parents  
4815 receiving services through this item are aware of all opportunities available to them and their  
4816 children through the department; and provided further, that the department shall issue a report to  
4817 the joint committee of education and the house and senate committees on ways and means, no  
4818 later than February 15, 2012, detailing the success of those programs receiving grants from this  
4819 item based on a set of goals to be developed by the department.....\$4,200,000

4820           3000-7070.. For Reach Out and Read, a research-proven, pediatric literacy intervention  
4821 program, which trains doctors and nurse practitioners to provide advice to parents on reading  
4822 aloud to children and books for children living in poverty and in underperforming school districts  
4823 through programs established in community health centers, medical practices and hospitals;  
4824 provided, that the funds distributed through Reach Out and Read shall be contingent upon a  
4825 match of not less than \$1 in private or corporate contributions for every \$1 in state grant funding;  
4826 and provided further, that Reach Out and Read shall issue a report to the department, house and  
4827 senate committees on ways and means and the joint committee on education, no later than  
4828 February 15, 2012, detailing program success in meeting measurable goals and  
4829 benchmarks....\$800,000

4830           Office of the Secretary of Education.

4831           7009-1700.. For the operation of information technology services within the executive  
4832 office of  
4833 education.....\$7,800,854

4834           7009-6379.. For the operation of the office of the secretary of  
4835 education..... \$726,986

4836           Department of Elementary and Secondary Education.

4837           7010-0005.. For the operation of the department of elementary and secondary  
4838 education.....\$12,511,669

4839           7010-0012.. For grants to cities, towns and regional school districts for payments of  
4840 certain costs and related expenses for the program to eliminate racial imbalance established

4841 under section 12A of chapter 76 of the General Laws; provided, that funds shall be made  
4842 available for payment for services rendered by METCO, Inc. and Springfield public  
4843 schools..... \$17,642,5827010-0020.. For the Bay State Reading Institute; provided,  
4844 that the program shall be administered under contract to Middlesex Community College in  
4845 programmatic collaboration with Framingham State University and Fitchburg State University;  
4846 provided further, that the Institute shall provide literacy based intervention in districts and  
4847 schools found by the department of elementary and secondary education to be at levels 3, 4, and  
4848 5 with preference for schools and districts at levels 4 and 5 in accordance with sections 1J and  
4849 1K of chapter 69 of the General Laws; provided further, that such school-wide literacy-based  
4850 intervention programs shall be led by a school-based planning team, which includes teaching  
4851 faculty and the school principal, shall provide for the training of teachers in effective, research-  
4852 based strategies for reading instruction and shall include a school-wide literacy coordinator who  
4853 shall be responsible for the coordination and training of other school staff; provided further, that  
4854 the programs shall evaluate and track all students' reading and writing skills at least annually;  
4855 provided further, that the student evaluations shall be compared to measurable goals and  
4856 benchmarks that have been developed in consultation with the school-based planning team;  
4857 provided further, that funds appropriated in this item for this initiative may be expended through  
4858 June 30, 2013; and provided further, that the bay state reading institute shall provide to the house  
4859 and senate committees on ways and means and the joint committee on education a report  
4860 detailing, by school, program success in meeting measurable goals and  
4861 benchmarks.....\$392,000

4862 7010-0033.. For literacy and early literacy programs; provided, that these programs shall  
4863 provide ongoing evaluation of the outcomes thereof; provided further, that programs receiving

4864 funding through this item shall document the outcomes of evaluations; provided further, that  
4865 evaluations shall be compared to measurable goals and benchmarks that shall be developed by  
4866 the department; and provided further, that programs receiving funds from this item shall provide  
4867 to the department, the house and senate committees on ways and means and the joint committee  
4868 on education, an annual report detailing program success in meeting measurable goals and  
4869 benchmarks .....\$3,084,981

4870           7027-0019.. For school-to-career connecting activities; provided, that notwithstanding  
4871 any general or special law to the contrary, the board of elementary and secondary education, in  
4872 cooperation with the department of workforce development and the state workforce investment  
4873 board, may establish and support a public-private partnership to link high school students with  
4874 economic and learning opportunities on the job as part of the school-to-work transition program;  
4875 provided further, that such program may include the award of matching grants to workforce  
4876 investment boards or other local public-private partnerships involving local community job  
4877 commitments and work site learning opportunities for students; provided further, that the grants  
4878 shall require at least a 200 per cent match in wages for the students from private sector  
4879 participants; provided further, that the program shall include, but not be limited to, a provision  
4880 that business leaders commit resources to pay salaries, to provide mentoring and instruction on  
4881 the job and to work closely with teachers; provided further, that public funds shall assume the  
4882 costs of connecting schools and businesses to ensure that students serve productively on the job;  
4883 and provided further, that no funds shall be expended for personnel costs, prior appropriation  
4884 continued.....\$1,200,000

4885           7027-1004.. For English language acquisition professional development to improve the  
4886 academic performance of English language learners and effectively implement sheltered English

4887 immersion as outlined in chapter 71A of the General Laws; provided, that the department shall  
4888 only approve professional development courses and offerings with proven, replicable results in  
4889 improving teacher performance, and which shall have demonstrated the use of best practices as  
4890 determined by the department, including data comparing pre-training and post-training  
4891 knowledge; provided further, that the department shall, not later than February 15, 2012, provide  
4892 a report on the number of educators who have received such training since passage of said  
4893 chapter 71A, the estimated number who need such additional training, a review and analysis of  
4894 the most effective types of professional development and the most common gaps in the  
4895 knowledge base of educators implementing English immersion and teaching English language  
4896 acquisition, along with legislative or regulatory recommendations of the department; provided  
4897 further, that said report shall be provided to the secretary of administration and finance, the  
4898 senate president, the speaker of the house, the chairs of the house and senate committees on ways  
4899 and means and the house and senate chairs of the joint committee on education; provided further,  
4900 that funds may be expended through August 31, 2012; and provided further, that no funds shall  
4901 be expended for personnel costs.....\$357,638

4902           7028-0031.. For the expenses of school age children in institutional schools under section  
4903 12 of chapter 71B of the General Laws; provided, that the department may provide special  
4904 education services to eligible inmates in county houses of correction; provided further, that the  
4905 department of youth services shall continue to collaborate with the department of elementary and  
4906 secondary education in order to align curriculum at the department of youth services with the  
4907 statewide curriculum frameworks and to ease the reintegration of youth from facilities at the  
4908 department of youth services into regular public school settings; and provided further, that the  
4909 department of elementary and secondary education, in conjunction with the commissioner of



4910 youth services, shall submit a report on progress made on the reintegration of these youth and the  
4911 alignment of the department of youth services curriculum to the house and senate committees on  
4912 ways and means not later than December 1, 2011.....\$7,256,897

4913           7030-1002.. For kindergarten expansion grants to provide grant awards to continue  
4914 quality enhancement of existing full-day kindergarten classrooms; provided, that the department  
4915 shall administer a grant program to encourage the voluntary expansion of high quality, full-day  
4916 kindergarten education throughout the commonwealth; provided further, that grants funded  
4917 through this appropriation shall not annualize to more than \$18,000 per classroom in subsequent  
4918 fiscal years; provided further, that preference shall be given to grant applicants with high  
4919 percentages of students scoring in levels 1 or 2 on the Massachusetts comprehensive assessment  
4920 system exam, as determined by the department based on available data; provided further, that  
4921 any grant funds distributed from this item shall be deposited with the treasurer of such city, town  
4922 or regional school district and held in a separate account and shall be expended by the school  
4923 committee of such city, town or regional school district without further appropriation,  
4924 notwithstanding any general or special law to the contrary; provided further, that such program  
4925 shall supplement and shall not supplant currently funded local, state and federal programs at the  
4926 school or district; provided further, that not later than January 17, 2012, the department shall  
4927 report to the house and senate committees on ways and means on the total number of grants  
4928 requested and awarded; provided further, that the report shall detail common factors associated  
4929 with both successful and unsuccessful applications and shall include the total number of full-day  
4930 and half-day kindergarten classrooms projected to be in operation in public schools in fiscal year  
4931 2013; provided further, that all kindergarten programs previously funded through community  
4932 partnership councils at the department of early education and care may receive grants from this

4933 item in amounts equal to the amounts they received in fiscal year 2011, reduced in proportion to  
4934 the overall reduction of this item from fiscal year 2011 to fiscal year 2012; and provided further,  
4935 that no funds shall be expended for personnel costs .....\$20,948,947

4936           7030-1005.. For Reading Recovery, a one-to-one, early intervention, individual tutorial  
4937 literacy program designed as a pre-special education referral and short-term intervention for  
4938 children who are at risk of failing to read in the first grade; provided, that said program shall  
4939 provide ongoing documentation and evaluation of results; provided further, that the evaluation  
4940 shall be compared to measurable goals and benchmarks that shall be developed by the  
4941 department; and provided further, that reading recovery shall provide to the house and senate  
4942 committees on ways and means and the joint committee on education a report detailing, by  
4943 recipient, program success in meeting measurable goals and  
4944 benchmarks.....\$392,000

4945           7035-0002.. For the provision and improvement of adult basic education services,  
4946 including reading, writing and mathematics; provided, that grants shall be distributed to a diverse  
4947 network of organizations which have demonstrated effectiveness in the provision of such  
4948 services, and that are selected competitively by the department of elementary and secondary  
4949 education; provided further, that such grants shall support the successful transition of students  
4950 from other adult basic education programs to community college certificate and degree-granting  
4951 programs; provided further, that such grants shall be contingent upon satisfactory levels of  
4952 performance as defined and determined by the department; provided further, that in no case shall  
4953 grants be considered an entitlement to a grant recipient; provided further, that the department  
4954 shall consult with the community colleges and other service providers in establishing and  
4955 implementing content, performance and professional standards for adult basic education

4956 programs and services; and provided further, that no funds shall be expended for personnel costs  
4957 at the department of elementary and secondary education..... \$27,702,108

4958           7035-0006.. For reimbursements to regional school districts for the transportation of  
4959 pupils; provided, that notwithstanding any general or special law to the contrary, the  
4960 commonwealth's obligation shall not exceed the amount appropriated in this item  
4961 ..... \$43,521,000

4962           7035-0007.. For reimbursements to cities, towns, regional vocational or county  
4963 agricultural school districts, independent vocational schools, or collaboratives for certain  
4964 expenditures for transportation of nonresident pupils to any approved vocational-technical  
4965 program of any regional or county agricultural school district, city, town, independent school or  
4966 collaborative pursuant to section 8A of chapter 74 of the General Laws; provided, that should the  
4967 amount appropriated herein be insufficient to fully fund said section 8A of said chapter 74, initial  
4968 reimbursements made by the department of elementary and secondary education may be pro-  
4969 rated by the department to all eligible cities, towns, regional vocational or county agricultural  
4970 school districts, independent vocational schools, or collaboratives; and provided further, that  
4971 upon a determination by the department that the funds appropriated in this item are insufficient  
4972 to meet the commonwealth's full obligation under said section 8A, the department shall, within  
4973 10 days, notify the secretary of administration and finance, the house and senate chairs of the  
4974 joint committee on education and the chairs of the house and senate ways and means committees  
4975 of the amount needed to fully fund said obligation  
4976 .....\$400,000

4977           7051-0015.. For operating funds to distribute food for the Massachusetts emergency food  
4978 assistance  
4979 program.....\$1,000,000

4980           7053-1909.. For reimbursements to cities and towns for partial assistance in the  
4981 furnishing of lunches to school children, including partial assistance in the furnishing of lunches  
4982 to school children as authorized by chapter 538 of the acts of 1951, and for supplementing funds  
4983 allocated for the special milk program; provided, that notwithstanding any general or special law  
4984 to the contrary, payments so authorized in the aggregate for partial assistance in the furnishing of  
4985 lunches to school children shall not exceed the required state revenue match contained in Public  
4986 Law 79-396, as amended, cited as the National School Lunch Act and in the regulations  
4987 implementing the act.....\$5,426,986

4988           7053-1925.. For the school breakfast program for public and nonpublic schools and for  
4989 grants to improve summer food programs during the summer school vacation period; provided,  
4990 that funds shall be expended for the summer food service outreach program and the school  
4991 breakfast outreach program; provided further, that within the summer food program, priority  
4992 shall be given to extending such programs for the full summer vacation period and promoting  
4993 increased participation in such programs; provided further, that the department of elementary and  
4994 secondary education shall solicit proposals from returning sponsors and school food authorities  
4995 in time for implementation of such grant program during the summer of 2012; provided further,  
4996 that such grants shall only be awarded to sponsors who can demonstrate their intent to offer full  
4997 summer programs or increase participation; provided further, that the department shall require  
4998 sufficient reporting from each grantee to measure the success of such grant program; provided  
4999 further, that the department shall select grantees for the program authorized by this item not later

5000 than March 30, 2012; provided further, that funds shall be expended for the universal school  
5001 breakfast program in which all children in schools receiving funds under the program shall be  
5002 provided free, nutritious breakfasts at no cost to them; provided further, that subject to  
5003 regulations of the board that specify time and learning standards, breakfasts shall be served  
5004 during regular school hours; provided further, that participation shall be limited to those  
5005 elementary schools mandated to serve breakfast under section 1C of chapter 69 of the General  
5006 Laws where 60 per cent or more of the students are eligible for free or reduced-price meals under  
5007 the federally-funded school meals program; provided further, that the department shall select  
5008 school sites for programs authorized by this item not later than November 16, 2011, and shall  
5009 report to the house and senate committees on ways and means on the preliminary results of these  
5010 grants not later than January 6, 2012; and provided further, that nothing in the universal school  
5011 breakfast program shall give rise to enforceable legal rights in any party or enforceable  
5012 entitlement to services; prior appropriation continued .....\$4,121,215

5013           7061-0008.. For school aid to cities, towns, regional school districts, counties maintaining  
5014 agricultural schools, independent vocational schools and independent agricultural and technical  
5015 schools to be distributed under chapters 70 and 76 of the General Laws and section 3; provided,  
5016 that each school district shall report annually to the department of elementary and secondary  
5017 education and to the house and senate committees on ways and means on its professional  
5018 development expenditures, in a manner and form prescribed by the commissioner and consistent  
5019 with the accountability requirements of the federal No Child Left Behind Act, P. L. 107-  
5020 110.....\$3,990,812,680

5021           7061-0012.. For the reimbursement of extraordinary special education costs under section  
5022 5A of chapter 71B of the General Laws; provided, that reimbursements shall be prorated so that

5023 expenses of this item do not exceed the amount appropriated in this item; provided further, that  
5024 upon receipt by the department of elementary and secondary education of required special  
5025 education cost reports from school districts, the department shall reimburse districts based on  
5026 fiscal year 2011 claims; provided further, that the department may expend funds to continue and  
5027 expand voluntary residential placement prevention programs between the department of  
5028 elementary and secondary education and other departments within the executive office of health  
5029 and human services that develop community-based support services for children and their  
5030 families; provided further, that the department shall provide not less than \$6,500,000 to the  
5031 department of developmental services for the voluntary residential placement prevention  
5032 program administered by the department of developmental services; provided further, that the  
5033 department of elementary and secondary education shall fully cooperate in providing information  
5034 and assistance necessary for the department of developmental services to maximize federal  
5035 reimbursement and to effectively serve students in less restrictive settings; provided further, that  
5036 the department shall expend funds to provide books in accessible synthetic audio format made  
5037 available through the federal NIMAS-NIMAC book repository for the outreach and training of  
5038 teachers and students for the use of NIMAS-NIMAC and human speech audio digital textbooks;  
5039 provided further, that the department shall expend funds for the costs of borrowing audio  
5040 textbooks by special education students; provided further, that funds may be expended for the  
5041 monitoring and follow-up activities of the department's complaint management system, review  
5042 and approval of local educational authority applications, and local school districts' compliance  
5043 with the part B requirements of the federal Special Education Law, known as the Individuals  
5044 with Disabilities Education Act, in the provision of special education and related services to  
5045 children with disabilities; provided further, that funds may be expended to administer the

5046 reimbursements funded herein; provided further, that funds may be expended to reimburse  
5047 districts for extraordinary increases in costs incurred during fiscal year 2012 which would be  
5048 reimbursable under said section 5A of said chapter 71B; provided further, that reimbursements  
5049 for current year costs shall be limited to school districts which experience increases of greater  
5050 than 25 per cent from costs reimbursable under said section 5A of said chapter 71B and incurred  
5051 during fiscal year 2011 to costs reimbursable under said section 5A of said chapter 71B and  
5052 incurred during fiscal year 2012 or other cases of extraordinary hardship where special education  
5053 costs increase in relationship to total district costs as the department may define through  
5054 regulation or guidelines; provided further, that reimbursements for current year costs shall be  
5055 allocated as one-time grants and shall not decrease reimbursements in the following fiscal year;  
5056 provided further, that the department shall conduct audits of fiscal year 2011 claims; provided  
5057 further, that if the claims are found to be inaccurate, the department shall recalculate the fiscal  
5058 year 2012 reimbursement amount and adjust the third and fourth quarter payments to the districts  
5059 to reflect the new reimbursement amount; provided further, that the department shall file a report  
5060 with the house and senate committees on ways and means not later than February 15, 2012, on  
5061 the results of the audit; and provided further, that the department shall work in conjunction with  
5062 the department of public health to track, by community, the number of children receiving early  
5063 intervention services and the number of those children who later receive special education  
5064 services and shall report the house and senate committees on ways and means on April 1, 2012  
5065 detailing the findings \$194,119,160

5066 7061-0029.. For the office of school and district accountability, established in section  
5067 55A of chapter 15 of the General Laws; provided, that notwithstanding said 55A of said chapter  
5068 15 of the General Laws, the office shall perform not less than 20 school district audits for fiscal

5069 year 2012; provided further, that the district of Randolph shall join the 10 districts of Boston,  
5070 Brockton, Fall River, Holyoke, Lawrence, Lowell, Lynn, New Bedford, Springfield, and  
5071 Worcester, in the cohort known as the Commissioner's  
5072 Districts.....\$939,083

5073 7061-0033.. For payments to municipalities that have been negatively impacted by  
5074 shortfalls in federal impact aid for the education of children in families employed by the federal  
5075 government on military reservations located within the town limits  
5076 .....\$1,300,000

5077 7061-9010.. For fiscal year 2012 reimbursements to certain cities, towns and regional  
5078 school districts of charter school tuition and the per pupil capital needs component included in  
5079 the charter school tuition amount for commonwealth charter schools, as calculated under  
5080 subsections (ff) and (gg) of section 89 of chapter 71 of the General Laws; provided, that  
5081 notwithstanding said subsection (ff) of said section 89 of said chapter 71 or any other general or  
5082 special law to the contrary, the per pupil capital needs component of the commonwealth charter  
5083 school tuition rate for fiscal year 2012 shall be \$893; and provided further, that if the amount  
5084 appropriated is insufficient to fully fund all reimbursements required by said section 89 of said  
5085 chapter 71, the department shall fully reimburse the cost of such per pupil capital needs  
5086 component and shall prorate the tuition reimbursements calculated under said subsection (gg) of  
5087 said section 89 of said chapter 71.....\$71,554,914

5088 7061-9200 For the education technology program  
5089 .....\$876,659



5090           7061-9400.. For student and school assessment including the administration of the  
5091 Massachusetts comprehensive assessment system exam established by the board of elementary  
5092 and secondary education pursuant to sections 1D and 1I of chapter 69 of the General Laws and  
5093 for grants to school districts to develop portfolio assessments for use in individual classrooms as  
5094 an enhancement to student assessment; provided, that as much as is practicable, especially in the  
5095 case of students whose performance is difficult to assess using conventional methods, such  
5096 instruments shall include consideration of work samples and projects and shall facilitate  
5097 authentic and direct gauges of student performance; provided further, that such portfolio  
5098 assessments shall not replace the statewide standardized assessment based on the curriculum  
5099 frameworks; provided further, that all school assessments shall center on the academic standards  
5100 embodied in the curriculum frameworks and shall involve gauges which shall be relevant and  
5101 meaningful to students, parents, teachers, administrators and taxpayers pursuant to the first  
5102 paragraph of section 1L of said chapter 69; and provided further, that notwithstanding any  
5103 general or special law to the contrary, assessment of proficiency in English shall be administered  
5104 in English...\$24,362,278

5105           7061-9404.. For grants to cities, towns and regional school districts to provide targeted  
5106 remediation programs for students in the classes of 2003 to 2016, inclusive, scoring in level 1 or  
5107 2 on the Massachusetts comprehensive assessment system, MCAS, exam established by the  
5108 board of elementary and secondary education pursuant to the provisions of sections 1D and 1I of  
5109 chapter 69 of the General Laws; provided, that the department and districts shall ensure that  
5110 services are available to students with disabilities; provided further, that the purpose of this  
5111 program shall be to improve students' performance on the MCAS exam through replication of  
5112 services and educational strategies with proven results as determined by the department of

5113 elementary and secondary education; provided further, that such programs shall supplement  
5114 currently funded local, state and federal programs at the school or district; provided further, that  
5115 funds shall be expended for a competitive grant program to fund academic support and college  
5116 transition services to be implemented in fiscal year 2012, and operated by public institutions of  
5117 higher learning or by public-private partnerships in the commonwealth, for students in the  
5118 graduating classes of 2003 to 2014, inclusive, who may have completed all other high school  
5119 requirements but have not yet obtained a competency determination as defined in said section 1D  
5120 of said chapter 69 as measured by the MCAS assessment instrument authorized by said section  
5121 II of said chapter 69, but who are working to pass the English, Math, and Science, Technology,  
5122 and Engineering MCAS tests , obtain a competency determination and earn a high school  
5123 diploma; provided further, that for the purpose of the programs, appropriated funds may be  
5124 expended through August 31, 2012, to allow for summer remediation programs; provided  
5125 further, that funds shall be expended for competitive grants to fund Pathways programs targeting  
5126 students in the graduating classes of 2003-2015, instituted by local school districts, public  
5127 institutions of higher education and qualified public and private educational services  
5128 organizations and One-Stop Career Centers including, but not limited to, school-to-work  
5129 connecting activities, creating worksite learning experiences for students as an extension of the  
5130 classroom, outreach programs for students who will need post-twelfth grade remediation to attain  
5131 the skills necessary to pass MCAS and counseling programs to educate parents and high school  
5132 students on post-twelfth grade remediation options; provided further, that funds shall be  
5133 expended for a competitive grant program, guidelines for which shall be developed by the  
5134 department of elementary and secondary education, for intensive remediation programs in  
5135 communities with students in the graduating classes of 2003 to 2016, inclusive, who have not

5136 obtained a competency determination or have scored in levels 1 or 2 on either the English or  
5137 math MCAS exams or level 1 on Science, Technology and Engineering MCAS; provided  
5138 further, that the department of elementary and secondary education may give preference for such  
5139 assistance to those districts with a high percentage of high school students scoring in level 1 on  
5140 the MCAS exam in English, math and Science, Technology and Engineering; provided further,  
5141 that eligible applicants shall include individual high schools and those institutions which shall  
5142 have partnered with a high school or group of high schools; provided further, that no district  
5143 shall receive a grant from this appropriation until the district submits to the department of  
5144 elementary and secondary education a comprehensive district plan, pursuant to the provisions of  
5145 said section 11 of said chapter 69, to improve performance of all student populations including,  
5146 but not limited to, students with disabilities; provided further, that any evaluation will examine  
5147 the likelihood and efficiency of replication of these programs and practices in school districts  
5148 with a large percentage of English language learners; provided further, that these funds may be  
5149 expended for professional development related to these programs; provided further, that the  
5150 department shall issue a report not later than February 2, 2012, as a condition of continued  
5151 funding under this account, in collaboration with the department of higher education, describing  
5152 MCAS support programs for the graduating classes of 2003 to 2016, inclusive, funded by this  
5153 item and 7027-0019, school to work accounts, institutions of public higher education and other  
5154 sources, including federal sources; provided further, that such report shall include, but not be  
5155 limited to, the number of students eligible to participate in such programs, the number of  
5156 students participating in such programs, the number of students who have passed the MCAS  
5157 assessment and obtained a competency determination through these programs but not met local  
5158 graduation requirements and the number of students who have passed the MCAS assessment and

5159 obtained a competency determination through these programs and met local graduation  
5160 requirements; provided further, that said report shall be provided to the chairs of the house and  
5161 senate ways and means committees and the house and senate chairs of the joint committee on  
5162 education; provided further, that any grant funds distributed from this item to a city, town or  
5163 regional school district shall be deposited with the treasurer of such city, town or regional school  
5164 district and held in a separate account and shall be expended by the school committee of such  
5165 city, town or regional school district without further appropriation, notwithstanding any general  
5166 or special law to the contrary; and provided further, that no funds shall be expended for  
5167 personnel costs.....\$8,344,804

5168           7061-9408.. For targeted intervention to schools and districts at risk of or determined to  
5169 be underperforming under sections 1J and 1K of chapter 69 of the General Laws, schools and  
5170 districts which have been placed in the accountability status of identified for improvement,  
5171 corrective action or restructuring pursuant to departmental regulations, or which have been  
5172 designated commonwealth priority schools or commonwealth pilot schools pursuant to said  
5173 regulations; provided, that no money shall be expended in any school or district that fails to file a  
5174 comprehensive district plan pursuant to the provisions of section 1I of said chapter 69; provided  
5175 further, that the department shall only approve reform plans with proven, replicable results in  
5176 improving student performance; provided further, that in carrying out the provisions of this item,  
5177 the department may contract with school support specialists, turnaround partners and such other  
5178 external assistance as is needed in the expert opinion of the commissioner, to successfully turn  
5179 around failing school and district performance; provided further, that no funds shall be expended  
5180 on targeted intervention unless the department shall have approved, as part of the comprehensive  
5181 district improvement plan, a professional development plan which addresses the needs of the

5182 district as determined by the department; provided further, that eligible professional development  
5183 activities for purposes of this item shall include, but not be limited to: professional development  
5184 among teachers of the same grade levels and teachers of the same subject matter across grade  
5185 levels, professional development focused on improving the teacher's content knowledge in the  
5186 field or subject area in which the teacher is practicing, professional development which provides  
5187 teachers with research based strategies for increasing student success, professional development  
5188 teaching the principles of data driven instruction and funding which helps provide common  
5189 planning time for teachers within a school and within the school district; provided further, that  
5190 preference in the awarding of such funds shall be given to professional development in math and  
5191 English content skills; provided further, that funds from any targeted intervention grant may be  
5192 used to partially offset the cost of said professional development and common planning time;  
5193 provided further, that funds may be expended for the purchase of instructional materials pursuant  
5194 to section 57 of chapter 15 of the General Laws; provided further, that no funds shall be  
5195 expended on instructional materials except where the purchase of such materials is part of a  
5196 comprehensive plan to align the school or district curriculum with the Massachusetts curriculum  
5197 frameworks; provided further, that preference in distributing funds shall be made for proposals  
5198 which coordinate reform efforts within all schools of a district in order to prevent conflicts  
5199 between multiple reforms and interventions among the schools; provided further, that funds may  
5200 be expended for the commonwealth pilot school initiative established by the board in November  
5201 2006; provided further, that the department shall issue a report not later than February 2, 2012  
5202 describing and analyzing all intervention and targeted assistance efforts funded by this item;  
5203 provided further, that such report shall include, but not be limited to: the number of schools and  
5204 school districts eligible to receive such assistance, the number of students attending school in

5205 said districts, the nature and type of intervention activities funded through this item, by school  
5206 and school district, the number of teachers in professional development funded in part through  
5207 this item, the number of districts with curricula or professional development systems aligned  
5208 with the Massachusetts curriculum frameworks and the number that are undertaking that effort  
5209 with grants funded by this item, the number of outside vendors with whom the department has  
5210 contracted to provide intervention and turnaround services, the amount each vendor has received  
5211 and the results obtained in each instance, the number of students who have passed the  
5212 Massachusetts comprehensive assessment system and obtained a competency determination  
5213 through these programs before, and during, the period of intervention and turnaround and any  
5214 other data relative to the successes achieved or challenges faced by the effort to turn around  
5215 schools, along with any legislative or budgetary recommendations for improving the initiative  
5216 and increasing the success of all intervention efforts; provided further, that said report shall  
5217 include an analysis of the number of districts with curriculum plans not aligned to the  
5218 Massachusetts curriculum frameworks, along with any legislative and regulatory  
5219 recommendations to address the issue; provided further, that the report shall be provided to the  
5220 secretary of administration and finance, the senate president, the speaker of the house, the chairs  
5221 of the house and senate ways and means committees and the house and senate chairs of the joint  
5222 committee on education; provided further, that no funds shall be expended on recurring school or  
5223 school district expenditures unless the department and school district have developed a long-term  
5224 plan to fund such expenditures from the district's operational budget; provided further, that for  
5225 the purpose of this item, appropriated funds may be expended through August 31, 2012, to allow  
5226 for intervention and school and district improvement planning in the summer months; and  
5227 provided further, that any funds distributed from this item to a city, town or regional school

5228 district shall be deposited with the treasurer of such city, town or regional school district and  
5229 held in a separate account and shall be expended by the school committee of such city, town or  
5230 regional school district without further appropriation, notwithstanding any general or special law  
5231 to the contrary; provided further, that funds may be expended for the continuation of a parent  
5232 engagement program under section 2 of chapter 182 of the acts of 2008  
5233 .....\$6,740,746

5234           7061-9412.. For grants to cities, towns and regional school districts for the purpose of  
5235 planning for and implementing expanded learning time in the form of longer school days or  
5236 school years at selected schools; provided, that implementation grants shall only be provided  
5237 under this item to schools and districts which submitted qualifying applications which were  
5238 approved by the department in fiscal year 2011 and which include a minimum of an additional  
5239 300 hours on a mandatory basis for all children attending that school; provided further, that in  
5240 approving expanded learning time implementation grant applications, preference shall be given  
5241 to districts with high poverty rates or a high percentage of students scoring in levels 1 or 2 on the  
5242 Massachusetts comprehensive assessment system, those districts with proposals that have the  
5243 greatest potential for district-wide impact, those districts that plan to utilize partnerships with  
5244 community-based organizations and institutions of higher education and those districts with  
5245 proposals that include a comprehensive restructuring of the entire school day or year to  
5246 maximize the use of the additional learning time; provided further, that the department shall  
5247 approve implementation proposals that include an appropriate mix of additional time spent on  
5248 core academics, additional time spent on enrichment opportunities such as small group tutoring,  
5249 homework help, music, arts, sports, physical activity, health and wellness programs, project-  
5250 based experiential learning and additional time for teacher preparation or professional

5251 development; provided further, that the department shall only approve implementation proposals  
5252 that assume not more than \$1,300 per pupil per year in future state appropriations of expanded  
5253 learning time implementation funds; provided further, that in extraordinary cases the department  
5254 may exceed the \$1,300 per pupil per year limit; provided further, that the department shall  
5255 review all qualified proposals and award approved grants not later than August 16, 2011;  
5256 provided further, that in carrying out the provisions of this item, funds may be expended by the  
5257 department to support the impact and effectiveness of the program; provided further, that the  
5258 department shall issue an annual report, not later than February 2, 2012, on the implementation  
5259 of plans in all participating districts; provided further, that the report shall include, but not be  
5260 limited to, the names of schools and school districts participating, the number of students  
5261 attending these schools and the nature and type of changes made in participating schools as a  
5262 result of this program; provided further, that the report shall also include an anticipated budget  
5263 for this program for the next fiscal year and a breakdown of the distribution of the \$1,300 per  
5264 student by school; provided further, that said report shall be provided to the secretary of  
5265 administration and finance, the senate president, the speaker of the house, the chairs of the house  
5266 and senate committees on ways and means and the house and senate chairs of the joint  
5267 committee on education; provided further, that for this item, appropriated funds may be  
5268 expended through August 31, 2012 to allow for planning and implementation during the summer  
5269 months; provided further, that any grant funds distributed from this item to a city, town or  
5270 regional school district shall be deposited with the treasurer of such city, town or regional school  
5271 district and held in a separate account and shall be expended by the school committee of such  
5272 city, town or regional school district without further appropriation, notwithstanding any general  
5273 or special law to the contrary; and provided further, that no funds shall be expended for



5274 personnel costs at the department of elementary and secondary education .....  
5275 \$13,139,669

5276           7061-9600.. For a discretionary grant pilot program with the purpose of providing monies  
5277 to school districts and state public institutions of higher education partnering together to offer  
5278 inclusive concurrent enrollment programs for students with disabilities as defined in section 1 of  
5279 chapter 71B of the General Laws between the ages of 18 and 22, inclusive; provided, that the  
5280 grant program will be limited to students who are considered to have severe disabilities and, in  
5281 the case of students ages 18 to 19, shall be limited to students with severe disabilities who have  
5282 been unable to achieve the competency determination necessary to pass the Massachusetts  
5283 comprehensive assessment system exam; provided further, that said students with disabilities  
5284 shall be offered enrollment in credit and noncredit courses that include nondisabled students,  
5285 including enrollment in noncredit courses and credit bearing courses in audit status for students  
5286 who may not meet course prerequisites and requirements, and that the partnering school districts  
5287 will provide supports, services and accommodations necessary to facilitate a student's  
5288 enrollment; provided further, that the department, in consultation with the department of higher  
5289 education, shall develop guidelines to ensure that the grant program promotes civic engagement  
5290 and mentoring of faculty in state institutions of higher education and supports college success,  
5291 work success, participation in student life of the college community and provision of a free  
5292 appropriate public education in the least restrictive environment; provided further, that the  
5293 department, in consultation with the department of higher education, shall develop strategies and  
5294 procedures to help sustain and replicate the existing inclusive concurrent enrollment programs  
5295 initiated through this pilot program, including, but not limited to: provision of funds to retain  
5296 employment specialists and assist students in meeting competitive employment and other

5297 transition-related goals and adoption of procedures and funding mechanisms to ensure that new  
5298 partnerships of institutions of higher education and school districts providing inclusive  
5299 concurrent enrollment programs fully utilize the models and expertise developed in existing  
5300 partnerships; provided further, that the department shall develop a mechanism to encourage  
5301 existing and new partnerships to expand capacity to respond to individual parents who request an  
5302 opportunity for their children to participate in the inclusive concurrent enrollment initiative;  
5303 provided further, that tuition for courses shall be waived by the institutions of higher education  
5304 for students enrolled through this grant program develop strategies and procedures to help  
5305 sustain and replicate the existing inclusive concurrent enrollment programs initiated through this  
5306 pilot program, including, but not limited to: provision of funds to retain employment specialists  
5307 and assist students in meeting competitive employment and other transition-related goals and  
5308 adoption of procedures and funding mechanisms to ensure that new partnerships of institutions  
5309 of higher education and school districts providing inclusive concurrent enrollment programs  
5310 fully utilize the models and expertise developed in existing partnerships; provided further, that  
5311 the department shall develop a mechanism to encourage existing and new partnerships to expand  
5312 capacity to respond to individual parents who request an opportunity for their children to  
5313 participate in the inclusive concurrent enrollment initiative; provided further, that tuition for  
5314 courses shall be waived by the institutions of higher education for students enrolled through this  
5315 grant program; provided further, that funds may be distributed to the department of higher  
5316 education in order to increase the capacity of public institutions of higher education to include  
5317 students with severe disabilities in the concurrent enrollment pilot program; provided further,  
5318 that funds may be allocated to the department of elementary and secondary education to provide  
5319 training and technical assistance to school districts for program implementation; provided

5320 further, that the department of elementary and secondary education, in consultation with the  
5321 department of higher education, shall report to the house and senate committees on ways and  
5322 means, the joint committee on education and the joint committee on higher education on the  
5323 discretionary grant program not later than February 15, 2012; provided further, that no funds  
5324 shall be expended for personnel employed by the department of elementary and secondary  
5325 education; and provided further, that for the purpose of this item, appropriated funds may be  
5326 expended through August 31, 2012

5327 .....\$400,000

5328           7061-9601.. For the department of elementary and secondary education; provided, that  
5329 the department shall expend funds not to exceed \$1,367,409 for teacher preparation and  
5330 certification from fees relating to such service; provided further, that notwithstanding any  
5331 general or special law to the contrary, for the purpose of accommodating timing discrepancies  
5332 between the receipt of revenues and related expenditures, the department may incur expenses and  
5333 the comptroller shall certify for payments amounts not to exceed the amount of

5334 appropriation.....\$1,367,409

5335           7061-9611.. For grants or subsidies for after-school and out-of-school programs;  
5336 provided, that preference shall be given to after-school proposals developed collaboratively by  
5337 public and non-public schools and private community based programs; provided further, that the  
5338 department of elementary and secondary education shall fund only those applications which  
5339 contain accountability systems and measurable outcomes, under guidelines to be determined by  
5340 the department in consultation with the department of early education and care; provided further,  
5341 that applicants shall detail funds received from all public sources for existing after-school and  
5342 out-of-school programs and the types of programs and type of students served by the funds;

5343 provided further, that funds from this item may be used for a variety of activities, including but  
5344 not limited to: (1) academic tutoring and homework centers where content is linked to and based  
5345 on the curriculum guidelines promulgated by said department; (2) programs which improve the  
5346 health of students, including physical activities, athletics, nutrition and health education and  
5347 exercise; (3) art, theater, and music programs developed in collaboration with the Massachusetts  
5348 cultural council, local cultural councils or cultural organizations in the commonwealth funded by  
5349 the Massachusetts cultural council; (4) enrichment activities not otherwise provided during the  
5350 school day; (5) advanced study for the gifted and talented; and (6) community service programs;  
5351 provided further, that funds shall be expended for services that actively include children with  
5352 disabilities in after-school programs that also serve non-disabled children and services that  
5353 include children where English is a second language; provided further, that the department of  
5354 elementary and secondary education shall consult the executive office of health and human  
5355 services and the department of early education and care to maximize the provision of wrap-  
5356 around services and to coordinate programs and services for children and youth during after-  
5357 school and out-of-school time programs; provided further, that the department shall select grant  
5358 recipients not later than September 30, 2011, and shall report on the preliminary results of said  
5359 grants not later than February 15, 2012, to the secretary of administration and finance, the house  
5360 and senate chairs of the joint committee on education and the chairs of the house and senate  
5361 committees on ways and means; provided further, that for the purpose of this item, appropriated  
5362 funds may be expended through August 31, 2012, to allow for implementation of said programs  
5363 during the summer months; and provided further, funds shall be expended to convene regional  
5364 networks, to work with the department of elementary and secondary education and the  
5365 department of early education and care to support the implementation of school-community

5366 partnerships and to submit a report by October 14, 2011, to the general court and the  
5367 administration making recommendations on how to enhance school-community partnerships and  
5368 positive outcomes for children and youth through funding as provided in this item  
5369 .....\$1,410,000

5370           7061-9614.. For the alternative education grant program established in section 1N of  
5371 chapter 69 of the General Laws; provided, that the commissioner shall allocate funds for  
5372 subsections (a) and (b) of said section 1N of said chapter 69; and provided further, that no funds  
5373 shall be expended for personnel  
5374 costs.....\$146,140

5375           7061-9619.. For the purpose of funding the Benjamin Franklin Institute of Technology;  
5376 provided, that the institute shall have access to the Massachusetts education computer system;  
5377 and provided further, that the institute may join the state buying  
5378 consortium.....\$1

5379           7061-9626.. For grants and contracts with youth-build programs for the purposes of  
5380 providing comprehensive youth-build  
5381 services.....\$1,300,000

5382           7061-9634.. For a transfer of this item to the Massachusetts Service Alliance, which shall  
5383 be responsible for administering a competitive statewide grant program for public and private  
5384 agencies to start or expand youth mentoring programs according to current best practices and for  
5385 purposes including advancing academic performance, self-esteem, social competence and  
5386 workforce development; provided, that the department of elementary and secondary education  
5387 shall transfer the amount appropriated in this item to the Massachusetts Service Alliance for the

5388 purpose of these grants; provided further, that in order to be eligible to receive funds from this  
5389 item, each public or private agency shall provide a matching amount equal to \$1 for every \$1  
5390 disbursed from this item; and provided further, that the Massachusetts Service Alliance shall  
5391 submit a report detailing the impact of grants, expenditure of funds and the amount and source of  
5392 matching funds raised to the department of elementary and secondary  
5393 education.....\$100,000

5394 7061-9804.. For teacher content training in math and science; provided, that said training  
5395 shall include math specialist and Massachusetts test for educator licensure preparation; provided  
5396 further, that funds from this item shall be expended on content based professional development  
5397 in math and science, with a focus on elementary and middle school math and science teachers in  
5398 districts with a high percentage of students scoring in level 1 or 2 on the math or science  
5399 Massachusetts comprehensive assessment system exams, or in districts which are at risk of or  
5400 determined to be underperforming in accordance with sections 1J and 1K of chapter 69 of the  
5401 General Laws; provided further, that such professional development courses shall demonstrate  
5402 proven, replicable results in improving teacher and student performance, and shall demonstrate  
5403 the use of best practices, as determined by the department, including data comparing pre-training  
5404 and post-training content knowledge; and provided further, that for the purpose of this item,  
5405 appropriated funds may be expended through August 31, 2012 provided further, that not less  
5406 than \$400,000 shall be expended on a program which shall provide advanced placement math,  
5407 science and English teacher training in at least 40 school districts, provided that such program  
5408 shall provide a matching amount of at least \$400,000 in private funding; and provided further,  
5409 that the department shall deliver to the legislature an independent evaluation of the program and

5410 its impact on student achievement, particularly as it relates to closing achievement  
5411 gaps..... \$746,162

5412           7061-9810 For regional bonus aid pursuant to subsection (g) of section 16D of chapter 71  
5413 of the General Laws.....\$300,000

5414           Department of Higher Education.

5415           7066-0000.. For the operation of the department of higher education; provided, that in  
5416 order to meet the estimated costs of employee fringe benefits provided by the commonwealth on  
5417 account of employees of the Massachusetts State College Building Authority and the University  
5418 of Massachusetts Building Authority, and in order to meet the estimated cost of heat, light,  
5419 power and other services, if any, to be furnished by the commonwealth to projects of these  
5420 authorities, the boards of trustees of the state colleges, state universities and the University of  
5421 Massachusetts shall transfer to the General Fund from the funds received from the operations of  
5422 the projects such costs, if any, as shall be incurred by the commonwealth for these purposes in  
5423 the current fiscal year, as determined by the appropriate building authority, verified by the  
5424 commissioner of higher education and approved by the secretary of administration and  
5425 finance.....\$1,624,791

5426           7066-0005.. For the commonwealth’s share of the cost of the compact for  
5427 education.....\$82,620

5428           7066-0009.. For the New England board of higher  
5429 education.....\$367,500

5430           7066-0015.. For the community college workforce training incentive grant program  
5431 established in section 15F of chapter 15A of the General  
5432 Laws.....\$1,000,000

5433           7066-0016.. For a program of financial aid to support the matriculation of certain persons  
5434 at public and private institutions of higher learning; provided, that only persons in the custody of  
5435 the department of children and families under a care and protection petition upon reaching the  
5436 age of 18, or persons in the custody of the department matriculating at such an institution at an  
5437 earlier age, shall qualify for such aid; provided further, that no such person shall be required to  
5438 remain in the custody of the department beyond age 18 to qualify for such aid; provided further,  
5439 that this aid shall not exceed \$6,000 per recipient per year; and provided further, that this aid  
5440 shall be granted after exhausting all other sources of financial support.....\$1,075,299

5441           7066-0019. For the department of higher education to support the dual enrollment  
5442 program allowing qualified high school students to take college courses; provided, that public  
5443 higher education institutions may offer courses in high schools in addition to courses offered at  
5444 the institutions or online if the number of students is sufficient.....\$250,000

5445           7066-0020.. For the nursing and allied health workforce development initiative, to  
5446 develop and support strategies that increase the number of public higher education faculty  
5447 members and students who participate in programs that support careers in fields related to  
5448 nursing and allied health; provided, that the amount appropriated in this item shall be transferred  
5449 to the Massachusetts Nursing and Allied Health Workforce Development Trust Fund established  
5450 in section 33 of chapter 305 of the acts of 2008; and provided further, that funds shall be



5451 transferred to the Trust Fund according to an allotment schedule adopted by the executive office  
5452 for administration and finance. ....\$635,250

5453           7066-0021.. For reimbursements to public institutions of higher education for foster and  
5454 adopted child fee waivers under section 19 of chapter 15A of the General Laws; provided, that  
5455 no funds shall be distributed from this item prior to certification by the state universities and  
5456 community colleges and the University of Massachusetts of the actual amount of tuition and fees  
5457 waived for foster and adopted children attending public institutions of higher education under  
5458 said section 19 of said chapter 15A that would otherwise have been retained by the campuses,  
5459 according to procedures and regulations promulgated by the board of higher  
5460 education.....\$935,400

5461           7066-0024.. For the school of excellence program at the Worcester Polytechnic Institute;  
5462 provided, that every effort shall be made to recruit and serve equal numbers of male and female  
5463 students; provided further, that sending districts of students attending the Institute shall not be  
5464 required to expend any funds for the cost of these students while in attendance at the Institute;  
5465 provided further, that the Massachusetts Academy of Mathematics and Science shall provide  
5466 professional development activities at the school located at Worcester Polytechnic Institute,  
5467 including salary and benefits for master teachers and visiting scholars; provided further, that the  
5468 academy shall file a report with the joint committee on education and the house and senate  
5469 committees on ways and means no later than February 1, 2012 detailing the professional  
5470 development activities; and provided further, that the department of elementary and secondary  
5471 education shall provide a subsidy to the Worcester Polytechnic Institute to operate a school of  
5472 excellence in mathematics and science.....\$1,300,000

5473           7066-0025.. For the Performance Management Set Aside incentive program for the  
5474 University of Massachusetts, the state universities and the community colleges; provided, that  
5475 these funds shall be distributed by the commissioner of higher education to public institutions of  
5476 higher education through a competitive grant process based on priorities determined by the  
5477 department of higher education in pursuit of operational efficiency and goals articulated in the  
5478 commonwealth’s Vision Project; provided further, that priorities may include support of  
5479 workforce programs that train students for high-quality employment and outreach programs that  
5480 work to engage surrounding communities with high-quality educational programs; and provided  
5481 further, that the department of higher education shall file a report with the house and senate  
5482 committees on ways and means no later than February 15, 2012, detailing campuses receiving  
5483 funds through this item and the criteria used to award funds  
5484 .....\$3,000,000

5485           7070-0065.. For a scholarship program to provide financial assistance to Massachusetts  
5486 students enrolled in and pursuing a program of higher education in any approved public or  
5487 independent college, university, school of nursing, or any other approved institution furnishing a  
5488 program of higher education; provided, that funds from this item may be expended on the  
5489 administration of the scholarship program; provided further, that the commissioner of higher  
5490 education, in coordination with the Massachusetts state scholarship office, shall adopt  
5491 regulations governing the eligibility and the awarding of financial assistance; provided further,  
5492 that funds from this item shall be in addition to \$1,000,000 made available by the Massachusetts  
5493 Education Finance Authority in fiscal year 2012 for a program of needs-based financial  
5494 assistance for Massachusetts residents enrolled in and pursuing a program of higher education at  
5495 the University of Massachusetts, the state universities or the community colleges; and provided

5496 further, that the department shall make funds available for early educator scholarships in  
5497 amounts equal to the amounts made available in fiscal year 2011, reduced in proportion to the  
5498 overall reduction of this item from fiscal year 2011 to fiscal year 2012.....  
5499 \$87,507,756

5500 7077-0023.. For a contract with the Cummings School of Veterinary Medicine at Tufts  
5501 University; provided, that funds appropriated in this item shall be expended under a resident  
5502 veterinary tuition remission plan as approved by the commissioner of higher education for  
5503 supportive veterinary services provided to the commonwealth; provided further, that prior year  
5504 costs may be paid from this item; provided further, that funds appropriated in this item shall  
5505 support bioterrorism prevention research related to diseases that can be transmitted from animals  
5506 to humans, in consultation with Massachusetts emergency authorities; provided further, that  
5507 funds may be expended for a program in collaboration with a community college to educate and  
5508 train veterinary technicians; and provided further, that the school may work in consultation with  
5509 the Norfolk County Agricultural School on veterinary  
5510 programs.....\$2,000,000

5511 7520-0424.. For a health and welfare reserve for eligible personnel employed at the  
5512 community colleges and state universities.  
5513 .....\$5,709,044

5514 University of Massachusetts.

5515 7100-0200.. For the operation of the University of Massachusetts; provided, that this  
5516 appropriation assumes out of state tuition is retained by the university; provided further, that  
5517 notwithstanding any general or special law to the contrary, the university may establish and

5518 organize auxiliary organizations, subject to policies, rules and regulations adopted by the board,  
5519 to provide essential functions which are integral to the educational mission of the university;  
5520 provided further, that notwithstanding any general or special law to the contrary, the university  
5521 may enter into leases of real property without prior approval of the division of capital asset  
5522 management and maintenance; provided further, that the University of Massachusetts shall  
5523 expend funds for the operation of the Massachusetts office of public collaboration at the  
5524 University of Massachusetts Boston, for capital lease payments from the University of  
5525 Massachusetts to the Massachusetts Development Finance Agency and for the University of  
5526 Massachusetts Amherst Cranberry Station; provided further, that the University of Massachusetts  
5527 Amherst shall continue to operate and support the University of Massachusetts Design Center in  
5528 Springfield; provided further, that the department of higher education's commonwealth college  
5529 honors program at the University of Massachusetts Amherst shall be operated at a funding level  
5530 not less than the funding level at which it operated in fiscal year 2011; and provided further, that  
5531 funds may be expended for the operation of the Future of Work Research Initiative at the  
5532 University of Massachusetts Labor Centers at Amherst, Boston, Dartmouth and Lowell  
5533 campuses, for the University of Massachusetts Medical School to enhance efforts to increase the  
5534 number of graduating medical students in primary care specialties and for the operation of an  
5535 inner-city youth collaborative at the UMass Field Station on Nantucket to learn about nature,  
5536 ecology, environment, science and history on the island; provided further, that the expansion or  
5537 further development of the University of Massachusetts Dartmouth School for Marine Science  
5538 and Technology shall be constructed contiguous to the current School for Marine Science and  
5539 Technology site or a similarly suitable site located within in the city of New Bedford  
5540 .....\$417,982,753

5541 State Universities.

5542 7109-0100.. For Bridgewater State University; provided, that this appropriation assumes

5543 out of state tuition is retained by the

5544 university.....\$33,860,038

5545 7110-0100.. For Fitchburg State University; provided, that this appropriation assumes out

5546 of state tuition is retained by the university

5547 .....\$23,467,647

5548 7112-0100.. For Framingham State University; provided, that this appropriation assumes

5549 out of state tuition is retained by the university

5550 .....\$21,266,256

5551 7113-0100.. For the Massachusetts College of Liberal Arts; provided, that this

5552 appropriation assumes out of state tuition is retained by the college

5553 .....\$12,559,859

5554 7114-0100.. For Salem State University; provided, that this appropriation assumes out of

5555 state tuition is retained by the university

5556 .....\$34,614,021

5557 7115-0100.. For Westfield State University; provided, that this appropriation assumes out

5558 of state tuition is retained by the university

5559 .....\$20,139,642

5560           7116-0100.. For Worcester State University; provided, that this appropriation assumes  
5561 out of state tuition is retained by the university  
5562 .....\$19,941,794

5563           7117-0100.. For the Massachusetts College of Art; provided, that this appropriation  
5564 assumes out of state tuition is retained by the college  
5565 .....\$13,405,202

5566           7118-0100.. For the Massachusetts Maritime Academy; provided, that this appropriation  
5567 assumes out of state tuition is retained by the academy  
5568 .....\$12,330,691

5569           Community Colleges.

5570           7502-0100.. For Berkshire Community College; provided, that this appropriation assumes  
5571 out of state tuition is retained by the college  
5572 .....\$7,988,207

5573           7503-0100.. For Bristol Community College; provided, that this appropriation assumes  
5574 out of state tuition is retained by the college  
5575 .....\$13,885,391

5576           7504-0100.. For Cape Cod Community College; provided, that this appropriation  
5577 assumes out of state tuition is retained by the college  
5578 .....\$9,823,796

5579           7505-0100.. For Greenfield Community College; provided, that this appropriation  
5580 assumes out of state tuition is retained by the college  
5581 .....\$7,805,889

5582           7506-0100.. For Holyoke Community College; provided, that this appropriation assumes  
5583 out of state tuition is retained by the college  
5584 .....\$16,074,594

5585           7507-0100.. For Massachusetts Bay Community College; provided, that this  
5586 appropriation assumes out of state tuition is retained by the college  
5587 .....\$11,859,106

5588           7508-0100.. For Massasoit Community College; provided, that this appropriation  
5589 assumes out of state tuition is retained by the college  
5590 .....\$17,376,154

5591           7509-0100.. For Mount Wachusett Community College; provided, that this appropriation  
5592 assumes out of state tuition is retained by the college  
5593 .....\$11,007,508

5594           7510-0100.. For Northern Essex Community College; provided, that this appropriation  
5595 assumes out of state tuition is retained by the college  
5596 .....\$16,305,635

5597           7511-0100.. For North Shore Community College, including the post-secondary  
5598 programs of the Essex Agricultural and Technical Institute operated by North Shore Community

5599 College; provided, that this appropriation assumes out of state tuition is retained by the college  
5600 .....\$17,629,906

5601 7512-0100.. For Quinsigamond Community College; provided, that this appropriation  
5602 assumes out of state tuition is retained by the college  
5603 .....\$12,980,557

5604 7514-0100.. For Springfield Technical Community College; provided, that this  
5605 appropriation assumes out of state tuition is retained by the college  
5606 .....\$21,070,398

5607 7515-0100.. For Roxbury Community College; provided, that this appropriation assumes  
5608 out of state tuition is retained by the college  
5609 .....\$9,729,356

5610 7515-0121.. For the Reggie Lewis Track and Athletic Center at Roxbury Community  
5611 College; provided, that the college may expend an amount not to exceed \$529,843 received from  
5612 fees, rentals and facility expenses associated with the running and operation of national track  
5613 meets, high school track meets, high school dual meets, Roxbury Community College athletic  
5614 events, other special athletic events, conferences, meetings and programs; and provided further,  
5615 that only expenses for contracted services associated with these events and for the capital needs  
5616 of the facility shall be funded from this item .....\$529,843

5617 7516-0100.. For Middlesex Community College; provided, that this appropriation  
5618 assumes out of state tuition is retained by the college  
5619 .....\$17,121,183



5620           7518-0100.. For Bunker Hill Community College; provided, that this appropriation  
5621 assumes out of state tuition is retained by the college  
5622 .....\$17,496,631

5623           EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY.

5624           Office of the Secretary.

5625           8000-0000.. For the office of the secretary, including the administration of the committee  
5626 on criminal justice and the highway safety bureau to provide matching funds for a federal  
5627 planning and administration grant pursuant to 23 U.S.C. section 402 and the costs associated  
5628 with the implementation of chapter 228 of the acts of 2000; provided that \$100,000 shall be  
5629 expended for the commission created in section 140 of this act; and provided further, that the  
5630 secretary shall enter into an agreement with a state college or university to provide for the  
5631 expansion of comprehensive law enforcement and emergency response training and mandatory  
5632 reporter programs for local, state and federal criminal justice and homeland security  
5633 professionals ..... \$2,143,074

5634           8000-0038.. For the operation of a witness protection program pursuant to chapter 263A  
5635 of the General Laws  
5636 .....\$94,245

5637           8000-0040.. For police career incentives to reimburse certain cities and towns for career  
5638 incentive salary increases for police officers; provided, however, that regular full-time members  
5639 of municipal police departments hired on or after July 1, 2009 shall not be eligible to participate  
5640 in the career incentive pay program established pursuant to section 108L of chapter 41 of the  
5641 General Laws; provided further, that any current regular full-time member of a municipal police

5642 department who has not enrolled in an education program for the purposes of participating in the  
5643 career incentive pay program pursuant to said section 108L of said chapter 41 of the General  
5644 Laws, as of October 1, 2009, shall not be eligible to participate in the career incentive pay  
5645 program established pursuant to said section 108L of said chapter 41 of the General Laws;  
5646 provided further, that any current regular full-time member of a municipal police department  
5647 who has begun to accumulate credit hours pursuant to said section 108L of said chapter 41 of the  
5648 General Laws as of October 1, 2009 shall be allowed to accumulate the maximum number of  
5649 credit hours for any eligible degree permitted pursuant to said section 108L of said chapter 41 of  
5650 the General Laws; provided further, that any current regular full-time member of a municipal  
5651 police department on active duty in the armed forces of the United States in any theater of  
5652 operations from July 1, 2008 through September 1, 2009 who enrolls in an education program  
5653 for the purposes of participating in the career incentive pay program pursuant to said section  
5654 108L of said chapter 41 no later than 4 months from the date of his return from active duty shall  
5655 be allowed to accumulate the maximum number of credit hours for any eligible degree permitted  
5656 pursuant to said section 108L of said chapter 41; and provided further, that any permanent  
5657 employee of a municipal police department appointed prior to October 1, 2009 and separated  
5658 from employment pursuant to section 39 of chapter 31 of the General Laws may enroll in an  
5659 education program for the purposes of participating in the career incentive pay program pursuant  
5660 to said section 108L of said chapter 41 no later than 4 months from the date of his reinstatement  
5661 ..... \$2,500,000

5662 8000-0202.. For the purchase and distribution of sexual assault evidence collection kits;  
5663 provided, that administrative resources provided from other items for the implementation of this

5664 program in fiscal year 2011 shall not be reduced in fiscal year 2012 .....

5665 \$86,882

5666 8000-1700.. For the provision of information technology services within the executive  
5667 office of public safety and

5668 security.....\$18,077,757

5669 Chief Medical Examiner.

5670 8000-0105.. For the operation of the office of the chief medical examiner, established  
5671 pursuant to chapter 38 of the General Laws; provided, that the agency shall submit a report to the  
5672 house and senate committees on ways and means not later than January 17, 2012 detailing the

5673 caseload of the office; and provided further, that the report shall include, but not be limited to,  
5674 the number of toxicology tests, the reduction of turnaround time of toxicology tests and the

5675 reduction of the case backlog, the number of autopsies performed, the number of cases under the  
5676 office’s jurisdiction, the number of external exams performed, the number of cases determined to

5677 be homicides and the number of cremations performed under the office’s jurisdiction in 2010 and  
5678 2011.....\$7,022,773

5679 8000-0122.. For the office of the chief medical examiner, which may expend for its  
5680 operations an amount not to exceed \$2,060,000 in revenues collected from fees for services

5681 provided by the chief medical examiner; provided, that notwithstanding any general or special  
5682 law to the contrary, for the purposes of accommodating timing discrepancies between the receipt

5683 of retained revenues and related expenditures, the agency may incur expenses and the  
5684 comptroller may certify for payment amounts not to exceed the lower of this authorization or the

5685 most recent revenue estimate as reported in the state accounting system.....

5686 \$2,060,000

5687 State Police Crime Laboratory.

5688 8000-0106.. For the operation and related costs of the state police crime laboratory;  
5689 provided, that the analysis of narcotic drug synthetic substitutes, poisons, drugs, medicines, and  
5690 chemicals shall be funded in this item in order to support the law enforcement efforts of the  
5691 district attorneys, the state police and municipal police departments; provided further, that the  
5692 practices and procedures of the state police crime laboratory shall be informed by the  
5693 recommendations of the forensic sciences advisory board; and provided further, that the agency  
5694 shall report to the house and senate committees on ways and means and the joint committee on  
5695 public safety and homeland security not later than December 30, 2011, concerning, but not  
5696 limited to, the number of cases introduced to the CODIS database, the number of confirmations  
5697 attained from the CODIS database and the number of cases referred to a district attorney  
5698 delineated by  
5699 county.....\$12,506,412

5700 Department of Criminal Justice Information Services.

5701 8000-0110.. For the operation of the department of criminal justice information services,  
5702 including criminal justice information services, criminal offender record information services,  
5703 firearms support services and victim services; provided, that funds may be expended for the  
5704 purpose of enabling local housing authorities' access to criminal offender record information  
5705 when qualifying applicants for state-assisted housing  
5706 .....\$2,106,449

5707 Sex Offender Registry.

5708 8000-0125.. For the operation of the sex offender registry program, including, but not  
5709 limited to, the costs of maintaining a computerized registry system and the classification of  
5710 persons subject to the registry; provided, that notwithstanding any general or special law to the  
5711 contrary, the registration fee paid by convicted sex offenders under section 178Q of chapter 6 of  
5712 the General Laws shall be retained and expended by the sex offender registry  
5713 board.....\$3,641,391

5714 Department of State Police.

5715 8100-0000.. For the administration and operation of the department of state police;  
5716 provided, that the department shall expend funds from this item for the purpose of maximizing  
5717 federal grants for the operation of a counter-terrorism unit and the payment of overtime for state  
5718 police officers; provided further, that the department shall maintain the division of field services  
5719 which shall include, but not be limited to, the bureau of metropolitan district operations;  
5720 provided further, that not fewer than 40 officers may be provided to the department of  
5721 conservation and recreation for the purpose of patrolling the watershed property of the  
5722 department of conservation and recreation; provided further, that funds shall be expended from  
5723 this item for the administration and operation of an automated fingerprint identification system  
5724 and the motor carrier safety assistance program; provided further, that not fewer than 5 officers  
5725 shall be provided to the disabled persons protection commission for the purpose of investigating  
5726 cases of criminal abuse; provided further, that the department shall enter into an interagency  
5727 agreement with the department of conservation and recreation to provide police coverage on  
5728 department properties and parkways; provided further, that the creation of a new or the

5729 expansion of the existing statewide communications network shall include the office of law  
5730 enforcement in the executive office of energy and environmental affairs at no cost to, or  
5731 compensation from, that office; provided further, that there shall be a study submitted to the  
5732 house and senate committees on ways and means not later than January 31, 2012, on traffic  
5733 details worked by the department of state police, including troops A, B, C, D, E, F, and H, over  
5734 the last year, which shall detail, on a monthly basis: the total number of hours worked on traffic  
5735 details by state police officers, the total amount paid to state police officers for traffic details, the  
5736 standard hourly rates for traffic details done by state police officers and the city or town in which  
5737 traffic details are performed by state police officers; and provided further, that the department  
5738 may expend funds from this item for the administration of budgetary, procurement, fiscal, human  
5739 resources, payroll and other administrative services of the office of the chief medical examiner,  
5740 the municipal police training committee and the criminal history systems  
5741 board.....\$227,585,684

5742 8100-0006.. For private police details; provided, that the department may expend up to  
5743 \$27,500,000 in revenues collected from fees charged for private police details and for the costs  
5744 of administering such details; and provided further, that notwithstanding any general or special  
5745 law to the contrary, the department may incur, and the comptroller may certify for payment,  
5746 expenses and liabilities during fiscal year 2012 to be charged to this item in an amount not to  
5747 exceed the lower of this authorization or the most recent revenue estimate as reported in the state  
5748 accounting system for the purposes stated in this item to accommodate the delayed receipt of  
5749 revenues authorized to be retained in this item during fiscal year  
5750 2012.....\$27,500,000

5751           8100-0011.. For the department of state police, which may expend an amount not to  
5752 exceed \$3,100,000 for certain police activities provided pursuant to agreements authorized in this  
5753 item; provided, that for fiscal year 2012, the colonel of state police may enter into service  
5754 agreements with the commanding officer or other person in charge of a military reservation of  
5755 the United States located in the Massachusetts Development Finance Agency, established in  
5756 chapter 23G of the General Laws; provided further, that such agreements shall establish the  
5757 responsibilities pertaining to the operation and maintenance of police services including, but not  
5758 limited to: (a) provisions governing payment to the department for the cost of regular salaries,  
5759 overtime, retirement, and other employee benefits; and (b) provisions governing payment to the  
5760 department for the cost of furnishings and equipment necessary to provide such police services;  
5761 provided further, that the department may charge any recipients of police services for the cost of  
5762 such services, as authorized by this item; provided further, that the department may retain the  
5763 revenue so received and expend such revenue as necessary pursuant to this item to provide the  
5764 agreed level of services; provided further, that the colonel may enter into service agreements as  
5765 may be necessary to enhance the protection of persons, as well as assets and infrastructure  
5766 located within the commonwealth, from possible external threat or activity; provided further, that  
5767 such agreements shall establish the responsibilities pertaining to the operation and maintenance  
5768 of police services including, but not limited to: (a) provisions governing payment to the  
5769 department for the cost of regular salaries, overtime, retirement, and other employee benefits;  
5770 and (b) provisions governing payment to the department for the cost of equipment necessary to  
5771 provide such police services; provided further, that the department may charge any recipients of  
5772 police services for the cost of such services, as authorized by this item; provided further, that the  
5773 department may retain the revenue so received and expend such revenue as necessary pursuant to

5774 this item to provide the agreed level of services; provided further, that the colonel may expend  
5775 from this item costs associated with joint federal and state law enforcement activities from  
5776 federal reimbursements received therefore; and provided further, that notwithstanding any  
5777 general or special law to the contrary, for the purposes of accommodating discrepancies between  
5778 the receipt of retained revenues and related expenditures, the department may incur expenses and  
5779 the comptroller may certify for payment amounts not to exceed the lower of this authorization or  
5780 the most recent revenue estimate as reported in the state accounting  
5781 system.....\$3,100,000

5782         8100-0012.. For the department of state police; provided, that the department may expend  
5783 for the costs of security services provided by state police officers, including overtime and  
5784 administrative costs, an amount not to exceed \$1,050,000 from fees charged for these services;  
5785 provided further, that notwithstanding any general or special law to the contrary, for the purpose  
5786 of accommodating timing discrepancies between the receipt of retained revenues and related  
5787 expenditures, the department may incur expenses and the comptroller may certify for payment  
5788 amounts not to exceed the lower of this authorization or the most recent revenue estimate  
5789 therefore as reported in the state accounting system.....\$1,050,000

5790         8100-0020.. For the department of state police, which may expend an amount not to  
5791 exceed \$35,000 in fees charged for the use of the statewide telecommunications system for the  
5792 maintenance of the  
5793 system.....\$35,000

5794         8100-0101.. For the department of state police, which may expend for the Governor's  
5795 Auto Theft Strike Force an amount not to exceed \$331,200 from fees for services performed



5796 through the auto etching program and from assessments upon the insurance  
5797 industry.....\$331,200

5798           8100-0111.. For a grant program to be known as the Senator Charles E. Shannon, Jr.  
5799 Community Safety Initiative, to be administered by the executive office of public safety and  
5800 security, to support regional, multidisciplinary approaches to combat gang violence through  
5801 coordinated programs for prevention and intervention, coordinated law enforcement, including  
5802 regional gang task forces and regional crime mapping strategies, focused prosecutions and  
5803 reintegration strategies for ex-convicts; provided, that the secretary of public safety and security  
5804 shall distribute grant funds through a competitive grant program that gives preference to  
5805 applications that: (a) demonstrate high levels of youth violence, gang problems and substance  
5806 abuse in a region; (b) demonstrate a commitment to regional, multijurisdictional strategies to  
5807 deal with such community safety issues, including written commitments for municipalities, law  
5808 enforcement agencies, community-based organizations and government agencies to work  
5809 together; (c) clearly outline a comprehensive plan for municipalities to work with law  
5810 enforcement, community-based organizations and government agencies to address gang activity;  
5811 (d) make a written commitment to match grant funds with a 25 per cent match provided by either  
5812 municipal or private contributions; and (e) identify a local governmental unit to serve as fiscal  
5813 agent; provided further, that clusters of municipalities, in partnership with nonprofit  
5814 organizations and other agencies, including district attorney's offices, may apply for such funds;  
5815 provided further, that such funds shall be considered one-time grants awarded to public agencies  
5816 and shall not annualize into fiscal year 2013 or subsequent years; provided further, that  
5817 administrative costs for successful grant applications shall not exceed 3 per cent of the value of  
5818 the grant; provided further, that no grants shall be awarded to the department of state police;

5819 provided further, that no grant funds shall be expended on food or beverages; provided further,  
5820 that the executive office of public safety and security shall publish guidelines and an application  
5821 for the competitive portion of the grant program not later than August 16, 2011; provided further,  
5822 that awards shall be made to applicants not later than December 15, 2011; and provided further,  
5823 that the executive office of public safety and security may expend not more than \$100,000 of the  
5824 sum appropriated in this item for its costs in administering the program, prior appropriation  
5825 continued ..... \$5,500,000

5826           8100-0515 For the expense of hiring, equipping, and training state police recruits to  
5827 maintain the strength of the department of state police; provided, that the use of these funds is  
5828 contingent upon the identification of matching funds as identified by the secretary of public  
5829 safety and security  
5830 .....\$2,000,000

5831           Municipal Police Training Committee.

5832           8200-0200.. For the operation of veteran, reserve, and in-service training programs  
5833 conducted by the municipal police training committee; provided, that under no circumstances  
5834 shall any expenditures authorized by this item be charged to item 8200-0222; and provided  
5835 further, that no expenditures shall be made, on or after the effective date of this act, which would  
5836 cause the commonwealth's obligation for the purpose of this item to exceed the amount  
5837 appropriated in this item.....  
5838 \$2,476,460

5839           8200-0222.. For the municipal police training committee, which may collect and expend  
5840 an amount not to exceed \$900,000 for the purposes of providing training to new recruits;

5841 provided, that the committee shall charge \$2,900 per recruit for the training; provided further,  
5842 that notwithstanding any general or special law to the contrary, the committee shall charge a fee  
5843 of \$2,900 per person for training programs operated by the committee for all persons who begin  
5844 training on or after July 1, 2011; provided further, that the fee shall be retained and expended by  
5845 the committee; provided further, that the trainee, or, if the trainee is a recruit, the municipality in  
5846 which the recruit shall serve, shall provide the fee in full to the committee no later than the first  
5847 day of orientation for the program in which such trainee or recruit has enrolled; provided further,  
5848 that no recruit or person shall begin training unless the municipality or the person has provided  
5849 the fee in full to the committee; provided further, that for recruits of municipalities, upon the  
5850 completion of the program, the municipality shall deduct the fee from the recruit's wages in 23  
5851 equal monthly installments, unless otherwise negotiated between the recruit and the municipality  
5852 in which the recruit shall serve; provided further, that if a recruit withdraws from the training  
5853 program before graduation, the committee shall refund the municipality in which the recruit was  
5854 to have served a portion of the fee according to the following schedule: if a recruit withdraws  
5855 from the program before the start of week 2, 75 per cent of the payment shall be refunded; if a  
5856 recruit withdraws from the program after the start of week 2 but before the start of week 3, 50  
5857 per cent of the fee shall be refunded; if a recruit withdraws from the program after the start of  
5858 week 3 but before the start of week 4, 25 per cent of the fee shall be refunded; if a recruit  
5859 withdraws after the start of week 4, the fee shall not be refunded; provided further, that a recruit  
5860 who withdraws from the program shall pay the municipality in which he was to have served the  
5861 difference between the fee and the amount forfeited by the municipality according to the  
5862 schedule; provided further, that the schedule shall also apply to trainees other than recruits who  
5863 enroll in the program; provided further, that no expenditures shall be charged to this item that are

5864 not directly related to new recruit training; provided further, that no expenditures shall be  
5865 charged to this item that are related to chief, veteran, in-service, or reserve training, or any  
5866 training not directly related to new recruits; provided further, that the committee shall submit a  
5867 report on the status of recruit training, including the number of classes, start and end dates of  
5868 each class, total number of recruits enrolled and graduating in each class, cost per recruit and  
5869 cost per class for fiscal years 2011 and 2012; provided further, that the report shall be submitted  
5870 to the house and senate committees on ways and means not later than January 3, 2012; and  
5871 provided further, that for the purposes of accommodating discrepancies between the receipt of  
5872 retained revenues and related expenditures, the committee may incur expenses and the  
5873 comptroller may certify for payments not to exceed the lower of this authorization or the most  
5874 recent revenue estimate as reported in the state accounting system

5875 .....\$900,000

5876 Department of Public Safety.

5877 8311-1000.. For the administration of the department of public safety, including the  
5878 board of building regulations and standards and the architectural access board; provided, that the  
5879 department may charge fees for permitting the operation of amusement devices and to support  
5880 the department's participation in the Council for Amusement and Recreational Equipment  
5881 Safety; provided further, that the department may charge fees for amusement operator  
5882 certification; and provided further, that the salaries of the commissioner and the deputy  
5883 commissioner of the department of public safety shall be paid from this item.....\$1,243,850

5884 8315-1000.. For the administrative costs of the division of inspections; provided, that the  
5885 expenses of the state boxing commission shall be paid from this item; provided further, that a

5886 doctor's certificate from another state shall be accepted as evidence of an eye examination;  
5887 provided further, that no funds shall be expended from this item for the salaries of the  
5888 commissioner or deputy commissioner of public safety; provided further, that the department  
5889 shall employ not less than 42 full-time equivalent elevator inspectors; provided further, that the  
5890 division shall develop reasonable rules or promulgate regulations for the granting of hardship fee  
5891 exemptions to certain owners or persons in control of a building or domicile in which an elevator  
5892 is operated; provided further, that the division shall report to the house and senate committees on  
5893 ways and means on the elevator inspection backlog not later than October 3, 2011; provided  
5894 further, that the division shall develop and maintain an electronic database that shall include, but  
5895 not be limited to, the location and a categorical classification of buildings in which inspections  
5896 are conducted; and provided further, that the division shall inspect all elevators in the state house  
5897 and the John W. McCormack State Office

5898 Building.....\$3,330,156

5899 8315-1020.. For the department of public safety, which may expend not more than  
5900 \$5,500,000 in revenues collected from fees for annual elevator and amusement park ride  
5901 inspections; provided, that funds shall be expended for the operation of the department and for  
5902 the purposes of addressing the existing elevator inspection backlog; provided further, that funds  
5903 shall be expended for hiring additional elevator inspectors or engineers; provided further, that the  
5904 department shall make efforts to employ inspectors that will perform overnight and weekend  
5905 inspections as their regular work shift; provided further, that the department shall provide a full  
5906 waiver of the inspection fee for an individual who requires a wheelchair lift as a medical  
5907 necessity and whose annual income does not exceed the maximum allowable federal SSI benefit,  
5908 or \$7,236 a year, whichever is greater; and provided further, that notwithstanding any general or

5909 special law to the contrary, for the purpose of accommodating timing discrepancies between the  
5910 receipt of retained revenues and related expenditures, the department may incur expenses and the  
5911 comptroller may certify for payment amounts not to exceed the lower of this authorization or the  
5912 most recent revenue estimate as reported in the state accounting  
5913 system.....\$5,500,000

5914 8315-1022.. For the department of public safety, which may expend an amount not to  
5915 exceed \$1,200,000 in revenues collected from fees for annual issuance of boiler and pressure  
5916 vessel certificates and inspections; provided, that funds shall be expended for the operation of the  
5917 department and for the purposes of addressing the existing boiler and pressure vessels inspection  
5918 backlog; provided further, that funds shall be expended for hiring additional engineering  
5919 inspectors or engineers; and provided further, that notwithstanding any general or special law to  
5920 the contrary, for the purpose of accommodating timing discrepancies between the receipt of  
5921 retained revenues and related expenditures, the department may incur expenses and the  
5922 comptroller may certify for payment amounts not to exceed the lower of this authorization or the  
5923 most recent revenue estimate as reported in the state accounting  
5924 system.....\$1,200,000

5925 8315-1025.. For the department of public safety, which may collect and expend an  
5926 amount not to exceed \$90,182 for the purposes of providing state building code training and  
5927 courses for instruction; provided, that the agency may charge fees for the classes and education  
5928 materials associated with administering training; and provided further, that for the purposes of  
5929 accommodating discrepancies between the receipt of retained revenues and related expenditures,  
5930 the department may incur expenses and the comptroller may certify for payment amounts not to

5931 exceed the lower of this authorization or the most recent revenue estimate as reported in the state  
5932 accounting system..... \$90,182

5933 Department of Fire Services.

5934 8324-0000.. For the administration of the department of fire services, including the state  
5935 fire marshal's office, the hazardous materials emergency response program, the board of fire  
5936 prevention regulations established in section 4 of chapter 22D of the General Laws, the expenses  
5937 of the fire safety commission and the Massachusetts firefighting academy, including the  
5938 Massachusetts fire training council certification program, municipal and non-municipal fire  
5939 training and expenses of the council; provided, that the fire training program shall use the split  
5940 days option; provided further, that the amount allocated for programs providing information  
5941 about the fire risks caused by smoking, the regional dispatch center, critical incident stress  
5942 intervention programs and fire department training academies listed in item 8324-0000 of section  
5943 2 of chapter 182 of the acts of 2008 shall be allocated to each program in fiscal year 2012;  
5944 provided further, that the amount allocated for critical incident stress management residential  
5945 services in item 8000-0000 of said section 2 of said chapter 182 shall be allocated to the program  
5946 in fiscal year 2012; provided further, that the amount allocated for hazardous material response  
5947 teams specifically listed item 8324-0000 of said section 2 of said chapter 182 shall be allocated  
5948 to each program in fiscal year 2012 and shall not be reduced by more than 57 per cent; provided  
5949 further, that notwithstanding any general or special law to the contrary, 100 per cent of the  
5950 amount appropriated in this item for the administration of the department of fire services, the  
5951 state fire marshal's office, critical incident stress programs, the Massachusetts and fire  
5952 department training academies and the regional dispatch center, shall be assessed upon insurance  
5953 companies writing fire, homeowners' multiple peril or commercial multiple peril policies on

5954 property situated in the commonwealth and paid within 30 days after receipt of notice of such  
5955 assessment from the commissioner of insurance; provided further, that notwithstanding any  
5956 general or special law to the contrary, 100 per cent of the amount appropriated in this item for  
5957 hazardous materials emergency response shall be assessed upon insurance companies writing  
5958 commercial multiple peril, non-liability portion, policies on property situated in the  
5959 commonwealth and commercial auto liability policies as referenced in line 5.1 and line 19.4,  
5960 respectively, in the most recent annual statement on file with the commissioner of insurance; and  
5961 provided further, that not more than 10 per cent of the amount designated for the arson  
5962 prevention program shall be expended for the administrative cost of the program.....  
5963 \$17,384,374

5964 8324-0304.. For the department of fire services; provided, that the department may  
5965 expend for the purposes of enforcement and training an amount not to exceed \$8,500 from  
5966 revenue generated under chapter 148A of the General  
5967 Laws.....\$8,500

5968 Military Division.

5969 8700-0001.. For the operation of the military division, including the offices of the  
5970 adjutant general and state quartermaster, the operation of the armories, the Camp Curtis Guild  
5971 rifle range and certain national guard aviation facilities; provided, that notwithstanding chapter  
5972 30 of the General Laws, certain military personnel in the military division may be paid salaries  
5973 according to military pay grades; provided further, that the division may expend funds  
5974 appropriated in this item for the administration of budgetary, procurement, fiscal, human  
5975 resources, payroll and other administrative services; and provided further, that the adjutant



5976 general shall maintain a roster of Massachusetts veterans as directed by section 15 of chapter 33  
5977 of the General Laws  
5978 .....\$8,248,007

5979 8700-1140.. For the military division, which may expend for the costs of national guard  
5980 missions and division operations an amount not to exceed \$1,400,000 from fees charged for the  
5981 non-military rental or use of armories and from reimbursements generated by national guard  
5982 missions.....\$1,400,000

5983 8700-1150.. For reimbursement of the costs of the Massachusetts national guard tuition  
5984 and fee waivers under section 19 of chapter 15A of the General Laws; provided, that no funds  
5985 shall be distributed from this item prior to certification by the state universities and community  
5986 colleges and the University of Massachusetts of the actual amount of tuition and fees waived for  
5987 national guard members attending public institutions of higher education under said section 19 of  
5988 said chapter 15A that would otherwise have been retained by the campuses, according to  
5989 procedures and regulations promulgated by the military division of the Massachusetts national  
5990 guard; provided further, that funds from this item may be expended through August 31, 2012 for  
5991 the reimbursement of the tuition and fees waived for classes taken during the summer months;  
5992 provided further, that the military division of the Massachusetts national guard and the board of  
5993 higher education shall issue a joint report not later than February 15, 2012 on the implementation  
5994 of this waiver; provided further, that the report shall be submitted to the secretary of  
5995 administration and finance, the chairs of the house and senate committees on ways and means,  
5996 the house and senate chairs of the joint committee on veterans and federal affairs and the house  
5997 and senate chairs of the joint committee on higher education; and provided further, that the

5998 military division may expend funds from this item for administrative  
5999 services.....\$3,350,000

6000 8700-1160.. For life insurance premiums under section 88B of chapter 33 of the General  
6001 Laws  
6002 .....\$1,040,000

6003 Massachusetts Emergency Management Agency.

6004 8800-0001.. For the operations of the Massachusetts emergency management agency;  
6005 provided, that expenditures from this item shall be contingent upon the prior approval of the  
6006 proper federal  
6007 authorities.....\$1,214,379

6008 8800-0100.. For the nuclear safety preparedness program of the Massachusetts  
6009 emergency management agency; provided, that the costs of the program, including fringe  
6010 benefits and indirect costs, shall be assessed upon Nuclear Regulatory Commission licensees  
6011 operating nuclear power generating facilities in the commonwealth; provided further, that the  
6012 department of public utilities shall develop an equitable method of apportioning such  
6013 assessments among such licensees; and provided further, that such assessments shall be paid  
6014 during the current fiscal year as provided by the department  
6015 .....\$429,268

6016 8800-0200.. For the radiological emergency response program; provided, that the cost of  
6017 the program, including associated fringe benefits and indirect costs, shall be assessed on electric  
6018 companies in the commonwealth which own, in whole or in part, or purchase power from,  
6019 nuclear power plants located outside the commonwealth whose nuclear power plant areas, as

6020 defined in section 2B of chapter 639 of the acts of 1950, include communities located within the  
6021 commonwealth and shall be credited to the General Fund; provided further, that the amount  
6022 allocated to a program or its successor listed in item 8800-0200 of section 2 of chapter 27 of the  
6023 acts of 2009 may be allocated to the program or its successor again; provided further, that the  
6024 department of public utilities shall develop an equitable method of apportioning such  
6025 assessments among the licensees; provided further, that such assessments shall be paid during the  
6026 current fiscal year as provided by the department; and provided further, that for the purposes of  
6027 this item, electric companies shall mean all persons, firms, associations and private corporations  
6028 which own or operate works or a distributing plant for the manufacture and sale or distribution  
6029 and sale of electricity within the commonwealth, but shall not include municipalities or  
6030 municipal light plants .....\$280,753

6031 Department of Correction.

6032 8900-0001.. For the operation of the commonwealth's department of correction;  
6033 provided, that before closing any correctional facility, the commissioner of correction and the  
6034 secretary of public safety and security shall report to the house and senate committees on ways  
6035 and means and the joint committee on public safety and homeland security on the per-inmate  
6036 cost of incarceration in the closing facility, and the per-inmate cost in the facilities to which  
6037 inmates will be moved; provided further, the commissioner of correction and the secretary of  
6038 public safety and security shall report to the house and senate committees on ways and means  
6039 and public safety and homeland security before January 1 of each year the point score compiled  
6040 by the department of correction's objective classification system for all prisoners confined in  
6041 each prison operated by the department; provided further, that the amount allocated for programs  
6042 for incarcerated mothers in item 8900-0001 of section 2 of chapter 131 of the acts of 2010 shall

6043 be allocated to the program in fiscal year 2012; provided further, that funds shall be expended for  
6044 re-entry programs at the department of correction intended to reduce recidivism rates; provided  
6045 further, that said programs shall be in addition to those provided in fiscal year 2006; provided  
6046 further, that the department shall report to the house and senate committees on ways and means  
6047 not later than January 20, 2012 on re-entry programming at the department of correction;  
6048 provided further, that the report shall include information on the type of programs provided and  
6049 the recidivism rate of the offenders who successfully complete the programs; provided further,  
6050 that for the purpose of maximizing bed capacity and re-entry capability throughout the  
6051 commonwealth, the department shall submit reports, utilizing standardized reporting definitions  
6052 developed mutually with the Massachusetts Sheriffs Association, on caseload, admissions,  
6053 classification, releases, and recidivism of all pretrial, sentenced, and federal inmates; provided  
6054 further, that the department shall submit these reports on a quarterly basis starting July 1, 2011,  
6055 due no later than 30 days after the last day of each quarter; provided further, that the department  
6056 may expend \$25,000 on a program for ex-offenders and chronically homeless men to recover  
6057 from drug and alcohol addiction while learning farm skills; provided further, that the department  
6058 shall also report, in a format developed jointly by the Massachusetts Sheriffs Association and the  
6059 department, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and  
6060 security level no later than August 1, 2011; and provided further, that the department shall  
6061 submit all reports directly to the executive office for administration and finance, the house and  
6062 senate committees on ways and means, the joint committee on public safety; and provided  
6063 further, that the department shall expend not less than \$500,000 for cities and towns hosting  
6064 facilities, prior appropriation continued; and provided further, that an amount of funding that was  
6065 allocated to the program for mothers who have been incarcerated in item 8900-0001 of section 2

6066 of chapter 131 of the acts of 2010 shall be consistent with allocations relative to MCI Cedar  
6067 Junction in item 8900-0001 of section 2 of chapter 61 of the acts of  
6068 2007..... \$509,085,246 \$508,585,246

6069 8900-0002.. For the operation of the Massachusetts Alcohol and Substance Abuse  
6070 Center; provided, that the commissioner of correction and the commissioner of public health,  
6071 or their designees, shall jointly issue a report to the house and senate committees on ways and  
6072 means, the joint committee on mental health and substance abuse and the joint committee on  
6073 public safety and homeland security not later than October 12, 2011 on the feasibility of  
6074 transferring the operations of the center from the department of correction to the department of  
6075 public health; provided further, that the report shall include a detailed timeline for transition,  
6076 costs and savings related to the transition, potential for federal reimbursement under the  
6077 department of public health, siting and location details, staffing plans, changes to patient care,  
6078 necessary changes to state statute, oversight and governance, security and comparisons to other  
6079 state practices; provided further that in writing the report, the department of public health and the  
6080 department of correction shall consult with the judiciary to ensure that any proposed transfer  
6081 shall conform with current sentencing and civil commitment guidelines and practices; and  
6082 provided further, that the report shall include recommendations for the funding and operations of  
6083 the Massachusetts Alcohol and Substance Abuse Center should the commissioners determine  
6084 that the transfer to the department of public health is not  
6085 feasible.....\$5,000,000

6086 8900-0010.. For prison industries and farm services  
6087 .....\$1,875,409

6088           8900-0011.. For the prison industries and farm services program, which may expend for  
6089 the operation of the program an amount not to exceed \$2,600,000 from revenues collected from  
6090 the sale of products, for materials, supplies, equipment, maintenance of facilities and  
6091 compensation of employees of the program; provided, that all expenditures from this item shall  
6092 be subject to chapter 29 of the General Laws and recorded on the Massachusetts management  
6093 accounting and reporting  
6094 system.....\$2,600,000

6095           8900-0045.. For the department of correction, which may expend for the operation of the  
6096 department, including personnel-related expenses, an amount not to exceed \$1,000,000 from  
6097 revenues received from federal inmate reimbursements; provided, that \$900,000 from these  
6098 reimbursements shall not be available for expenditure and shall be deposited in the General Fund  
6099 before the retention by the department of any of these reimbursements; and provided further, that  
6100 notwithstanding any general or special law to the contrary, for the purpose of accommodating  
6101 timing discrepancies between the receipt of retained revenues and related expenditures, the  
6102 department may incur expenses and the comptroller may certify for payment amounts not to  
6103 exceed the lower of this authorization or the most recent revenue estimate as reported in the state  
6104 accounting system.....\$1,000,000

6105           8900-0050.. For the department of correction; provided, that the department may expend  
6106 not more than \$5,474,200 in revenues collected from the State Criminal Alien Assistance  
6107 Program; provided further, that the department may expend not more than \$6,514,800 in  
6108 revenues collected from existing assessments; and provided further, that notwithstanding any  
6109 general or special law to the contrary, for the purpose of accommodating timing discrepancies  
6110 between the receipt of retained revenue and related expenditures, the department may incur

6111 expenses and the comptroller may certify for payment amounts not to exceed the lesser of this  
6112 authorization or the most recent revenue estimate as reported in the state accounting  
6113 system.....\$11,989,000

6114 Parole Board.

6115 8950-0001.. For the operation of the parole  
6116 board..... \$16,516,292

6117 8950-0002.. For the victim and witness assistance program of the parole board under  
6118 chapter 258B of the General  
6119 Laws.....\$210,670

6120 8950-0008.. For the operation of the parole board's sex offender management program  
6121 and the supervision of high-risk offenders; provided, that the parole board may expend an  
6122 amount not to exceed \$600,000 from revenues collected from fees charged for parolee  
6123 supervision; and provided further, that the parole board shall file a report with the house and  
6124 senate committees on ways and means not later than February 1, 2012, which shall include, but  
6125 not be limited to, the number of parolees participating in the program and the re-incarceration  
6126 rate of participating  
6127 parolees.....\$600,000

6128 SHERIFFS.

6129 Hampden Sheriff's Office.

6130 8910-0102.. For the operation of the Hampden sheriff's office  
6131 .....\$64,209,988

6132           8910-1000.. For the Hampden sheriff’s office, which may expend for prison industries  
6133 programs an amount not to exceed \$2,300,000 from revenues collected from the sale of products,  
6134 for materials, supplies, equipment, maintenance of facilities, reimbursement for community  
6135 service projects and compensation of employees of the program; provided, that all expenditures  
6136 from this item shall be subject to chapter 29 of the General Laws and recorded on the  
6137 Massachusetts management accounting and reporting system..... \$2,300,000

6138           8910-1010 For the operations of a regional behavioral evaluation and stabilization unit to  
6139 provide forensic mental health services within existing physical facilities for incarcerated  
6140 persons in the care of correctional facilities in the commonwealth; provided, that the unit shall be  
6141 located in Hampden county to serve the needs of incarcerated persons in the care of Berkshire,  
6142 Franklin, Hampden, Hampshire, and Worcester counties; provided further, that the services of  
6143 the units shall be made available to incarcerated persons in the care of the department of  
6144 correction; provided further, that the sheriff, in conjunction with the department of correction  
6145 and the Massachusetts Sheriffs Association, shall prepare a report that shall include, but not be  
6146 limited to: (a) the number of incarcerated persons in facilities located in counties that were  
6147 provided services in each unit; (b) the number of incarcerated persons in department of  
6148 correction facilities that were provided services in each unit; (c) the alleviation in caseload at  
6149 Bridgewater state hospital associated with fewer incarcerated persons in the care of counties  
6150 being attended to at the hospital; and (d) the estimated and projected cost-savings in fiscal year  
6151 2012 to the sheriff offices and the department of correction associated with the regional units;  
6152 provided further, that the report shall be submitted to the house and senate committees on ways  
6153 and means not later than March 15, 2012; and provided further, that the department of mental



6154 health shall maintain monitoring and quality review functions of the  
6155 unit..... \$905,441

6156           8910-2222.. For the Hampden sheriff’s office, which may expend for the operation of the  
6157 department an amount not to exceed \$1,500,000 from federal inmate reimbursements; and  
6158 provided further, that notwithstanding any general or special law to the contrary, for the purpose  
6159 of accommodating timing discrepancies between the receipt of retained revenues and related  
6160 expenditures, the office may incur expenses and the comptroller may certify for payment  
6161 amounts not to exceed the lower of this authorization or the most recent revenue estimate as  
6162 reported in the state accounting system  
6163 .....\$1,500,000

6164           Worcester Sheriff’s Office.

6165           8910-0105.. For the operation of Worcester sheriff’s  
6166 office..... \$39,729,986

6167           Middlesex Sheriff’s Office.

6168           8910-0107.. For the operation of the Middlesex sheriff’s  
6169 office..... \$58,708,427

6170           8910-0160.. For a retained revenue account for the Middlesex sheriff’s office for  
6171 reimbursements from the federal government for costs associated with the incarceration of  
6172 federal inmates at the Billerica house of correction; provided, that the office may expend for the  
6173 operation of the office an amount not to exceed \$850,000 from revenues collected from the  
6174 incarceration of federal inmates; provided further, that notwithstanding any general or special

6175 law to the contrary, for the purpose of accommodating timing discrepancies between the receipt  
6176 of retained revenues and related expenditures, the office may incur expenses and the comptroller  
6177 may certify for payment amounts not to exceed the lower of this authorization or the most recent  
6178 revenue estimate therefore as reported in the state accounting system; and provided further, that  
6179 all expenditures from this item shall be subject to chapter 29 of the General Laws and recorded  
6180 on the Massachusetts management accounting and reporting  
6181 system.....\$850,000

6182 8910-1100.. For the Middlesex sheriff's office, which may expend for the operation of a  
6183 prison industries program an amount not to exceed \$100,000 from revenues collected from the  
6184 sale of products, for materials, supplies, equipment, maintenance of facilities and compensation  
6185 of employees of the program; provided, that all expenditures from this item shall be subject to  
6186 chapter 29 of the General Laws and recorded in the Massachusetts management accounting and  
6187 reporting system..... \$100,000

6188 8910-1101 For the operations of a regional behavioral evaluation and stabilization unit to  
6189 provide forensic mental health services within existing physical facilities for incarcerated  
6190 persons in the care of correctional facilities in the commonwealth; provided, that the unit shall be  
6191 located in Middlesex county to serve the needs of incarcerated persons in the care of Barnstable,  
6192 Bristol, Dukes, Essex, Nantucket, Middlesex, Norfolk, Plymouth, and Suffolk counties; provided  
6193 further, that the services of the unit shall be made available to incarcerated persons in the care of  
6194 the department of correction; provided further, that the sheriff, in conjunction with the  
6195 department of correction and the Massachusetts Sheriffs Association, shall prepare a report that  
6196 shall include, but not be limited to: (a) the number of incarcerated persons in facilities located in  
6197 counties that were provided services in each unit; (b) the number of incarcerated persons in

6198 department of correction facilities that were provided services in each unit; (c) the alleviation in  
6199 caseload at Bridgewater state hospital associated with fewer incarcerated persons in the care of  
6200 counties being attended to at the hospital; and (d) the estimated and projected cost-savings in  
6201 fiscal year 2012 to the sheriff offices and the department of correction associated with the  
6202 regional units; provided further, that the report shall be submitted to the house and senate  
6203 committees on ways and means not later than March 15, 2012; and provided further, that the  
6204 department of mental health shall maintain monitoring and quality review functions of the  
6205 unit.....\$905,441

6206 Hampshire Sheriff's Office.

6207 8910-0110.. For the operation of the Hampshire sheriff's  
6208 office.....\$11,559,175

6209 8910-1111.. For the Hampshire sheriff's office, which may expend for the operation of  
6210 the office an amount not to exceed \$250,000 from revenues received from federal inmate  
6211 reimbursements; provided, that notwithstanding any general or special law to the contrary, for  
6212 the purpose of accommodating timing discrepancies between the receipt of retained revenues and  
6213 related expenditures, the department may incur expenses and the comptroller may certify for  
6214 payment amounts not to exceed the lower of this authorization or the most recent revenue  
6215 estimate as reported in the state accounting system.....\$250,000

6216 8910-1112.. For the Hampshire sheriff's office, which may expend for the operation of  
6217 the Hampshire county regional lockup at the Hampshire county jail an amount not to exceed  
6218 \$250,000 in revenue; provided, that the sheriff shall enter into agreements to provide detention  
6219 services to various law enforcement agencies and municipalities and shall determine and collect

6220 fees for those detentions from the law enforcement agencies and municipalities.....

6221 \$250,000

6222 Berkshire Sheriff’s Office.

6223 8910-0145.. For the operation of the Berkshire sheriff’s

6224 office.....\$14,108,413

6225 8910-0445.. For the Berkshire sheriff’s office, which may expend an amount not to

6226 exceed \$250,000 from revenues generated from the operation of the Berkshire county

6227 communication center’s 911 dispatch operations and other law enforcement related activities,

6228 including the Berkshire county sheriff prison industries program; provided, that all expenditures

6229 from this item shall be subject to chapter 29 of the General Laws and recorded on the

6230 Massachusetts management accounting and reporting

6231 system.....\$250,000

6232 8910-0446.. For the Berkshire sheriff’s office, which may expend an amount not to

6233 exceed \$500,000 from revenues collected from Berkshire County public schools; provided, that

6234 funds shall be expended for the operation of the Juvenile Resource Center; provided further, that

6235 notwithstanding any general or special law to the contrary, for the purpose of accommodating

6236 timing discrepancies between the receipt of retained revenues and related expenditures, the

6237 sheriff’s office may incur expenses and the comptroller may certify for payment amounts not to

6238 exceed the lower of this authorization or the most recent revenue estimate, as reported in the

6239 state accounting system; and provided further, that expenditures from this item shall be subject to

6240 chapter 29 of the General Laws and recorded on the Massachusetts management accounting and

6241 reporting system..... \$500,000

6242 Franklin Sheriff's Office.

6243 8910-0108.. For the operation of the Franklin sheriff's

6244 office.....\$8,671,430

6245 8910-0188.. For the Franklin sheriff's office, which may expend for the operation of the

6246 office an amount not to exceed \$2,500,000 from revenues received from any state or federal

6247 inmate reimbursements; provided, that notwithstanding any general or special law to the

6248 contrary, for the purpose of accommodating timing discrepancies between the receipt of retained

6249 revenues and related expenditures, the office may incur expenses and the comptroller may certify

6250 for payment amounts not to exceed the lower of this authorization or the most recent revenue

6251 estimate therefore as reported in the state accounting system..... \$2,500,000

6252 Essex Sheriff's Office.

6253 8910-0619.. For the operation of the Essex sheriff's

6254 office.....\$43,356,922

6255 8910-6619.. For the Essex sheriff's office, which may expend for the operation of the

6256 office an amount not to exceed \$2,000,000 from revenues received from federal inmate

6257 reimbursements; provided further, that said sheriff may expend from this item costs associated

6258 with joint federal and state law enforcement activities from federal reimbursements received; and

6259 provided further, that notwithstanding any general or special law to the contrary, for the purpose

6260 of accommodating timing discrepancies between the receipt of retained revenues and related

6261 expenditures, the office may incur expenses and the comptroller may certify for payment

6262 amounts not to exceed the lower of this authorization or the most recent revenue estimate as

6263 reported in the state accounting system.....\$2,000,000

6264 Massachusetts Sheriff's Association.

6265 8910-7100.. For the Massachusetts Sheriffs Association, which may expend for its  
6266 operation an amount not to exceed \$344,790 in revenue collected from voluntary contributions  
6267 from all sheriffs; provided, that the sheriffs shall appoint persons to serve as executive director,  
6268 assistant executive director and research director and other staff positions as necessary for the  
6269 purpose of coordination and standardization of services and programs, the collection and analysis  
6270 of data related to incarceration and recidivism and generation of reports, technical assistance and  
6271 training to ensure standardization in organization, operations, and procedures; provided further,  
6272 that this staff shall not be subject to section 45 of chapter 30 of the General Laws or chapter 31  
6273 of the General Laws and shall serve at the will and pleasure of a majority of sheriffs; provided  
6274 further, that the association shall post monthly on its website the monthly inmate population by  
6275 county starting not later than August 1, 2011; provided further, that for the purpose of  
6276 maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriffs'  
6277 offices shall submit reports to the association, utilizing standardized reporting definitions  
6278 developed mutually with the department of correction on caseload, admissions, classification,  
6279 releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the  
6280 office shall submit these reports on a quarterly basis starting July 1, 2011, due no later than 30  
6281 days after the last day of each quarter; provided further, that each sheriff's office shall also report,  
6282 in a format developed jointly by the Massachusetts Sheriffs Association and the department of  
6283 correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and  
6284 security level no later than August 1, 2011; provided further, that the association shall submit  
6285 these reports directly to the executive office for administration and finance, the house and senate  
6286 committees on ways and means, the joint committee on public safety and homeland security;

6287 provided further, that the executive director of the association shall submit a report that shows  
6288 the amounts of all grants awarded to each sheriff in fiscal year 2011; and provided further, that  
6289 the report shall be submitted to the house and senate committees on ways and means not later  
6290 than February 1, 2012.....\$344,790

6291 Barnstable Sheriff's Office.

6292 8910-8200.. For the operation of the Barnstable sheriff's office provided, that funds may  
6293 be expended for the continued operation of the centralized emergency medical dispatch  
6294 system..... \$21,617,391

6295 8910-8210.. For the Barnstable sheriff's office, which may expend for the operation of  
6296 the office an amount not to exceed \$250,000 from revenues received from federal inmate  
6297 reimbursements; provided, that notwithstanding any general or special law to the contrary, for  
6298 the purpose of accommodating timing discrepancies between the receipt of retained revenues and  
6299 related expenditures, the office may incur expenses and the comptroller may certify for payment  
6300 amounts not to exceed the lower of this authorization or the most recent revenue estimate as  
6301 reported in the state accounting system.....\$250,000

6302 Bristol Sheriff's Office.

6303 8910-8300.. For the operation of the Bristol sheriff's  
6304 office.....\$27,202,704

6305 8910-8310.. For the Bristol sheriff's office, which may expend for the operation of the  
6306 office an amount not to exceed \$8,460,000 from revenues received from federal inmate  
6307 reimbursements; provided, that notwithstanding any general or special law to the contrary, for

6308 the purpose of accommodating timing discrepancies between the receipt of retained revenues and  
6309 related expenditures, the office may incur expenses and the comptroller may certify for payment  
6310 amounts not to exceed the lower of this authorization or the most recent revenue estimate as  
6311 reported in the state accounting system.....\$8,460,000

6312 Dukes Sheriff's Office.

6313 8910-8400.. For the operation of the Dukes sheriff's  
6314 office..... \$2,453,748

6315 Nantucket Sheriff's Office.

6316 8910-8500.. For the operation of the Nantucket sheriff's  
6317 office..... \$747,844

6318 Norfolk Sheriff's Office.

6319 8910-8600.. For the operation of the Norfolk sheriff's  
6320 office.....\$23,980,272

6321 8910-8610.. For the Norfolk sheriff's office, which may expend for the operation of the  
6322 office an amount not to exceed \$2,500,000 from revenues received from federal inmate  
6323 reimbursements; provided, that notwithstanding any general or special law to the contrary, for  
6324 the purpose of accommodating timing discrepancies between the receipt of retained revenues and  
6325 related expenditures, the office may incur expenses and the comptroller may certify for payment  
6326 amounts not to exceed the lower of this authorization or the most recent revenue estimate as  
6327 reported in the state accounting system.....\$2,500,000

6328 Plymouth Sheriff's Office.



6329           8910-8700.. For the operation of the Plymouth sheriff's office provided, that funds may  
6330 be expended for the continued operation of the Plymouth Bristol emergency alert/notification  
6331 system ..... \$24,910,825

6332           8910-8710.. For the Plymouth sheriff's office, which may expend for the operation of the  
6333 office an amount not to exceed \$16,000,000 from revenues received from federal inmate  
6334 reimbursements; provided, that notwithstanding any general or special law to the contrary, for  
6335 the purpose of accommodating timing discrepancies between the receipt of retained revenues and  
6336 related expenditures, the office may incur expenses and the comptroller may certify for payment  
6337 amounts not to exceed the lower of this authorization or the most recent revenue estimate as  
6338 reported in the state accounting system.....\$16,000,000

6339           Suffolk Sheriff's Office.

6340           8910-8800.. For the operation of the Suffolk sheriff's  
6341 office.....\$88,042,732

6342           8910-8810.. For the Suffolk sheriff's office, which may expend for the operation of the  
6343 office an amount not to exceed \$8,000,000 from revenues received from federal inmate  
6344 reimbursements; provided, that notwithstanding any general or special law to the contrary, for  
6345 the purpose of accommodating timing discrepancies between the receipt of retained revenues and  
6346 related expenditures, the office may incur expenses and the comptroller may certify for payment  
6347 amounts not to exceed the lower of this authorization or the most recent revenue estimate as  
6348 reported in the state accounting system.....\$8,000,000

6349

6350 EXECUTIVE OFFICE OF ELDER AFFAIRS.

6351 Office of the Secretary.

6352 9110-0100.. For the operation of the executive office of elder affairs and for the  
6353 regulation of assisted living  
6354 facilities.....\$1,994,374

6355 9110-1455.. For the costs of the drug insurance program authorized by section 39 of  
6356 chapter 19A of the General Laws; provided, that amounts received by the executive office of  
6357 elder affairs' vendor as premium revenue for this program may be retained and expended by the  
6358 vendor for the purposes of the program; provided further, that funds shall be expended for the  
6359 operation of the pharmacy outreach program established in section 4C of said chapter 19A;  
6360 provided further, that notwithstanding any general or special law to the contrary, unless  
6361 otherwise prohibited by state or federal law, prescription drug coverage or benefits payable by  
6362 the executive office of elder affairs and the entities with which it has contracted for  
6363 administration of the subsidized catastrophic drug insurance program pursuant to said section 39  
6364 of said chapter 19A, shall be the payer of last resort for this program for eligible persons with  
6365 regard to any other third-party prescription coverage or benefits available to such eligible  
6366 persons; provided further, that the executive office shall notify the house and senate committees  
6367 on ways and means not less than 90 days in advance of any action to limit or cap the number of  
6368 enrollees in the program; provided further, that notification shall be given to the house and senate  
6369 committees on ways and means at least 30 days prior to any coverage or benefits expansions;  
6370 provided further, that the executive office shall seek to obtain maximum federal funding for  
6371 discounts on prescription drugs available to the executive office and to prescription advantage

6372 enrollees; provided further, that the executive office shall take steps for the coordination of  
6373 benefits with the Medicare prescription drug benefit created pursuant to the federal Medicare  
6374 Prescription Drug Improvement and Modernization Act of 2003 to ensure that Massachusetts  
6375 residents take advantage of this benefit; provided further, that a person shall also be eligible to  
6376 enroll in the program at any time within a year after reaching age 65; and provided further, that  
6377 the executive office shall allow those who meet the program eligibility criteria to enroll in the  
6378 program at any time during the year .....\$21,602,546

6379           9110-1500.. For the provision of enhanced home care services, including case  
6380 management to elders who meet the eligibility requirements of the home care program and need  
6381 services above the level customarily provided under the program to remain safely at home,  
6382 including elders previously enrolled in the managed care in housing, enhanced community  
6383 options and chronic care enhanced services programs; provided, that the secretary shall seek to  
6384 obtain federal financial participation for all services provided to seniors who qualify for  
6385 Medicaid benefits under the section 1915C waiver; provided further, that the executive office  
6386 shall collect income data on persons receiving services provided in this item; provided further,  
6387 that the executive office shall submit a report to the house and senate committees on ways and  
6388 means detailing the population served by this item delineated by both 2011 federal poverty  
6389 income levels and 2011 social security income standards; provided further, that the report shall  
6390 be submitted not later than February 1, 2012; and provided further, that the executive office shall  
6391 submit a report not later than October 14, 2011, to the house and senate committees on ways and  
6392 means which shall include the number of individuals on a waiting list for these services on  
6393 October 1, 2011, compared to the number of individuals on a waiting list on July 1,  
6394 2011.....\$45,789,340

6395            9110-1604.. For the operation of the supportive senior housing program at state or  
6396 federally-assisted housing sites; provided, that funds shall be expended to fully fund existing  
6397 sites..... \$4,014,802

6398            9110-1630.. For the operation of the elder home care program, including contracts with  
6399 aging service access points or other qualified entities for the home care program, home care,  
6400 health aides, home health and respite services, geriatric mental health services and other services  
6401 provided to the elderly; provided, that sliding-scale fees shall be charged to qualified elders;  
6402 provided further, that the secretary of elder affairs may waive collection of sliding-scale fees in  
6403 cases of extreme financial hardship; provided further, that not more than \$11,500,000 in  
6404 revenues accrued from sliding-scale fees shall be retained by the individual home care  
6405 corporations without re-allocation by the executive office of elder affairs and shall be expended  
6406 for the purposes of the home care program, consistent with guidelines to be issued by the  
6407 executive office; provided further, that the executive office shall report quarterly to the house  
6408 and senate committees on ways and means on the receipt and expenditure of revenues accrued  
6409 from the sliding-scale fees; provided further, that the executive office shall report quarterly to the  
6410 house and senate committees on ways and means and the executive office for administration and  
6411 finance on the amount expended from this item for purchase of service expenditures by category  
6412 of service as set forth in 651 C.M.R. 3.01 and 651 C.M.R. 3.06; provided further, that no rate  
6413 increase shall be awarded in fiscal year 2012 which would cause a reduction in client services or  
6414 the number of clients served; provided further, that no funds shall be expended from this item to  
6415 pay for salary increases for direct service workers who provide state-funded homemaker and  
6416 home health aide services which would cause a reduction in client services; provided further, that  
6417 funding shall be expended for provider training and outreach to lesbian, gay, bisexual and

6418 transgender elders and caregivers; and provided further, that the secretary of elder affairs may  
6419 transfer an amount not to exceed 3 per cent of the funds appropriated in this item to item 9110-  
6420 1633 for case management services and the administration of the home care  
6421 program.....\$96,780,898

6422           9110-1633.. For the operation of the elder home care case management program,  
6423 including contracts with aging service access points, or other qualified entities for home care  
6424 case management services and the administration of the home care corporations funded through  
6425 item 9110-1630 and item 9110-1500; provided, that such contracts shall include the costs of  
6426 administrative personnel, home care case managers, travel, rent and other costs deemed  
6427 appropriate by the executive office of elder affairs; provided further, that no funds appropriated  
6428 in this item shall be expended for the enhancement of management information systems; and  
6429 provided further, that the secretary of elder affairs may transfer an amount not to exceed 3 per  
6430 cent of the funds appropriated herein to item 9110-1630.....\$35,000,000

6431           9110-1636.. For the elder protective services program, including, but not limited to,  
6432 protective services case management, guardianship services, the statewide elder abuse hotline,  
6433 money management services and the elder-at-risk  
6434 program..... \$16,250,554

6435           9110-1660.. For congregate and shared housing services and naturally occurring  
6436 retirement communities for the elderly; provided, that funds shall be expended for naturally  
6437 occurring retirement communities funded from item 9110-1660 of chapter 182 of the acts of  
6438 2008 at not less than 31 per cent of their appropriations  
6439 therein..... \$1,717,617

6440            9110-1900.. For the elder nutrition program; provided, that funds shall be expended for  
6441 the senior farm share program  
6442 .....\$6,325,328

6443            9110-2500.. For the Massachusetts department of elder affairs, which may expend not  
6444 more than \$750,000 from revenues from federal reimbursements received for the purpose of  
6445 operating the Veterans Independence Plus initiative, a joint initiative of the United States  
6446 Department of Veterans' Affairs and the United States Administration on  
6447 Aging.....\$750,000

6448            9110-9002.. For grants to the councils on aging and for grants to or contracts with non-  
6449 public entities which are consortia or associations of councils on aging; provided, that  
6450 notwithstanding the foregoing, all monies appropriated in this item shall be expended in  
6451 accordance with the distribution schedules for formula and incentive grants established by the  
6452 secretary of elder affairs; provided further, that such distribution schedules shall be submitted to  
6453 the house and senate committees on ways and means  
6454 ..... \$8,254,237

6455            LEGISLATURE.

6456            Senate.

6457            9500-0000.. For the operation of the  
6458 senate.....\$17,350,256

6459 9510-0000.. For expenses incurred by the senate related to the joint committee on  
6460 redistricting; prior appropriation  
6461 continued.....\$750,000

6462 House of Representatives.

6463 9600-0000.. For the operation of the house of  
6464 representatives.....\$34,324,791

6465 9610-0000.. For expenses incurred by the house of representatives related to the joint  
6466 committee on redistricting; prior appropriation  
6467 continued.....\$750,000

6468 Joint Legislative Expenses.

6469 9700-0000.. For the joint operations of the  
6470 legislature.....\$7,733,424

6471 SECTION 2B. Notwithstanding any general or special law to the contrary, the agencies  
6472 listed in this section may expend the amounts listed in this section for the provision of services to  
6473 agencies listed in section 2. All expenditures made under this section shall be accompanied by a  
6474 corresponding transfer of funds from an account listed in section 2 to the Intragovernmental  
6475 Service Fund, established by section 2Q of chapter 29 of the General Laws. All revenues and  
6476 other inflows shall be based on rates published by the seller agency that are developed in  
6477 accordance with cost principles established by the United States Office of Management and  
6478 Budget Circular A-87, "Cost Principles for State, Local and Indian Tribal Governments." All  
6479 rates shall be published within 30 days of the enactment of this section. No expenditures shall be

6480 made from the Intragovernmental Service Fund which would cause that fund to be in deficit at  
6481 the close of fiscal year 2012. All authorizations in this section shall be charged to the  
6482 Intragovernmental Service Fund and shall not be subject to section 5D of chapter 29 of the  
6483 General Laws. Any balance remaining in that fund at the close of fiscal year 2012 shall be  
6484 transferred to the General Fund.

6485 OFFICE OF THE SECRETARY OF STATE.

6486 0511-0003.. For the costs of providing electronic and other publications purchased from  
6487 the state bookstore, for commission fees, notary fees and for direct access to the secretary's  
6488 computer  
6489 library.....\$16,000

6490 0511-0235.. For the costs of obsolete records destruction incurred by the office of the  
6491 secretary of state; provided, that state agencies, including the judicial branch, may be charged for  
6492 the destruction of their obsolete records by the records center where appropriate; provided  
6493 further, that the secretary of state may expend revenues not to exceed \$100,000 of the funds  
6494 received for the costs of the obsolete record destruction; and provided further, that the fees shall  
6495 be charged on an equitable basis  
6496 .....\$100,000

6497 TREASURER AND RECEIVER-GENERAL.

6498 0699-0018.. For the cost of debt service for the fiscal year ending June 30, 2012 for the  
6499 clean energy investment program and other projects or programs for which an agency has  
6500 committed to fund the associated debt service; provided, that the treasurer may charge other



6501 appropriations and federal grants for the cost of the debt  
6502 service.....\$6,217,722

6503 OFFICE OF THE STATE COMPTROLLER.

6504 1000-0005.. For the cost of the single state audit for the fiscal year ending June 30, 2012;  
6505 provided, that the comptroller may charge other appropriations and federal grants for the cost of  
6506 the audit  
6507 .....\$1,000,000

6508 1000-0008.. For the costs of operating and managing the MMARS and New MMARS  
6509 accounting system for fiscal year 2012; provided, that any unspent balance at the close of fiscal  
6510 year 2012 in an amount not to exceed 5 per cent of the amount authorized shall remain in the  
6511 Intergovernmental Service Fund and is hereby re-authorized for expenditures for such item in  
6512 fiscal year 2013.....\$2,799,812

6513 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

6514 Office of the Secretary.

6515 1100-1701.. For the cost of information technology services provided to agencies of the  
6516 executive office of administration and  
6517 finance.....\$40,503,170

6518 Division of Capital Asset Management and Maintenance.

6519 1102-3224.. For the costs for the Leverett Saltonstall State Office Building lease and  
6520 occupancy  
6521 payments.....\$11,217,734

6522 Bureau of State Office Buildings.

6523 1102-3333.. For the operation and maintenance of state buildings, including

6524 reimbursement for overtime expenses, materials and contract services purchased in performing

6525 renovations and related services for agencies occupying state buildings or for services rendered

6526 to approved entities using state

6527 facilities.....\$165,000

6528 1102-3336.. For the operation and maintenance of the space in the Charles F. Hurley

6529 Building occupied by the division of unemployment

6530 assistance.....\$3,133,900

6531 Reserves.

6532 1599-2040.. For the payment of prior year deficiencies based upon schedules provided to

6533 the house and senate committees on ways and means; provided, that the comptroller may charge

6534 departments' current fiscal year appropriations and transfer to such items amounts equivalent to

6535 the amounts of any prior year deficiency, subject to the conditions stated in this item; provided

6536 further, that the comptroller shall only assess chargebacks to those current fiscal year

6537 appropriations when the account to which the chargeback is applied is the same account to which

6538 the prior year deficiency pertains or, if there is no such account, to the current fiscal year

6539 appropriation for the general administration of the department that administered the account to

6540 which the prior year deficiency pertains; provided further, that no chargeback shall be made

6541 which would cause a deficiency in any current fiscal year item; provided further, that the

6542 comptroller shall report with such schedule a detailed reason for the prior year deficiency on all

6543 chargebacks assessed that exceed \$1,000 including the amount of the chargeback, the item and

6544 object class charged; and provided further, that the comptroller shall report on a quarterly basis  
6545 on all chargebacks assessed, including the amount of the chargeback, the item, object class  
6546 charged and the reason for the prior year  
6547 deficiency.....\$10,000,000

6548 1599-3100.. For the cost of the commonwealth's employer contributions to the  
6549 Unemployment Compensation Fund and the Medical Security Trust Fund; provided, that the  
6550 secretary of administration and finance shall authorize the collection, accounting and payment of  
6551 such contributions; and provided further, that in executing these responsibilities the comptroller  
6552 may charge, in addition to individual appropriation accounts, certain non-appropriated funds in  
6553 amounts that are computed on the same basis as the commonwealth's contributions are  
6554 determined, including expenses, interest expense or related  
6555 charges.....\$34,000,000

6556 Division of Human Resources.

6557 1750-0101.. For the cost of goods and services rendered in administering training  
6558 programs, including the cost of training unit staff; provided, that the division shall charge to  
6559 other items for the cost of participants enrolled in programs sponsored by the division or to state  
6560 agencies employing such participants; provided further, that the division may collect from  
6561 participating state agencies a fee sufficient to cover administrative costs of the commonwealth's  
6562 performance recognition programs and to expend such fees for goods and services rendered in  
6563 the administration of these programs; and provided further, that the division may charge and  
6564 collect from participating state agencies a fee sufficient to cover administrative costs and expend  
6565 such fees for goods and services rendered in the administration of information technology

6566 services related to the human resources compensation management system  
6567 program.....\$282,628

6568 1750-0105.. For the cost of workers' compensation paid to public employees; provided,  
6569 that the secretary of administration and finance shall charge other items or state agencies for  
6570 costs incurred on behalf of these state agencies; provided further, that the secretary may transfer  
6571 workers' compensation-related fringe benefit assessments from federal grants and trust accounts  
6572 to this item; provided further, that no funds shall be expended from this item that would cause  
6573 the item to be deficient; provided further, that the secretary shall provide projected costs of  
6574 workers' compensation costs incurred by agencies in fiscal year 2012 to the house and senate  
6575 committees on ways and means no later than March 2, 2012; provided further, that in accordance  
6576 with chapter 177 of the acts of 2001, the secretary of administration and finance shall charge  
6577 state agencies in fiscal year 2012 as provided in this item for workers' compensation costs,  
6578 including related administrative expenses incurred on behalf of the employees of the agencies;  
6579 provided further, that administrative expenses shall be allocated; provided further, that the  
6580 personnel administrator shall administer the charges on behalf of the secretary, and may establish  
6581 such rules and procedures as deemed necessary to implement this item; provided further, that the  
6582 personnel administrator shall: (1) notify agencies regarding the chargeback methodology to be  
6583 used in fiscal year 2012; (2) notify agencies of the amount of their estimated workers  
6584 compensation charges for the fiscal year; and (3) require agencies to encumber funds in an  
6585 amount sufficient to meet the estimated charges; provided further, that the estimated charges for  
6586 each agency in the fiscal year shall be not less than the amount of the actual workers'  
6587 compensation costs, including related administrative expenses, incurred by each such agency in  
6588 fiscal year 2012, and may include such additional amounts as the human resources division finds

6589 necessary under regulations adopted under this item; provided further, that the division may  
 6590 adopt a program of incentives for agencies to reduce agencies' claims; provided further, that for  
 6591 any agency that fails within 30 days of the effective date of this act to encumber funds sufficient  
 6592 to meet the estimated charges, the comptroller shall so encumber funds on behalf of that agency;  
 6593 provided further, that the personnel administrator shall: (1) determine the amount of the actual  
 6594 workers' compensation costs incurred by each agency in the preceding month, including related  
 6595 administrative expenses; (2) notify each agency of the amounts; and (3) charge the amounts to  
 6596 each agency's accounts as estimates of the costs to be incurred in the current month; provided  
 6597 further, that notwithstanding any general or special law to the contrary, any balance remaining in  
 6598 the Intergovernmental Service Fund, at the close of fiscal year 2012 shall be transferred to the  
 6599 General Fund; provided further, that any unspent balance at the close of fiscal year 2012 in an  
 6600 amount not to exceed 5 per cent of the amount authorized shall remain in the Intergovernmental  
 6601 Service Fund and is hereby re-authorized for expenditures for such item in fiscal year 2013;  
 6602 provided further, that the personnel administrator may expend in fiscal year 2012 for hospital,  
 6603 physician, benefit, and other costs related to workers' compensation for employees of state  
 6604 agencies, including administrative expenses; and provided further, that such expenditures may  
 6605 include payments for medical services provided to claimants in prior fiscal years, as well as  
 6606 compensation benefits and associated costs for prior fiscal years  
 6607 .....\$57,040,378

6608           1750-0106.. For the workers' compensation litigation unit, including the costs of  
 6609 personnel .....\$684,091

6610           1750-0600.. For the cost of core human resources administrative processing functions  
 6611 .....\$2,500,000

6612 1750-0601.. For the human resources division, which may on behalf of the division, the  
6613 comptroller's office and the information technology division, charge and collect from  
6614 participating state agencies a fee sufficient to cover administrative costs and expend such fees for  
6615 goods and services rendered in the administration of the human resources compensation  
6616 management system  
6617 program.....\$6,773,950

6618 Operational Services Division.

6619 1775-0800.. For the purchase, operation and repair of certain vehicles and for the cost of  
6620 operating and maintaining all vehicles that are leased by other agencies, including the costs of  
6621 personnel .....  
6622 .....\$7,600,000

6623 1775-1000.. For printing, photocopying, and related graphic art or design work, including  
6624 all necessary incidental expenses and liabilities; provided, that the secretary for administration  
6625 and finance shall charge to other items of appropriation within the agencies of the executive  
6626 branch for such services, including the costs of  
6627 personnel.....\$1,000,000

6628 Information Technology Division.

6629 1790-0200.. For the cost of computer resources and services provided by the information  
6630 technology division in accordance with the policies, procedures and rates approved by the  
6631 secretary for administration and finance, including the purchase, lease or rental of  
6632 telecommunications lines, services and equipment, that are centrally billed to the  
6633 commonwealth; provided, that the secretary shall charge other items of appropriation for the cost

6634 of the resources and services; provided further, that notwithstanding any general or special law to  
6635 the contrary, charges for the cost of computer resources and services provided by the bureau of  
6636 computer services for the design, development and production of reports and information related  
6637 to the analysis, development and production of appropriations bills and other legislation shall not  
6638 be charged to any item of appropriation of the executive office for administration and finance,  
6639 the house of representatives, the senate or any joint legislative account in fiscal year 2012;  
6640 provided further, that the bureau shall submit quarterly reports to the house and senate  
6641 committees on ways and means summarizing the total charges, payments and services provided  
6642 for the preceding quarter from each department charged to this item; provided further, that the  
6643 reports shall include, but not be limited to, a delineation of the rates charged to each department  
6644 as approved by the secretary of administration and finance for each service performed by the  
6645 division; provided further, that the secretary of administration and finance shall establish  
6646 regulations, procedures and a schedule of fees including, but not limited to, the development and  
6647 distribution of forms and instructions, including the costs of personnel; and provided further, that  
6648 any unspent balance at the close of fiscal year 2012 in an amount not to exceed 5 per cent of the  
6649 amount authorized shall remain in the Intergovernmental Service Fund and may be expended for  
6650 the item in fiscal year 2013 .....\$66,377,703

6651 1790-0400.. For the purchase, delivery, handling of and contracting for supplies, postage  
6652 and related equipment and other incidental expenses provided pursuant to section 51 of chapter  
6653 30 of the General  
6654 Laws.....\$2,363,022

6655 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS.

6656 2000-1701.. For the cost of information technology services provided to agencies of the  
6657 executive office of energy and environmental  
6658 affairs.....\$4,512,050

6659 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

6660 Office of the Secretary.

6661 4000-0102.. For the cost of transportation services for health and human services clients  
6662 and the operation of the health and human services transportation  
6663 office.....\$8,086,443

6664 4000-0103.. For the costs of core administrative functions performed within the executive  
6665 office of health and human services; provided, that the secretary of health and human services  
6666 may, notwithstanding any general or special law to the contrary, identify administrative activities  
6667 and functions common to the separate agencies, departments, offices, divisions and commissions  
6668 within the executive office and may designate such functions as core administrative functions in  
6669 order to improve administrative efficiency and preserve fiscal resources; provided further, that  
6670 common functions that may be designated core administrative functions include human  
6671 resources, financial management and leasing and facility management; provided further, that all  
6672 employees performing functions so designated may be employed by the executive office and the  
6673 executive office shall charge the agencies, departments, offices, divisions and commissions for  
6674 such services; provided further, that upon the designation of a function as a core administrative  
6675 function, the employees of each agency, department, office or commission who perform such  
6676 core administrative functions may be transferred to the executive office of health and human  
6677 services; provided further, that the reorganization shall not impair the civil service status of any



6678 such transferred employee who immediately before the effective date of this act either holds a  
6679 permanent appointment in a position classified under chapter 31 of the General Laws or has  
6680 tenure in a position by reason of section 9A of chapter 30 of the General Laws; and provided  
6681 further, that nothing in this item shall impair or change an employee's status, rights, or benefits  
6682 under chapter 150E of the General  
6683 Laws.....\$20,003,583

6684 4000-1701.. For the cost of information technology services provided to agencies of the  
6685 executive office of health and human  
6686 services.....\$31,441,744

6687 Massachusetts Commission for the Deaf and Hard of Hearing.

6688 4125-0122.. For the costs of interpreter services provided by commission staff; provided,  
6689 that the costs of personnel may be charged to this item; and provided further, that for the purpose  
6690 of accommodating discrepancies between the receipt of retained revenues and related  
6691 expenditures, the commission may incur expenses and the comptroller may certify for payment  
6692 amounts not to exceed the lower of this authorization or the most recent revenue estimate as  
6693 reported in the state accounting system .....\$250,000

6694 Department of Public Health.

6695 4510-0108.. For the costs of pharmaceutical drugs and services provided by the state  
6696 office of pharmacy services, in this section called SOPS; provided, that SOPS shall notify in  
6697 writing all agencies listed below of their obligations under this item by July 15, 2011; provided  
6698 further, that SOPS shall continue to be the sole provider of pharmacy services for the following  
6699 agencies currently under SOPS: the department of public health, the department of mental health,

6700 the department of developmental services, the department of correction, the department of youth  
6701 services, the sheriff's departments of Bristol, Essex, Franklin, Hampden, Hampshire, and  
6702 Plymouth, and the Soldiers' Homes in Holyoke and Chelsea; provided further, that SOPS shall  
6703 become the sole provider of pharmacy services to the following agencies currently not being  
6704 serviced by SOPS: the sheriff's departments of Worcester, Middlesex, Berkshire, Suffolk,  
6705 Norfolk, Barnstable and Dukes; provided further, that SOPS shall be the sole provider of  
6706 pharmacy services for all said agencies and all costs for pharmacy services shall be charged by  
6707 this item; provided further, that said agencies shall not charge or contract with any other  
6708 alternative vendor for pharmacy services other than SOPS; provided further, that SOPS shall  
6709 develop an implementation plan to transition the following agencies within the current fiscal  
6710 year: the sheriff's departments of Worcester, Middlesex, Berkshire, Suffolk, Norfolk, Barnstable  
6711 and Dukes; provided further, that SOPS shall validate previously-submitted pharmacy  
6712 expenditures including HIV Drug Assistance Program drug reimbursements during fiscal year  
6713 2012; provided further, that SOPS shall continue to work to reduce medication costs, provide  
6714 standardized policies and procedures in a clinically responsible manner, provide comprehensive  
6715 data analysis and improve the quality of clinical services; provided further, that SOPS shall  
6716 report to the house and senate committees on ways and means not later than April 16, 2012  
6717 detailing the projected savings realized by each transitioning agency in comparison to their  
6718 pharmacy costs in fiscal year 2011 and their projected savings for fiscal year 2013; and provided  
6719 further, that the report shall also provide recommendations for the inclusion of other entities that  
6720 may realize cost savings by joining  
6721 SOPS.....\$47,865,393

6722           4590-0901.. For the costs of medical services provided at public health hospitals pursuant  
6723 to a schedule of services and fees approved by the commissioner of public health, which may be  
6724 expended for the purposes of hospital related costs, including, but not limited to, capital repair  
6725 and the maintenance and motor vehicle replacement; provided, that notwithstanding any general  
6726 or special law to the contrary, for the purpose of accommodating timing discrepancies between  
6727 the receipt of retained revenue and related expenditures, the department may incur expenses and  
6728 the comptroller may certify for payment amounts not to exceed the lower of this authorization or  
6729 the most recent revenue estimate as reported in the state accounting system

6730 .....\$150,000

6731           4590-0903.. For the costs of medical services provided at the department of public health  
6732 Lemuel Shattuck Hospital to inmates of the county correctional facilities; provided, that the costs  
6733 shall be charged to items 8910-0102, 8910-0105, 8910-0107, 8910-0108, 8910-0110, 8910-0145,  
6734 8910-0619, 8910-8200, 8910-8300, 8910-8400, 8910-8500, 8910-8600, 8910-8700 and 8910-  
6735 8800 of section 2 pursuant to the provisions thereof; provided further, that expenditures from this  
6736 item shall be for hospital-related costs including, but not limited to, capital repair and the  
6737 maintenance and motor vehicle replacement; and provided further, that notwithstanding any  
6738 general or special law to the contrary, for the purpose of accommodating timing discrepancies  
6739 between the receipt of retained revenue and related expenditures, the department may incur  
6740 expenses and the comptroller may certify for payment amounts not to exceed the lower of this  
6741 authorization or the most recent revenue estimate thereof as reported in the state accounting  
6742 system.....\$3,800,000

6743           Department of Developmental Services.

6744           5948-0012.. For a program providing alternatives to residential placements for children  
6745 with intellectual disabilities, including the costs of intensive home-based supports, provided in  
6746 item 7061-0012 of section 2; provided, that the department of developmental services shall take  
6747 all steps necessary to maximize federal reimbursement for the cost of services provided through  
6748 the program, including filing any necessary amendments to existing waivers or filing an  
6749 application for a new home and community-based services waiver with the Centers for Medicare  
6750 and Medicaid Services..... \$6,500,000

6751           EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT.

6752           Office of the Secretary.

6753           7002-0018.. For the cost of information technology services provided to agencies of the  
6754 executive office of housing and economic  
6755 development.....\$3,619,620

6756           EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.

6757           Office of the Secretary.

6758           7003-0171.. For the cost of information technology services provided to agencies of the  
6759 executive office of labor and workforce  
6760 development.....\$19,041,430

6761           EXECUTIVE OFFICE OF EDUCATION.

6762           Office of the Secretary.

6763 7009-1701.. For the cost of information technology services provided to agencies of the  
6764 executive office of  
6765 education.....\$1,837,477

6766 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY.

6767 8000-1701.. For the cost of information technology services provided to agencies of the  
6768 executive office of public safety and  
6769 security..... \$11,462,348

6770 State Police.

6771 8100-0002.. For the costs of overtime associated with requested police details; provided,  
6772 that for the purpose of accommodating discrepancies between the receipt of revenues and related  
6773 expenditures, the department may incur expenses and the comptroller may certify for payment  
6774 amounts not to exceed the lower of this authorization or the most recent revenue estimate thereof  
6775 as reported in the state accounting  
6776 system.....\$33,000,000

6777 8100-0003.. For the costs associated with the use of the statewide telecommunications  
6778 system for the maintenance of the  
6779 system.....\$156,375

6780 Military Division.

6781 8700-1145.. For the costs of utilities and maintenance and for the implementation of  
6782 energy conservation measures with regard to the state  
6783 armories.....\$300,000

6784 Department of Correction.

6785 8900-0021.. For the cost of products produced by the prison industries and farm program  
6786 and for the cost of services provided by inmates, including the costs of moving, auto repair,  
6787 culinary and renovation and construction services; provided, that the costs for renovation and  
6788 construction services shall not exceed the amount established by the operational services  
6789 division; and provided further, that such revenues may also be expended for materials, supplies,  
6790 equipment, maintenance of facilities and compensation of employees and for the inmate  
6791 employment and training  
6792 program.....\$6,050,000

6793 SECTION 2D. The amounts set forth in this section are hereby appropriated from the  
6794 General Federal Grants Fund. Federal funds received in excess of the amount appropriated in this  
6795 section shall be expended only in accordance with section 6B of chapter 29 of the General Laws.  
6796 The amount of any unexpended balance of federal grant funds received prior to June 30, 2011,  
6797 and not included as part of an appropriation item in this section, is hereby made available for  
6798 expenditure during fiscal year 2012, in addition to any amount appropriated in this section.

6799 JUDICIARY.

6800 0320-1700.. For the purposes of a federally funded grant entitled, State Court  
6801 Improvement Program Basic  
6802 Grant.....\$240,000

6803 0320-1701.. For the purposes of a federally funded grant entitled, CIP Data Sharing  
6804 Grant..... \$107,860

6805           0320-1703.. For the purposes of a federally funded grant entitled, CIP Training  
6806 Grant.....\$198,000

6807           DISTRICT ATTORNEYS.

6808           Northern District Attorney.

6809           8000-4620.. For the purposes of a federally funded grant entitled, Violence Against  
6810 Women Act.....\$49,538

6811           Eastern District Attorney.

6812           0340-0305..For the purposes of a federally funded grant entitled, Enhanced Youthful  
6813 Diversion.....\$63,738

6814           0340-0371..For the purposes of a federally funded grant entitled, Enhanced Vertical  
6815 Prosecution.....\$125,000

6816           Middle District Attorney.

6817           0840-0110.. For the purposes of a federally funded grant entitled, Victims of Crime  
6818 Act.....\$47,349

6819           8000-4620.. For the purposes of a federally funded grant entitled, Violence Against  
6820 Women Act.....\$13,420

6821           Hampden District Attorney.

6822	0340-0590..For the purposes of a federally funded grant entitled, Community Oriented	
6823	Policing	
6824	Services.....	\$229,305
6825	Plymouth District Attorney.	
6826	0340-0821.. For the purposes of a federally funded grant entitled, Brockton’s Promise-	
6827	Youth	
6828	Mentoring.....	\$34,621
6829	0340-0823.. For the purposes of a federally funded grant entitled, Child Sexual Predator	
6830	Program.....	\$43,194
6831	0340-0825.. For the purposes of a federally funded grant entitled, ARRA-Justice	
6832	Assistance Grant Local	
6833	Solicitation.....	\$275,000
6834	Cape and Islands District Attorney.	
6835	0340-1013.. For the purposes of a federally funded grant entitled, Federal Forfeiture	
6836	Trust	
6837	Account.....	\$55,000
6838	Berkshire District Attorney.	
6839	8100-2639..For the purposes of a federally funded grant entitled, Internet Crimes Against	
6840	Children –	
6841	ARRA.....	\$38,626



6842 District Attorneys' Association.

6843 0340-2112..For the purposes of a federally funded grant entitled, Community Oriented

6844 Policing

6845 Services.....\$25,000

6846 8000-4620..For the purposes of a federally funded grant entitled, Violence Against

6847 Women

6848 Act.....\$44,150

6849 8000-4804.. For the purposes of a federally funded grant entitled, Highway Safety

6850 Division.....\$42,058

6851 SECRETARY OF STATE.

6852 0521-0800.. For the purpose of a federally funded grant entitled, Election Assistance for

6853 Disabled

6854 Individuals.....\$700,041

6855 0526-0114.. For the purposes of a federally funded grant entitled, Historic Preservation

6856 Survey and

6857 Planning.....\$908,000

6858 TREASURER AND RECEIVER-GENERAL.

6859 Massachusetts Cultural Council.

6860 0640-9716.. For the purposes of a federally funded grant entitled, Folk and Traditional

6861 Arts Initiatives....\$25,000

6862           0640-9717.. For the purposes of a federally funded grant entitled, Basic State  
6863 Grant.....\$688,500

6864           0640-9718.. For the purposes of a federally funded grant entitled, Artists in  
6865 Education.....\$62,100

6866           0640-9724.. For the purposes of a federally funded grant entitled, Youth Reach State and  
6867 Regional  
6868 Programs.....\$240,500

6869           ATTORNEY GENERAL.

6870           0810-0026.. For the purposes of a federally funded grant entitled, Crime Victim  
6871 Compensation.....\$1,000,000

6872           0840-0110.. For the purposes of a federally funded grant entitled, Victims of Crimes  
6873 Assistance Program  
6874 .....\$6,620,936

6875           Victim and Witness Assistance Board.

6876           0840-0109.. For the purposes of a federally funded grant entitled, Victim of Crimes  
6877 Assistance Program – ARRA  
6878 .....\$310,000

6879           0840-0110.. For the purposes of a federally funded grant entitled, Victims of Crime  
6880 Assistance  
6881 Programs.....\$7,593,010

6882           0840-4611.. For the purposes of a federally funded grant entitled, Byrne Federal Grant  
6883 .....\$307,500

6884           0840-4620.. For the purposes of a federally funded grant entitled, VAWA Federal Grant  
6885 .....\$274,050

6886           MASSACHUSETTS DEVELOPMENTAL DISABILITIES COUNCIL.

6887           1100-1703.. For the purposes of a federally funded grant entitled, Implementation of the  
6888 Federal Developmental Disabilities Act; provided, that in order to qualify for said grant, this  
6889 account shall be exempt from the first \$290,000 of fringe benefit and indirect cost charges  
6890 pursuant to section 6B of chapter 29 of the General  
6891 Laws.....\$1,840,016

6892           1100-1704.. For the purposes of a federally funded grant entitled, Further Development  
6893 of Developmental Disabilities  
6894 Suite.....\$183,949

6895           EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

6896           Massachusetts Office on Disability.

6897           1107-2450.. For the purposes of a federally funded grant entitled, Client Assistance  
6898 Program.....\$222,000

6899           Department of Revenue.

6900           1201-0109.. For the purposes of a federally funded grant entitled, Access and Visitation -  
6901 Parent Education  
6902 Program.....\$222,169

6903           1201-0126.. For the purposes of a federally funded grant entitled, Family Centered  
6904 Services for Unwed Parents in the IVD  
6905 Caseload.....\$149,511

6906           1201-0127.. For the purposes of a federally funded grant entitled, Health Care-Medical  
6907 Support in Child Support  
6908 Enforcement.....\$22,834

6909           1201-0128.. For the purposes of a federally funded grant entitled, CSE Modification  
6910 Grant.....\$91,748

6911           1201-0412.. For the purposes of federally funded grants entitled, Child Support  
6912 Enforcement Grants, Child Support IVD Companion account to CSE Demonstration  
6913 Grants.....\$601,721

6914           EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS.  
6915           Office of the Secretary.

6916           2000-0141.. For the purposes of a federally funded grant entitled, Coastal Zone  
6917 Management and Development  
6918 .....\$2,535,378

6919           2000-0142.. For the purposes of a federally funded grant entitled, CZ Coastal Hazards  
6920 .....\$113,872

6921	2000-0186.. For the purposes of a federally funded grant entitled, Aquatic Nuisance	
6922	Species Management Plan	
6923	.....	\$68,210
6924	2000-0248.. For the purposes of a federally funded grant entitled, National Estuary	
6925	Program - Operation	
6926	.....	\$800,329
6927	2000-0550.. For the purposes of a federally funded grant entitled, Pollution	
6928	Prevention.....	\$10,000
6929	2000-9701.. For the purposes of a federally funded grant entitled, Outdoor Recreation	
6930	Projects - Political Subdivisions	
6931	.....	\$3,000,000
6932	2000-9735.. For the purposes of a federally funded grant entitled, Buzzards Bay Estuary	
6933	Program	
6934	.....	\$724,545
6935	2030-0013.. For the purposes of a federally funded grant entitled, Fisheries	
6936	Enforcement.....	\$910,230
6937	2030-0122.. For the purposes of a federally funded grant entitled, Ready Response	
6938	Equipment for Ports of New Bedford, Cape Cod & Islands	
6939	.....	\$977,201

6940            2030-0124.. For the purposes of a federally funded grant entitled, Ready Response

6941    Equipment for the Port of Fall River

6942    .....\$512,864

6943            2030-9701.. For the purposes of a federally funded grant entitled, Safe Boating

6944    Program.....\$1,795,732

6945            Department of Public Utilities.

6946            7006-9002.. For the purposes of a federally funded grant entitled, Pipeline

6947    Security.....\$816,000

6948            Department of Environmental Protection.

6949            2200-9706.. For the purposes of a federally funded grant entitled, Water Quality

6950    Management Planning.\$653,422

6951            2200-9712.. For the purposes of a federally funded grant entitled, Cooperative

6952    Agreement-Leaking Underground Storage

6953    Tanks.....\$1,032,829

6954            2200-9717.. For the purposes of a federally funded grant entitled, Environment

6955    Restoration Program for Department of

6956    Defense.....\$1,494,183

6957            2200-9724.. For the purposes of a federally funded grant entitled, Superfund Block

6958    Grant.....\$924,699

6959           2200-9728.. For the purposes of a federally funded grant entitled, Brownfields  
6960 Assessment Program - Multi-Site Cooperative  
6961 Agreement.....\$225,000

6962           2200-9731.. For the purposes of a federally funded grant entitled, Brownfield  
6963 Response.....\$1,379,375

6964           2200-9732.. For the purposes of a federally funded grant entitled, Brownfield Support  
6965 Team –  
6966 Statewide.....\$660,000

6967           2230-9702.. For the purposes of a federally funded grant entitled, Air, Water and  
6968 Hazardous Waste Management Regulatory  
6969 Programs.....\$17,346,657

6970           2230-9711.. For the purposes of a federally funded grant entitled, Environmental  
6971 Information Exchange  
6972 Network.....\$69,992

6973           2230-9712.. For the purposes of a federally funded grant entitled, FY09 Exchange  
6974 Network –  
6975 NPDES.....\$163,058

6976           2230-9713.. For the purposes of a federally funded grant entitled, Exchange  
6977 Network.....\$17,000

6978           2230-9714.. For the purposes of a federally funded grant entitled, FY10 Exchange  
6979 Network.....\$150,000

6980           2240-9762.. For the purposes of a federally funded grant entitled, Reimbursement to  
6981 Operators of Small Water Systems for Training and  
6982 Certification.....\$164,265

6983           2240-9773.. For the purposes of a federally funded grant entitled, Technical Assistance  
6984 and Training for Drinking  
6985 Water.....\$39,868

6986           2230-9775.. For the purposes of a federally funded grant entitled, Special Set  
6987 Aside.....\$96,249

6988           2230-9776.. For the purposes of a federally funded grant entitled, EQE-RP9776-  
6989 FEM9613491.....\$22,125

6990           2230-9777.. For the purposes of a federally funded grant entitled, Public Water  
6991 Supply.....\$26,000

6992           2250-9712.. For the purposes of a federally funded grant entitled, Clean Air Act-Fine  
6993 Particulate Matter Air  
6994 Monitoring.....\$745,049

6995           2250-9716.. For the purposes of a federally funded grant entitled, Ambient Air Toxics  
6996 Pilot Project.....\$455,000

6997           2250-9726.. For the purposes of a federally funded grant entitled, Homeland Security Co-  
6998 op  
6999 Agreement.....\$1,344,877



7000            2230-9730.. For the purposes of a federally funded grant entitled, Air Toxic Spatial  
7001 Trends.....\$42,000

7002            2230-9731.. For the purposes of a federally funded grant entitled, Diesel Emissions  
7003 Reduction Project...\$352,941

7004            2250-9732.. For the purposes of a federally funded grant entitled, Underground  
7005 Storage.....\$697,745

7006            2230-9735.. For the purposes of a federally funded grant entitled, Green House Gas  
7007 Reporting System...\$150,000

7008            2290-3000.. For the purposes of a federally funded grant entitled, State Clean Diesel  
7009 Grant Program.....\$400,860

7010            2290-3001.. For the purposes of a federally funded grant entitled, Natural Diesel – State  
7011 Fleet Retrofit...\$126,000

7012            2290-4000.. For the purposes of a federally funded grant entitled, ARRA LUST Trust  
7013 Fund Program....\$782,000

7014            Department of Fish and Game.

7015            2300-0113.. For the purposes of a federally funded grant entitled, Natural Resources  
7016 Conservation Services Emergency Watershed Protection  
7017 Program.....\$25,000

7018            2300-0114.. For the purposes of a federally funded grant entitled, USFWS Partnership  
7019 Program.....\$40,770

7020           2300-0115.. For the purposes of a federally funded grant entitled, US Fish and Wildlife  
7021 Service Eastern Brook Trout Joint  
7022 Venture.....\$80,000

7023           2300-0116.. For the purposes of a federally funded grant entitled, Riverways - Natural  
7024 Resource Conservation Services Wildlife Habitat Incentive  
7025 Program.....\$149,832

7026           2300-0117.. For the purposes of a federally funded grant entitled, USFWS – Coastal  
7027 Program.....\$40,000

7028           2300-0179.. For the purposes of a federally funded grant entitled, National Coastal  
7029 Wetland  
7030 Conservation.....\$250,000

7031           2310-0115.. For the purposes of a federally funded grant entitled, Land Owner Incentive  
7032 Program – Tier  
7033 I.....\$65,000

7034           2310-0116.. For the purposes of a federally funded grant entitled, Land Owner Incentive  
7035 Program – Tier  
7036 II.....\$200,000

7037           2310-0117.. For the purposes of a federally funded grant entitled, Chronic Wasting  
7038 Disease.....\$60,000

7039           2330-9222.. For the purposes of a federally funded grant entitled, Clean  
7040 Vessel.....\$850,000

7041            2330-9712.. For the purposes of a federally funded grant entitled, Commercial Fisheries

7042    Statistics.....\$150,000

7043            2330-9713.. For the purposes of a federally funded grant entitled, Right Whale

7044    Conservation.....\$420,000

7045            2330-9714.. For the purposes of a federally funded grant entitled, Commercial Fisheries

7046    Extension.....\$4,000

7047            2330-9721.. For the purposes of a federally funded grant entitled, Anadromous Fisheries

7048    Management....\$41,000

7049            2330-9725.. For the purposes of a federally funded grant entitled, Boating Infrastructure

7050    .....\$100,000

7051            2330-9730.. For the purposes of a federally funded grant entitled, Interstate Fisheries

7052    Management Support

7053    ..... \$240,000

7054            2330-9732.. For the purposes of a federally funded grant entitled, ACCSP

7055    Implementation Strategic Plan

7056    .....\$125,000

7057            2330-9736.. For the purposes of a federally funded grant entitled, Marine Fisheries

7058    Institute

7059    .....\$600,000

7060	2330-9738.. For the purposes of a federally funded grant entitled, Red Tide Economic	
7061	Relief	
7062	.....	\$800,000
7063	2330-9739.. For the purposes of a federally funded grant entitled, Turtle Disengagement	
7064	.....	\$850,000
7065	2330-9742.. For the purposes of a federally funded grant entitled, Age and Growth	
7066	Segment One	
7067	.....	\$250,000
7068	Department of Agricultural Resources.	
7069	2511-0310.. For the purposes of a federally funded grant entitled, Pesticide Enforcement	
7070	.....	\$352,200
7071	2511-0400.. For the purposes of a federally funded grant entitled, Cooperative Pest	
7072	Survey Program	
7073	.....	\$175,000
7074	2511-0401.. For the purposes of a federally funded grant entitled, Cooperative Pesticide	
7075	Recordkeeping Program	
7076	.....	\$10,000
7077	2511-0972.. For the purposes of a federally funded grant entitled, Farmland Protection	
7078	.....	\$5,955,000

7079	2511-1025.. For the purposes of a federally funded grant entitled, Country of Origin	
7080	Labeling	
7081	.....	\$102,000
7082	2515-1002.. For the purposes of a federally funded grant entitled, Animal Disease	
7083	Surveillance Homeland Security	
7084	.....	\$24,750
7085	2515-1004.. For the purposes of a federally funded grant entitled, Scrapie Disease	
7086	Surveillance and Flock Certification	
7087	.....	\$5,461
7088	2515-1006.. For the purposes of a federally funded grant entitled, National Animal	
7089	Identification System	
7090	.....	\$7,294
7091	2515-1008.. For the purposes of a federally funded grant entitled, Highly Pathogenic	
7092	Avian Influenza	
7093	.....	\$70,000
7094	2516-9002.. For the purposes of a federally funded grant entitled, Development of	
7095	Institutional Marketing	
7096	.....	\$499,000
7097	2516-9003.. For the purposes of a federally funded grant entitled, Farmers' Market	
7098	Coupon Program	
7099	.....	\$490,000

7100	2516-9004.. For the purposes of a federally funded grant entitled, Senior Farmers'	
7101	Market Nutrition Program	
7102	.....	\$571,000
7103	2516-9007.. For the purposes of a federally funded grant entitled, Organic Certification	
7104	Cost-Share Program	
7105	.....	\$60,000
7106	Department of Conservation and Recreation.	
7107	2800-9707.. For the purposes of a federally funded grant entitled, National Flood	
7108	Insurance Program	
7109	.....	\$184,000
7110	2800-9709.. For the purposes of a federally funded grant entitled, Map Modernization	
7111	.....	\$110,000
7112	2800-9726.. For the purposes of a federally funded grant entitled, FEMA National Dam	
7113	Safety Program	
7114	.....	\$105,959
7115	2800-9729.. For the purposes of a federally funded grant entitled, US Dept of Education	
7116	Rehabilitation Grand	
7117	.....	\$168,151
7118	2820-9702.. For the purposes of a federally funded grant entitled, Rural Community Fire	
7119	Protection	
7120	.....	\$77,000

7121	2820-9704.. For the purposes of a federally funded grant entitled, NRCS Wildlife Habitat	
7122	Incentives Program	
7123	.....	\$19,510
7124	2820-9705.. For the purposes of a federally funded grant entitled, Animal and Plant	
7125	Health	
7126	Inspections.....	\$6,305,485
7127	2821-9705.. For the purposes of a federally funded grant entitled, Urban and Community	
7128	Forestry Program	
7129	.....	\$285,223
7130	2821-9709.. For the purposes of a federally funded grant entitled, Forestry Stewardship,	
7131	Forest Legacy and Conservation	
7132	Education.....	\$4,605,575
7133	2821-9711.. For the purposes of a federally funded grant entitled, Rural Fire Prevention	
7134	and Control	
7135	.....	\$308,124
7136	2821-9713.. For the purposes of a federally funded grant entitled, Wildland Urban	
7137	Interface Fuels Management	
7138	.....	\$334,857
7139	2821-9715.. For the purpose of a federally funded grant entitled, Buy Local Model-	
7140	Forest Stewardship Re-Design	
7141	Grant.....	\$247,862

7142            2821-9726.. For the purposes of a federally funded grant entitled, Forest Health  
7143 Management - US Forest Service  
7144 .....\$112,160

7145            2821-9800.. For the purposes of a federally funded grant entitled, ARRA – USFS Native  
7146 Species Ecological Restoration  
7147 .....\$122,192

7148            2821-9801.. For the purposes of a federally funded grant entitled, ARRA – USFS  
7149 Southeast Mass Fuel Mitigation  
7150 .....\$315,979

7151            2821-9802.. For the purposes of a federally funded grant entitled, USFS ALB Area  
7152 Watershed Flood Control Reservoir Maintenance  
7153 Funds.....\$2,191,024

7154            2830-9705.. For the purposes of a federally funded grant entitled, SUASCO Watershed  
7155 Flood Control Reservoir  
7156 .....\$7,014

7157            2840-9709.. For the purposes of a federally funded grant entitled, Waquoit Bay National  
7158 Estuarine Research Reserve Consolidated  
7159 Funding.....\$716,055

7160            2840-9715.. For the purposes of a federally funded grant entitled, NOAA CECLP  
7161 Grant.....\$779,250



7162            2850-9701.. For the purposes of a federally funded grant entitled, Recreational Trails  
7163 Program  
7164 .....\$1,091,652

7165            2850-9702.. For the purposes of a federally funded grant entitled, Mount Greylock TCSP  
7166 .....\$642,587

7167            Department of Energy Resources.

7168            7006-9300.. For the purposes of a federally funded grant entitled, Mass Save Energy  
7169 Now.....\$250,000

7170            7006-9303.. For the purposes of a federally funded grant entitled, State Energy Program  
7171 Advance Energy  
7172 Codes.....\$68,000

7173            7006-9304.. For the purposes of a federally funded grant entitled, Catalyzing the Home  
7174 Energy Remodeling Market  
7175 .....\$862,659

7176            7006-9720..For the purposes of a federally funded grant entitled, State Heating Oil and  
7177 Propane  
7178 Program.....\$22,228

7179            7006-9730.. For the purposes of a federally funded grant entitled, State Energy Program  
7180 II..... \$605,000

7181            7006-9743.. For the purposes of a federally funded grant entitled, State Energy plan  
7182 ..... \$100,000

7183            7006-9800.. For the purposes of a federally funded grant entitled, ARRA USDOE State  
7184 Energy Program Ramp  
7185 Up.....\$10,016,055

7186            7006-9801.. For the purposes of a federally funded grant entitled, ARRA Energy  
7187 Assistance Planning...\$257,480

7188            7006-9803.. For the purposes of a federally funded grant entitled, ARRA Mass Energy  
7189 Efficiency and Conservation Block Grant  
7190 Program.....\$1,269,469

7191            7006-9804.. For the purposes of a federally funded grant entitled, ARRA Save Energy  
7192 Now ..... \$24,431

7193            EXECUTIVE OFFICE OF EDUCATION.  
7194            Department of Early Education and Care.

7195            3000-0708.. For the purposes of a federally funded grant entitled, Head Start  
7196 Collaboration.  
7197 .....\$175,000

7198            3000-5050.. For the purposes of a federally funded grant entitled, the State Advisory  
7199 Council on Early Childhood Education ARRA Head Start  
7200 Grant.....\$441,226

7201            3000-9002.. For the purposes of a federally funded grant entitled, Child Abuse  
7202 Prevention and Treatment  
7203 Activities.....\$577,476

7204 Department of Elementary and Secondary Education.

7205 7010-9706.. For the purposes of a federally funded grant entitled, Common Core Data

7206 Project.....\$355,000

7207 7032-0217.. For the purposes of a federally funded grant entitled, Robert C. Byrd Honors

7208 Scholarship Program —

7209 Distribution.....\$811,500

7210 7035-0210.. For the purposes of a federally funded grant entitled, Advanced Placement

7211 Fee Payment

7212 Program.....\$250,000

7213 7038-0107.. For the purposes of a federally funded grant entitled, Adult Basic Education

7214 Program.....\$10,122,643

7215 7038-9004.. For the purposes of a federally funded grant entitled, School-Based

7216 Programs.....\$396,319

7217 7043-1001.. For the purposes of a federally funded grant entitled, Title I Grants to Local

7218 Education

7219 Agencies.....\$224,208,043

7220 7043-1004.. For the purposes of a federally funded grant entitled, Migrant

7221 Education.....\$1,673,173

7222 7043-1005.. For the purposes of a federally funded grant entitled, Title I Neglected and

7223 Delinquent

7224 Children.....\$1,975,418

7225            7043-1006.. For the purposes of a federally funded grant entitled, School Improvement  
7226 Grant.....\$8,000,000

7227            7043-2001.. For the purposes of a federally funded grant entitled, Teacher and Principal  
7228 Training and  
7229 Recruiting.....\$49,768,717

7230            7043-2002.. For the purposes of a federally funded grant entitled, Enhancing Education  
7231 through  
7232 Technology.....\$1,413,323

7233            7043-2003.. For the purposes of a federally funded grant entitled, Title I Math and  
7234 Science  
7235 Partnerships.....\$2,128,970

7236            7043-3001.. For the purposes of a federally funded grant entitled, English Language  
7237 Acquisition.....\$12,776,615

7238            7043-4002.. For the purposes of a federally funded grant entitled, After School Learning  
7239 Centers.....\$18,776,307

7240            7043-6001.. For the purposes of a federally funded grant entitled, Grants for State  
7241 Assessments and Related  
7242 Activities.....\$7,655,840

7243            7043-6501.. For the purposes of a federally funded grant entitled, Education for  
7244 Homeless Children and  
7245 Youth.....\$970,684

7246            7043-7001.. For the purposes of a federally funded grant entitled, Special Education

7247    Grants.....\$281,921,075

7248            7043-7002.. For the purposes of a federally funded grant entitled, Preschool

7249    Grants.....\$9,735,461

7250            7043-8001.. For the purposes of a federally funded grant entitled, Vocational Education

7251    Basic

7252    Grants.....\$18,916,840

7253            7043-8002.. For the purposes of a federally funded grant entitled, Technical Preparation

7254    Education....\$1,648,213

7255            7044-0020.. For the purposes of a federally funded grant entitled, Project Focus

7256    Academy.....\$1,160,000

7257            7048-1500.. For the purposes of a federally funded grant entitled, High School

7258    Graduation Initiative...\$3,000,000

7259            7048-2700.. For the purposes of a federally funded grant entitled, Teacher Incentive

7260    Grant.....\$7,678,269

7261            7048-9200.. For the purposes of a federally funded grant entitled, Data Systems Grant

7262    Student

7263    Connect.....2,332,414

7264            7053-2008.. For the purposes of a federally funded grant entitled, Nuts, Fresh Fruits and

7265    Vegetables.\$2,081,281

7266            7053-2112.. For the purposes of a federally funded grant entitled, Special Assistance  
7267 Funds.....\$155,833,146

7268            7053-2117.. For the purposes of a federally funded grant entitled, Child Care  
7269 Program.....\$51,545,189

7270            7053-2126.. For the purposes of a federally funded grant entitled, Temporary Emergency  
7271 Food  
7272 Assistance.....\$690,200

7273            7053-2202.. For the purposes of a federally funded grant entitled, Special Summer Food  
7274 Service Program for  
7275 Children.....\$5,490,849

7276            7062-0008.. For the purposes of a federally funded grant entitled, Office of School Lunch  
7277 Programs — Child Care Program  
7278 Administration.....\$2,520,000

7279            Department of Higher Education.

7280            7066-1574.. For the purposes of a federally funded grant entitled, Improving Teacher  
7281 Quality Grants..\$1,600,000

7282            7066-1616... For the purposes of a federally funded grant entitled, College Access  
7283 Challenge Grant..\$1,700,000

7284            7066-6033.. For the purposes of a federally funded grant entitled, Gaining Early  
7285 Awareness and Readiness for Undergraduate  
7286 Programs.....\$3,500,000

7287           7070-0017.. For the purposes of a federally funded grant entitled, Leveraging Educational  
7288 Assistance Program— Department of Higher  
7289 Education.....\$966,853

7290           7110-6019.. For the purposes of a federally funded grant entitled, Upward Bound Payroll  
7291 and Benefits - Fitchburg State  
7292 College.....\$365,000

7293           7114-9713.. For the purposes of a federally funded grant entitled, National Science  
7294 Foundation - Atlantic  
7295 Partnership.....\$155,243

7296           7410-3093.. For the purposes of a federally funded grant entitled, Polymer Building  
7297 Construction - University of Massachusetts  
7298 Amherst.....\$2,711,376

7299           7503-6557.. For the purposes of a federally funded grant entitled, Trio Talent Search -  
7300 Bristol Community College  
7301 .....\$165,124

7302           7503-9711.. For the purposes of a federally funded grant entitled, Special Services for  
7303 Disadvantaged Students — Bristol Community  
7304 College.....\$370,607

7305           7503-9714.. For the purposes of a federally funded grant entitled, Upward Bound  
7306 Program — Bristol Community  
7307 College.....\$259,073

7308           7509-1490.. For the purposes of a federally funded grant entitled, Educational  
7309 Opportunities Centers Payroll — Mount Wachusett Community  
7310 College.....\$235,000  
7311  
7312           7509-9714.. For the purposes of a federally funded grant entitled, Special Services for  
7313 Disadvantaged Students — Mount Wachusett Community  
7314 College.....\$230,000  
7315  
7316           7509-9717.. For the purposes of a federally funded grant entitled, Upward Bound Math  
7317 and Science Program – Mount Wachusett Community  
7318 College.....\$123,000  
7319           7509-9718.. For the purposes of a federally funded grant entitled, Talent Search —  
7320 Mount Wachusett Community College.  
7321 .....\$240,000  
7322           7509-9720.. For the purposes of a federally funded grant entitled, Gaining Early  
7323 Awareness and Readiness for Undergraduate Programs 2011— Mount Wachusett Community  
7324 College..... \$530,000  
7325           7511-9711.. For the purposes of a federally funded grant entitled, Special Services for  
7326 Disadvantaged Students — North Shore Community  
7327 College.....\$493,000



7328            7511-9740.. For the purposes of a federally funded grant entitled, Upward Bound —  
7329 North Shore Community  
7330 College.....\$380,000

7331            7511-9750.. For the purposes of a federally funded grant entitled, Talent Search— North  
7332 Shore Community College.  
7333 .....\$230,000

7334            7518-6127.. For the purposes of a federally funded grant entitled, College Work Study  
7335 Program - Bunker Hill Community  
7336 College.....\$331,452

7337            EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.  
7338            Office of the Secretary.

7339            4000-0024.. For the purposes of a federally funded grant entitled, Consumer Assistance  
7340 Grant.....\$290,722

7341            4000-0033.. For the purposes of a federally funded grant entitled, State Demonstration to  
7342 Integrate Care for Dual Eligible  
7343 Individuals.....\$833,000

7344            4000-0323.. For the purposes of a federally funded grant entitled, Personal and Home  
7345 Care Aid State Training  
7346 Program.....\$738,993

7347           4000-0544.. For the purposes of a federally funded grant entitled, CHIPRA Quality  
7348 Demonstration  
7349 Grant..... \$2,666,404

7350           4000-7590.. For the purposes of a federally funded grant entitled, Virtual Gateway  
7351 School Nutrition Grant  
7352 .....\$45,000

7353           4000-0826.. For the purposes of a federally funded grant entitled, Money Follows the  
7354 Person Demonstration  
7355 Grant.....\$13,000,000

7356           4000-9058.. For the purposes of a federally funded grant entitled, My  
7357 Child..... \$1,875,000

7358           4000-9401.. For the purposes of a federally funded grant entitled, Community Mental  
7359 Health  
7360 Services.....\$8,050,963

7361           Office for Refugees and Immigrants.

7362           4003-0801.. For the purposes of a federally funded grant entitled, Targeted Assistance  
7363 Program.....\$335,000

7364           4003-0803.. For the purposes of a federally funded grant entitled, Refugee School Impact  
7365 .....\$421,375

7366           4003-0804.. For the purposes of a federally funded grant entitled, Refugee Targeted  
7367 Assistance Grant  
7368 .....\$612,539

7369           4003-0805.. For the purposes of a federally funded grant entitled, Refugee Resettlement  
7370 Program.....\$1,452,497

7371           4003-0806.. For the purposes of a federally funded grant entitled, Refugee Cash,  
7372 Medical, and Administration  
7373 .....\$8,364,672

7374           4003-0811.. For the purposes of a federally funded grant entitled, Massachusetts Refugee  
7375 Entrepreneurship  
7376 Program.....\$250,705

7377           4003-0812.. For the purposes of federally funded grant entitled, Program to Enhance  
7378 Refugee Elder  
7379 Services.....\$215,000

7380           4003-0813.. For the purpose of a federally funded grant entitled, A Cuban-Haitian  
7381 Initiative for Entry into Viable  
7382 Employment(ACHIEVE).....\$195,000

7383           4003-0814.. For the purpose of a federally funded grant entitled, Massachusetts Refugee  
7384 Preventative Health  
7385 Project(MRPHP).....\$200,000

7386           4003-0815..For the purposes of a federally funded grant entitled Massachusetts  
7387 Wilson/Fish  
7388 Program(MWFP).....\$3,465,070

7389           Massachusetts Commission for the Blind.

7390           4110-3020.. For the purposes of a federally funded grant entitled, Vocational  
7391 Rehabilitation; provided, that no funds shall be deducted for pensions, group health and life  
7392 insurance or any other such indirect cost of federally reimbursed state employees  
7393 .....\$150,000

7394           4110-3021.. For the purposes of a federally funded grant entitled, Basic Support Grant  
7395 .....\$9,200,000

7396           4110-3023.. For the purposes of a federally funded grant entitled, Independent Living -  
7397 Adaptive Housing  
7398 .....\$75,550

7399           4110-3026.. For the purposes of a federally funded grant entitled, Independent Living -  
7400 Services to Older Blind Americans  
7401 .....\$774,609

7402           4110-3027.. For the purposes of a federally funded grant entitled, Rehabilitation Training  
7403 .....\$29,280

7404           4110-3028.. For the purposes of a federally funded grant entitled, Supported Employment  
7405 for the  
7406 Blind.....\$128,100

7407            4110-3030..For the purposes of a federally funded grant entitled, ARRA- Basic  
7408 Support.....\$51,418

7409            4110-3032..For the purposes of a federally funded grant entitled, ARRA-Older  
7410 independent Blind.....\$5,183

7411            Massachusetts Rehabilitation Commission.

7412            4120-0020.. For the purposes of a federally funded grant entitled, Vocational  
7413 Rehabilitation; provided, that no funds shall be deducted for pensions, group health and life  
7414 insurance or any other such indirect cost of federally reimbursed state employees  
7415 .....\$44,148,383

7416            4120-0021.. For the purposes of a federally funded grant entitled, ARRA- Basic  
7417 Vocational Rehabilitation Support  
7418 .....\$522,825

7419            4120-0040.. For the purposes of a federally funded grant entitled, Vocational  
7420 Rehabilitation and Comprehensive Systems of Personnel Development Training  
7421 .....\$92,700

7422            4120-0187.. For the purposes of a federally funded grant entitled, Supported Employment  
7423 Program Federal  
7424 Funds.....\$458,611

7425            4120-0191.. For the purposes of a federally funded grant entitled, Informed Members  
7426 Planning and Assessing Choices Together  
7427 .....\$177,829

7428           4120-0511..For the purposes of a federally funded grant entitled, Disability Services -  
7429 Determination.  
7430 .....\$45,262,721

7431           4120-0603.. For the purposes of a federally funded grant entitled, Innovation Strategies  
7432 for Transition Youth with  
7433 Disabilities.....\$401,787

7434           4120-0608.. For the purposes of a federally funded grant entitled, Traumatic Brain Injury  
7435 (TBI) Implementation  
7436 Grant.....\$256,304

7437           4120-0760..For the purposes of a federally funded grant entitled, Independent Living  
7438 Federal  
7439 Grant.....\$1,554,180

7440           4120-0761.. For the purposes of a federally funded grant entitled, ARRA - State  
7441 Independent Living  
7442 Services.....\$163,780

7443           4120-0762..For the purposes of a federally funded grant entitled, ARRA- Centers for  
7444 Independent Living Recovery  
7445 Act.....\$794,196

7446           4120-0768..For the purposes of a federally funded grant entitled, Assistive Technology  
7447 Act.....\$505,715

7448           Department of Veterans' Services.

7449            1410-0054.. For the purposes of a federally funded grant entitled, Homeless Veterans’  
7450 Reintegration, Training and  
7451 Placement.....\$200,000

7452            1410-0055.. For the purposes of a federally funded grant entitled, Homeless Veterans’  
7453 Reintegration Program Urban-  
7454 Worcester.....\$300,000

7455            1410-0056.. For the purposes of a federally funded grant entitled, Veterans’ Workforce  
7456 Investment.....\$500,000

7457            Department of Transitional Assistance.

7458            4400-1998.. For the purposes of a federally funded grant entitled, DOD Supplemental  
7459 Nutrition Assistance Program Administration  
7460 Funding.....\$1,000,000

7461            4400-3067.. For the purposes of a federally funded grant entitled, Supplemental Nutrition  
7462 Assistance Program Administration  
7463 Funding.....\$2,100,000

7464            4400-3068.. For the purposes of a federally funded grant entitled, Reaching Underserved  
7465 Elderly and Working Poor in  
7466 SNAP.....\$100,000

7467            4400-3069..For the purposes of a federally funded grant entitled, Full Employment Food  
7468 Stamp Cash  
7469 Out.....\$15,000

7470            4400-3080.. For the purpose of a federally funded grant entitled, Healthy Incentive Pilot  
7471 (HIP) grant..\$2,696,698

7472            4400-3064.. For the Purpose of SNAP  
7473 education.....\$3,000,000

7474            Department of Public Health.

7475            4500-1000.. For the purposes of a federally funded grant entitled, Preventive Health  
7476 Services Block  
7477 Grant.....\$2,708,393

7478            4500-1030.. For the purposes of a federally funded grant entitled, Strengthening Public  
7479 Health  
7480 Infrastructure.....\$1,960,128

7481            4500-1050.. For the purposes of a federally funded grant entitled, Rape Prevention and  
7482 Education.....\$813,484

7483            4500-1051.. For the purposes of a federally funded grant entitled, Sexual Assault  
7484 Services Program.....\$198,380

7485            4500-1054.. For the purposes of a federally funded grant entitled, Sexual Assault  
7486 Services Program.....\$198,380

7487            4500-1060.. For the purposes of a federally funded grant entitled, Rape Prevention  
7488 Program Planning and Evaluation Capacity  
7489 Building.....\$100,000



7490           4500-1066.. For the purposes of a federally funded grant entitled, 2010 Oil and  
7491 Hazardous Material State Partnership Grant  
7492 Program.....\$140,000

7493           4500-2000.. For the purposes of a federally funded grant entitled, Maternal and Child  
7494 Health Services Block  
7495 Grant.....\$11,921,902

7496           4502-1012.. For the purposes of a federally funded grant entitled, Cooperative Health  
7497 Statistics System.\$490,482

7498           4510-0109.. For the purposes of a federally funded grant entitled, State Loan Repayment  
7499 Project.....\$350,000

7500           4510-0113.. For the purposes of a federally funded grant entitled, Office of Rural  
7501 Health.....\$188,929

7502           4510-0115.. For the purposes of a federally funded grant entitled, State Primary Care  
7503 Offices.....\$42,701

7504           4510-0116.. For the purposes of a federally funded grant entitled, Primary Care  
7505 Cooperative Agreement\$138,656

7506           4510-0119.. For the purposes of a federally funded grant entitled, Rural Hospital  
7507 Flexibility Program.....\$320,300

7508           4510-0219.. For the purposes of a federally funded grant entitled, Small Rural Hospital  
7509 Improvement  
7510 Program.....\$81,000

7511           4510-0221.. For the purposes of a federally funded grant entitled, Targeted Oral Health  
7512 Services.....\$160,000

7513           4510-0222.. For the purposes of a federally funded grant entitled, Massachusetts Oral  
7514 Health Workforce in New Sites

7515 II.....\$411,411

7516           4510-0400.. For the purposes of a federally funded grant entitled, Medicare and Medicaid  
7517 Survey and

7518 Certification.....\$10,049,537

7519           4510-0404.. For the purposes of a federally funded grant entitled, Bioterrorism Hospital  
7520 Preparedness.....\$8,141,118

7521           4510-0406., For the purposes of a federally funded grant entitled, Emergency System for  
7522 Advance Registration of Volunteer Health

7523 .....\$200,000

7524           4510-0408.. For the purposes of a federally funded grant entitled, Medical Malpractice  
7525 and Patient

7526 Safety.....\$926,080

7527           4510-0409.. For the purposes of a federally funded grant entitled, Massachusetts System  
7528 for Advance

7529 Registration.....\$200,000

7530	4510-0500.. For the purposes of a federally funded grant entitled, Clinical Laboratory	
7531	Improvement	
7532	Amendments.....	\$310,881
7533	4510-0609.. For the purposes of a federally funded grant entitled, Nuclear Radiation	
7534	Commission Security	
7535	Inspections.....	\$19,373
7536	4510-0619.. For the purposes of a federally funded grant entitled, Food and Drug	
7537	Administration Inspection of Food	
7538	Establishments.....	\$340,704
7539	4510-0626.. For the purposes of a federally funded grant entitled, Statewide Surveillance	
7540	of Health Concerns and Toxic Algae	
7541	Blooms.....	\$149,939
7542	4510-0639.. For the purposes of a federally funded grant entitled, Food Protection Rapid	
7543	Response	
7544	Team.....	\$494,582
7545	4510-0640.. For the purposes of a federally funded grant entitled, Mass Food Protection	
7546	Task Force	
7547	Conference.....	\$5,000
7548	4510-0641.. For the purpose of a federally funded grant entitled, Harold Rogers Drug	
7549	Monitoring	
7550	Program.....	\$52,269

7551           4510-0643.. For the purposes of a federally funded grant entitled, FY10 Harold Rogers  
7552 Drug Monitoring: Enhancement of Information Tech (E of  
7553 IT).....\$200,000

7554           4510-9014.. For the purposes of a federally funded grant entitled, Mammography Quality  
7555 Standards Act Inspections.  
7556 .....\$224,394

7557           4510-9048.. For the purposes of a federally funded grant entitled, Indoor Radon  
7558 Development  
7559 Program.....\$155,000

7560           4510-9051.. For the purposes of a federally funded grant entitled, ATSDR  
7561 Appletree.....\$402,895

7562           4510-9053.. For the purposes of a federally funded grant entitled, Beaches Environmental  
7563 Assessment...\$263,742

7564           4510-9055.. For the purposes of a federally funded grant entitled, Assessment & Planning  
7565 to Develop Climate Change  
7566 Programs.....\$120,000

7567           4510-9056.. For the purposes of a federally funded grant entitled, National  
7568 Environmental Public Health Tracking.  
7569 .....\$950,844

7570           4510-9057.. For the purposes of a federally funded grant entitled, CLPPP Healthy  
7571 Homes.....\$600,000

7572           4512-0102.. For the purposes of a federally funded grant entitled, Sexually Transmitted  
7573 Disease  
7574 Control.....\$1,566,298

7575           4512-0178.. For the purposes of a federally funded grant entitled, ARRA -  
7576 Immunization.....\$5,679,847

7577           4512-0179.. For the purposes of a federally funded grant entitled, Vaccination Assistance  
7578 Project.....\$1,146,270

7579           4512-0180.. For the purposes of a federally funded grant entitled, Epidemiology and Lab  
7580 Surveillance.....\$34,836

7581           4512-0181.. For the purposes of a federally funded grant entitled, ARRA -  
7582 Meningococcal Virus  
7583 Protection.....\$301,237

7584           4512-0182.. For the purposes of a federally funded grant entitled, ARRA - Preventing  
7585 Healthcare Associated  
7586 Infections.....\$301,237

7587           4512-0184.. For the purposes of a federally funded grant entitled, Viral Hepatitis  
7588 Prevention Services – Integration into Existing  
7589 Programs.....\$211,202

7590           4512-0185.. For the purposes of a federally funded grant entitled, ARRA – IT-  
7591 ELC.....\$211,202

7592           4512-0186.. For the purposes of a federally funded grant entitled, Building and  
7593 Strengthening Epidemiology, Laboratory and Health Information System  
7594 Capacity.....\$838,673

7595           4512-9065.. For the purposes of a federally funded grant entitled, State Outcomes  
7596 Measurement and Management  
7597 System.....\$150,000

7598           4512-9067.. For the purposes of a federally funded grant entitled, Screening and Brief  
7599 Intervention.....\$700,000

7600           4512-9068.. For the purposes of a federally funded grant entitled, Collaborative for  
7601 Action, Leadership, and Learning.  
7602 .....\$523,251

7603           4512-9069.. For the purposes of a federally funded grant entitled, Substance Abuse  
7604 Prevention and Treatment Block  
7605 Grant.....\$38,255,001

7606           4512-9070.. For the purposes of a federally funded grant entitled, Promoting Safe and  
7607 Stable  
7608 Families.....\$500,000

7609           4512-9072.. For the purposes of a federally funded grant entitled, Access to  
7610 Recovery.....\$3,352,000

7611	4512-9426.. For the purposes of a federally funded grant entitled, Uniform Alcohol and	
7612	Drug Abuse Data	
7613	Collection.....	\$82,227
7614	4513-0111.. For the purposes of a federally funded grant entitled, Housing Opportunities	
7615	- People with	
7616	AIDS.....	\$146,000
7617	4513-9007.. For the purposes of a federally funded grant entitled, Nutritional Status of	
7618	Women, Infants, and Children (WIC)	
7619	.....	\$90,423,900
7620	4513-9018.. For the purposes of a federally funded grant entitled, Augmentation and	
7621	Evaluation of Established Health Education - Risk	
7622	Reduction.....	\$8,805,373
7623	4513-9020.. For the purposes of a federally funded grant entitled, Expanded and	
7624	Integrated HIV	
7625	Testing.....	\$929,301
7626	4513-9021.. For the purposes of a federally funded grant entitled, Program for Infants and	
7627	Toddlers with	
7628	Handicaps.....	\$8,019,076
7629	4513-9022.. For the purposes of a federally funded grant entitled, Prevention Disability	
7630	State - Based	
7631	Project.....	\$279,600

7632	4513-9023.. For the purposes of a federally funded grant entitled, Mass HIV/AIDS	
7633	National Behavioral	
7634	Surveillance.....	\$402,617
7635	4513-9024.. For the purposes of a federally funded grant entitled, Expanded & Integrated	
7636	HIV Testing (Cycle	
7637	II).....	\$922,802
7638	4513-9027.. For the purposes of a federally funded grant entitled, MassCare -	
7639	Community AIDS Resource	
7640	Enhancement.....	\$879,806
7641	4513-9030.. For the purposes of a federally funded grant entitled, Planning a	
7642	Comprehensive Primary Care System for All MA Children and	
7643	Youth.....	\$100,000
7644	4513-9037.. For the purposes of a federally funded grant entitled, Ryan White	
7645	Comprehensive AIDS	
7646	Resources.....	\$20,481,053
7647	4513-9038.. For the purposes of a federally funded grant entitled, Shelter Plus Care –	
7648	Worcester.....	\$298,836
7649	4513-9039.. For the purposes of a federally funded grant entitled, HIV/AIDS	
7650	Surveillance Enhancing Laboratory	
7651	Reporting.....	\$89,628



7652           4513-9040..For the purposes of a federally funded grant entitled, AIDS Surveillance and  
7653 Seroprevalence.....\$972,637

7654           4513-9046..For the purposes of a federally funded grant entitled, Congenital Anomalies  
7655 Center of  
7656 Excellence.....\$900,000

7657           4513-9051.. For the purposes of a federally funded grant entitled, Rural Domestic  
7658 Violence and Children Victimization  
7659 Project.....\$164,047

7660           4513-9060.. For the purposes of a federally funded grant entitled, Residential Fire Injury  
7661 Prevention.....\$7,109

7662           4513-9066.. For the purposes of a federally funded grant entitled, Universal Newborn  
7663 Hearing Screening - Enhancement  
7664 Project.....\$300,000

7665           4513-9071.. For the purposes of a federally funded grant entitled, Early Hearing  
7666 Detection and Intervention - Tracking and  
7667 Research.....\$175,000

7668           4513-9076.. For the purposes of a federally funded grant program entitled, Early  
7669 Childhood Comprehensive  
7670 Systems.....\$140,000

7671           4513-9077.. For the purposes of a federally funded grant entitled, Emergency Medical  
7672 Services for Children Partnership  
7673 II.....\$130,000

7674           4513-9083.. For the purposes of a federally funded grant entitled, Massachusetts Youth  
7675 Suicide Prevention  
7676 Program.....\$625,000

7677           4513-9085.. For the purposes of a federally funded grant entitled, Massachusetts  
7678 Pregnancy Risk.....\$160,950

7679           4513-9088.. For the purposes of a federally funded grant entitled, Helping Hands for  
7680 Infants and their  
7681 Families.....\$475,000

7682           4513-9091.. For the purposes of a federally funded grant entitled, NHI Health Disparities  
7683 (READY)  
7684 .....\$149,364

7685           4513-9092.. For the purposes of a federally funded grant entitled, Addressing Asthma  
7686 From a Public Health  
7687 Perspective.....\$508,880

7688           4513-9093.. For the purposes of a federally funded grant entitled, Massachusetts  
7689 LAUNCH.....\$850,000

7690           4513-9096.. For the purposes of a federally funded grant entitled, ACA Maternal, Infant  
7691 & Early Childhood Home Visiting  
7692 Program.....\$1,776,000

7693           4513-9097.. For the purposes of a federally funded grant entitled, Healthy Homes Tech  
7694 Studies.....\$333,024

7695           4514-1007.. For the purposes of a federally funded grant entitled,  
7696 ARWIC/MIS.....\$346,123

7697           4514-1008.. For the purposes of a federally funded grant entitled, WIC Enhanced  
7698 Referral and Family Support  
7699 Project.....\$5,000

7700           4515-0115.. For the purposes of a federally funded grant entitled, Tuberculosis Control  
7701 Project.....\$1,567,826

7702           4515-0121.. For the purposes of a federally funded grant entitled, Tuberculosis  
7703 Epidemiological Studies Consortium  
7704 .....\$265,778

7705           4515-0204.. For the purposes of a federally funded grant entitled, Strengthening  
7706 Surveillance for Infectious  
7707 Disease.....\$420,000

7708           4515-0205.. For the purposes of a federally funded grant entitled, HIV Training through  
7709 Prevention Training  
7710 Centers.....\$524,970

7711	4515-0206.. For the purposes of a federally funded grant entitled, Health Literacy and	
7712	Oral Health Status of African	
7713	Refugees.....	\$513,560
7714	4515-0207.. For the purposes of a federally funded grant entitled, Health, Training and	
7715	Technical Assistance to Refugee Serving	
7716	Agencies.....	\$374,929
7717	4515-1124.. For the purposes of a federally funded grant entitled, Adult Viral Hepatitis	
7718	Prevention	
7719	Coordination.....	\$56,660
7720	4516-1021.. For the purposes of a federally funded grant entitled, Public Health	
7721	Preparedness and Response for	
7722	Bioterrorism.....	\$14,285,663
7723	4518-0505.. For the purposes of a federally funded grant entitled, Tech Data -	
7724	Massachusetts Birth/Infant Death File Linkage and	
7725	Analysis.....	\$52,513
7726	4518-0514..For the purposes of a federally funded grant entitled, National Violent Death	
7727	Reporting	
7728	System.....	\$287,569
7729	4518-0534.. For the purposes of a federally funded grant entitled, Public Health Injury	
7730	Surveillance and	
7731	Prevention.....	\$738,946

7732            4518-1000.. For the purposes of a federally funded grant entitled, Procurement of  
7733 Information for the National Death  
7734 Index..... \$27,500

7735            4518-1002.. For the purposes of a federally funded grant entitled, Massachusetts Death  
7736 File - Social Security  
7737 Administration..... \$33,000

7738            4518-1003.. For the purposes of a federally funded grant entitled, Massachusetts Birth  
7739 Records — Social Security  
7740 Administration..... \$212,075

7741            4518-9023.. For the purposes of a federally funded grant entitled, Census of Fatal  
7742 Occupational  
7743 Injuries..... \$47,192

7744            4518-9030.. For the purpose of a federally funded grant entitled, Public Health Injury  
7745 Surveillance and Prevention  
7746 Program..... \$10,378

7747            4518-9033.. For the purposes of a federally funded grant entitled, Teen Dating Violence  
7748 Prevention..... \$16,767

7749            4518-9041.. For the purpose of a federally funded grant entitled, Amputation/CTS  
7750 Project.....\$145,944

7751            4518-9044.. For the purpose of a federally funded grant entitled, MA Citizen Verification  
7752 for Federal  
7753 Employment.....\$40,000

7754            4518-9045.. For the purpose of a federally funded grant entitled, MA Integration of  
7755 Chronic Disease-  
7756 ARRA.....\$274,233

7757            4570-1509.. For the purposes of a federally funded grant entitled, Massachusetts  
7758 Cardiovascular Disease  
7759 Prevention.....\$1,194,522

7760            4570-1512..For the purposes of a federally funded grant entitled, National Cancer  
7761 Prevention Control.....  
7762 \$4,979,553

7763            4570-1513.. For the purposes of a federally funded grant entitled, Colorectal Cancer  
7764 Screening..... \$1,000,000

7765            4570-1514.. For the purposes of a federally funded grant entitled, Wise  
7766 Woman.....\$900,000

7767            4570-1516..For the purposes of a federally funded grant entitled, Paul Coverdell Acute  
7768 Stroke Registry.....  
7769 \$600,000

7770            4570-1517..For the purposes of a federally funded grant entitled, Nutrition  
7771 Obesity..... \$1,000,152

7772 4570-1520.. For the purposes of a federally funded grant entitled, Massachusetts  
7773 Integration of Chronic  
7774 Disease.....\$2,531,966

7775 4570-1521.. For the purpose of a federally funded grant entitled, 901 ARRA Component  
7776 1 MA Integration of Chronic Disease  
7777 .....\$223,434

7778 4570-1522.. For the purpose of a federally funded grant entitled, 901 ARRA Component  
7779 2 MA Integration of Chronic  
7780 Disease..... \$278,516

7781 4570-1523.. For the purpose of a federally funded grant entitled, 901 ARRA Component  
7782 3 MA Integration of Chronic  
7783 Disease..... \$180,803

7784 4570-1525.. For the purpose of a federally funded grant entitled, FDA – 10 –  
7785 Tobacco.....\$432,389

7786 4570-1526.. For the purpose of a federally funded grant entitled, Demonstrating Capacity  
7787 for Cancer  
7788 Control.....\$175,000

7789 4570-1527.. For the purpose of a federally funded grant entitled, Personal Responsibility  
7790 Education  
7791 (PREP).....\$575,610

7792           4570-1529.. For the purpose of a federally funded grant entitled, MA Support for  
7793 Pregnant Teens and  
7794 Women.....\$1,648,438

7795           4570-1530.. For the purpose of a federally funded grant entitled, HR-Tobacco Patient  
7796 Protection and Affordable Care  
7797 Act.....\$83,924

7798           4570-1531.. For the purpose of a federally funded grant entitled, Behavioral Risk factor  
7799 Surveillance.\$1,648,438

7800           Department of Children and Families.

7801           4800-0005.. For the purposes of a federally funded grant entitled, Children’s Justice  
7802 Act.....\$332,603

7803           4800-0007.. For the purposes of a federally funded grant entitled, Family Violence  
7804 Prevention and Support Services  
7805 Act.....\$1,868,196

7806           4800-0009.. For the purposes of a federally funded grant entitled, Title IV-E Independent  
7807 Living.....\$2,996,999

7808           4800-0013.. For the purposes of a federally funded grant entitled, Family Preservation  
7809 and Support  
7810 Services.....\$4,428,994



7811           4800-0085.. For the purposes of a federally funded grant entitled, Educational & Training  
7812 Voucher  
7813 Program.....\$1,004,749

7814           4899-0001.. For the purposes of a federally funded grant entitled, Title IV-B Child  
7815 Welfare Services..\$4,423,131

7816           4899-0022.. For the purposes of a federally funded grant entitled, Child Abuse and  
7817 Neglect Prevention and  
7818 Treatment.....\$508,268

7819           Department of Mental Health.

7820           5012-9121.. For the purposes of a federally funded grant entitled, Project for Assistance  
7821 in Transition from  
7822 Homelessness.....\$1,768,195

7823           5012-9160.. For the purposes of a federally funded grant entitled, Jail Diversion and  
7824 Trauma Recovery..\$412,500

7825           5012-9161.. For the purposes of a federally funded grant entitled, Community Re-entry  
7826 for Women  
7827 Program.....\$67,227

7828           5012-9163.. For the purposes of a federally funded grant entitled, CCP Crisis  
7829 Counseling.....\$71,445

7830           5012-9164.. For the purposes of a federally funded grant entitled, DIG  
7831 2011.....\$132,937

7832            5046-9102.. For the purposes of a federally funded grant entitled, Shelter Plus Care  
7833 Program.....\$201,120

7834            5047-9102.. For the purposes of a federally funded grant entitled, Comprehensive Mental  
7835 Health Services for Children and their  
7836 Families.....\$392,523

7837            Department of Developmental Services.

7838            5947-0011.. For the purposes of a federally funded grant entitled, Real Choice Systems  
7839 Change Grant...\$102.632

7840            5947-0012.. For the purposes of a federally funded grant entitled, Life Span Federal  
7841 Grant.....\$89,903

7842            Board of Library Commissioners.

7843            7000-9702.. For the purposes of a federally funded grant entitled, Library Service  
7844 Technology Act.....\$3,323,269

7845

7846            MASSACHUSETTS DEPARTMENT OF TRANSPORTATION.

7847            6440-0088.. For the purposes of a federally funded grant entitled, Perform Registry Info  
7848 Management System  
7849 .....\$300,038

7850	6440-0089.. For the purposes of a federally funded grant entitled, Commercial Vehicle	
7851	Information Systems and	
7852	Networks.....	\$3,280,384
7853	6440-0090.. For the purposes of a federally funded grant entitled, CDL Information	
7854	System Enhancement	
7855	.....	\$2,191,049
7856	6440-0097.. For the purposes of a federally funded grant entitled, Commercial Drivers	
7857	License Information	
7858	System.....	\$135,728
7859	6440-0098.. For the purposes of a federally funded grant entitled, Safety Data	
7860	Improvement Program	
7861	.....	\$325,908
7862	6440-0099.. For the purposes of a federally funded grant entitled, Real ID Demonstration	
7863	Program....	\$1,265,208
7864	6642-0018.. For the purposes of a federally funded grant entitled, Section 5311 Non-	
7865	Urbanized Area Formula	
7866	Program.....	\$3,477,592
7867	6642-0020.. For the purposes of a federally funded grant entitled, Section 5316 Job	
7868	Access and Reverse	
7869	Commute.....	\$5,907,631

7870           6642-0023.. For the purposes of a federally funded grant entitled, Section 5303 and 5304

7871 Metropolitan Transportation

7872 Planning.....\$4,900,710

7873           6642-0026.. For the purposes of a federally funded grant entitled, Section 5317 New

7874 Freedom Operating

7875 Segment.....\$2,734,306

7876           6642-0028.. For the purposes of a federally funded grant entitled, Intermodal

7877 Transportation Center...\$5,568,318

7878           6642-0049.. For the purposes of a federally funded grant entitled, Section 56310 Special

7879 Needs for Elderly

7880 Individuals.....\$2,866,287

7881           6643-0011.. For the purposes of a federally funded grant entitled, ARRA Fast Track New

7882 Bedford...\$10,000,000

7883           6830-3250.. For the purposes of a federally funded grant entitled, Statewide Airport

7884 Systems Plan.....\$163,429

7885           EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.

7886           Office of the Secretary.

7887           7002-1625.. For the purposes of a federally funded grant entitled, Veterans Workforce

7888 Investment Program

7889 FY12..... \$757,412

7890            7002-4203.. For the purposes of a federally funded grant entitled, Occupational  
7891 Substance and Health Administration Statistical  
7892 Survey..... \$73,345

7893            7002-4204.. For the purposes of a federally funded grant entitled, Adult Blood Lead  
7894 Levels Surveillance.....  
7895 \$195,000

7896            7002-4212.. For the purposes of a federally funded grant entitled, Asbestos Licensing and  
7897 Monitoring...\$108,000

7898            7002-4213.. For the purposes of a federally funded grant entitled, Lead Licensing and  
7899 Monitoring.....\$360,000

7900            7002-4215.. For the purposes of a federally funded grant entitled, Occupational Illness  
7901 and Injury.....\$86,707

7902            7002-6621.. For the purposes of a federally funded grant entitled, Department of  
7903 Workforce Development Administrative Services &  
7904 Technology..... \$18,170,477

7905            7002-6624.. For the purposes of a federally funded grant entitled, Unemployment  
7906 Insurance Administration.....  
7907 \$79,000,000

7908            7002-6626.. For the purposes of a federally funded grant entitled, Employment Service  
7909 Programs Administration.....  
7910 \$16,269,778

7911            7002-6627.. For the purposes of a federally funded grant entitled, Occupational  
7912 Substance and Health Administration On-site Consultation  
7913 Program..... \$1,413,000

7914            7002-6628.. For the purposes of a federally funded grant entitled, Disabled Veterans  
7915 Outreach.....\$1,600,000

7916            7002-6629.. For the purposes of a federally funded grant entitled, Local Veterans  
7917 Employment Representative.....  
7918 \$2,100,000

7919            7002-6646.. For the purposes of a federally funded grant entitled, WIA Recovery Act  
7920 Employer Services.....  
7921 \$4,500,000

7922            7002-9701.. For the purposes of a federally funded grant entitled, Federal Bureau of  
7923 Labor Statistics  
7924 Grant..... \$2,569,258

7925            7003-1010.. For the purposes of a federally funded grant entitled, Trade Expansion Act  
7926 Program.....\$18,541,849

7927            7003-1630.. For the purposes of a federally funded grant entitled, Adult Activities –  
7928 Workforce Investment Act Title I - Adult  
7929 Activities.....\$21,077,233

7930            7003-1631.. For the purposes of a federally funded grant entitled, Youth Formula Grants  
7931 – Workforce Investment Act Title I - Youth Formula Grants.....  
7932 \$24,370,973

7933            7003-1632.. For the purposes of a federally funded grant entitled, Dislocated Workers –  
7934 Workforce Investment Act Title I –Dislocated  
7935 Workers..... \$28,612,463

7936            7003-1633.. For the purposes of a federally funded grant entitled, Work Incentive Grant  
7937 Access to Employment for  
7938 All..... \$450,000

7939            7003-1640.. For the purposes of a federally funded grant entitled, WIA Recovery Act  
7940 Adult Workers  
7941 ..... \$4,500,000

7942            7003-1642.. For the purposes of a federally funded grant entitled, WIA Recovery Act  
7943 Dislocated Workers.....  
7944 \$14,000,000

7945            7003-1645.. For the purposes of a federally funded grant entitled, ARRA State Energy  
7946 Sector Partnership.....  
7947 \$2,014,295

7948            7003-1651.. For the purposes of a federally funded grant entitled, WIA Recovery Act  
7949 Youth Workers.....  
7950 \$12,000,000

7951            7003-2013.. For the purposes of a federally funded grant entitled, Mine Safety and Health

7952 Training..... \$65,651

7953            EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT.

7954            Department of Housing and Community Development.

7955            4400-0705.. For the purposes of a federally funded grant entitled, McKinney Emergency

7956 Shelter Grants.....

7957 \$2,900,000

7958            4400-0707.. For the purposes of a federally funded grant entitled, Continuum of

7959 Care.....\$6,000,000

7960            4400-9404.. For the purposes of a federally funded grant entitled, McKinney Shelter Plus

7961 Care – Continuum of

7962 Care..... \$3,400,000

7963            7004-0305.. For the purposes of a federally funded grant entitled, Lead Hazard

7964 Control.....\$469,982

7965            7004-2030.. For the purposes of a federally funded grant entitled, Weatherization

7966 Assistance for Low Income Persons; provided, that, consistent with applicable federal

7967 regulations and the state plan, the department of housing and community development may

7968 provide monthly payments in advance to participating

7969 agencies..... \$7,111,922



7970            7004-2031.. For the purposes of a federally funded grant entitled, Weatherization  
7971 Assistance for Low  
7972 Income..... \$10,395,482

7973            7004-2033.. For the purposes of a federally funded grant entitled, Low Income Home  
7974 Energy Assistance Program; provided, that consistent with applicable federal regulations and the  
7975 state plan, the department of housing and community development shall provide monthly  
7976 payments in advance to participating agencies.....  
7977 \$210,212,673

7978            7004-2034.. For the purposes of a federally funded grant entitled, Community Services  
7979 Block Grant; provided, that consistent with applicable federal regulations and the state plan, the  
7980 department of housing and community development may provide monthly payments in advance  
7981 to participating  
7982 agencies..... \$16,486,827

7983            7004-2361.. For the purposes of a federally funded grant entitled, Section 8 Substantial  
7984 Rehabilitation Administrative  
7985 Fee..... \$248,455

7986            7004-2363.. For the purposes of a federally funded grant entitled, Section 8  
7987 Administrative Fee Housing  
7988 Voucher..... \$3,201,079

7989            7004-2364.. For the purposes of a federally funded grant entitled, Section 8  
7990 Administrative Fee Moderate  
7991 Rehabilitation..... \$183,097

7992            7004-2365.. For the purposes of a federally funded grant entitled, Section 8

7993    Administrative Fee New

7994    Construction..... \$381,179

7995            7004-3037.. For the purposes of a federally funded grant entitled, Small Cities

7996    Community Development Block Grant Program; provided, that consistent with applicable

7997    federal regulations and the state plan, the department of housing and community development

7998    may provide monthly payments in advance to participating

7999    agencies..... \$36,934,589

8000            7004-3038.. For the purposes of a federally funded grant entitled, Neighborhood

8001    Stabilization.....\$9,824,139

8002            7004-3041.. For the purposes of a federally funded grant entitled, Community

8003    Development Block Grant –

8004    ARRA..... \$2,000,000

8005            7004-3051.. For the purposes of a federally funded grant entitled, ARRA Homeless

8006    Prevention and Rapid Rehousing

8007    Program..... \$5,607,300

8008            7004-9009.. For the purposes of a federally funded grant entitled, Section 8 Substantial

8009    Rehabilitation Program; provided, that the department of housing and community development

8010    may provide monthly payments in advance to participating

8011    agencies..... \$9,446,234

8012           7004-9014.. For the purposes of a federally funded grant entitled, Federal Housing  
8013 Voucher Program; provided, that the department of housing and community development may  
8014 provide monthly payments in advance to participating  
8015 agencies..... \$229,653,571

8016           7004-9019.. For the purposes of a federally funded grant entitled, Section 8 Moderate  
8017 Rehabilitation; provided, that the department of housing and community development may  
8018 provide monthly payments in advance to participating  
8019 agencies..... \$9,460,745

8020           7004-9020.. For the purposes of a federally funded grant entitled, Section 8 New  
8021 Construction Program; provided, that the department of housing and community development  
8022 may provide monthly payments in advance to participating  
8023 agencies..... \$6,746,500

8024           7004-9028.. For the purposes of a federally funded grant entitled, Home Investment  
8025 Partnerships; provided, that, consistent with applicable federal regulations and the state plan, the  
8026 department of housing and community development may provide monthly payments in advance  
8027 to participating  
8028 agencies..... \$15,000,000

8029           7004-9039.. For the purposes of a federally funded grant entitled, Home Technical  
8030 Assistance.....\$107,298

8031           7004-9051.. For the purposes of a federally funded grant entitled, Shelter Plus Care-  
8032 Lowell; provided, that, consistent with applicable federal regulations and the state plan, the  
8033 department of housing and community development may provide monthly payments in advance

8034 to participating

8035 agencies..... \$79,000

8036 7004-9313.. For the purposes of a federally funded grant entitled, ARRA Tax Credit

8037 Exchange Program.....

8038 \$22,928,537

8039 7004-9314.. For the purposes of a federally funded grant entitled, ARRA Tax Credit

8040 Assistance Program.....

8041 \$14,901,408

8042 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY.

8043 Office of the Secretary.

8044 8000-0088.. For the purposes of a federally funded grant entitled, Bulletproof Vest

8045 Federal Receipt.....

8046 \$300,000

8047 8000-2015.. For the purposes of a federally funded grant entitled, ARRA Justice

8048 Assistant Grant.....

8049 \$600,000

8050 8000-4603.. For the purposes of a federally funded grant entitled, Juvenile Justice

8051 Delinquency and Prevention

8052 Act..... \$1,000,000

8053           8000-4608.. For the purposes of a federally funded grant entitled, Drug-Free Schools and  
8054 Communities Act of  
8055 1986..... \$100,000

8056           8000-4610.. For the purposes of a federally funded grant entitled, Statistical Analysis  
8057 Center..... \$60,000

8058           8000-4611.. For the purposes of a federally funded grant entitled, Byrne Justice  
8059 Assistance.....\$4,000,000

8060           8000-4619.. For the purposes of a federally funded grant entitled, Title  
8061 V.....\$75,000

8062           8000-4620.. For the purposes of a federally funded grant entitled, Stop Violence Against  
8063 Women Formula Grants  
8064 Program..... \$2,000,000

8065           8000-4623.. For the purposes of a federally funded grant entitled, Criminal History  
8066 Improvement..... \$200,000

8067           8000-4624.. For the purposes of a federally funded grant entitled, Prisoner Substance  
8068 Abuse Treatment  
8069 ..... \$100,000

8070           8000-4639.. For the purposes of a federally funded grant entitled, Justice Loan  
8071 Repayment  
8072 Grant.....\$130,000

8073           8000-4640.. For the purposes of a federally funded grant entitled, Hampden Reentry  
8074 Grant.....\$225,000

8075           8000-4692.. For the purposes of a federally funded grant entitled, State Homeland  
8076 Security Program.....  
8077 \$20,000,000

8078           8000-4693.. For the purposes of a federally funded grant entitled, Project Safe  
8079 Neighborhood.  
8080 ..... \$200,000

8081           8000-4694.. For the purposes of a federally funded grant entitled, Homeland Urban  
8082 Areas..... \$7,500,000

8083           8000-4695.. For the purposes of a federally funded grant entitled, Homeland Security  
8084 Buffer Zone Protection.....  
8085 \$1,200,000

8086           8000-4696.. For the purposes of a federally funded grant entitled, Transportation Security  
8087 Grant..... \$10,000,000

8088           8000-4697.. For the purposes of a federally funded grant entitled, Homeland Security  
8089 Interoperable Communication.  
8090 ..... \$8,000,000

8091           8000-4699.. For the purposes of a federally funded grant entitled, Homeland Citizen  
8092 Corp..... \$295,000

8093	8000-4700.. For the purposes of a federally funded grant entitled, Homeland Medical	
8094	Response.....	\$400,000
8095	8000-4701.. For the purposes of a federally funded grant entitled, Homeland Port	
8096	Security.....	\$2,000,000
8097	8000-4702.. For the purposes of a federally funded grant entitled, Homeland	
8098	Interoperable	
8099	Communications.....	\$500,000
8100	8000-4703.. For the purposes of a federally funded grant entitled, Homeland Catastrophic	
8101	Preparation.....	\$2,000,000
8102	8000-4705.. For the purposes of a federally funded grant entitled, Homeland Emergency	
8103	Management	
8104	Preparation.....	\$4,000,000
8105	8000-4706.. For the purposes of a federally funded grant entitled, Homeland Emergency	
8106	Operations	
8107	Center.....	\$50,000
8108	8000-4804.. For the purposes of a federally funded grant entitled, State Agency	
8109	Programs.....	\$16,000,000
8110	8000-4840.. For the purposes of a federally funded grant entitled, 2006 Enforcing	
8111	Underage Drinking	
8112	Laws.....	\$300,000

8113            8000-4841.. For the purposes of a federally funded grant entitled, Fatality Analysis  
8114 Reporting.....\$100,000

8115            8000-4843..For the purposes of a federally funded grant entitled, Increased Endorsed  
8116 Motorcyclists.....\$29,416

8117            8000-4844.. For the purposes of a federally funded grant entitled, Increased Blood  
8118 Alcohol Reporting.....\$32,012

8119            8000-6613.. For the purposes of a federally funded grant entitled, Juvenile Accountability  
8120 II..... \$700,000

8121            Department of State Police.

8122            8100-0209.. For the purposes of a federally funded grant entitled, Region 1 Training  
8123 Academy Motor Carrier Safety  
8124 Assistance.....\$194,904

8125            8100-0210.. For the purposes of a federally funded grant entitled, MCSAP-CVE New  
8126 Entrant  
8127 Audit.....\$602,422

8128            8100-2010.. For the purposes of a federally funded grant entitled, Federal Motor Carrier  
8129 Safety.....\$7,317

8130            8100-2058.. For the purposes of a federally funded grant entitled, New England State  
8131 Police Administrator’s Conference - Regional  
8132 Investigation.....\$4,867,198



8133	8100-2639.. For the purposes of a federally funded grant entitled, ARRA ICAC Task	
8134	Force.....	\$152,200
8135	8100-2640.. For the purposes of a federally funded grant entitled, Internet Crimes	
8136	Against Children	
8137	Continuation.....	\$7,000
8138	8100-2641.. For the purposes of a federally funded grant entitled, Internet Crimes	
8139	Against Children Data	
8140	System.....	\$460,448
8141	8100-9706.. For the purposes of a federally funded grant entitled, Cannabis Eradication	
8142	Controlled Substance Prosecution DEA Cooperative	
8143	Agreement.....	\$50,753
8144	8100-9747.. For the purposes of a federally funded grant entitled, Forensic DNA Backlog	
8145	Reduction Program	
8146	FY09.....	\$479,230
8147	8100-9748..For the purposes of a federally funded grant entitled, FY10 Forensic DNA	
8148	Backlog Reduction	
8149	Program.....	\$521,383
8150	8100-9749..For the purposes of a federally funded grant entitled, Coverdell Forensics	
8151	Science	
8152	Improvement.....	\$165,187
8153	Department of Fire Services.	

8154            8324-1505.. For the purposes of a federally funded grant entitled, USFA/NFA State Fire  
8155 Training  
8156 Program.....\$28,000

8157            Military Division.

8158            8700-0006.. For the purposes of a federally funded grant entitled, Military Construction  
8159 Costs in  
8160 Methuen.....\$9,647,217

8161            8700-1001.. For the purposes of a federally funded grant entitled, Army National Guard  
8162 Facilities Programs Cooperative  
8163 Agreement.....\$15,872,100

8164            8700-1002.. For the purposes of a federally funded grant entitled, Army National Guard  
8165 Environmental Programs Cooperative  
8166 Agreement.....\$3,149,000

8167            8700-1003.. For the purposes of a federally funded grant entitled, Army National Guard  
8168 Security Cooperative  
8169 Agreement.....\$1,410,800

8170            8700-1004.. For the purposes of a federally funded grant entitled, Army National Guard  
8171 Electronic Security Cooperative  
8172 Agreement.....\$200,000

8173           8700-1005.. For the purposes of a federally funded grant entitled, Army National Guard

8174   Communications and Information Management Cooperative

8175   Agreement.....\$2,435,400

  

8176           8700-1007.. For the purposes of a federally funded grant entitled, Army National Guard

8177   Sustainable Ranges Cooperative Agreement

8178   .....\$669,000

  

8179           8700-1010.. For the purposes of a federally funded grant entitled, Army National Guard

8180   Antiterrorism Cooperative

8181   Agreement.....\$100,000

  

8182           8700-1021.. For the purposes of a federally funded grant entitled, Air National Guard

8183   Facilities Operations and Maintenance Cooperative

8184   Agreement.....\$7,717,457

  

8185           8700-1022.. For the purposes of a federally funded grant entitled, Air National Guard

8186   Environment Cooperative

8187   Agreement.....\$70,100

  

8188           8700-1023.. For the purposes of a federally funded grant entitled, Air National Guard

8189   Security Cooperative

8190   Agreement.....\$1,940,000

  

8191           8700-1024.. For the purposes of a federally funded grant entitled, Air National Guard

8192   Fire Protection Cooperative

8193   Agreement.....\$2,101,600

8194            8700-1027.. For the purposes of a federally funded grant entitled, Air National Guard

8195    Logistics Cooperative

8196    Agreement.....\$130,000

8197            8700-1040.. For the purposes of a federally funded grant entitled, Air National Guard

8198    Distributed Learning Program Cooperative

8199    Agreement.....\$150,000

8200            8700-2001.. For the purposes of a federally funded grant entitled, Natick National Guard

8201    Readiness

8202    Center.....\$9,716,000

8203            8700-9021.. For the purposes of a federally funded grant entitled, Army National Guard

8204    Energy Reduction Projects

8205    ARRA.....\$150,000

8206            Massachusetts Emergency Management Agency.

8207            8800-0011.. For the purposes of a federally funded grant entitled, Severe Repetitive Loss

8208    Grant.....\$449,568

8209            8800-0012.. For the purposes of a federally funded grant entitled, Pre-Disaster Mitigation

8210    Competitive

8211    Grant.....\$88,417

8212            8800-0042.. For the purposes of a federally funded grant entitled, Hazardous Materials

8213    Transportation

8214    Act.....\$458,003

8215           8800-0048.. For the purposes of a federally funded grant entitled, Flood Mitigation

8216 Assistance

8217 Program.....\$1,331,702

8218           8800-0064.. For the purposes of a federally funded grant entitled, Hazard Mitigation

8219 1364.....\$3,081,784

8220           8800-1642.. For the purposes of a federally funded grant entitled, May 2006 Floods

8221 FEMA.....\$1,796,396

8222           8800-1701.. For the purposes of a federally funded grant entitled, April 2007 Storm

8223 FEMA..... \$1,875,846

8224           8800-1813.. For the purposes of a federally funded grant entitled, December 2008 Ice

8225 Storm FEMA...\$4,845,557

8226           8800-1895.. For the purposes of a federally funded grant entitled, March 2010 Floods

8227 FEMA.....\$14,296,039

8228           Department of Correction.

8229           8903-9003.. For the purposes of a federally funded grant entitled, Second Chance Act

8230 Family Based Substance Abuse Treatment

8231 Grant.....\$140,545

8232           8903-9009.. For the purposes of a federally funded grant entitled, Second Chance Act

8233 New Clean Green Energy Training

8234 Program.....\$382,780

8235            8903-9709.. For the purposes of a federally funded grant entitled, Grants to States for  
8236 Workplace and Community Transition Training for Incarcerated Youth  
8237 Offenders..... \$153,894

8238            EXECUTIVE OFFICE OF ELDER AFFAIRS.

8239            Office of the Secretary.

8240            9110-1074.. For the purposes of a federally funded grant entitled, Older Americans  
8241 Assistance - Title III and Title  
8242 VII.....\$9,500,703

8243            9110-1077.. For the purposes of a federally funded grant entitled, National Family  
8244 Caregiver Support  
8245 Program.....\$2,469,373

8246            9110-1095.. For the purposes of a federally funded grant entitled, Health Information  
8247 Counseling and Assistance  
8248 .....\$1,137,421

8249            9110-1150.. For the purposes of a federally funded grant entitled, Empowering Older  
8250 People.....\$252,514

8251            9110-1173.. For the purposes of a federally funded grant entitled, Older Americans Act  
8252 - Title III Nutritional  
8253 Program.....\$10,247,829

8254	9110-1174.. For the purposes of a federally funded grant entitled, Nutrition Services	
8255	Incentive	
8256	Program.....	\$4,954,850
8257	9110-1175.. For the purposes of a federally funded grant entitled, Medicare Enrollment	
8258	Assistance Program	
8259	AAA.....	\$12,683
8260	9110-1176.. For the purposes of a federally funded grant entitled, Medicare Enrollment	
8261	Assistance Program	
8262	ADRC.....	\$22,262
8263	9110-1177.. For the purposes of a federally funded grant entitled, Additional Funding Act	
8264	State Health	
8265	Insurance.....	\$31,420
8266	9110-1178.. For the purposes of a federally funded grant entitled, Community Service	
8267	Employment Program	
8268	.....	\$2,983,508
8269	9110-1180.. For the purposes of a federally funded grant entitled, 2007 Medicare	
8270	Improvements for Patients and Providers to	
8271	LIS/MSP.....	\$15,051
8272	9110-1182.. For the purposes of a federally funded grant entitled, 2008 Medicare	
8273	Improvements for Patients and	
8274	Providers.....	\$11,048

8275            9110-3000.. For the purposes of a federally funded grant entitled, Senior Medicare Patrol  
 8276 Integration  
 8277 .....\$193,895

8278            9110-3031.. For the purposes of a federally funded grant entitled, ADRC Strategic  
 8279 Planning .....\$250,000

8280            9110-3037.. For the purposes of a federally funded grant entitled, Massachusetts  
 8281 Community Living Program  
 8282 .....\$500,000

8283            9110-3200.. For the purposes of a federally funded grant entitled, Community Based  
 8284 Alzheimer Care Project  
 8285 .....\$250,000

8286            9110-3300.. For the purposes of a federally funded grant entitled, MA Next Generation  
 8287 Performance Outcome Measurement  
 8288 Project.....\$111,505

8289            SECTION 2E. The sums set forth in this section are hereby appropriated for transfer  
 8290 from the General Fund to the trust funds named within each item unless specifically designated  
 8291 otherwise in this section, for the purposes and subject to the conditions specified in this section  
 8292 and subject to the laws regulating the disbursement of public funds for the fiscal year ending  
 8293 June 30, 2012. Items in this section shall not be subject to allotment under section 9B of chapter  
 8294 29 of the General Laws or reduction under section 9C of said chapter 29, without express  
 8295 authorization from the general court. Notwithstanding section 19A of said chapter 29, any  
 8296 transfer under this section shall be made by the comptroller in accordance with a transfer



8297 schedule to be developed for each item by the comptroller, after consulting with the appropriate  
8298 agency secretary, the secretary of administration and finance and the state treasurer. The  
8299 schedule for each appropriation shall provide for transfers in increments considered appropriate  
8300 to meet the cash flow needs of each fund and all transfers under the schedule shall be completed  
8301 not later than June 30, 2012. Not later than 7 days after the schedules receive final approval by  
8302 the comptroller, they shall be reported to the house and senate committees on ways and means.

8303 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

8304 1599-6152.. For an operating transfer to the State Retiree Benefits Trust Fund,  
8305 established pursuant to section 24 of chapter 32A of the General  
8306 Laws.....\$414,325,940

8307 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

8308 Office of the Secretary of Health and Human Services.

8309 1595-1068.. For an operating transfer to the MassHealth provider payment account in the  
8310 Medical Assistance Trust Fund established in section 2QQQ of chapter 29 of the General Laws;  
8311 provided, that these funds shall be expended only for services provided during state or federal  
8312 fiscal year 2012, and no amounts previously or subsequently transferred into the Medical  
8313 Assistance Trust Fund shall be expended on payments described in the section 1115  
8314 demonstration waiver for services provided during state fiscal year 2012, or payments described  
8315 in the state plan for services provided during federal fiscal year 2012; provided further, that all  
8316 payments from the Medical Assistance Trust Fund shall be subject to the availability of federal  
8317 financial participation, shall be made only in accordance with federally-approved payment  
8318 methods, shall be consistent with federal funding requirements and all federal payment limits as

8319 determined by the secretary of health and human services and shall be subject to the terms and  
8320 conditions of an agreement with the executive office of health and human services; provided  
8321 further, that any increase in payment made from the trust fund totaling an amount greater than  
8322 \$251,000,000 in fiscal year 2012 shall be made only after the secretary of health and human  
8323 services certifies that any increase in payments from the trust fund shall not exceed the  
8324 negotiated limit for section 1115 waiver spending; provided further, that the secretary of health  
8325 and human services shall notify, in writing, the house and senate committees on ways and means  
8326 and the joint committee on health care financing of any increases in payments within 15 days;  
8327 and provided further, that the secretary of health and human services shall make a payment of up  
8328 to \$308,050,000 from the Medical Assistance Trust Fund to the Cambridge Public Health  
8329 Commission for dates of service in state and federal fiscal year 2012 only after the Cambridge  
8330 Public Health Commission transfers up to \$154,025,000 of its funds to the Medical Assistance  
8331 Trust Fund using a federally-permissible source of funds which shall fully satisfy the nonfederal  
8332 share of such payment.....\$394,025,000

8333 1595-1069.. For the purpose of administering the Medicaid Electronic Health Record  
8334 Incentive Payment program; provided, that notwithstanding any general or special law to the  
8335 contrary, the comptroller shall transfer up to \$500,000 from the General Fund to the Health  
8336 Insurance Technology Trust Fund; and provided further, that all payments from the Health  
8337 Insurance Technology Trust Fund shall be subject to the availability of federal financial  
8338 participation.....\$500,000

8339 1595-5819.. For an operating transfer to the Commonwealth Care Trust Fund, established  
8340 under section 2000 of chapter 29 of the General Laws; provided, that up to \$30,000,000 shall  
8341 be transferred from the Commonwealth Care Trust Fund to the Health Safety Net Trust Fund,

8342 established under section 36 of chapter 118G of the General Laws; provided further, that the  
8343 hospital fiscal year 2012 payment amount to each hospital shall be funded by the Health Safety  
8344 Net Trust Fund; provided further, that payments may be made either as safety net care payments  
8345 under the commonwealth's section 1115 waiver, or as an adjustment to Title XIX service rate  
8346 payments, or a combination thereof; provided further, that the executive office of health and  
8347 human services and the health safety net office may use other federally permissible funding  
8348 mechanisms available for public service hospitals, as defined in 114.1 CMR 36.02, to reimburse  
8349 up to \$70,000,000 of uncompensated care at the hospitals using sources distinct from the funding  
8350 made available to the Health Safety Net Trust Fund; provided further, that the secretary of  
8351 administration and finance, in consultation with the secretary of health and human services and  
8352 the executive director of the commonwealth health insurance connector authority, shall on a  
8353 quarterly basis evaluate the revenue needs of the health safety net program funded by the Health  
8354 Safety Net Trust Fund and the Commonwealth Care subsidized health insurance program funded  
8355 by the Commonwealth Care Trust Fund, and if necessary, transfer monies between these funds  
8356 for the purpose of ensuring that sufficient revenues are available to support projected program  
8357 expenditures; provided further, that the secretary of administration and finance shall report any  
8358 transfers made between the Health Safety Net Trust Fund and the Commonwealth Care Trust  
8359 Fund to the house and senate committees on ways and means and the joint committee on  
8360 healthcare financing within 30 days of the proposed transfer; provided further, that  
8361 notwithstanding any general or special law to the contrary, if the secretary of administration and  
8362 finance determines that amounts transferred from the General Fund to the Commonwealth Care  
8363 Trust Fund are not needed to support the costs of the commonwealth care and Commonwealth  
8364 Care Bridge subsidized health insurance programs in fiscal year 2012, the secretary of

8365 administration and finance shall notify the comptroller and the house and senate committees on  
8366 ways and means of this determination and the comptroller shall transfer such amounts from the  
8367 Commonwealth Care Trust Fund back to the General Fund; and provided further, that up to  
8368 \$10,000,000 shall be applied for the purpose of providing small business health insurance  
8369 wellness subsidies pursuant to section 7A of chapter 176Q of the General Laws; provided  
8370 further, that the commonwealth health insurance connector authority shall conduct a study to  
8371 determine whether individuals in the Greater Brockton area who are receiving Commonwealth  
8372 Care subsidized health insurance benefits through a health maintenance organization under  
8373 contract with the connector authority have adequate access to those health care providers that  
8374 have historically served those individuals; and provided further, that notwithstanding said section  
8375 7A of said chapter 176Q, for fiscal year 2012, the connector shall provide an annual health  
8376 insurance wellness subsidy not to exceed 15 per cent of eligible employer health care costs as  
8377 calculated by the employer for credit by the federal government under the federal Patient  
8378 Protection and Affordable Care Act .....\$751,511,822

8379 TRANSPORTATION.

8380 Department of Transportation.

8381 1595-6368.. For an operating transfer to the Massachusetts Transportation Trust Fund,  
8382 established under section 4 of chapter 6C of the General Laws; provided, that the Massachusetts  
8383 Department of Transportation shall spend not less than \$8,106,972 for the operation of the motor  
8384 vehicle insurance merit rating board, including the rent, parking and utility expenses of the  
8385 board; provided further, that the amount expended for the operation of the motor vehicle  
8386 insurance merit rating board, and the associated fringe benefits, shall be borne by insurance

8387 companies doing motor vehicle insurance business within the commonwealth, under section 57A  
8388 of chapter 6C of the General Laws; provided further, that of the amount expended for the  
8389 operation of the motor vehicle insurance merit rating board, an amount not less than \$300,000  
8390 shall be provided to the executive office of public safety and security for the costs of personnel  
8391 and services associated with the maintenance and use of registry information technology for  
8392 criminal justice purposes; and provided further, that notwithstanding any general or special law  
8393 to the contrary, no safe driver insurance plan shall require the payment of an unsafe driver point  
8394 surcharge for the first offense for non-criminal motor vehicle traffic violations as described in  
8395 chapter 90C of the General Laws..... \$203,233,728

8396 Commonwealth Transportation Fund..... 100%

8397 1595-6369.. For an operating transfer to the Massachusetts Bay Transportation Authority  
8398 pursuant to clause (1) of subsection (d) of section 2ZZZ of chapter 29 of the General  
8399 Laws.....\$160,000,000

8400 Commonwealth Transportation Fund..... 100%

8401 1595-6370.. For an operating transfer to the regional transit authorities organized under  
8402 chapter 161B of the General Laws or predecessor statutes pursuant to clause (2) of subsection (d)  
8403 of section 2ZZZ of chapter 29 of the General  
8404 Laws.....\$15,000,000

8405 Commonwealth Transportation Fund..... 100%

8406 EXECUTIVE OFFICE OF EDUCATION.

8407 Department of Higher Education.

8408           7066-0035 For the support of the Massachusetts Science, Technology Engineering, and  
8409 Mathematics Grant Fund established by section 2MMM of chapter 29 of the General Laws  
8410 ..... \$500,000

8411

8412

8413           SECTION 3. Notwithstanding any general or special law to the contrary, for the fiscal  
8414 year ending June 30, 2012, the distribution to cities and towns of the balance of the State Lottery  
8415 Fund, as paid from the General Fund in accordance with clause (c) of the second paragraph of  
8416 section 35 of chapter 10 of the General Laws, and additional funds from the General Fund shall  
8417 be \$833,980,293 and shall be apportioned to the cities and towns in accordance with this section.

8418           Notwithstanding section 2 of chapter 70 of the General Laws or any other general or  
8419 special law to the contrary, except for section 91 of chapter 71 of the General Laws, section 12B  
8420 of chapter 76 of the General Laws and section 89 of chapter 71 of the General Laws, for fiscal  
8421 year 2012, the total amounts to be distributed and paid to each city and town from item 7061-  
8422 0008 of section 2 shall be as set forth in the following lists. The specified amounts to be  
8423 distributed from said item 7061-0008 of said section 2 shall be in full satisfaction of the amounts  
8424 due under chapter 70 of the General Laws.

8425           For fiscal year 2012, the foundation budget categories for each district shall be calculated  
8426 in the same manner as in fiscal year 2011. The target local share shall be calculated using the  
8427 same methodology used in fiscal year 2011. Preliminary local contribution shall be the  
8428 municipality's fiscal year 2011 minimum required local contribution, increased or decreased by  
8429 the municipal revenue growth factor; provided, however, that if a municipality's preliminary

8430 contribution as a percentage of its foundation budget is more than 5 percentage points lower than  
8431 the target local share, the preliminary contribution shall be recalculated using the municipality's  
8432 revenue growth factor plus 1 percentage point; and provided further, that if a municipality's  
8433 preliminary contribution as a percentage of its foundation budget is more than 10 percentage  
8434 points lower than the target local share, the preliminary contribution shall be recalculated using  
8435 the municipality's revenue growth factor plus 2 percentage points. Minimum required local  
8436 contribution for fiscal year 2012 shall be, for a municipality with a fiscal year 2012 preliminary  
8437 contribution greater than its fiscal year 2012 target contribution, the preliminary local  
8438 contribution reduced by 20 per cent of the gap between the preliminary local contribution and the  
8439 target local contribution. Required local contribution shall be allocated among the districts to  
8440 which a municipality belongs in direct proportion to the foundation budgets for the  
8441 municipality's pupils at each of those districts. For fiscal year 2012, prior year aid shall be the  
8442 sum of: (a) fiscal year 2011 state-appropriated chapter 70 aid; and (b) state fiscal stabilization  
8443 fund allocations as distributed by the department of elementary and secondary education. For  
8444 fiscal year 2012, the foundation aid increment shall be the positive difference between: (a) the  
8445 difference between a district's foundation budget and its required district contribution; and (b)  
8446 prior year aid. Chapter 70 aid for fiscal year 2012 shall be the sum of prior year aid plus the  
8447 foundation aid increment, if any. No nonoperating district shall receive chapter 70 aid in an  
8448 amount greater than the district's foundation budget. If there is a conflict between any provision  
8449 of this section and the distribution listed below, the distribution below shall control.

8450           The department of elementary and secondary education shall not consider health care  
8451 costs for retired teachers to be part of net school spending for any district in which such costs  
8452 were not considered part of net school spending in fiscal year 1994. No payments to cities, towns

8453 or counties maintaining an agricultural school pursuant to this section shall be made after  
 8454 November 30 of the fiscal year until the commissioner of revenue certifies acceptance of the  
 8455 prior fiscal year's annual financial reports submitted pursuant to section 43 of chapter 44 of the  
 8456 General Laws. Advance payments shall be made for some or all of periodic local reimbursement  
 8457 or assistance programs to a city, town, regional school district or independent agricultural and  
 8458 technical school that demonstrates an emergency cash shortfall, as certified by the commissioner  
 8459 of revenue and approved by the secretary of administration and finance, pursuant to guidelines  
 8460 established by the secretary.

8461

8462	Municipality	Chapter 70	Unrestricted General Government Aid
8463	ABINGTON	7,244,034	1,543,567
8464	ACTON	5,188,231	1,097,608
8465	ACUSHNET	6,039,807	1,189,719
8466	ADAMS	0	1,837,004
8467	AGAWAM	17,494,998	2,890,703
8468	ALFORD	0	11,011
8469	AMESBURY	8,422,786	1,526,501
8470	AMHERST	5,813,638	6,605,976
8471	ANDOVER	6,928,057	1,402,081



8472	ARLINGTON	6,880,580	5,952,940
8473	ASHBURNHAM	0	623,876
8474	ASHBY	0	343,578
8475	ASHFIELD	93,413	145,672
8476	ASHLAND	4,877,035	1,061,106
8477	ATHOL	0	2,077,367
8478	ATTLEBORO	28,992,951	4,476,414
8479	AUBURN	6,495,648	1,343,805
8480	AVON	816,707	543,847
8481	AYER	264,744	594,009
8482	BARNSTABLE	7,184,728	1,650,493
8483	BARRE	7,483	705,700
8484	BECKET	76,563	71,258
8485	Municipality	Chapter 70	Unrestricted General Government Aid
8486	BEDFORD	2,806,434	900,733
8487	BELCHERTOWN	13,251,261	1,335,093
8488	BELLINGHAM	8,028,300	1,331,436

8489	BELMONT	5,571,323	1,771,704
8490	BERKLEY	3,805,913	477,426
8491	BERLIN	500,103	158,198
8492	BERNARDSTON	11,308	228,218
8493	BEVERLY	6,730,266	4,582,242
8494	BILLERICA	17,375,576	4,569,149
8495	BLACKSTONE	84,251	1,074,007
8496	BLANDFORD	42,726	99,633
8497	BOLTON	0	154,921
8498	BOSTON	205,414,453	148,660,757
8499	BOURNE	4,684,058	1,150,250
8500	BOXBOROUGH	1,294,018	197,930
8501	BOXFORD	1,534,312	381,442
8502	BOYLSTON	430,543	268,772
8503	BRAINTREE	12,154,000	4,490,072
8504	BREWSTER	887,884	309,819
8505	BRIDGEWATER	36,107	2,857,894

8506	BRIMFIELD	1,175,223	305,924
8507	BROCKTON	139,582,640	16,429,406
8508	BROOKFIELD	1,303,088	387,422
8509	BROOKLINE	6,932,850	4,981,754
8510	BUCKLAND	0	240,260
8511	BURLINGTON	5,124,986	2,054,906
8512	CAMBRIDGE	8,643,123	16,856,874
8513	CANTON	3,838,238	1,682,666
8514	CARLISLE	790,228	172,130
8515	CARVER	9,573,059	1,146,273
8516	CHARLEMONT	61,250	137,157
8517	CHARLTON	21,176	1,136,799
8518	CHATHAM	648,563	118,090
8519	CHELMSFORD	9,880,853	3,982,596
8520	CHELSEA	52,765,195	6,444,403
8521	CHESHIRE	298,092	482,025
8522	CHESTER	125,551	141,268

8523	CHESTERFIELD	121,562	108,334
8524	CHICOPEE	53,628,470	9,035,592
8525	Municipality Chapter 70	Unrestricted General Government Aid	
8526	CHILMARK	0	2,943
8527	CLARKSBURG	1,749,835	285,445
8528	CLINTON	10,497,286	1,847,116
8529	COHASSET	1,659,487	403,698
8530	COLRAIN	0	226,462
8531	CONCORD	1,998,997	910,291
8532	CONWAY	592,554	140,234
8533	CUMMINGTON	73,684	65,458
8534	DALTON	212,902	892,749
8535	DANVERS	4,269,013	2,234,836
8536	DARTMOUTH	8,983,576	1,978,014
8537	DEDHAM	3,651,265	2,565,951
8538	DEERFIELD	1,026,593	376,874
8539	DENNIS	0	427,332

8540	DIGHTON	0	606,730	
8541	DOUGLAS	8,368,517	572,620	
8542	DOVER	601,536	150,941	
8543	DRACUT	17,732,219	2,749,229	
8544	DUDLEY	0	1,401,958	
8545	DUNSTABLE	4,392	192,992	
8546	DUXBURY	4,387,890	695,530	
8547	EAST BRIDGEWATER	10,108,452	1,174,518	
8548	EAST BROOKFIELD	75,665	227,567	
8549	EAST LONGMEADOW	9,130,786	1,135,782	
8550	EASTHAM	315,916	116,902	
8551	EASTHAMPTON	7,568,672	2,205,513	
8552	EASTON	9,192,536	1,718,309	
8553	EDGARTOWN	422,688	52,267	
8554	EGREMONT	0	49,508	
8555	ERVING	408,645	52,739	
8556	ESSEX	0	192,114	

8557	EVERETT	42,993,143	5,420,954
8558	FAIRHAVEN	7,217,965	1,769,396
8559	FALL RIVER	93,795,275	18,698,842
8560	FALMOUTH	4,846,696	1,087,838
8561	FITCHBURG	40,477,603	6,696,216
8562	FLORIDA	529,427	39,056
8563	FOXBOROUGH	8,348,710	1,168,759
8564	FRAMINGHAM	22,024,861	7,806,597
8565	Municipality Chapter 70	Unrestricted General Government Aid	
8566	FRANKLIN	26,857,636	1,938,859
8567	FREETOWN	353,070	745,088
8568	GARDNER	18,037,844	3,325,039
8569	AQUINNAH	0	1,833
8570	GEORGETOWN	5,095,019	562,104
8571	GILL	0	190,859
8572	GLOUCESTER	5,755,585	3,133,846
8573	GOSHEN	96,111	62,773

8574	GOSNOLD	16,414	1,646
8575	GRAFTON	8,559,644	1,226,876
8576	GRANBY	4,455,570	692,822
8577	GRANVILLE	1,247,466	125,803
8578	GREAT BARRINGTON	0	595,495
8579	GREENFIELD	9,957,403	2,491,144
8580	GROTON	3,201	607,821
8581	GROVELAND	0	571,169
8582	HADLEY	733,207	356,121
8583	HALIFAX	2,645,042	712,283
8584	HAMILTON	0	527,184
8585	HAMPDEN	0	539,848
8586	HANCOCK	190,460	44,301
8587	HANOVER	5,967,516	1,662,196
8588	HANSON	31,588	1,004,818
8589	HARDWICK	0	365,295
8590	HARVARD	1,718,626	1,162,031

8591	HARWICH	1,735,977	337,990
8592	HATFIELD	753,311	244,835
8593	HAVERHILL	35,966,744	7,711,930
8594	HAWLEY	28,250	33,958
8595	HEATH	0	65,651
8596	HINGHAM	5,553,035	1,238,357
8597	HINSDALE	104,683	174,710
8598	HOLBROOK	4,597,787	1,157,772
8599	HOLDEN	0	1,500,208
8600	HOLLAND	890,143	158,375
8601	HOLLISTON	6,546,693	1,215,118
8602	HOLYOKE	67,536,867	7,969,057
8603	HOPEDALE	5,815,295	511,659
8604	HOPKINTON	5,472,035	616,393
8605	Municipality Chapter 70	Unrestricted General Government Aid	
8606	HUBBARDSTON	14,817	353,458
8607	HUDSON	9,208,854	1,564,697



8608	HULL	3,610,471	1,662,898
8609	HUNTINGTON	214,868	270,427
8610	IPSWICH	2,559,500	1,259,557
8611	KINGSTON	4,014,844	753,151
8612	LAKEVILLE	49,190	642,026
8613	LANCASTER0	750,048	
8614	LANESBOROUGH	799,588	270,670
8615	LAWRENCE	145,883,335	15,406,602
8616	LEE	1,918,169	488,670
8617	LEICESTER	9,381,227	1,362,409
8618	LENOX	1,131,215	418,241
8619	LEOMINSTER	41,456,131	4,490,816
8620	LEVERETT	267,006	140,059
8621	LEXINGTON	7,051,517	1,202,550
8622	LEYDEN	0	64,606
8623	LINCOLN	718,511	534,185
8624	LITTLETON	3,503,626	557,764

8625	LONGMEADOW	4,109,266	1,096,268
8626	LOWELL	121,658,718	19,764,069
8627	LUDLOW	13,097,378	2,397,042
8628	LUNENBURG	4,522,545	829,777
8629	LYNN	118,211,280	17,568,191
8630	LYNNFIELD	3,799,686	816,068
8631	MALDEN	44,091,112	9,844,375
8632	MANCHESTER	0	174,499
8633	MANSFIELD	17,873,614	1,750,267
8634	MARBLEHEAD	4,548,961	893,530
8635	MARION	431,669	177,050
8636	MARLBOROUGH	14,405,503	4,271,401
8637	MARSHFIELD	13,567,053	1,699,837
8638	MASHPEE	4,200,511	288,692
8639	MATTAPOISETT	526,956	318,023
8640	MAYNARD	3,534,280	1,232,737
8641	MEDFIELD	5,620,214	1,137,437

8642	MEDFORD	10,836,793	9,517,872
8643	MEDWAY	9,898,504	957,302
8644	MELROSE	7,323,565	4,024,121
8645	Municipality	Chapter 70	Unrestricted General Government Aid
8646	MENDON	24,883 320,659	
8647	MERRIMAC	0 660,204	
8648	METHUEN	38,823,822	4,266,346
8649	MIDDLEBOROUGH	17,008,329	1,934,578
8650	MIDDLEFIELD	18,050 41,714	
8651	MIDDLETON	1,483,356	429,332
8652	MILFORD	16,702,939	2,396,675
8653	MILLBURY	6,566,950	1,389,477
8654	MILLIS	4,248,061	821,522
8655	MILLVILLE	58,499 319,617	
8656	MILTON	5,504,287	2,521,257
8657	MONROE	79,784 14,428	
8658	MONSON	7,259,850	1,024,283

8659	MONTAGUE 0	1,124,542	
8660	MONTEREY 0	36,279	
8661	MONTGOMERY	21,042	68,097
8662	MOUNT WASHINGTON	32,776	23,522
8663	NAHANT	440,741	296,479
8664	NANTUCKET	1,334,173	62,171
8665	NATICK	7,062,013	2,990,066
8666	NEEDHAM	6,991,720	1,369,789
8667	NEW ASHFORD	179,597	15,938
8668	NEW BEDFORD	111,804,538	18,050,411
8669	NEW BRAINTREE 0	103,584	
8670	NEW MARLBOROUGH	0	45,953
8671	NEW SALEM0	81,413	
8672	NEWBURY 0	406,371	
8673	NEWBURYPORT	3,143,161	2,001,229
8674	NEWTON	13,504,221	4,611,231
8675	NORFOLK	3,234,875	752,484

8676	NORTH ADAMS	13,418,958	3,481,174
8677	NORTH ANDOVER	6,124,740	1,608,071
8678	NORTH ATTLEBOROUGH	19,528,781	2,257,483
8679	NORTH BROOKFIELD	4,129,763	625,244
8680	NORTH READING	6,459,260	1,393,231
8681	NORTHAMPTON	6,843,064	3,448,824
8682	NORTHBOROUGH	3,311,175	875,253
8683	NORTHBRIDGE	14,034,106	1,656,314
8684	NORTHFIELD	0	283,498
8685	Municipality Chapter 70	Unrestricted General Government Aid	
8686	NORTON	12,147,905	1,630,853
8687	NORWELL	3,008,400	841,158
8688	NORWOOD	4,808,800	3,649,810
8689	OAK BLUFFS	613,641	57,066
8690	OAKHAM	0	150,544
8691	ORANGE	5,117,899	1,268,097
8692	ORLEANS	237,642	134,783

8693	OTIS	0	28,541
8694	OXFORD	9,764,153	1,613,477
8695	PALMER	10,519,240	1,573,636
8696	PAXTON	0	424,607
8697	PEABODY	18,663,598	5,664,152
8698	PELHAM	216,311	124,902
8699	PEMBROKE	12,794,990	1,319,012
8700	PEPPERELL	0	1,171,128
8701	PERU	73,500	89,614
8702	PETERSHAM	418,743	89,957
8703	PHILLIPSTON	0	144,740
8704	PITTSFIELD	36,909,419	6,774,785
8705	PLAINFIELD	51,024	39,366
8706	PLAINVILLE	2,519,174	595,290
8707	PLYMOUTH	21,778,007	3,074,658
8708	PLYMPTON	566,871	186,155
8709	PRINCETON	0	232,324

8710	PROVINCETOWN	258,041	108,536
8711	QUINCY	20,959,018	14,983,027
8712	RANDOLPH	11,895,024	4,078,589
8713	RAYNHAM	0	892,264
8714	READING	9,488,181	2,543,818
8715	REHOBOTH	0	817,945
8716	REVERE	40,735,334	8,071,697
8717	RICHMOND	330,519	84,892
8718	ROCHESTER	1,705,807	333,266
8719	ROCKLAND	10,022,160	2,074,337
8720	ROCKPORT	1,271,798	343,349
8721	ROWE	67,651	3,091
8722	ROWLEY	0	423,746
8723	ROYALSTON	0	141,068
8724	RUSSELL	168,465	193,796
8725	Municipality	Chapter 70	Unrestricted General Government Aid
8726	RUTLAND	0	725,867

8727	SALEM	18,522,267	5,412,881
8728	SALISBURY 0	495,790	
8729	SANDSFIELD	0	27,191
8730	SANDWICH	6,376,393	884,410
8731	SAUGUS	3,888,392	2,878,748
8732	SAVOY	499,039	90,917
8733	SCITUATE	4,832,136	1,578,512
8734	SEEKONK	4,272,118	965,577
8735	SHARON	6,562,832	1,098,429
8736	SHEFFIELD	13,886	191,163
8737	SHELBURNE	4,663	205,203
8738	SHERBORN	499,848	169,965
8739	SHIRLEY	0	1,029,497
8740	SHREWSBURY	18,511,623	2,185,815
8741	SHUTESBURY	571,885	133,065
8742	SOMERSET	4,104,261	1,203,502
8743	SOMERVILLE	19,108,128	19,770,620



8744	SOUTH HADLEY	7,546,619	2,049,338
8745	SOUTHAMPTON	2,425,096	499,982
8746	SOUTHBOROUGH	2,654,636	343,199
8747	SOUTHBRIDGE	17,230,163	2,760,518
8748	SOUTHWICK0	989,791	
8749	SPENCER	8,131	1,774,784
8750	SPRINGFIELD	275,403,995	29,705,191
8751	STERLING	0	543,998
8752	STOCKBRIDGE	0	78,217
8753	STONEHAM	3,327,888	2,916,235
8754	STOUGHTON	12,860,747	2,512,733
8755	STOW	0	330,325
8756	STURBRIDGE	2,351,516	607,924
8757	SUDBURY	4,206,945	1,098,406
8758	SUNDERLAND	826,903	396,605
8759	SUTTON	5,102,475	612,529
8760	SWAMPSCOTT	2,564,463	1,015,680

8761	SWANSEA	4,715,991	1,473,767
8762	TAUNTON	45,565,026	6,599,741
8763	TEMPLETON0	1,094,201	
8764	TEWKSBURY	12,317,499	2,183,935
8765	Municipality Chapter 70	Unrestricted General Government Aid	
8766	TISBURY	380,594	76,942
8767	TOLLAND	0	14,503
8768	TOPSFIELD	1,025,939	481,291
8769	TOWNSEND 0	1,031,249	
8770	TRURO	245,466	23,606
8771	TYNGSBOROUGH	6,960,249	758,313
8772	TYRINGHAM	35,721	9,963
8773	UPTON	12,582	417,765
8774	UXBRIDGE	8,948,989	1,079,683
8775	WAKEFIELD	4,794,886	2,643,470
8776	WALES	725,004	185,338
8777	WALPOLE	7,106,855	1,999,825

8778	WALTHAM	7,068,165	7,535,082
8779	WARE	8,103,542	1,354,696
8780	WAREHAM	12,225,154	1,552,495
8781	WARREN	0	709,926
8782	WARWICK	0	99,794
8783	WASHINGTON	11,237	74,114
8784	WATERTOWN	3,234,244	5,233,952
8785	WAYLAND	3,144,868	709,290
8786	WEBSTER	9,554,369	1,942,812
8787	WELLESLEY	7,202,028	1,016,492
8788	WELLFLEET	146,323	45,864
8789	WENDELL	0	136,751
8790	WENHAM	0	336,112
8791	WEST BOYLSTON	2,804,550	625,194
8792	WEST BRIDGEWATER	2,441,892	513,118
8793	WEST BROOKFIELD	201,348	382,187
8794	WEST NEWBURY	0	232,501

8795	WEST SPRINGFIELD	18,857,776	2,812,239
8796	WEST STOCKBRIDGE	0	76,294
8797	WEST TISBURY	0	145,748
8798	WESTBOROUGH	4,206,047	909,295
8799	WESTFIELD	32,546,677	4,939,735
8800	WESTFORD	15,861,400	1,667,573
8801	WESTHAMPTON	442,420	113,705
8802	WESTMINSTER	0	513,668
8803	WESTON	2,419,859	293,515
8804	WESTPORT	4,154,597	954,650
8805	Municipality Chapter 70	Unrestricted General Government Aid	
8806	WESTWOOD	3,777,085	572,463
8807	WEYMOUTH	25,510,253	6,842,039
8808	WHATELY	236,718	105,305
8809	WHITMAN	112,364	1,900,068
8810	WILBRAHAM	0	1,148,402
8811	WILLIAMSBURG	415,779	237,562

8812	WILLIAMSTOWN	895,366	749,163
8813	WILMINGTON	10,186,107	1,951,163
8814	WINCHENDON	11,115,275	1,320,096
8815	WINCHESTER	6,241,118	1,160,984
8816	WINDSOR	47,361	81,486
8817	WINTHROP	5,157,850	3,307,962
8818	WOBURN	6,256,312	4,697,651
8819	WORCESTER	201,135,279	32,608,533
8820	WORTHINGTON	49,000	98,563
8821	WRENTHAM	3,538,923	731,568
8822	YARMOUTH	4,574	990,716
8823	DEVENS	308,588	0
8824	MUNICIPAL TOTALS:	3,359,222,997	833,980,293
8825			
8826	REGIONAL SCHOOL DISTRICT	Chapter 70	
8827	NORTHAMPTON SMITH	885,640	
8828	ACTON BOXBOROUGH		

8829	6,969,133
8830	ADAMS CHESHIRE 9,835,636
8831	AMHERST PELHAM 9,169,067
8832	ASHBURNHAM WESTMINSTER 9,935,704
8833	ASSABET VALLEY 3,066,115
8834	ATHOL ROYALSTON 16,971,310
8835	AYER SHIRLEY 7,844,036
8836	BERKSHIRE HILLS 2,657,478
8837	BERLIN BOYLSTON 871,873
8838	BLACKSTONE MILLVILLE 10,511,449
8839	BLACKSTONE VALLEY 7,614,352
8840	BLUE HILLS 3,819,759
8841	BRIDGEWATER RAYNHAM 20,050,371
8842	BRISTOL COUNTY 2,949,242
8843	BRISTOL PLYMOUTH 9,860,864
8844	CAPE COD 2,020,767
8845	REGIONAL SCHOOL DISTRICT Chapter 70

8846	CENTRAL BERKSHIRE	8,335,894
8847	CHESTERFIELD GOSHEN	716,930
8848	CONCORD CARLISLE	1,786,194
8849	DENNIS YARMOUTH	6,403,644
8850	DIGHTON REHOBOTH	12,192,746
8851	DOVER SHERBORN	1,359,555
8852	DUDLEY CHARLTON	23,487,058
8853	ESSEX COUNTY	4,002,896
8854	FARMINGTON RIVER	384,305
8855	FRANKLIN COUNTY	3,268,850
8856	FREETOWN LAKEVILLE	10,359,748
8857	FRONTIER	2,704,790
8858	GATEWAY	5,553,533
8859	GILL MONTAGUE	5,967,929
8860	GREATER FALL RIVER	13,916,182
8861	GREATER LAWRENCE	19,868,513
8862	GREATER LOWELL	21,736,787

8863	GREATER NEW BEDFORD	22,674,551
8864	GROTON DUNSTABLE	10,278,973
8865	HAMILTON WENHAM	3,252,691
8866	HAMPDEN WILBRAHAM	11,105,799
8867	HAMPSHIRE	3,082,948
8868	HAWLEMONT	603,737
8869	KING PHILIP	7,025,455
8870	LINCOLN SUDBURY	2,513,855
8871	MANCHESTER ESSEX	2,106,931
8872	MARTHAS VINEYARD	2,691,760
8873	MASCONOMET	4,686,999
8874	MENDON UPTON	11,857,016
8875	MINUTEMAN	2,129,172
8876	MOHAWK TRAIL	5,809,394
8877	MONTACHUSETT	12,901,222
8878	MOUNT GREYLOCK	1,648,423
8879	NARRAGANSETT	9,607,394



8880	NASHOBA	6,128,165	
8881	NASHOBA VALLEY	3,097,434	
8882	NAUSET	3,204,119	
8883	NEW SALEM WENDELL	621,347	
8884	NORFOLK COUNTY	1,028,147	
8885	NORTH MIDDLESEX	19,505,168	
8886	NORTH SHORE	1,530,490	
8887	REGIONAL SCHOOL DISTRICT	Chapter 70	
8888	NORTHBORO SOUTHBORO	2,721,210	
8889	NORTHEAST METROPOLITAN	7,985,945	
8890	NORTHERN BERKSHIRE	4,195,758	
8891	OLD COLONY	3,159,799	
8892	OLD ROCHESTER	1,959,917	
8893	PATHFINDER	4,923,562	
8894	PENTUCKET	12,521,127	
8895	PIONEER	3,971,891	
8896	QUABBIN	16,073,093	

8897	QUABOAG	8,393,766
8898	RALPH C MAHAR	5,254,840
8899	SHAWSHEEN VALLEY	5,600,595
8900	SILVER LAKE	6,927,073
8901	SOMERSET BERKLEY	3,120,169
8902	SOUTH MIDDLESEX	2,652,751
8903	SOUTH SHORE	3,614,091
8904	SOUTHEASTERN	12,628,459
8905	SOUTHERN BERKSHIRE	1,798,896
8906	SOUTHERN WORCESTER	9,400,370
8907	SOUTHWICK TOLLAND	8,183,967
8908	SPENCER EAST BROOKFIELD	13,236,949
8909	TANTASQUA	7,482,919
8910	TRI COUNTY	5,198,118
8911	TRITON	8,111,651
8912	UPISLAND	781,612
8913	UPPER CAPE COD	2,848,175

8914	WACHUSETT	22,389,331
8915	WHITMAN HANSON	23,464,624
8916	WHITTIER	6,819,485
8917	REGIONAL TOTALS:	631,589,683

8918

8919

8920 SECTION 3A. Section 15LLL of chapter 6 of the General Laws, as appearing in the  
8921 2008 Official Edition, is hereby amended by striking out the word “October” and inserting in  
8922 place thereof the following word:- May.

8923

8924 SECTION 4. Clause (20) of subsection (a) of section 172 of chapter 6 of the General  
8925 Laws, as appearing in section 21 of chapter 256 of the acts 2010, is hereby amended by striking  
8926 out the figure "183" and inserting in place thereof the following words:- 57A of chapter 6C.

8927

8928

8929 SECTION 5. Section 183 of said chapter 6 is hereby repealed.

8930

8931

8932 SECTION 6. Chapter 6A of the General Laws is hereby amended by inserting after  
8933 section 16S the following section:-

8934 Section 16T. (a) There shall be established a caseload forecasting office, which shall be  
8935 an independent public entity not subject to the supervision and control of any other executive  
8936 office, department, commission, board, bureau, agency or political subdivision of the  
8937 commonwealth. The office shall forecast caseloads for state-subsidized childcare, MassHealth,  
8938 emergency assistance and housing programs, the group insurance commission and direct benefits  
8939 provided by the department of transitional assistance, and shall promote accuracy and  
8940 transparency in all caseload forecasts. For the purposes of this section, “caseload” shall mean  
8941 the number of persons expected to meet entitlement requirements and require the services of  
8942 state-subsidized programs.

8943 (b) There shall be a board to advise the office and oversee the preparation of and approve  
8944 the content of caseload forecasts. The board shall consist of 13 members: the assistant secretary  
8945 of commonwealth performance, accountability and transparency or a designee, who shall serve  
8946 as chairperson; the secretary of health and human services or a designee; the director of  
8947 Medicaid or a designee; the commissioner of the department of transitional assistance or a  
8948 designee; the commissioner of early education and care or a designee; the executive director of  
8949 the group insurance commission or a designee; the undersecretary of housing and community  
8950 development or a designee; 2 members to be appointed by the governor, 1 of whom shall be a  
8951 health economist and 1 of whom shall be an econometrician or statistician; 2 members to be  
8952 appointed by the senate president, both of whom shall have a background in statistics, economics  
8953 or forecasting; and 2 members to be appointed by the speaker of the house of representatives,  
8954 both of whom shall have a background in statistics, economics or forecasting. All appointed

8955 members shall serve for terms of 3 years. A person appointed to fill a vacancy in the office of a  
8956 member of the board shall be appointed in a like manner and shall serve only for the unexpired  
8957 term. An appointed member of the board shall be eligible for reappointment. The board shall  
8958 annually elect 1 of its members to serve as vice-chairperson. Seven members of the board shall  
8959 constitute a quorum and the affirmative vote of 7 members of the board shall be necessary and  
8960 sufficient for any action taken by the board. No vacancy in the membership of the board shall  
8961 impair the right of a quorum to exercise all the rights and duties of the office. Members shall  
8962 serve without pay, but shall be reimbursed for actual expenses necessarily incurred in the  
8963 performance of their duties. The chairperson of the board shall report to the governor and to the  
8964 general court not less than twice annually. All meetings of the board shall comply with chapter  
8965 30A.

8966 (c) The board shall appoint an executive director to oversee the operation and  
8967 maintenance of the office, supervise the production of caseload forecasts, ensure compliance  
8968 with the requirements of this section and coordinate work with executive agencies. The board  
8969 may, subject to appropriation, procure equipment, office space, goods and services and employ  
8970 such additional staff or consultants as it deems necessary. The executive office health and  
8971 human services may provide staff and administrative support as requested by the office;  
8972 provided, however, that all work completed by the executive office of health and human services  
8973 shall be subject to approval by the executive director.

8974 The office shall promulgate rules and regulations necessary for the administration and  
8975 enforcement of this section.

8976 (d) The office shall collect data from state agencies to the extent necessary to forecast  
8977 caseloads for the state-subsidized services detailed in subsection (a) and agencies shall submit  
8978 the data to the office upon request. When collecting data, the office shall, to the extent possible,  
8979 utilize existing data sources and agency processes for data collection, analysis and technical  
8980 assistance. The office may enter into an interagency service agreement with the division of  
8981 health care finance and policy for data collection analysis and technical assistance. The office,  
8982 through its rules and regulations, may determine what type of data may reasonably be required  
8983 and the format in which it shall be provided.

8984 (e) The office shall, in consultation with the board, (i) prepare a caseload forecast for the  
8985 state-subsidized services detailed in subsection (a) for the current and upcoming state fiscal year;  
8986 and (ii) prepare other caseload forecasts based on alternative assumptions as the board may  
8987 determine or as may be requested by the executive office for administration and finance or the  
8988 senate and house committees on ways and means.

8989 (f) The board shall oversee the preparation of and approve, by an affirmative vote of at  
8990 least 7 members, the caseload forecasts prepared by the office. If the board is unable to approve  
8991 a forecast before a date required for such forecast, the office shall submit the forecast without  
8992 approval and state that the forecast was not approved by the board. Any 2 board members who  
8993 do not cast affirmative votes for approval of a caseload forecast may request, and the office shall  
8994 provide, an alternative forecast based on assumptions specified by the members.

8995 (g) The office shall report its forecasts to the executive office for administration and  
8996 finance and the house and senate committees on ways and means on or before December 1 and  
8997 March 15 each year unless otherwise provided in the general appropriation act.

8998

8999

9000 SECTION 7. Section 18½ of chapter 6A of the General Laws is hereby amended by  
9001 striking out, in lines 12 and 13, as appearing in the 2008 Official Edition, the words ", the  
9002 registry of motor vehicles, the merit rating board".

9003

9004 SECTION 8. Chapter 6C of the General Laws is hereby amended by inserting after  
9005 section 57 the following section:-

9006 Section 57A. (a) There shall be within the registry of motor vehicles a motor vehicle  
9007 insurance merit rating board. The board shall consist of the registrar of motor vehicles, who shall  
9008 serve as chair, the commissioner of insurance and the attorney general or a designee. The board  
9009 shall appoint a director, who shall not be subject to chapter 31. The board shall formulate and  
9010 administer a plan for compiling, gathering and disseminating information, operator records and  
9011 histories and such other data as it deems necessary or appropriate pertaining to motor vehicle  
9012 accidents, claims under motor vehicle policies and motor vehicle violations in order to facilitate  
9013 the implementation and operation of the safe driver insurance plan provided in section 113B of  
9014 chapter 175.

9015 (b) The plan shall include a system for gathering and maintaining the information  
9016 provided for in subsection (a), operator records and histories and other data and for its prompt  
9017 and efficient dissemination to insurance companies making inquiry with respect to the motor

9018 vehicle accident, motor vehicle insurance claim and motor vehicle violation record of any owner  
9019 or operator insured by or applying for insurance from such insurer.

9020           These records and data disseminated by the plan shall be used exclusively for motor  
9021 vehicle insurance purposes and criminal law enforcement purposes. Whoever disseminates or  
9022 uses records or data disseminated under the plan in violation of this section shall be punished by  
9023 a fine of not more than \$1,000 for each offense or by imprisonment for not more than 1 year, or  
9024 both.

9025           (c) The board shall have access to criminal offender record information for the purpose of  
9026 developing the plan. The department of criminal justice information services shall certify the  
9027 board and each insurance company doing motor vehicle insurance business within the  
9028 commonwealth for access to criminal offender record information pertaining to violations of  
9029 chapter 90 by its insureds. The board and each such insurance company shall comply with the  
9030 regulations of the department of criminal justice information services and shall be subject to  
9031 sections 172 to 178, inclusive, of chapter 6.

9032           (d) The board may expend for expenses and for legal, investigative, clerical and other  
9033 assistance amounts appropriated for those purposes. All costs of administration and operation of  
9034 the board shall be borne by insurance companies doing motor vehicle insurance business within  
9035 the commonwealth. The commissioner of insurance shall apportion estimated costs among all  
9036 such companies and shall assess those companies for those costs on a fair and reasonable basis.  
9037 The estimated costs shall be paid to the commissioner within 30 days after the date of the notice  
9038 from the commissioner of these estimated costs. The commissioner shall subsequently apportion  
9039 actual costs among all such companies and shall make assessment adjustments for any variation



9040 between estimated and actual costs on a fair and reasonable basis. The estimated and actual costs  
9041 shall include an amount equal to indirect costs as determined by the secretary of administration  
9042 and finance and shall also include the cost of fringe benefits as established by the secretary of  
9043 administration and finance.

9044

9045

9046 SECTION 9. The first paragraph of section 4A of chapter 7 of the General Laws, as  
9047 appearing in the 2008 Official Edition, is hereby amended by adding the following sentence:-  
9048 The executive office shall also include an office of commonwealth performance, accountability  
9049 and transparency.

9050

9051 SECTION 10. Section 4A of chapter 7 of the General Laws is hereby amended by  
9052 striking out, in line 74, as so appearing, the word "secretary" and inserting in place thereof the  
9053 following word:- governor.

9054

9055 SECTION 11. The first paragraph of paragraph (d) of said section 4A of said chapter 7,  
9056 as so appearing, is hereby further amended by adding the following 2 sentences:- The division  
9057 may also offer information technology services to the executive department, municipalities,  
9058 authorities, constitutional offices, the judiciary, the general court and other political subdivisions  
9059 of the commonwealth. The information technology division shall consult with the division of

9060 local services to identify ways to better assist municipalities and regional entities in procuring  
9061 and developing information technology services.

9062

9063 SECTION 12. Said section 4A of said chapter 7 is hereby further amended by inserting  
9064 after the second paragraph of paragraph (d), inserted by section 10 of chapter 56 of the acts of  
9065 2010, the following paragraph:-

9066 (e) The office of commonwealth performance, accountability and transparency shall be  
9067 headed by an assistant secretary of commonwealth performance, accountability and transparency  
9068 who shall be appointed by the secretary. The assistant secretary shall have at least 5 years  
9069 experience in the area of performance management systems.

9070 The office shall:

9071 (1) execute a performance management program throughout the executive department  
9072 including, within statutory limits for each agency: defining missions; creating measurable goals;  
9073 establishing strategies for achieving those goals and relating them to budget development;

9074 (2) monitor and review federal grant applications made on behalf of the commonwealth  
9075 and coordinate efforts to maximize federal revenue opportunities and oversight of compliance  
9076 with federal reporting requirements;

9077 (3) ensure transparency of the commonwealth's administration and finance activities,  
9078 including the operation of the searchable website required by section 14C;

9079 (4) establish and maintain a central intake unit for reports of fraud, waste and abuse;

9080 (5) establish and maintain an economic forecasting and analysis unit to coordinate all  
9081 spending and revenue forecasting by state agencies and coordinate with the caseload forecasting  
9082 office established in section 16T of chapter 6A;

9083 (6) perform the executive office's duties for privatization contracts under section 54;

9084 (7) reduce and simplify paperwork of state agencies and departments by adopting  
9085 uniform forms or federal forms, if possible, when they are shorter than the corresponding state  
9086 forms;

9087 (8) implement and streamline electronic paperwork options to better facilitate public  
9088 interaction with state agencies;

9089 (7) have whatever other duties with respect to state agencies that the governor or  
9090 secretary may assign; and

9091 (8) collaborate with other state agencies, authorities and other entities to carry out these  
9092 purposes.

9093

9094 SECTION 13. The third sentence of the first paragraph of section 4D of said chapter 7 is  
9095 hereby amended by striking out the figure "4", inserted by section 9 of said chapter 56, and  
9096 inserting in place thereof the following figure:- 3.

9097

9098 SECTION 14. The definition of "Privatization contract" in section 53 of said chapter 7, as  
9099 appearing in the 2008 Official Edition, is hereby amended by adding the following sentence:- A

9100 contract for information technology services is not a privatization contract if an employee  
9101 organization recognized under chapter 150E as the exclusive representative of an affected  
9102 employee, as determined by the secretary of administration and finance, agrees to its terms in  
9103 writing..

9104

9105 SECTION 15. Section 58 of said chapter 7, inserted by section 2 of chapter 56 of the acts  
9106 of 2010, the first time it appears, is hereby amended by striking out the words "59 to 61" and  
9107 inserting in place thereof the following words:- 59 to 62.

9108

9109 SECTION 16. Said section 58 of said chapter 7, as so inserted, is hereby further amended  
9110 by inserting after the definition of "Director" the following definition:-

9111 "Disadvantaged business enterprise", a disadvantaged business enterprise as defined by  
9112 the United States Department of Transportation in 49 C.F.R. § 26 et seq.

9113

9114 SECTION 17. Said section 58 of said chapter 7, as so inserted, is hereby further amended  
9115 by inserting after the definition of "State purchasing agent" the following definition:-

9116 "Unified certification program", the program, whereby the supplier diversity office  
9117 certifies disadvantaged business enterprises, as required by regulations of the United States  
9118 Department of Transportation in 49 C.F.R. § 26 et seq.

9119

9120 SECTION 18. Said chapter 7 is hereby further amended by adding the following section:-

9121 Section 62. (a) There shall be established a separate account to be known as the Unified  
9122 Certification Program Trust Fund. The state purchasing agent shall expend funds, without further  
9123 appropriation, exclusively for the operation of the unified certification program.

9124 (b) Funds received from the federal government by the following state and regional  
9125 authorities and municipal and regional airports, in this section collectively referred to as the  
9126 participants, and any others that take part in the unified certification program, for the purpose of  
9127 operating the unified certification program, shall be deposited in the fund: the Massachusetts  
9128 Department of Transportation, the Massachusetts Bay Transportation Authority, the  
9129 Massachusetts Port Authority, the Berkshire Regional Transit Authority, the Brockton Area  
9130 Transit Authority, the Cape Cod Regional Transit Authority, the Greater Attleboro-Taunton  
9131 Regional Transit Authority, the Lowell Regional Transit Authority, the Merrimack Valley  
9132 Regional Transit Authority, the Montachusett Regional Transit Authority, the Pioneer Valley  
9133 Regional Transit Authority, the Southeastern Regional Transit Authority, the Worcester Regional  
9134 Transit Authority, Barnstable Municipal Airport, Martha's Vineyard Airport, Nantucket  
9135 Memorial Airport and New Bedford Regional Airport. The methodology used in determining the  
9136 allocation of payments due from each participant shall be determined pursuant to a formula,  
9137 subject to modification from time to time, that is established by and between the Massachusetts  
9138 Department of Transportation, the participants and the United States Department of  
9139 Transportation, consistent with applicable federal laws and regulations.

9140

9141 SECTION 19. Section 9 of chapter 8 of the General Laws, as appearing in the 2008  
9142 Official Edition, is hereby amended by striking out, in line 16, the words “the division of urban”  
9143 and inserting in place thereof the following word:- state.

9144

9145

9146 SECTION 20. Chapter 10 of the General Laws is hereby amended by inserting after  
9147 section 35QQ the following 2 sections:-

9148 Section 35RR. There shall be established and set up on the books of the commonwealth a  
9149 separate fund to be known as the Health Information Technology Trust Fund. There shall be  
9150 credited to the fund revenues from federal reimbursements under the Health Information  
9151 Technology for Economic and Clinical Health Act, Title XIII of Division A and Title IV of  
9152 Division B of Pub. L. No. 111-5, and any other federal reimbursements, grants, premiums, gifts  
9153 or other contributions from any source received for or in support of the health care provider  
9154 incentive payment program and for the promotion of electronic health record adoption and health  
9155 information exchange in the commonwealth. The secretary of health and human services shall be  
9156 the fund's trustee, and shall expend the fund, without further appropriation, for incentive  
9157 payments to eligible Massachusetts Medicaid health care providers for the adoption,  
9158 implementation, upgrade or meaningful use of certified electronic health record technology and  
9159 to support the planning, implementation and operating costs of administering these payments.  
9160 The secretary may certify for payment amounts in anticipation of federal revenues collected for  
9161 the corresponding quarter during the previous fiscal year. For the purpose of accommodating  
9162 timing discrepancies between the receipt of revenues and related expenditures, the secretary may

9163 incur expenses, after written approval from the secretary of administration and finance, and the  
9164 comptroller shall certify for payment, amounts not to exceed the most recent revenue estimate as  
9165 certified by the MassHealth director, as reported in the state accounting system.

9166           Section 35SS. There shall be established and set up on the books of the commonwealth a  
9167 separate fund to be known as the Build America Bonds Subsidy Trust Fund. There shall be  
9168 credited to the fund payments received from the United States Treasury for subsidies related to  
9169 any tax credit bonds issued by the commonwealth for the purpose of paying or reimbursing  
9170 interest on such bonds. The state treasurer shall be the fund's trustee, may credit any such  
9171 payments to the appropriate funds or accounts of the commonwealth allocable to the payment of  
9172 such interest and in accordance with any applicable trust agreements pursuant to which any  
9173 bonds were issued and shall make expenditures from the fund, without further appropriation, to  
9174 pay debt service related to such bonds. The comptroller may, without further appropriation,  
9175 transfer from any available appropriation any amount determined by the comptroller to have  
9176 been withheld by the federal government from a tax credit bond subsidy payment.

9177

9178           SECTION 21. The first paragraph of section 12 of chapter 11 of the General Laws, as  
9179 appearing in the 2008 Official Edition, is hereby amended by striking out the first sentence and  
9180 inserting in place thereof the following 3 sentences:- The department of the state auditor shall  
9181 audit the accounts, programs, activities and functions directly related to the aforementioned  
9182 accounts of all departments, offices, commissions, institutions and activities of the  
9183 commonwealth, including those of districts and authorities created by the general court and  
9184 including those of the income tax division of the department of revenue and, for such purposes,

9185 the authorized officers and employees of the department of the state auditor shall have access to  
9186 such accounts at reasonable times and the department may require the production of books,  
9187 documents, vouchers and other records relating to any matter within the scope of an audit  
9188 conducted under this section or section 13, except tax returns. In determining the audit  
9189 frequency of a covered entity, the department shall consider the materiality, risk and complexity  
9190 of the entity's activities as well as the nature and extent of prior audit findings. Each entity may  
9191 be audited separately as a part of a larger organizational entity or as a part of an audit covering  
9192 multiple entities; provided, however, that each entity shall be audited at least once every 3 years  
9193 and an entity shall be subject to audit as often as the state auditor determines it necessary.

9194

9195 SECTION 21A. Chapter 12 of the General Laws is hereby amended by inserting after  
9196 section 8F the following section:-

9197 Section 8F 1/2. (a) For the purposes of this section, the following words shall have the  
9198 following meanings:

9199 "Compensation", anything given or received as an equivalent for services, but shall not  
9200 include reimbursement for costs and expenses reasonably incurred by the independent officer,  
9201 director or trustee in the course and support of such service.

9202 "Independent officer, director or trustee", an officer, director or trustee of a public charity  
9203 who is not also serving as an employee, or the equivalent of an employee, of such public charity.



9204 “Massachusetts based public charity”, a public charity incorporated or otherwise  
9205 organized in the commonwealth or, if incorporated or organized outside of the commonwealth,  
9206 that primarily conducts its business in the commonwealth.

9207 (b) No Massachusetts based public charity required to be registered under section 8E and  
9208 to file annual reports under section 8F, shall provide compensation to any independent officer,  
9209 director or trustee for service as such independent officer, director or trustee except with the  
9210 approval of the director under this section.

9211 Any such public charity intending to provide compensation to any independent officer,  
9212 director or trustee shall file an application with the division, on such forms and with such  
9213 supporting information and documentation as the director shall from time to time prescribe,  
9214 requesting the approval of the director for the public charity to provide compensation.

9215 The director may adopt and promulgate guidelines, rules or regulations to carry out this  
9216 section including, but not limited to, the criteria for granting approval and the time period during  
9217 which such approval shall be effective. Such criteria shall recognize that service as an  
9218 independent officer, director or trustee of a public charity is recognized as a voluntary  
9219 contribution of time and expertise to benefit the community served by the public charity and that  
9220 any departure from the voluntary nature of such service requires a clear and convincing showing  
9221 that compensation is necessary to enable the public charity to attract and retain experienced and  
9222 competent individuals to serve as independent officers, directors or trustees.

9223 If the director approves an application for compensation, amounts paid as said  
9224 compensation shall be limited to the amount the Massachusetts based public charity reasonably  
9225 determines are necessary to accomplish the purposes for which compensation is paid. The

9226 director may rescind the approval for compensation if the director finds that any compensation  
9227 paid under this section is in excess of that reasonably necessary to accomplish the purposes for  
9228 which compensation is approved and paid.

9229 SECTION 21B. Section 15E of chapter 15A of the General Laws, as amended by section  
9230 26 of chapter 189 of the acts of 2010, is hereby amended by striking out the second paragraph  
9231 and inserting in place thereof the following paragraph:—

9232 Subject to appropriation, the commonwealth shall contribute funds to each institution's  
9233 recognized foundation in an amount necessary to match private contributions in the current fiscal  
9234 year to the institution's or a foundation's endowment or capital outlay program based on the  
9235 following matching formula: subject to appropriation, the commonwealth's contribution shall be  
9236 equal to \$1 for every \$2 privately contributed to the university's board of trustees or a  
9237 foundation; \$1 for every \$2, or \$1 dollar for such greater number of dollars as may be established  
9238 by the board of higher education, privately contributed to each state university's board of trustees  
9239 or foundation; and \$1 for every \$2, or \$1 for such greater number of dollars as may be  
9240 established by the board of higher education, privately contributed to each community college's  
9241 board of trustees or foundation.

9242

9243 SECTION 21C. Said section 15E of said chapter 15A is hereby further amended by  
9244 striking out the fourth paragraph, as appearing in section 27 of chapter 189 of the acts of 2010.

9245

9246 SECTION 21D. Paragraph (b) of subsection (2) of section 40 of chapter 15A of the  
9247 General Laws, as so appearing, is hereby amended by inserting after the word “writing”, in lines  
9248 82, 93 and 104, each time it appears, the following words:- , or in another form acceptable to the  
9249 council,.

9250

9251 SECTION 21E. Section 9 of chapter 15A of the General Laws is hereby amended by  
9252 striking out clause (i), as amended by section 18 of chapter 189 of the acts of 2010, and inserting  
9253 in place thereof the following clause:- (i) review and approve student charges of the state  
9254 universities and community colleges, pursuant to section 42.

9255

9256 SECTION 21F. Section 22 of said chapter 15A is hereby amended by striking out clause  
9257 (b), as appearing in the 2008 Official Edition, and inserting in place thereof the following  
9258 clause:- (b) establish all student charges, under the process set forth in section 42, as applicable;  
9259 provided, however, that the student charges shall include fines and penalties collected pursuant  
9260 to the enforcement of traffic and parking rules and regulations; provided further, that the rules  
9261 and regulations shall be enforced by persons in the employ of the institution who shall have the  
9262 powers of police officers throughout the property of the institution, except as to the service of  
9263 civil process; and provided further, that the foregoing shall not authorize any action in  
9264 contravention of the requirements of Section 1 of Article LXIII of the Amendments to the  
9265 Constitution;

9266

9267 SECTION 21G. Said chapter 15A of the General Laws, is hereby further amended by  
9268 adding the following section:-

9269 Section 42. (a) This section shall apply only to those campuses for which the local board  
9270 of trustees has approved by majority vote to accept this section.

9271 (b) The board of trustees of each state university and community college shall, for each  
9272 academic year beginning on or after July 1, 2012, fix and establish student charges for each such  
9273 university or community college, subject to the requirements of this section. In-state student  
9274 charges shall preserve affordability for residents of the commonwealth. Out-of-state student  
9275 charges shall appropriately balance the financial needs of the state university or community  
9276 college with the need to be competitive with peer institutions regionally. In setting student  
9277 charges each state university and community college shall also consider factors including, but  
9278 not limited to, the following: actual appropriations received; the Consumer Price Index; the  
9279 Higher Education Price Index; tuition and fee rates at peer institutions; collective bargaining  
9280 costs; funding from the commonwealth measured with reference to the funding formula  
9281 established under section 15B; and making progress towards ensuring that fees constitute no  
9282 more than 25 per cent of student charges. To the extent practicable, final student charges shall  
9283 be established for each academic year not later than March 1 of the calendar year in which the  
9284 rates shall take effect.

9285 For the purposes of this section, “student charges” shall include tuition and fees that are  
9286 charged to students generally for attendance at a state university or community college, but shall  
9287 not include any fee or other charge established by such state university or community college

9288 that is specific to a particular course, program or activity, and shall not include any rates, rents,  
9289 charges or fees set by the Massachusetts State College Building Authority.

9290 (c) Beginning with the 2012-2013 academic year, each state university and community  
9291 college shall submit a 5-year student charges plan to the board of higher education for the  
9292 board's approval. The plan shall contain the annual student charges the state university or  
9293 community college expects to approve for the state university's or community college's state-  
9294 supported programs, under subsection (b), for a period of no fewer than 5 academic years. The  
9295 plan also shall include but not be limited to budget and enrollment projections for each year,  
9296 projections for in-state and out-of-state enrollments for each year, consideration of segmental  
9297 missions, and plans to ensure continuing access to the institution by residents of the  
9298 commonwealth and to maintain and increase access for underrepresented student groups. The  
9299 board of higher education, in considering whether to approve a plan, shall consider but not be  
9300 limited to considering the same factors the campuses must consider in setting student charges  
9301 under this section. For the first 5 years the board may also consider, to the extent practicable,  
9302 any steps taken in the plan to ensure that fees constitute no more than 25 percent of student  
9303 charges. For the second 5 years and each plan submitted thereafter, the board shall consider the  
9304 progress made toward ensuring that fees constitute no more than 25 per cent of student charges.  
9305 Within 120 days of the submission of a plan, the board of higher education shall either approve  
9306 the plan or return it to the state university or community college with suggested changes. The  
9307 approval shall require a 2/3 vote of the board of higher education. If the board of higher  
9308 education does not vote on a plan within 120 days of its submission, the plan shall be considered  
9309 approved. A copy of the plan shall be provided to the joint committee on higher education and

9310 to the house and senate committees on ways and means at the time the plan is submitted to the  
9311 board of higher education.

9312 (d) If, following the approval of a state university's or community college's plan under  
9313 subsection (c), the board of trustees of such state university or community college approves, for  
9314 any academic year, student charges that are greater than 105 per cent of the student charges  
9315 approved in such state university's or community college's plan, the state university or  
9316 community college shall submit such greater rate to the board of higher education for its  
9317 approval, as part of an amended student charges plan. The amended plan shall describe in detail  
9318 the reasons why the state university's or community college's student charges are greater than  
9319 the expected student charges, and provide revised or updated information on budget and  
9320 enrollment projections for each year, projections for in-state and out-of-state enrollments for  
9321 each year, consideration of segmental missions and plans to ensure continuing access to the  
9322 institution by residents of the commonwealth and to maintain and increase access for  
9323 underrepresented student groups, as necessary. Within 60 days after the submission of a revised  
9324 plan, the board of higher education shall either approve the plan or return it to the state university  
9325 or community college with suggested changes. The approval shall require a 2/3 vote of the  
9326 board of higher education. If the board of higher education does not vote on a plan within 60  
9327 days of its submission, the plan shall be considered approved. A copy of the revised plan shall  
9328 be provided to the joint committee on higher education and to the house and senate committees  
9329 on ways and means at the time the plan is submitted to the board of higher education.

9330 (e) A state university or community college or the board of higher education may, at its  
9331 discretion, request that a plan approved under subsections(c) or (d) be re-examined and modified,  
9332 in accordance with procedures established by the board of higher education. Any resulting

9333 modification shall be concurred with by the board of trustees of the affected state university or  
9334 community college and by a 2/3 vote of the board of higher education.

9335 (f) In implementing subsection (c), the board of higher education shall review the plans  
9336 of each state university and community college for the academic year beginning on or after July  
9337 1, 2012. For subsequent academic years, the board shall develop procedures to provide for the  
9338 review of state university and community college plans on a staggered basis, such that the board  
9339 may review a smaller number of plans each year. These procedures may include provisions  
9340 requiring a state university or community college to submit an updated plan before the approval  
9341 period of such state university's or community college's initial plan has expired, in order to  
9342 accommodate a staggered schedule.

9343 (g) All student charges received by the board of trustees of a state university or  
9344 community college under this section shall be retained by the board of trustees of that institution  
9345 in a revolving trust fund or funds and shall be expended as the board of trustees may direct for  
9346 the operation and support of the institution. Any balance in a trust fund at the end of a fiscal year  
9347 shall continue to be held in the trust fund, shall remain available for expenditure in subsequent  
9348 fiscal years and shall not revert to the General Fund. All such trust funds shall be subject to audit  
9349 by the state auditor.

9350

9351 SECTION 22. Chapter 18 of the General Laws is hereby amended by inserting after  
9352 section 5H the following 2 sections:-

9353 Section 5I. No individual or store owner shall accept direct cash assistance funds held on  
9354 electronic benefit transfer cards for the purchase of alcoholic beverages, lottery tickets or tobacco

9355 products. An individual or store owner who knowingly accepts electronic benefit transfer cards  
9356 in violation of this section shall be punished by a fine of not more than \$500 for a first offense, a  
9357 fine of not less than \$500 nor more than \$1,000 for a second offense and a fine of not less than  
9358 \$1,000 for a third or subsequent offense.

9359           Section 5J. Whoever embezzles, steals or obtains by fraud any funds, assets or property  
9360 provided by the department of transitional assistance and whoever receives, conceals or retains  
9361 such funds, assets or property for his own interest knowing such funds, assets or property have  
9362 been embezzled, stolen or obtained by fraud shall, if such funds, assets or property are of a value  
9363 of less than \$100, be punished by a fine of not more than \$1,000 or by imprisonment in a house  
9364 of correction for not more than 1 year, or both such fine and imprisonment, or if such funds,  
9365 assets or property are of a value of \$100 or more, by a fine of not more than \$25,000 or by  
9366 imprisonment in a house of correction for not more than 2 ½ years, or both such fine and  
9367 imprisonment..

9368

9369           SECTION 22A. Section 6 of chapter 18C of the General Laws, as appearing in the 2008  
9370 Official Edition, is hereby amended by striking out, in line 4, the words "to all relevant" and  
9371 inserting in place thereof the following words:- shall have unrestricted access to all electronic  
9372 information systems.

9373

9374           SECTION 23. Section 1 of chapter 21 of the General Laws, as appearing in the 2008  
9375 Official Edition, is hereby amended by striking out the fourth paragraph and inserting in place  
9376 thereof the following paragraph:-



9377           The department of conservation and recreation shall consist of a division of state parks  
9378 and recreation and a division of water supply protection. Each division shall be under the  
9379 administrative supervision of a director and shall be under the supervision and control of the  
9380 commissioner of the department of conservation and recreation. The division of water supply  
9381 protection shall have control over the watershed and water supply systems in accordance with  
9382 chapter 92A½. The division of state parks and recreation shall have control over the state parks,  
9383 forests, parkways, waterways, rinks, pools, beaches and other recreational lands and facilities  
9384 outside of the watershed systems as defined in sections 1 and 2 of chapter 92A½.

9385

9386           SECTION 24. Section 2F of said chapter 21, as so appearing, is hereby amended by  
9387 striking out, in lines 1 and 2, the words “directors of the divisions of state parks and recreation  
9388 and urban ” and inserting in place thereof the following words:- director of state.

9389

9390           SECTION 25. Section 3 of said chapter 21, as so appearing, is hereby amended by  
9391 striking out, in line 8, the words “urban parks and recreation,”.

9392

9393           SECTION 26. Section 8 of chapter 21A of the General Laws, as so appearing, is hereby  
9394 amended by striking out, in line 44, the words "urban parks and recreation, a division of".

9395           SECTION 26A. Paragraph (1) of subsection (c) of section 22 of chapter 21A of the  
9396 General Laws, as so appearing, is hereby amended by striking out clause (i) and inserting in  
9397 place thereof the following clause:-

9398 (i) to reimburse a municipality in which the property tax receipts from an electric  
9399 generating station including, for the purposes of this clause, payments in lieu of taxes and other  
9400 compensation specified in an agreement between a municipality and an affected property owner,  
9401 are reduced due to full or partial decommissioning of the facility or other change in operating  
9402 status of the facility if such action also reduces the commonwealth's greenhouse gas emissions  
9403 from the electric generator sector under the goals established under chapter 21N; provided,  
9404 however that the amount of such reimbursement shall be determined by calculating the  
9405 difference between the amount of the tax receipts, including payments in lieu of taxes or other  
9406 compensation paid by the electric generating station in the current tax year and the amount of the  
9407 tax receipts, including payments in lieu of taxes or other compensation paid by the electric  
9408 generating station in the year prior to the full or partial decommissioning or other change in  
9409 operating status of the facility; provided further, that no reimbursement shall be made if, in a tax  
9410 year, the aggregate amount paid to a municipality by the owner of an electric generating station  
9411 including, but not limited to, payments in lieu of taxes and other compensation, exceeds the  
9412 aggregate amount paid to that municipality by that owner in the year prior to the full or partial  
9413 decommissioning or other change in operating status of the facility. After full or partial  
9414 decommissioning or other change in operating status of the facility, the electric generation  
9415 facility's tax obligation shall be based, on an annual basis, on tax receipts, including payments in  
9416 lieu of taxes or other compensation that have been negotiated in good faith by the electric  
9417 generation facility and municipality on or before January 30 of the current tax year; provided  
9418 however, that if the electric generation facility and municipality have not negotiated in good faith  
9419 payments in lieu of taxes and other compensation in the nature of property tax payments by said  
9420 January 30, then said facility's tax obligation shall be determined by an independent third party

9421 assessor paid by said facility, but selected jointly by the municipality and the facility, or if they  
9422 are unable to arrive at a joint selection, by the department of revenue. The municipality shall be  
9423 entitled to reimbursement for the difference between the amount called for in such assessment  
9424 and the amount of the tax receipts, including payments in lieu of taxes or other compensation  
9425 paid in the year prior to the full or partial decommissioning or other change in operating status of  
9426 the facility, provided that such independent assessment is filed with any request for funds under  
9427 this clause. Payments from the fund shall be prioritized so that the first payments from the fund  
9428 shall be made to municipalities under this clause.

9429

9430 SECTION 27. Subsection (o) of section 3A of chapter 21E of the General Laws, as so  
9431 appearing, is hereby amended by striking out the second and third sentences and inserting in  
9432 place thereof the following 4 sentences:- In each year the department shall, at a minimum, audit a  
9433 statistically significant number, as determined by the department, of all sites for which annual  
9434 compliance assurance fees are required to be paid under section 3B. In determining the  
9435 statistically significant number, the department shall take into account the need for audits to  
9436 ensure a high level of compliance with this chapter and the Massachusetts Contingency Plan and  
9437 the need to target audit resources in the most efficient and effective manner. The department  
9438 may establish additional audit targets for categories of persons or response actions or sites, as  
9439 defined under subsection (d) of section 3, based on the level of department oversight provided to  
9440 each category. The department shall report annually to the joint committee on environment,  
9441 natural resources and agriculture and the house and senate committees on ways and means  
9442 detailing the number of audits conducted under this section.

9443

9444 SECTION 28. Chapter 22 of the General Laws is hereby amended by adding the  
9445 following section:-

9446 Section 21. (a) The commissioner or his designee and such other person as may be  
9447 specifically authorized may issue a written notice of violation, which shall be a written warning  
9448 or a citation to assess civil monetary fines of not more than \$5,000, for a violation of the  
9449 following laws or of regulations adopted thereunder:

9450 (1) section 13A; provided, however, that an inspector assigned to the building division or  
9451 a designee of the architectural access board may also issue a warning or citation under this  
9452 section;

9453 (2) sections 1, 2 and 64 of chapter 105;

9454 (3) section 205A of chapter 140; provided, however, that an inspector assigned to the  
9455 building division or the engineering division of the department may also issue a warning or  
9456 citation under this section;

9457 (4) sections 3V, 9 and 50 of chapter 143; provided, however, that an inspector assigned to  
9458 the building division of the department may also issue a warning or citation under these sections;

9459 (5) sections 65,71 and 71D of chapter 143; provided, however, that an inspector assigned  
9460 to the elevator division of the department may also issue a warning or citation under this section;

9461 (6) sections 71K and 71N of chapter 143; provided, however, that a designee of the  
9462 recreational tramway board may also issue a warning or citation under these sections;

9463 (7) sections 5 to 41, inclusive, sections 53 to 54A, inclusive, sections 70 to 80, inclusive,  
9464 or section 89 of chapter 146; provided, however, that an inspector assigned to the engineering  
9465 division of the department may also issue a warning or citation under these sections;

9466 (8) the regulations of the state building code governing licensing of construction  
9467 supervisors under section 94 of chapter 143; provided, however, that an inspector assigned to the  
9468 building division of the department may also issue a warning or citation under such regulations;  
9469 and

9470 (9) sections 57 and 60 of chapter 147.

9471 (b) The commissioner may adopt regulations for the administration and enforcement of  
9472 this section.

9473 (c) The individual issuing the written notice of violation shall indicate on the notice that it  
9474 is for: (i) a written warning or a citation; and (ii) a violation of the specific law or regulation  
9475 referenced in subsection (a).

9476 (d) A person, firm or corporation who is issued a citation in a written notice of violation  
9477 may appeal to a hearing officer designated by the secretary of public safety and security within  
9478 30 days after receipt of the notice. All appeal hearings shall be held in accordance with the  
9479 standard rules governing informal adjudicatory proceedings adopted under section 9 of chapter  
9480 30A.

9481 (e) A person, firm or corporation who is issued a citation in a written notice of a violation  
9482 and who fails to: (i) pay the fines assessed within 30 days after receipt of the notice; (ii) appeal  
9483 within the 30 days; or (iii) appear at a scheduled appeal hearing, shall be deemed responsible for

9484 the violation as stated in the notice. The finding of responsibility shall be admissible as prima  
9485 facie evidence of responsibility for the violation in any civil proceeding regarding the violation,  
9486 in any proceeding to suspend or revoke a license, permit or certificate and in any criminal  
9487 proceeding.

9488

9489

9490 SECTION 29. Section 4 of chapter 23E of the General Laws, as appearing in the 2008  
9491 Official Edition, is hereby amended by striking out, in line 3, the word “twenty-one”, and  
9492 inserting in place thereof the following words:- not more than 21.

9493

9494 SECTION 30. The first paragraph of said section 4 of said chapter 23E, as so appearing,  
9495 is hereby further amended by adding the following sentence:- Notwithstanding any general or  
9496 special law to the contrary, upon the expiration of a term, a member shall not continue to serve  
9497 unless reappointed but, in the discretion of the commissioner, that member may serve not more  
9498 than 90 additional days to complete work on pending cases.

9499

9500

9501 SECTION 31. Section 5 of said chapter 23E, as so appearing, is hereby amended by  
9502 striking out, in line 4, the word “six” and inserting in place thereof the following words:- not  
9503 more than 6.

9504

9505

9506 SECTION 32. The first paragraph of said section 5 of said chapter 23E, as so appearing,  
9507 is hereby further amended by adding the following sentence:- Notwithstanding any general or  
9508 special law to the contrary, upon the expiration of a term, a member shall not continue to serve  
9509 unless reappointed but, in the discretion of the commissioner, that member may serve not more  
9510 than 90 additional days to complete work on pending cases.

9511

9512 SECTION 32A. Section 42 of chapter 23G of the General Laws, as so appearing, is  
9513 hereby amended by inserting after the word “facility”, in line 27, the following words:- unless  
9514 such municipally owned building: is located in a cultural district; is 125 years old or older: and is  
9515 significant in the history, archeology, architecture or culture of the nation, the commonwealth or  
9516 the community wherein it is located, in which case it may be of any size.

9517 SECTION 32B. Section 5 of chapter 23I of the General Laws, as so appearing, is hereby  
9518 amended by inserting after subsection (c) the following subsection:-

9519 (d) There shall be established a life sciences tax incentive program. The center, in  
9520 consultation with the department, may annually authorize incentives, including incentives carried  
9521 forward or refunded pursuant to subsections (m), (n) and (r) of section 6 of chapter 62, paragraph  
9522 17 of section 30 of chapter 63, the second time it appears, section 31M of said chapter 63, the  
9523 second time it appears, paragraph 6 of subsection (f) of section 38 of said chapter 63, subsection  
9524 (j) of section 38M of said chapter 63, section 38U of said chapter 63, section 38V of said chapter

9525 63, section 38W of said chapter 63, section 38CC of said chapter 63, the second paragraph of  
9526 subsection (c) of section 42B of said chapter 63 and subsection (xx) of section 6 of chapter 64H  
9527 in a cumulative amount, including the current year cost of incentives allowed in previous years,  
9528 that shall not exceed \$25,000,000 annually. The center may, in consultation with the  
9529 department, limit any incentive to a specific dollar amount or time duration or in any other  
9530 manner deemed appropriate by the department; provided, however, that the department shall  
9531 only allocate any such incentives among commonwealth certified life sciences companies  
9532 pursuant to subsection (b) and shall award such tax incentives pursuant to subsection (c).

9533         The center shall provide an estimate to the secretary of administration and finance of the  
9534 tax cost of extending benefits to a proposed project before certification, as approved by the  
9535 commissioner of revenue, based on reasonable projections of project activities and costs. Tax  
9536 incentives shall not be available to a certified life sciences company unless expressly granted by  
9537 the secretary of administration and finance in writing.

9538

9539         SECTION 33. Section 2RR of chapter 29 of the General Laws, as so appearing, is hereby  
9540 amended by inserting after the word "Training", in line 3, the following word:- Trust.

9541

9542

9543         SECTION 34. Said section 2RR of said chapter 29, as so appearing, is hereby further  
9544 amended by striking out, in lines 6 and 7, the words "Subject to appropriation, the commissioner,  
9545 which in this section shall have the meaning assigned by section 1 of chapter 151A" and



9546 inserting in place thereof the following words:- The commissioner, which in this section shall  
9547 have the meaning assigned by section 1 of chapter 151A, shall be the trustee of the fund and,  
9548 without further appropriation,.

9549

9550 SECTION 35. Said chapter 29 of the General Laws is hereby further amended by  
9551 inserting after section 2BBBB the following section:-

9552 Section 2CCCC. There shall be established and set up on the books of the commonwealth  
9553 a separate fund to be known as the Public Safety Training Fund. The fund shall be used for the  
9554 instruction of public safety personnel including, but not limited to, the recruitment of additional  
9555 state police classes and for the municipal police training committee under section 116 of chapter  
9556 6, as necessary, to preserve and promote the public safety. The fund shall be credited with all  
9557 revenues collected from the surcharge imposed by section 12 of chapter 89 and the seventh  
9558 paragraph of section 20 of chapter 90. The fund shall not be subject to section 5C of chapter 29  
9559 and shall be subject to appropriation.

9560

9561 SECTION 36. Said chapter 29 is hereby further amended by inserting after section 29J  
9562 the following section:-

9563 Section 29K. (a) Each state authority that receives a total amount of appropriations from  
9564 the commonwealth equal to or in excess of \$500,000 in any fiscal year shall, on an annual basis,  
9565 conduct an audit of those funds. Each such audit shall be conducted by an independent auditor  
9566 and shall be filed with the state auditor for examination, review and comment.

9567 (b) Each state authority shall:

9568 (1) establish an audit committee that shall meet independently of management at least  
9569 once per calendar year, retain an independent auditor and hear the results of the annual audit;  
9570 provided, however, that a state authority may rely upon an audit required by any other general or  
9571 special law in meeting the requirements of this section;

9572 (2) establish a compensation committee that shall: (i) meet independently of  
9573 management at least once per calendar year and shall evaluate and establish executive  
9574 compensation including, but not limited to, base salary, bonuses, severance, retirement or  
9575 deferred compensation packages and policies relative to the accrual and payment of sick and  
9576 vacation time, including payouts for unused sick and vacation time; and (ii) analyze and assess  
9577 comparable compensation for positions with similar functions and responsibilities at state  
9578 agencies and authorities, as well as for-profit and nonprofit private-sector employers; and

9579 (3) prepare an annual financial report which shall disclose operating revenues and  
9580 expenses, including the salaries and compensation of its executive director, officers, board  
9581 members and senior management, and other highly-compensated employees, exclusive of the  
9582 executive director, officers, board members and senior management.

9583 (c) No executive of a state authority shall be compensated for sick, vacation or other  
9584 leave time to an extent greater than the leave time granted to a state employee.

9585 (d) No executive of a state authority shall be granted severance pay after removal for  
9586 cause and no executive shall be granted severance pay in excess of 3 months' salary if removed  
9587 other than for cause.

9588 (e) The commonwealth shall not subsidize the health insurance, pension and other post-  
9589 employment benefits of state authority employees and retirees. Each state authority and  
9590 independent entity shall be charged the full actuarial value of its liabilities by the public  
9591 employee retirement administration commission and the group insurance commission.

9592 (f) The secretary of administration and finance shall adopt regulations to carry out this  
9593 section. Audits and financial reports shall be based on generally accepted accounting principles  
9594 or generally accepted government auditing standards and shall be considered a public record  
9595 under clause Twenty-sixth of section 7 of chapter 4.

9596 (g) Nothing in this section shall be construed to limit the authority of the attorney general,  
9597 inspector general, state auditor or other state agency.

9598

9599 SECTION 37. Section 49 of said chapter 29, as appearing in the 2008 Official Edition, is  
9600 hereby amended by adding the following paragraph:-

9601 If bonds are issued subject to a requirement under federal tax law that the proceeds from  
9602 any investment of the proceeds from the sale of the bonds shall be used for capital expenditures  
9603 including, without limitation, section 54AA(g)(2) of the Internal Revenue Code of 1986, as  
9604 amended, the state treasurer may, without further appropriation or allotment, apply investment  
9605 earnings allocable to the proceeds of such bonds to the payment or reimbursement of capital  
9606 expenditures for which bonds have been authorized but not yet issued, and the amount of bonds  
9607 authorized to be issued for any such expenditures shall be reduced by the amount of investment  
9608 earnings so applied.

9609

9610

9611 SECTION 37A. Section 45 of chapter 30 of the General Laws, as so appearing, is hereby  
9612 amended by inserting after the word “branches, in line 8, the following words:- , in the state  
9613 ethics commission.

9614

9615

9616 SECTION 37B. The General Laws are hereby amended by inserting after chapter 30B the  
9617 following chapter:-

9618 Chapter 30C. PUBLIC CONTRACT INTEGRITY

9619 Section 1. For the purposes of this chapter, the following terms shall have the following  
9620 meanings unless the context clearly requires otherwise:

9621 “Public employer”, a department, agency or public instrumentality of the commonwealth  
9622 or a person, corporation, partnership, sole proprietorship, joint venture or other business entity  
9623 providing goods or services to a department, agency or public instrumentality of the  
9624 commonwealth including, but not limited to, the Massachusetts Department of Transportation,  
9625 the Massachusetts Water Resources Authority, the Massachusetts Port Authority and the  
9626 Massachusetts Bay Transportation Authority.

9627 “Work authorization program”, an electronic verification of work authorization program  
9628 or an equivalent work authorization program operated by the United States Department of

9629 Homeland Security, the United States Department of Labor, the Social Security Administration,  
9630 other federal agency or by a private verification system authorized by the director of labor to  
9631 verify information of newly hired employees, pursuant to the Immigration Reform and Control  
9632 Act of 1986 and its successor acts.

9633           Section 2. No public employer shall enter into a contract for the provision of goods or  
9634 services within the commonwealth unless the contractor registers and participates in a work  
9635 authorization program to verify information on all new employees and certifies to that effect in  
9636 writing to the director of labor.

9637           Section 3. No contractor or subcontractor who enters a contract with a public employer  
9638 shall enter into a contract or subcontract in connection with the provision of goods or services in  
9639 the commonwealth unless the contractor or subcontractor registers and participates in a work  
9640 authorization program to verify information on all employees and certifies to that effect in  
9641 writing to the director of labor.

9642           Section 4. This chapter shall be enforced without regard to race, religion, gender,  
9643 ethnicity or national origin.

9644           Section 5. Except as may be otherwise provided in this chapter, the director of labor shall  
9645 prescribe forms and promulgate rules and regulations necessary to implement and administer this  
9646 chapter.

9647           Section 6. The inspector general shall develop and promulgate regulations to ensure that a  
9648 person receiving funds pursuant to a contract awarded pursuant to chapter 30B and section 44A  
9649 of chapter 149 is in compliance with federal laws pertaining to immigration and citizenship  
9650 including, but not limited to 42 U.S.C. section 1436(a). Such regulations shall include, but not be

9651 limited to, ascertaining and verifying immigration and citizenship status through a work  
9652 authorization program .

9653           Section 7. No contract shall be awarded by or to a public employer and no public funds  
9654 shall be expended under any such contract unless the public employer complies with the  
9655 regulations prescribed in this chapter.

9656

9657           SECTION 37C. The third paragraph of the definition of “Regular compensation” in  
9658 section 1 of chapter 32 of the General Laws, as inserted by section 23 of chapter 131 of the acts  
9659 of 2010, is hereby amended by striking out the second sentence and inserting in place thereof the  
9660 following sentence:- After September 1, 2011, faculty, librarians and administrators in public  
9661 higher education who are eligible for the state employees’ retirement system shall not be  
9662 prohibited from participating in the optional retirement program under section 40 of chapter 15A.

9663

9664           SECTION 38. Section 22C of chapter 32 of the General Laws is hereby amended by  
9665 striking out, in line 29, as so appearing, the words "on June 30, 2025" and inserting in place  
9666 thereof the following words:- by June 30, 2040.

9667

9668           Pension Funding Schedule 2

9669

9670 SECTION 39. Subdivision (1) of said section 22C of said chapter 32 is hereby amended  
9671 by striking out the last paragraph, as appearing in section 23 of chapter 27 of the acts of 2009,  
9672 and inserting in place thereof the following paragraph:-

9673 Notwithstanding any general or special law to the contrary, appropriations or transfers  
9674 made to the Commonwealth's Pension Liability Fund in fiscal years 2012 to 2017, inclusive,  
9675 shall be made in accordance with the following funding schedule: \$1,478,000,000 in fiscal year  
9676 2012, \$1,552,000,000 in fiscal year 2013, \$1,630,000,000 in fiscal year 2014, \$1,727,000,000 in  
9677 fiscal year 2015, \$1,831,000,000 in fiscal year 2016 and \$1,941,000,000 in fiscal year 2017.  
9678 Notwithstanding any provision of this subdivision to the contrary, any adjustments to these  
9679 amounts based on the next triennial funding schedule shall be limited to increases in the schedule  
9680 amounts for each of the specified years.

9681

9682 SECTION 40. Section 8 of chapter 32A of the General Laws, as appearing in the 2008  
9683 Official Edition, is hereby amended by striking out the first and second paragraphs and inserting  
9684 in place thereof the following 2 paragraphs:-

9685 For policies of group life insurance and accidental death and dismemberment insurance,  
9686 and group health insurance purchased by the commission under sections 4, 5 and 10C, and for  
9687 self-insured health coverage provided by the commission under section 4A, the commonwealth,  
9688 on behalf of active and retired employees and their dependents, shall contribute not less than 75  
9689 per cent of the total monthly premium or rate applicable to said coverages, and the active and  
9690 retired employees on behalf of themselves or themselves and their dependents shall contribute  
9691 the remaining 25 per cent of the total monthly premium or rate, except, that upon approval by

9692 way of an annual appropriation act, the commonwealth may contribute more than 75 per cent but  
9693 less than the entire total monthly premium or rate. The annual appropriation act shall provide the  
9694 necessary annual sum to be funded by the commonwealth based upon the estimated monthly cost  
9695 as required by sections 4 and 4A and the estimated monthly cost for coverages contained in other  
9696 sections of this chapter and shall describe the ratio of contribution to be paid by the  
9697 commonwealth and by the active and retired employees insured under other sections of this  
9698 chapter. Regarding active and retired employees and their dependents, including municipal  
9699 subscribers, the commission shall not alter the coverage and benefits provided, or contribution  
9700 ratios established, in the annual appropriation act, or the schedule of co-pays and deductibles and  
9701 other terms upon which the total premium cost of each plan and the contribution ratios  
9702 established in the annual appropriation act were based; provided, however, that if the governor  
9703 reduces the appropriation under section 9C of chapter 29, the commission may make any  
9704 necessary adjustments to account for the reduction, but the commission shall not alter the  
9705 contribution ratios provided in the most recent applicable appropriation act.

9706           With respect to any period of insurance authorized by this chapter which is in effect for  
9707 an active employee and dependent, there shall be withheld from each payment of salary or wages  
9708 not more than 25 per cent of the total monthly premium or rate or a lesser amount as provided in  
9709 the annual appropriation act. With respect to any period of insurance authorized by this chapter  
9710 which is in effect for a retired employee and dependent, there shall be withheld from each  
9711 payment of pension or retirement allowance not more than 25 per cent of the total monthly  
9712 premium or a lesser amount as provided in the annual appropriation act. The commonwealth  
9713 shall contribute a share of any additional premium which may be required for coverage of an  
9714 employee's dependent child who is 19 years of age or over and mentally or physically incapable



9715 of earning such child's own living, such share equaling the same ratio as that paid on behalf of  
9716 an active or retired employee and dependent.

9717

9718

9719 SECTION 41. Section 19 of said chapter 32A, as so appearing, is hereby amended by  
9720 inserting after the word "Effective", in line 1, the following words:- January 1 and.

9721

9722 SECTION 42. Said section 19 of said chapter 32A, as so appearing, is hereby further  
9723 amended by inserting after the word "rate", in line 10, the following words:- in effect.

9724

9725 SECTION 43. Section 24 of said chapter 32A is hereby amended by inserting after the  
9726 word "system", in line 16, as so appearing, the following words:- and for depositing, investing  
9727 and disbursing amounts transferred to it under subsection (d).

9728

9729 SECTION 44. Said section 24 of said chapter 32A is hereby further amended by striking  
9730 out subsection (d), as so appearing, and inserting in place thereof the following subsection:-

9731 (d) Upon authorization by the board, any political subdivision, municipality, county or  
9732 agency or authority of the commonwealth may participate in the fund using procedures and  
9733 criteria to be adopted by the board.

9734

9735 SECTION 45. Chapter 32B of the General Laws is hereby amended by striking out  
9736 section 2, as so appearing, and inserting in place thereof the following section:-

9737 Section 2. As used in this chapter the following words shall, unless the context clearly  
9738 requires otherwise, have the following meanings:-

9739 “Appropriate public authority”, as to a county, except Worcester county, the county  
9740 commissioners; as to a city, the mayor; as to a town, the selectmen; as to a district, the governing  
9741 board of the district and for the purposes of this chapter if a collective bargaining agreement is in  
9742 place, as to a commonwealth charter school as defined by section 89 of chapter 71, the board of  
9743 trustees; and as to an education collaborative, as defined by section 4E of chapter 40, the board  
9744 of directions.

9745 “Commission”, the group insurance commission established by section 3 of chapter 32A.

9746 “Dependent”, an employee’s spouse, an employee’s unmarried children under 19 years of  
9747 age and any child 19 years of age or over who is mentally or physically incapable of earning the  
9748 child’s own living; provided, however, that any additional premium which may be required shall  
9749 be paid for the coverage of such child 19 years of age or over; provided further, that “dependent”  
9750 shall also include an unmarried child 19 years of age or over who is a full-time student in an  
9751 educational or vocational institution and whose program of education has not been substantially  
9752 interrupted by full-time gainful employment, excluding service in the armed forces; provided  
9753 further, that any additional premium which may be required for the coverage of such student  
9754 shall be paid in full by the employee. The standards for such full-time instruction and the time

9755 required to complete such a program of education shall be determined by the appropriate public  
9756 authority.

9757 “District”, any water, sewer, light, fire, veterans’ services or other improvement district  
9758 or public unit created within 1 or more political subdivisions of the commonwealth to provide  
9759 public services or conveniences.

9760 “Employee”, any person in the service of a governmental unit or whose services are  
9761 divided between 2 or more governmental units or between a governmental unit and the  
9762 commonwealth, and who receives compensation for any such service, whether such person is  
9763 employed, appointed or elected by popular vote, and any employee of a free public library  
9764 maintained in a city or town to the support of which that city or town annually contributes not  
9765 less than one-half of the cost; provided, however, that the duties of such person require not less  
9766 than 20 hours, regularly, in the service of the governmental unit during the regular work week of  
9767 permanent or temporary employment; provided further, that no seasonal employee or emergency  
9768 employees shall be included, except that persons elected by popular vote may be considered  
9769 eligible employees during the entire term for which they are elected regardless of the number of  
9770 hours devoted to the service of the governmental unit. A member of a call fire department or  
9771 other volunteer emergency service agency serving a municipality shall be considered an  
9772 employee, if approved by vote of the municipal legislative body, and the municipality shall  
9773 charge such individual 100 per cent of the premium. If an employee’s services are divided  
9774 between governmental units, the employee shall, for the purposes of this chapter, be considered  
9775 an employee of the governmental unit which pays more than 50 per cent of the employee’s  
9776 salary. But, if no one governmental units pays more than 50 per cent of that employee’s salary,  
9777 the governmental unit paying the largest share of the salary shall consider the employee as its

9778 own for membership purposes, and that governmental unit shall contribute 50 per cent of the cost  
9779 of the premium. If the payment of an employee’s salary is equally divided between  
9780 governmental units, the governmental unit having the largest population shall contribute 50 per  
9781 cent of the cost of the premium. If an employee’s salary is divided in any manner between a  
9782 governmental unit and the commonwealth, the governmental unit shall contribute 50 per cent of  
9783 the cost of the premium. An employee eligible for coverage under this chapter shall not be  
9784 eligible for coverage as an employee under chapter 32A. Teachers and all other public school  
9785 employees shall be deemed to be employees during the months of July and August under this  
9786 chapter; provided, however, that employee contributions for such health insurance for those 2  
9787 months are deducted from the compensation paid for services rendered during the previous  
9788 school year. A determination by the appropriate public authority that a person is eligible for  
9789 participation in the plan of insurance shall be final. Nothing in this paragraph shall apply to  
9790 Worcester county or its employees.

9791 “Employer”, the governmental unit.

9792 “Governmental unit”, any political subdivision of the commonwealth.

9793 “Health care flexible spending account”, a federally-recognized tax-exempt health benefit  
9794 program that allows an employee to set aside a portion of earnings to pay for qualified expenses  
9795 as established in an employer’s benefit plan.

9796 “Health care organization”, an organization for the group practice of medicine, with or  
9797 without hospital or other medical institutional affiliations, which furnishes to the patient a  
9798 specified or unlimited range of medical, surgical, dental, hospital and other types of health care  
9799 services.

9800           “Health reimbursement arrangement”, a federally-recognized tax-exempt health benefit  
9801 program funded solely by an employer to reimburse subscribers for qualified medical expenses.

9802           “Optional medicare extension”, a program of hospital, surgical, medical, dental and other  
9803 health insurance for such active employees and their dependents and such retired employees and  
9804 their dependents, except elderly governmental retirees insured under section 11B, as are eligible  
9805 or insured under the federal health insurance for the aged act, as may be amended from time to  
9806 time.

9807           “Political subdivision”, any county, except Worcester county, city, town or district.

9808           “Subscribers”, employees, retirees, surviving spouses and dependents of the political  
9809 subdivision and may include employees, retirees, surviving spouses and dependents of a district  
9810 who previously received health insurance benefits through the political subdivision.

9811

9812           SECTION 46. Section 18 of said chapter 32B is hereby repealed.

9813

9814

9815           SECTION 47. Said chapter 32B is hereby amended by striking out section 18A, as  
9816 appearing in the 2008 Official Edition, and inserting in place thereof the following section:-

9817           Section 18B. (a) A retiree, spouse or dependent insured or eligible to be insured under  
9818 this chapter, if enrolled in Medicare Part A at no cost to the retiree, spouse or dependent or  
9819 eligible for coverage under Medicare Part A at no cost to the retiree, spouse or dependent, shall

9820 be required to transfer to a Medicare health plan offered by the governmental unit under section  
9821 11C or section 16, if the benefits under the plan and Medicare Part A and Part B together shall be  
9822 of comparable actuarial value to those under the retiree's existing coverage, but a retiree or  
9823 spouse who has a dependent who is not enrolled or eligible to be enrolled in Medicare Part A at  
9824 no cost shall not be required to transfer to a Medicare health plan if a transfer requires the retiree  
9825 or spouse to continue the existing family coverage for the dependent in a plan other than a  
9826 Medicare health plan offered by the governmental unit.

9827 (b) Each retiree shall provide the governmental unit, in such form as the governmental  
9828 unit shall prescribe, such information as is necessary to transfer to a Medicare health plan. If a  
9829 retiree does not submit the information required, the retiree shall no longer be eligible for the  
9830 retiree's existing health coverage. The governmental unit may, from time to time, request from a  
9831 retiree, a retiree's spouse or a retiree's dependent, proof certified by the federal government, of  
9832 eligibility or ineligibility for Medicare Part A and Part B coverage.

9833 (c) The governmental unit shall pay any Medicare Part B premium penalty assessed by  
9834 the federal government on the retiree, spouse or dependent as a result of enrollment in Medicare  
9835 Part B at the time of transfer.

9836

9837

9838 SECTION 48. Section 19 of said chapter 32B, as so appearing, is hereby amended by  
9839 striking out, in line 58, the words "70 per cent" and inserting in place thereof the following  
9840 words:- a majority.

9841

9842

9843           SECTION 49. The fifth paragraph of subsection (a) of said section 19 of said chapter  
9844 32B, as so appearing, is hereby amended by striking out the fourth sentence and inserting in  
9845 place thereof the following 2 sentences:- Either the public employee committee or the  
9846 appropriate public authority may convene the initial meeting of the committee at any time upon 7  
9847 days notice. Either the public employee committee or the appropriate public authority may  
9848 convene any subsequent meeting with notice of not less than 3 business days.

9849

9850           SECTION 50. Said chapter 32B is hereby further amended by striking out section 20, as  
9851 so appearing, and inserting in place thereof the following section:-

9852           Section 20. (a) A city, town, district, county or municipal lighting plant that accepts this  
9853 section may establish an Other Post-Employment Benefits Liability Trust Fund, and may  
9854 appropriate amounts to be credited to the fund. Any interest or other income generated by the  
9855 fund shall be added to and become part of the fund. Amounts that a governmental unit receives  
9856 as a sponsor of a qualified retiree prescription drug plan under 42 U.S.C. section 1395w-132 may  
9857 be added to and become part of the fund. All monies held in the fund shall be segregated from  
9858 other funds and shall not be subject to the claims of any general creditor of the city, town,  
9859 district, county or municipal lighting plant.

9860           (b) The custodian of the fund shall be (i) a designee appointed by the board of a  
9861 municipal lighting plant; (ii) the treasurer of any other governmental unit; or (iii) if designated by

9862 the city, town, district, county or municipal lighting plant in the same manner as acceptance  
9863 prescribed in this section, the Health Care Security Trust board of trustees established in section  
9864 4 of chapter 29D, provided that the board of trustees accepts the designation. The custodian may  
9865 employ an outside custodial service to hold the monies in the fund. Monies in the fund shall be  
9866 invested and reinvested by the custodian consistent with the prudent investor rule established in  
9867 chapter 203C and may, with the approval of the Health Care Security Trust board of trustees, be  
9868 invested in the State Retiree Benefits Trust Fund established in section 24 of chapter 32A.

9869 (c) This section may be accepted in a city having a Plan D or Plan E charter, by vote of  
9870 the city council; in any other city, by vote of the city council and approval of the mayor; in a  
9871 town, by vote of the town at a town meeting; in a district, by vote of the governing board; in a  
9872 municipal lighting plant, by vote of the board; and in a county, by vote of the county  
9873 commissioners.

9874 (d) Every city, town, district, county and municipal lighting plant shall annually submit to  
9875 the public employee retirement administration commission, on or before December 31, a  
9876 summary of its other post-employment benefits cost and obligations and all related information  
9877 required under Government Accounting Standards Board standard 45, in this subsection called  
9878 "GASB 45", covering the last fiscal or calendar year for which this information is available. On  
9879 or before June 30 of the following year, the public employee retirement administration  
9880 commission shall notify any entity submitting this summary of any concerns that the commission  
9881 may have or any areas in which the summary does not conform to the requirements of GASB 45  
9882 or other standards that the commission may establish. The public employee retirement  
9883 administration commission shall file a summary report of the information received under this



9884 subsection with the chairs of the house and senate committees on ways and means, the secretary  
9885 of administration and finance and the board of trustees of the Health Care Security Trust.

9886

9887

9888 SECTION 51. Said chapter 32B is hereby further amended by adding the following 10  
9889 sections:-

9890 Section 21. As used in this section and sections 22 to 24, inclusive, the word “savings”  
9891 shall, unless the context clearly requires otherwise, mean the difference between the total  
9892 projected premium costs for health insurance benefits provided by a political subdivision with  
9893 changes to health insurance benefits that may be authorized under sections 22 or 23 for the first  
9894 12 months of such changes and the total projected premium costs for health insurance benefits  
9895 provided by a political subdivision for the same 12 months without such changes.

9896 (a) Any political subdivision electing to change health insurance benefits under sections  
9897 22 or 23 shall, each time the political subdivision elects to make changes under sections 22 or 23,  
9898 do so in the following manner: in a county, except Worcester county, by a vote of the county  
9899 commissioners; in a city having a Plan D or a Plan E charter, by majority vote of the city council  
9900 and approval by the manager; in any other city, by majority vote of the city council and approval  
9901 by the mayor; in a town, by vote of the board of selectmen; in a regional school district, by vote  
9902 of the regional district school committee; and in all other districts, by vote of the registered  
9903 voters of the district at a district meeting.

9904 (b) Prior to implementing any changes authorized under sections 22 or 23, the appropriate  
9905 public authority shall give notice to its public employee committee of its intention to enter into  
9906 negotiations to implement changes to its health insurance benefits under this section. If a public  
9907 employee committee has not been established under section 19, a public employee committee  
9908 shall be established exclusively to negotiate changes under this section, section 22 and section  
9909 23, and shall be established in the same form and with the same per cent votes as prescribed in  
9910 the fifth paragraph of subsection (a) of said section 19. Any community which has previously  
9911 established a public employee committee under section 19 may choose to apply this section and  
9912 sections 22 and 23 when implementing changes to its health insurance benefits.

9913 The notice shall detail the proposed changes, the appropriate public authority's analysis  
9914 and estimate of its anticipated savings of such changes and a proposal to mitigate, moderate or  
9915 cap the impact of these changes for subscribers, including retirees, low-income subscribers and  
9916 subscribers with high out-of-pocket health care costs, who would otherwise be disproportionately  
9917 affected. If the public authority is proposing changes under section 23 by transferring subscribers  
9918 to the commission, the public authority shall also submit an analysis that demonstrates that the  
9919 anticipated savings under this change would be at least 10 per cent greater than the maximum  
9920 possible savings under section 22.

9921 (c) The negotiations shall be conducted in good faith and may include all aspects of the  
9922 public authority's proposal. The negotiations shall be completed not later than 30 days from the  
9923 point at which the public employee committee receives the notice as provided in subsection (b).  
9924 If after 30 days the appropriate public authority and public employee committee are unable to  
9925 enter into a written agreement to implement changes under section 22 or 23, the matter shall be  
9926 submitted to a municipal health insurance review panel. The panel shall be comprised of 3

9927 members, 1 of whom shall be appointed by the public employee committee, 1 of whom shall be  
9928 appointed by the public authority and 1 of whom shall be selected through the secretary of  
9929 administration and finance who shall forward to the appropriate public authority and the public  
9930 employee committee a list of 3 impartial potential members, each of whom shall have  
9931 professional experience in dispute mediation and municipal finance or municipal health benefits,  
9932 from which the appropriate public authority and the public employee committee may jointly  
9933 select the third member; provided, however, that if the appropriate public authority and the  
9934 public employee committee cannot agree within 3 business days upon which person to select as  
9935 the third member of the panel, the secretary of administration and finance shall select the final  
9936 member of the panel. Any fee or compensation provided to a member for service on the panel  
9937 shall be shared equally between the public employee committee and the appropriate public  
9938 authority.

9939 (d) The municipal health insurance review panel shall approve the appropriate public  
9940 authority's immediate implementation of the proposed changes under section 22; provided, that  
9941 any increased dollar amounts for co-payments, deductibles and tiered provider network co-  
9942 payments proposed for a non-medicare plan under section 22 do not exceed the dollar amounts  
9943 of the median plan design features offered by the commission for a non-medicare plan under  
9944 section 4 of chapter 32A; and provided further, that any increased dollar amounts for co-  
9945 payments, deductibles and tiered provider network co-payments proposed for a medicare-  
9946 extension plan under section 22 do not exceed the dollar amounts of the median plan design  
9947 features offered by the commission for a medicare-extension plan under section 10C and section  
9948 14 of chapter 32A.

9949 (e) The municipal health insurance review panel shall approve the appropriate public  
9950 authority's immediate implementation of the proposed changes under section 23; provided, that  
9951 the panel confirms that the anticipated savings under those changes would be at least 10 per cent  
9952 greater than the maximum possible savings under section 22.

9953 (f) If the panel does not approve implementation for reasons stated under subsections (d)  
9954 or (e), the public authority may submit a new proposal to the public employee committee for  
9955 consideration and confirmation under this section.

9956 (g) Within 10 days of receiving proposed changes under sections 22 or 23, the municipal  
9957 health insurance review panel shall:

9958 (1) confirm, and revise if necessary, the appropriate public authority's estimated monetary  
9959 savings due to proposed changes under section 22 or 23; and

9960 (2) review the proposal to mitigate, moderate or cap the impact of these changes for  
9961 subscribers, including retirees, low-income subscribers and subscribers with high out-of-pocket  
9962 health care costs, who would otherwise be disproportionately affected.

9963 The municipal health insurance review panel may determine the proposal to be  
9964 insufficient and may require additional savings to be shared with subscribers in the form of  
9965 premium reductions, health reimbursement arrangements, wellness programs, health care trust  
9966 funds for emergency medical care or inpatient hospital care, out-of-pocket caps, Medicare Part B  
9967 reimbursements or reimbursements for other qualified medical expenses, as determined by the  
9968 panel. In no case shall the municipal health insurance review panel designate more than 33 per  
9969 cent of the savings to subscribers. In reaching a decision on the proposal under this subsection,  
9970 the municipal health insurance review panel may consider an alternative proposal from the

9971 public employee committee to mitigate, moderate or cap the impact of these changes for  
9972 subscribers, the political subdivision's ability to pay, existing premium contribution ratios  
9973 between the appropriate authority and the subscribers, intended use of savings by the political  
9974 subdivision, any historical negotiations or concessions by retirees on benefits and the historical  
9975 negotiations on benefits and salary including total compensation and all other evidence.

9976 The municipal health insurance review panel's decision shall be binding upon the parties.

9977 (h) The secretary of administration and finance, in consultation with the secretary of labor  
9978 and workforce development, shall adopt regulations to carry out this section.

9979 Section 22. (a) Upon meeting the requirements of section 21, an appropriate public  
9980 authority of a political subdivision which has undertaken to provide health insurance coverage to  
9981 its subscribers by acceptance of any other section of this chapter may increase, as part of the non-  
9982 medicare health plans that it offers to its subscribers, co-payments, deductibles and tiered  
9983 provider network co-payments to a level no greater in dollar amount than the median co-  
9984 payments, deductibles and tiered provider network co-payments of non-medicare plans offered  
9985 by the commission under section 4 of chapter 32A; and may increase, as part of the medicare-  
9986 extension health plans that it offers to its subscribers, co-payments, deductibles and tiered  
9987 provider network co-payments to a level no greater in dollar amount than the median co-  
9988 payments, deductibles and tiered provider network co-payments of medicare-extension plans  
9989 offered by the commission under section 10C of chapter 32A . A public authority shall meet the  
9990 requirements of section 21 each time an increase is made to co-payments, deductibles or tiered  
9991 provider network co-payments under this section.

9992 (b) Nothing in this section shall prohibit an appropriate public authority from including in  
9993 the political subdivision's health plans higher co-payments, deductibles or tiered provider  
9994 network co-payments or other plan design features than those authorized by subsection (a);  
9995 provided, however, that such higher co-payments, deductibles, tiered provider network co-  
9996 payments and other plan design features may be included only after the political subdivision has  
9997 satisfied any bargaining obligations under chapter 150E or under section 19.

9998 (c) Except as provided for in subsection (b), the decision to implement changes under this  
9999 section shall not be subject to bargaining under chapter 150E or section 19.

10000 (d) Nothing in this section shall relieve a political subdivision from providing health  
10001 insurance coverage to a subscriber to whom it has an obligation to provide coverage under this  
10002 chapter.

10003 (e) The percentage contributed by retirees, surviving spouses and their dependents shall  
10004 be no more than the average percentage contributed by other subscribers to the most expensive  
10005 and least expensive non-Medicare plans offered by the public authority.

10006 Section 23. (a) Upon meeting the requirements of section 21, an appropriate public  
10007 authority of a political subdivision which has undertaken to provide health insurance coverage to  
10008 its subscribers may elect to provide health insurance coverage to its subscribers by transferring  
10009 its subscribers to the commission. The commission shall issue rules and regulations consistent  
10010 with this section related to the process by which subscribers shall be transferred to the  
10011 commission. Nothing in this section shall be construed to change eligibility standards for health  
10012 insurance under the definition of "employee" in section 2. Nothing in this section shall be

10013 construed to preclude an appropriate public authority from reaching an agreement under  
10014 subsection (e) of section 19.

10015 (b) The decision to accept this section shall not be subject to bargaining under section 19  
10016 or chapter 150E.

10017 (c) Nothing in this section shall relieve a political subdivision from providing health  
10018 insurance coverage to a subscriber to whom it has an obligation to provide coverage under this  
10019 chapter.

10020 (d) An appropriate public authority, which has elected to transfer its subscribers under  
10021 this section to the commission, shall notify the commission of such transfer. The notice shall be  
10022 provided to the commission by the appropriate public authority on or before December 1 and the  
10023 transfer of subscribers to the commission shall take effect on the following July 1. On the  
10024 effective date of the transfer, the health insurance of all subscribers, including elderly  
10025 governmental retirees previously governed by section 10B of chapter 32A and retired municipal  
10026 teachers previously governed by section 12 of chapter 32A, shall be provided through the  
10027 commission for all purposes and governed under this section. As of the effective date and for the  
10028 duration of this transfer, subscribers transferred to the commission's health insurance coverage  
10029 shall receive group health insurance benefits determined exclusively by the commission and the  
10030 coverage shall not be subject to collective bargaining, except for contribution ratios.

10031 Subscribers transferred to the commission who are eligible or become eligible for  
10032 Medicare coverage shall transfer to Medicare coverage, as prescribed by the commission;  
10033 provided, however, that the benefits under the plan and Medicare Part A and Part B together  
10034 shall be of comparable actuarial value to those under the retiree's existing coverage, but a retiree

10035 or spouse who has a dependent who is not enrolled or eligible to be enrolled in Medicare Part A  
10036 at no cost shall not be required to transfer to a Medicare health plan if a transfer requires the  
10037 retiree or spouse to continue the existing family coverage for the dependent in a plan other than a  
10038 Medicare health plan offered by the governmental unit. In the event of transfer to Medicare, the  
10039 political subdivision shall pay any Medicare Part B premium penalty assessed by the federal  
10040 government on retirees, spouses and dependents as a result of enrollment in Medicare Part B at  
10041 the time of transfer into the Medicare health benefits supplement plan. For each subscriber's  
10042 premium and the political subdivision's share of that premium, the subscriber and the appropriate  
10043 public authority shall furnish to the commission, in such form and content as the commission  
10044 shall prescribe, all information the commission deems necessary to maintain subscribers' and  
10045 covered dependents' health insurance coverage. The appropriate public authority of the political  
10046 subdivision shall perform such administrative functions and process such information as the  
10047 commission deems necessary to maintain those subscribers' health insurance coverage including,  
10048 but not limited to, family and personnel status changes and shall report all changes to the  
10049 commission. In the event that a political subdivision transfers subscribers to the commission  
10050 under this section, subscribers may be withdrawn from commission coverage at 3 or 6 year  
10051 intervals from the date of transfer of subscribers to the commission, subject to terms governing  
10052 the withdrawal interval and withdrawal procedures in a written agreement between the  
10053 appropriate public authority and the collective bargaining units under this chapter and chapter  
10054 150E.

10055           The appropriate public authority shall decide and provide notice to the commission of  
10056 any withdrawal by October 1 of the year prior to the effective date of withdrawal. All  
10057 withdrawals shall be effective on July 1 following the political subdivision's notice to the



10058 commission. Except as otherwise provided in a written agreement between the appropriate public  
10059 authority and the public employee committee, withdrawal from commission coverage shall  
10060 revoke acceptance of this section and any written agreements related to the implementation of  
10061 this section as of the effective date of withdrawal.

10062           The political subdivision shall abide by all commission requirements for effectuating  
10063 such withdrawal, including the notice requirements in this subsection. In the event a political  
10064 subdivision withdraws from commission coverage under this section, such withdrawal shall be  
10065 binding on all subscribers, including those subscribers who, prior to the transfer to the  
10066 commission, received coverage from the commission under sections 10B and 12 of chapter 32A  
10067 and, after withdrawal from the commission, those subscribers who received coverage from the  
10068 commission under said sections 10B and 12 of said chapter 32A shall not pay more than 25 per  
10069 cent of the cost of their health insurance premiums. In the event of withdrawal from the  
10070 commission, the political subdivision and public employee unions shall return to governance of  
10071 negotiations of health insurance under chapter 150E and this chapter.

10072           (e) To the extent authorized under chapter 32A, the commission shall provide group  
10073 coverage of subscribers' health claims incurred after transfer to the commission. The claim  
10074 experience of those subscribers shall be maintained by the commission in a single pool and  
10075 combined with the claim experience of all covered state employees and retirees and their covered  
10076 dependents, including those subscribers who previously received coverage under sections 10B  
10077 and 12 of chapter 32A.

10078           A political subdivision that self-insures its group health insurance plan under section 3A  
10079 and has a deficit in its claims trust fund at the time of transferring its subscribers to the

10080 commission and the deficit is attributable to a failure to accrue claims which had been incurred  
10081 but not paid may capitalize the deficit and amortize the amount over 10 fiscal years in 10 equal  
10082 amounts or on a schedule providing for a more rapid amortization. Except as otherwise provided  
10083 in this section, subscribers eligible for health insurance coverage under this section shall be  
10084 subject to all of the commission regulations, terms, conditions, schedule of benefits and health  
10085 insurance carriers as employees and dependents. The commission shall, exclusively and not  
10086 subject to collective bargaining under chapter 150E, determine all matters relating to subscribers'  
10087 group health insurance rights, responsibilities, costs and payments, including, but not limited to,  
10088 the manner and method of payment, schedule of benefits, eligibility requirements and choice of  
10089 health insurance carriers, but shall not determine contribution ratios and obligations. The  
10090 commission may issue rules and regulations consistent with this section and shall provide public  
10091 notice of any proposed rules and regulations; provided, however, that if an interested party  
10092 requests the opportunity to comment, such party shall be given an opportunity to review those  
10093 rules and regulations and comment, in writing, and at a public hearing; provided, further that for  
10094 the purposes of this section the commission shall not be subject to chapter 30A. The commission  
10095 shall negotiate and purchase health insurance coverage for subscribers transferred under this  
10096 section and shall promulgate regulations, policies and procedures for coverage of the transferred  
10097 subscribers. The schedule of benefits available to transferred subscribers shall be determined by  
10098 the commission under chapter 32A. The commission shall offer those subscribers the same  
10099 choice as to health insurance carriers and benefits as those provided to state employees and  
10100 retirees. The political subdivision's contribution to the cost of health insurance coverage for  
10101 transferred subscribers shall be as determined under this section, and shall not be subject to the  
10102 provisions on contributions in said chapter 32A; provided, however, that the percentage

10103 contributed by retirees, surviving spouses and their dependents shall be no more than the average  
10104 percentage contributed by other subscribers to the most expensive and least expensive non-  
10105 Medicare plans offered by the commission. Any change to the premium contribution ratios shall  
10106 become effective on July 1 of each year, with notice to the commission of such change not later  
10107 than January 15 of the same year.

10108           A political subdivision that transfers subscribers to the commission shall pay the  
10109 commission for all costs of its subscribers' coverage, including administrative expenses and the  
10110 governmental unit's cost of subscribers' premium. The commission shall determine on a periodic  
10111 basis the amount of premium which the political subdivision shall pay to the commission. If the  
10112 political subdivision unit fails to pay all or a portion of these costs according to the timetable  
10113 determined by the commission, the commission may inform the state treasurer who shall issue a  
10114 warrant in the manner provided by section 20 of chapter 59 requiring the respective political  
10115 subdivision to pay into the treasury of the commonwealth as prescribed by the commission the  
10116 amount of the premium and administrative expenses attributable to the political subdivision. The  
10117 state treasurer shall recoup any past due costs from the political subdivision's cherry sheet under  
10118 section 20A of chapter 58 and transfer that money to the commission. If a governmental unit  
10119 fails to pay to the commission the costs of coverage for more than 90 days and the cherry sheet  
10120 provides an inadequate source of payment, the commission may, at its discretion, cancel the  
10121 coverage of subscribers of the political subdivision. If the cancellation of coverage is for  
10122 nonpayment, the political subdivision shall provide all subscribers health insurance coverage  
10123 under plans which are the actuarial equivalent of plans offered by the commission in the  
10124 preceding year until there is an agreement with the public employee committee providing for  
10125 replacement coverage.

10126           The commission may charge the political subdivision an administrative fee, which shall  
10127 not be more than 1 per cent of the cost of total premiums for the political subdivision, to be  
10128 determined by the commission which shall be considered as part of the cost of coverage to  
10129 determine the contributions of the political subdivision and its employees to the cost of health  
10130 insurance coverage by the commission.

10131           (f) If there is a withdrawal from the commission under this section, all retirees, their  
10132 spouses and dependents insured or eligible to be insured by the political subdivision, if enrolled  
10133 in Medicare Part A at no cost to the retiree, spouse or dependents, shall be required to be insured  
10134 by a Medicare extension plan offered by the political subdivision under section 11C or section  
10135 16. A retiree shall provide the political subdivision, in such form as the political subdivision shall  
10136 prescribe, such information as is necessary to transfer to a Medicare extension plan. If a retiree  
10137 does not submit the information required, the retiree shall no longer be eligible for the retiree's  
10138 existing health insurance coverage. The political subdivision may from time to time request from  
10139 a retiree, a retiree's spouse and dependents, proof certified by the federal government of the  
10140 retiree's eligibility or ineligibility for Medicare Part A and Part B coverage. The political  
10141 subdivision shall pay the Medicare Part B premium penalty assessed by the federal government  
10142 on those retirees, spouses and dependents as a result of enrollment in Medicare part B at the time  
10143 of transfer into the Medicare health benefits supplement plan.

10144           Section 24. Notwithstanding any other section this chapter, the appropriate public  
10145 authority of a political subdivision which has undertaken to provide health insurance coverage to  
10146 its subscribers by acceptance of section 22 or section 23 shall provide health care flexible  
10147 spending accounts to allow certain subscribers, as determined by the appropriate public  
10148 authority, to set aside a portion of earnings to pay for qualified expenses. Qualified medical

10149 expenses may include, but shall not be limited to, out-of-pocket costs such as inpatient and  
10150 outpatient co-payments, calendar year deductibles, office visit co-payments and prescription drug  
10151 co-payments.

10152           Section 25. Notwithstanding any other general law or regulations to the contrary, the  
10153 appropriate public authority of a political subdivision which has undertaken to provide health  
10154 insurance coverage to its subscribers under this chapter or transfer its subscribers to the  
10155 commission under this chapter may provide health reimbursement arrangements to reimburse  
10156 subscribers for qualified medical expenses. Qualified medical expenses may include, but shall  
10157 not be limited to, out-of-pocket costs such as inpatient and outpatient co-payments, calendar year  
10158 deductibles, office visit co-payments and prescription drug co-payments.

10159           Section 26. An appropriate public authority of a political subdivision which has  
10160 undertaken to provide health insurance coverage to its subscribers under this chapter shall  
10161 conduct an enrollment audit not less than once every 2 years. The audit shall be completed in  
10162 order to ensure that members are appropriately eligible for coverage.

10163           Section 27. An insurance carrier, third party purchasing group or administrator or the  
10164 commission in the case of a governmental unit, which has undertaken to provide health insurance  
10165 coverage to its subscribers by acceptance of sections 19 or 23, shall, upon written request,  
10166 provide the governmental unit or public employee committee with its historical claims data  
10167 within 45 days of such request; provided, that all personally identifying information within such  
10168 claims shall be redacted and released in a form and manner compliant with all applicable state  
10169 and federal privacy statutes and regulations including, but not limited to, the federal Health  
10170 Insurance Portability and Accountability Act of 1996.

10171           Section 28. Each fiscal year, the commission shall prepare and place on its website a  
10172 report delineating in dollar amounts the median co-payments, deductibles and tiered provider  
10173 network co-payments features offered by the commission in non-medicare plans under section 4  
10174 of chapter 32A and median co-payments, deductibles and tiered provider network co-payments  
10175 offered by the commission in medicare-extension plans under section 10C and section 14 of  
10176 chapter 32A.

10177           Section 29. Any governmental unit which has undertaken to provide health insurance  
10178 coverage to its subscribers through a joint purchase agreement under section 12, and seeking to  
10179 make changes to health insurance benefits under section 22, shall, in first proposing changes to  
10180 the public employee committee under subsection (b) of section 21, ensure that the proposed  
10181 changes are in accordance with any standards or regulations set by the board of the joint  
10182 purchase group.

10183           Section 30. Nothing in section 21, 22, or 23 shall be construed to prevent 2 or more  
10184 governmental units under a joint purchase or trust agreement from jointly negotiating and  
10185 purchasing coverage as authorized in section 12.”

10186           .

10187

10188           SECTION 51A. Paragraph (a) of Part B of section 3 of chapter 62 of the General Laws,  
10189 as appearing in the 2008 Official Edition, is hereby amended by inserting the following  
10190 subparagraph:-

10191 (16) In the case of an individual who donates an organ to another human being for human  
10192 organ transplantation, the individual may claim an amount equal to the following expenses that  
10193 are incurred by the individual and related to the individual's organ donation: (i) travel expenses;  
10194 (ii) lodging expenses; and (iii) lost wages not to exceed \$10,000. For the purposes of this  
10195 subparagraph, "human organ" shall mean all or part of human bone marrow, liver, pancreas,  
10196 kidney, intestine or lung. An individual who is a nonresident for all or part of the taxable year  
10197 shall not be eligible to claim this deduction.

10198

10199 SECTION 51B. Section 6 of chapter 62 of the General Laws is hereby amended by  
10200 striking out, in line 495, as appearing in the 2008 Official Edition", the words "in subsection (n)"  
10201 and inserting in place thereof the following words:- subsections (n) and (r).

10202 SECTION 52. Clause (2) of subsection (o) of section 6 of chapter 62 of the General  
10203 Laws, as appearing in the 2008 Official Edition, is hereby amended by adding the following  
10204 sentence:- Said regulations shall provide that when the board of food and agriculture, established  
10205 pursuant to section 1 of chapter 20, determines that an error has been made in calculating the  
10206 trigger price or in reporting or collecting data used in the calculation of the trigger price or the  
10207 tax credit, the commissioner shall recalculate, with or without amendments, the trigger price or  
10208 tax credit.

10209

10210 SECTION 52A. Said section 6 of said chapter 62, as most recently amended by section  
10211 37 of chapter 454 of the acts of 2010, is hereby further amended by adding the following  
10212 subsection:-

10213 (r)(1) A taxpayer, to the extent authorized by the life sciences tax incentive program  
10214 established in section 5 of chapter 23I, may be allowed a refundable jobs credit against the tax  
10215 liability imposed under this chapter in an amount determined by the Massachusetts Life Sciences  
10216 Center in consultation with the department.

10217 (2) A taxpayer taking a credit under this subsection shall commit to the creation of a  
10218 minimum of 50 net new permanent full-time jobs in the commonwealth.

10219 (3) A credit allowed under this subsection shall reduce the liability of the taxpayer under  
10220 this chapter for the taxable year. If a credit claimed under this subsection by a taxpayer exceeds  
10221 the taxpayer's liability as otherwise determined under this chapter for the taxable year, 90 per  
10222 cent of such excess credit, to the extent authorized by the life sciences tax incentive program  
10223 shall be refundable to the taxpayer. Excess credit amounts shall not be carried forward to other  
10224 taxable years.

10225 (4) The department shall issue the refundable portion of the jobs credit without further  
10226 appropriation and in accordance with the cumulative amount, including the current year costs of  
10227 incentives allowed in previous years, that shall not exceed \$25,000,000 annually as set forth in  
10228 subsection (d) of said section 5 of said chapter 23I.

10229

10230 SECTION 53. Subsection (b) of section 38Z of chapter 63 of the General Laws, as so  
10231 appearing, is hereby amended by adding the following sentence:- Said regulations shall provide  
10232 that when the board of food and agriculture, established pursuant to section 1 of chapter 20,  
10233 determines that an error has been made in calculating the trigger price or in reporting or



10234 collecting data used in the calculation of the trigger price or the tax credit, the commissioner  
10235 shall recalculate, with or without amendments, the trigger price or tax credit.

10236 SECTION 53A. Said chapter 63 is hereby further amended by inserting after section  
10237 38BB the following section:-

10238 Section 38CC. (a) A taxpayer, to the extent authorized by the life sciences tax incentive  
10239 program established in section 5 of chapter 23I, may be allowed a refundable jobs credit against  
10240 the tax liability imposed under this chapter in an amount determined by the Massachusetts Life  
10241 Sciences Center in consultation with the department.

10242 (b) A taxpayer taking a credit under this subsection shall commit to the creation of a  
10243 minimum of 50 net new permanent full-time jobs in the commonwealth.

10244 (c) A credit allowed under this section shall reduce the liability of the taxpayer under this  
10245 chapter for the taxable year. If a credit claimed under this section by a taxpayer exceeds the  
10246 taxpayer's liability as otherwise determined under this chapter for the taxable year, 90 per cent of  
10247 such excess credit, to the extent authorized pursuant to the life sciences tax incentive program  
10248 established in section 5 of chapter 23I, shall be refundable to the taxpayer. Excess credit  
10249 amounts shall not be carried forward to other taxable years.

10250 (d) The department shall issue the refundable portion of the jobs credit without further  
10251 appropriation and in accordance with the cumulative amount, including the current year costs of  
10252 incentives allowed in previous years, that shall not exceed \$25,000,000 annually as set forth in  
10253 subsection (d) of said section 5 of said chapter 23I.

10254

10255

10256 SECTION 53B. Section 30 of chapter 64C of the General Laws, as so appearing, is  
10257 hereby amended by striking out the fourth paragraph and inserting in place thereof the following  
10258 paragraph:-

10259 A stamper who has complied with his chapter and, to the extent applicable, section 3A of  
10260 chapter 64H and chapter 94F, including the rules and regulations promulgated thereunder, may  
10261 withhold and retain from each payment to be made by him for such stamps as compensation for  
10262 service rendered in compliance with this chapter and, to the extent applicable, said section 3A of  
10263 said chapter 64H and said chapter 94F the following amounts:(1) in the case of encrypted  
10264 cigarette excise stamps purchased and not returned for an abatement, with respect to a roll of  
10265 1,200 encrypted stamps, \$12 per roll; and (2) in every annual 12-month period beginning July 1  
10266 with respect to a roll of 30,000 encrypted stamps, \$600 per roll for the first 50 rolls purchased by  
10267 a stamper and \$200 per roll for each additional roll; and (3) in the case of non-encrypted  
10268 cigarette excise adhesive stamps purchased and not returned for an abatement, \$1.85 for each  
10269 600 and a proportionate amount for any fraction thereof.

10270

10271 SECTION 53C. Section 91 of chapter 71 of the General Laws, as amended by section 52  
10272 of chapter 131 of the acts of 2010, is hereby further amended by adding the following  
10273 subsection:-

10274 (e) Failure by a school district to transfer funds to a Recovery High School as required in  
10275 subsection (b) shall result in a deduction of the amount therein from the home school district's  
10276 chapter 70 per pupil allotment for the following fiscal year.

10277

10278 SECTION 53D. Section 92 of chapter 71 of the General Laws, inserted by section 8 of  
10279 chapter 12 of the acts of 2010, is hereby amended by adding the following subsection:-

10280 (q) Failure by a school district to transfer funds to an innovation school as required in  
10281 subsection (b) shall result in a deduction of the amount therein from the home school district's  
10282 chapter 70 per pupil allotment for the following fiscal year.

10283

10284 SECTION 53E. Section 19C of chapter 78 of the General Laws, as so appearing, is  
10285 hereby amended by striking out, in lines 34 and 35, the words " last recourse for reference and  
10286 research services for the commonwealth" and inserting in place thereof the following words:- the  
10287 commonwealth for reference and research services.

10288 SECTION 54. Chapter 89 of the General Laws is hereby amended by adding the  
10289 following section:-

10290 Section 12. There shall be a surcharge of \$5 on a fine assessed against a person convicted  
10291 of or found responsible for a motor vehicle violation under this chapter or a violation of a special  
10292 regulation lawfully made under the authority of this chapter. The surcharge shall be transferred  
10293 by the registrar of motor vehicles to the state treasurer for deposit into the Public Safety Training  
10294 Fund established in section 2CCCC of chapter 29.

10295 SECTION 54A. The first paragraph of section 2 of chapter 90 of the General Laws, as  
10296 appearing in the 2008 Official Edition, is hereby amended by striking out the second and third  
10297 sentences and inserting in place thereof the following 4 sentences:- If the owner is a corporation

10298 or business entity, the application shall contain the name of the corporation or business entity,  
10299 the full address, including the street, city or town, state and zip code, the federal tax  
10300 identification number if a corporation and the social security number if the business entity is a  
10301 sole proprietorship and does not have a federal tax identification number. If an applicant is a  
10302 natural person, the application shall contain his name, full residential address, date of birth,  
10303 license number or identification card number issued by the registrar and such other particulars as  
10304 the registrar may require. Except as otherwise provided in this chapter or in regulations adopted  
10305 by the registrar, no registration shall be issued for a motor vehicle or trailer owned or leased by a  
10306 natural person unless 1 of its registering owners or lessees holds a valid license or identification  
10307 card issued by the registrar. The registrar shall provide by regulation for exemptions for out-of-  
10308 state students, military personnel, senior citizens and disabled persons.

10309

10310 SECTION 54B. Said section 2 of said chapter 90 is hereby further amended by inserting  
10311 after the word "statement", in line 13, as so appearing, the following word:- signed.

10312

10313 SECTION 54C. Said section 2 of said chapter 90 is hereby further amended by striking  
10314 out, in lines 21 to 23, inclusive, as so appearing, the words "register in a book or upon suitable  
10315 index cards to be kept for the purpose the motor vehicle or trailer described in the application,  
10316 giving to the vehicle" and inserting in place thereof the following words:- "keep a record of  
10317 motor vehicles and trailers that satisfy the application requirements, assign to each motor vehicle  
10318 and trailer."

10319

10320 SECTION 54D. Section 20 of said chapter 90 is hereby amended by striking out, in lines  
10321 10 to 11, as so appearing, the words “of not less than \$100 nor more than \$1000” and inserting in  
10322 place thereof the following words:- of not more than \$500 for a first offense, by a fine of not  
10323 less than \$500 nor more than \$1000 for a second offense, by a fine of not less than \$1,000 nor  
10324 more than \$2,000 or by imprisonment for not more than 30 days, or both such fine and  
10325 imprisonment, for a third or subsequent offense.

10326

10327 SECTION 55. Section 20 of chapter 90 of the General Laws, as appearing in the 2008  
10328 Official Edition, is hereby amended by adding the following paragraph:-

10329 There shall be a surcharge of \$5 on a fine assessed against a person convicted of or found  
10330 responsible for a motor vehicle violation under this chapter or a violation of a special regulation  
10331 lawfully made under the authority of this chapter. The surcharge shall be transferred by the  
10332 registrar of motor vehicles to the state treasurer for deposit into the Public Safety Training Fund  
10333 established in section 2CCCC of chapter 29.

10334 SECTION 55A. Section 24B of said chapter 90, as so appearing, is hereby amended by  
10335 inserting after the first paragraph the following paragraph:-

10336 Whoever falsely makes, steals, alters, forges or counterfeits a learner’s permit, a license  
10337 to operate motor vehicles or an identification card issued under section 8E with the intent to  
10338 distribute such learner’s permit, license to operate motor vehicles or identification card or  
10339 knowingly assists another to do so, shall be punished as follows: (i) for acts involving 1 to 5  
10340 documents, by a fine of not more than \$500 dollars or by imprisonment in the house of  
10341 correction for not more than 1 year; (ii) for acts involving 6 to 10 documents, by a fine of not

10342 more than \$1,000 dollars or by imprisonment in the state prison for not more than 5 years or in  
10343 jail or house of correction for not more than 2 1/2 years; for acts involving more than 10  
10344 documents, by a fine of not more than \$10,000 dollars or by imprisonment in the state prison for  
10345 not more than 15 years.

10346

10347 SECTION 56. Section 34O of said chapter 90, as so appearing, is hereby amended by  
10348 striking out, in line 120, the words "one hundred and eighty-three of chapter six" and inserting in  
10349 place thereof the following words:- 57A of chapter 6C.

10350

10351 SECTION 57. Paragraph (4) of subsection (A) of section 3 of chapter 90C of the General  
10352 Laws, as most recently amended by section 16 of chapter 359 of the acts of 2010, is hereby  
10353 further amended by adding the following paragraph:-

10354 If a violator is found not responsible after a noncriminal hearing for all civil motor  
10355 vehicle infractions, the violator shall be entitled to a return of the \$25 court filing fee. The trial  
10356 court department shall, in accordance with guidelines promulgated by the chief justice of the trial  
10357 court, return the full amount of the fee to the violator within 30 days of entering a finding of not  
10358 responsible.

10359

10360 SECTION 58. Chapter 91 of the General Laws is hereby amended by inserting after  
10361 section 18B the following section:-

10362           Section 18C. (a) Notwithstanding any general or special law to the contrary, the  
10363 department may issue a general license authorizing noncommercial small-scale docks, piers and  
10364 similar structures that are accessory to a residential use, but not marinas or large-scale docks,  
10365 piers or similar structures, in tidelands, great ponds, rivers and streams, otherwise subject to  
10366 individual licensing under sections 12, 12A, 13, 14, 18 and 19. Projects that extend beyond  
10367 harbor lines or are within areas of critical environmental concern to the commonwealth shall not  
10368 be eligible for a general license pursuant to this section. The department may consider the  
10369 cumulative impacts of docks, piers and similar structures in a geographic area in determining  
10370 whether a project is appropriate for coverage under a general license. The licensee shall comply  
10371 with all general license performance standards to be issued as regulations by the department and  
10372 any additional concerns specified by the department pursuant to the general license. A proponent  
10373 of a project eligible for a general license under this section shall certify compliance with its terms  
10374 and conditions to the department and shall pay all applicable fees required by this chapter before  
10375 beginning construction. The department shall perform annual audits to monitor compliance with  
10376 the general license requirements of this section.

10377           (b) The first 2 paragraphs of section 18 shall not apply to projects subject to a general  
10378 license; provided, however, that upon or prior to applying for a license pursuant to this section,  
10379 the project proponent shall submit to the planning board of the city or town where the work is to  
10380 be performed the proposed use, the location, dimensions and limits and mode of work to be  
10381 performed. The planning board may, within 45 days after receipt of such documentation, submit  
10382 a written opinion to the department that the project does not comply with the general license  
10383 standards set forth in this section and recommend that the project be subject to individual  
10384 licensing, as applicable, under said sections 12, 12A, 13, 14, 18 and 19. The department shall

10385 not issue a general license pursuant to this section if a planning board recommends that the  
10386 project be subject to individual licensing. The department may issue a general license after the  
10387 expiration of 45 days without local planning board comment or upon receiving notification from  
10388 the local planning board that it does not oppose the project's eligibility for a general license.

10389 (b) The first sentence of the third paragraph of section 18 shall not apply to projects  
10390 subject to a general license; provided, however, that the project proponent shall specify by metes,  
10391 bounds and otherwise the location, dimensions and limits and mode of performing the work in its  
10392 certification to the department.

10393 (c) The second sentence of the third paragraph of section 18 shall not apply to a project  
10394 subject to a general license; provided, however, that any changes in use or structural alteration of  
10395 a licensed structure or fill, whether the structure or fill first was licensed before, on or after the  
10396 effective date of this section, shall require a new certification to the department and submission  
10397 to the planning board in accordance with subsection (b) for projects eligible for a general license,  
10398 or a license for structures which are ineligible for the general license, in accordance with the  
10399 provisions and procedures established in this chapter and the general license.

10400 (d) The sixth paragraph of section 18 shall not apply to a project subject to a general  
10401 license; provided, however, that upon or prior to applying for a license pursuant to this section,  
10402 the project proponent shall give notice to the selectmen of the town or the mayor of the city and  
10403 the conservation commission of the town or city where the work is to be performed and shall  
10404 publish such notice at the same time in a newspaper or newspapers having a circulation in the  
10405 area affected by the project, at the expense of the proponent.



10406 (e) The seventh and eighth paragraphs of section 18, regarding public and adjudicatory  
10407 hearings, shall not apply to a project subject to a general license.

10408 (f) The ninth paragraph of section 18 regarding recordation shall not apply to a project  
10409 subject to a general license; provided, however, that the project proponent shall submit a plan of  
10410 the work or structure to the department in its certification. The general license for these projects  
10411 shall be void unless, within 60 days after certification, the certification and the accompanying  
10412 plan are recorded in the registry of deeds for the county or district wherein the work is to be  
10413 performed. Work or change in use shall not commence until the certification is recorded and the  
10414 department has received notification of the recordation.

10415 (g) The tenth paragraph of section 18 regarding zoning approval shall not apply to a  
10416 project subject to a general license; provided, however, that the project proponent shall submit a  
10417 certification by the clerk of the affected cities or towns that the work to be performed or changed  
10418 in use is not in violation of local zoning ordinances and by-laws, in its certification to the  
10419 department.

10420 (h) The eleventh paragraph of section 18, regarding assessments for tidewater  
10421 displacement and occupation of commonwealth tidelands, shall not apply to projects subject to a  
10422 general license; provided, however, that these assessments shall be paid by the project proponent  
10423 in its certification to the department.

10424 (i) Section 20 shall not apply to projects subject to a general license; provided, however,  
10425 that the project proponent shall submit to the department plans of any proposed work to be  
10426 performed and a copy of any legislative grant in its certification to the department.

10427           The department shall adopt regulations to implement this section. The regulations shall  
10428 protect and preserve any rights held by the commonwealth in trust for the public to use tidelands,  
10429 great ponds and other waterways for lawful purposes and public rights of access on private  
10430 tidelands, great ponds and other waterways for any lawful use.

10431

10432           SECTION 59. Sections 1A and 1B of chapter 92 of the General Laws are hereby  
10433 repealed.

10434

10435           SECTION 60. Section 33 of said chapter 92, as appearing in the 2008 Official Edition, is  
10436 hereby amended by striking out, in line 1, the word “urban” and inserting in place thereof the  
10437 following word:- state.

10438

10439           SECTION 61. Section 34 of said chapter 92, as so appearing, is hereby amended by  
10440 striking out, in line 8, the words “Urban Parks” and inserting in place thereof the following  
10441 words:- State Parks and Recreation.

10442           SECTION 61A. Section 150A of chapter 111 of the General Laws, as amended by  
10443 chapter 131 of the acts of 2010, is hereby amended by inserting after the fourth paragraph the  
10444 following paragraph:-

10445           Within 60 days of receipt of said application, the department shall issue a report stating  
10446 whether the proposed site meets the criteria established under section 150A1/2 for the protection

10447 of the public health and safety and the environment. Any such reports shall be made available to  
10448 the public in a timely manner prior to any public hearing concerning the site application.

10449

10450 SECTION 61B. Said section 150A of said chapter 111 is hereby further amended by  
10451 striking out the words “60 days of receipt of said application”, inserted by section 64 of chapter  
10452 131 of the acts of 2010, and inserting in place thereof the following words:- 30 days of the  
10453 receipt of the department’s report.

10454

10455 SECTION 61C. Said section 150A of said chapter 111 is hereby further amended by  
10456 striking out the words “local board of health”, inserted by section 65 of said chapter 131, and  
10457 inserting in place thereof the following words:- department’s report.

10458

10459 SECTION 61D. Said section 150A of said chapter 111 is hereby amended by striking out  
10460 the ninth and tenth paragraphs, inserted by section 66 of said chapter 131, and inserting in place  
10461 thereof the following 2 paragraphs:-

10462 No facility shall be established, constructed, expanded, maintained, operated or devoted  
10463 to any past closure as defined by regulation unless detailed operating plans, specifications, any  
10464 public health report and necessary environmental reports have been submitted to the department,  
10465 the department has granted a permit for the facility and notice of such permit is recorded in the  
10466 registry of deeds, or if the land affected thereby is registered land in the registry section of the  
10467 land court for the district wherein the land lies. Within 120 days after the department is satisfied

10468 that the operating plans, specifications and reports are complete, the department shall make a  
10469 decision granting or refusing to grant such permit. The permit may limit or prohibit the disposal  
10470 of particular types of solid waste at a facility in order to protect the public health, promote reuse,  
10471 waste reduction and recycling, extend the useful life of the facility or reduce its environmental  
10472 impact.

10473 Every decision by the department granting or refusing to grant any such permit shall be in  
10474 writing and shall contain findings with regard to criteria established by the department. Any  
10475 person aggrieved by the action of the department in granting or refusing to grant any such permit  
10476 may appeal that decision under section 14 of chapter 30A. For the limited purposes of any such  
10477 appeal, the department action shall be deemed to be a final decision in an adjudicatory  
10478 proceeding.

10479

10480 SECTION 61E. Section 222 of chapter 111 of the General Laws, as appearing in the  
10481 2008 Official Edition, is hereby amended by inserting at the end thereof the following sentence:-  
10482 The provisions of subsections (a) and (b) shall become effective 60 days after the promulgation  
10483 of regulations by the department of public health.

10484

10485 SECTION 61F. Paragraph (3) of subsection (e) of section 9D of chapter 118E of the  
10486 General Laws, as so appearing, is hereby amended by adding the following paragraph:-

10487 Notwithstanding any general or special law to the contrary, MassHealth shall provide to  
10488 each beneficiary age 65 and over an annual notice of options available for enrollment in

10489 voluntary programs including Program of All Inclusive Care for the Elderly plans, MassHealth  
10490 Senior Care Options, Frail Elder Home and Community Based Waiver Program and any other  
10491 voluntary elected benefit to which such beneficiary is entitled to supplement or replace such  
10492 beneficiary's MassHealth benefits. Upon approval from the Centers for Medicare and Medicaid  
10493 Services, MassHealth shall include in such annual notice the names and contact information for  
10494 the program providers, general contact information for MassHealth and a general description of  
10495 the benefits of joining particular programs. The notice shall be written in clear and simple  
10496 language and shall include instructions for requesting a copy of such notice in a language other  
10497 than English. The notice shall include a method for the beneficiary to request from MassHealth  
10498 additional information on any program described in the notice. Before the content and format of  
10499 the annual notice is finalized, the proposed draft thereof shall be forwarded to the providers  
10500 under contract with MassHealth to provide the programs described the proposed annual notice  
10501 for review and comment prior to the printing and dissemination of the annual notice.  
10502 MassHealth will work with the program providers and other appropriate stakeholders to assess  
10503 whether and to what extent barriers to program enrollment shall be alleviated through  
10504 modifications to the program and or the enrollment process. MassHealth may charge the  
10505 providers of these benefits for the costs associated with provision of the annual notice if such  
10506 provider's program is described therein.

10507 SECTION 62. Section 25 of chapter 118E of the General Laws, as appearing in the 2008  
10508 Official Edition, is hereby amended by striking out, in lines 73, 75 and 79, the figure "\$3", and  
10509 inserting in place thereof, in each instance, the following figure:- \$5.

10510 SECTION 62A. Section 36 of said chapter 118E, as so appearing, is hereby amended by  
10511 inserting after the last paragraph the following paragraph:-

10512           The MassHealth program is hereby directed to immediately promulgate regulations to  
10513 allow single specialty ambulatory surgery centers, which are licensed by the department of  
10514 public health as clinics to provide ophthalmic procedures, to enroll in MassHealth as Medicaid  
10515 providers.

10516

10517           SECTION 63. Section 36 of chapter 118G of the General Laws is hereby amended by  
10518 inserting after the word “that”, in line 27, as so appearing, the following words:- not more than.

10519

10520           SECTION 64. Subsection (b) of section 6 of chapter 118H of the General Laws, as so  
10521 appearing, is hereby amended by striking out the first sentence and inserting in place thereof the  
10522 following sentence:- Enrollees with a household income that does not exceed 100 per cent of the  
10523 federal poverty level shall only be responsible for copayments equal to those required of  
10524 enrollees in the MassHealth program.

10525           SECTION 64A. Section 23 of chapter 119 of the General Laws, as most recently  
10526 amended by section 19 of chapter 359 of the acts of 2010, is hereby further amended by adding  
10527 the following subsection:-

10528           (j) Upon request by the department, the commissioner of probation shall provide to the  
10529 department a copy of a person’s indigency intake form, final assessment of financial  
10530 circumstances and any report certifying that such person either continues to meet or no longer  
10531 meets the definition of indigency prepared by the chief probation officer under section 2 ½ of  
10532 chapter 211D. The department shall use such forms or reports only for the purpose of completing

10533 eligibility determinations under Title IV-E of the Social Security Act. The commissioner of  
10534 probation and the commissioner of the department of children and families shall jointly  
10535 determine the process by which the department of children and families shall obtain and  
10536 maintain such forms and reports. The department of children and families shall not make, and  
10537 shall prohibit, any dissemination of such information, for any purpose other than the purposes of  
10538 this subsection.

10539

10540 SECTION 64B. Section 32 of chapter 121B of the General Laws, as so appearing, is  
10541 hereby amended by adding the following paragraph:-

10542 Notwithstanding any general or special law or rule or regulation to the contrary, an  
10543 applicant for assisted housing under this chapter who is not eligible for federal assisted housing  
10544 under 42 U.S.C. section 1436a or who is not a person residing in the United States under color of  
10545 law as provided in section 16D of chapter 118E shall not be given priority over or otherwise  
10546 displace an applicant who has such status.

10547

10548 SECTION 64C. Section 2 of chapter 128 of the General Laws, as so appearing, is hereby  
10549 amended by adding the following new clause:-

10550 (k) maintain exclusive authority to regulate and enforce the registration and application of  
10551 plant nutrients put on or in soil to improve the quality or quantity of plant growth including, but  
10552 not limited to, fertilizer, manure and micronutrients and any rule, regulation, ordinance or by-law  
10553 of a city or town which is inconsistent with or contrary to the provisions of this chapter or

10554 regulations promulgated hereunder shall be void; provided however, that the department shall  
10555 work in conjunction with the University of Massachusetts Amherst Extension to ensure any such  
10556 regulations of the department are consistent with the program's published information,  
10557 educational materials and other public outreach programs relative to nutrient management and  
10558 fertilizer guidelines; provided further, that subject to appropriation, the department may establish  
10559 regulations pursuant to this clause which shall be developed in consultation with the University  
10560 of Massachusetts Amherst Extension.

10561

10562 SECTION 65. Section 11 of chapter 131 of the General Laws is hereby further amended  
10563 by inserting after the word "blind", in line 38, as so appearing, the following words:- , under the  
10564 age of 18.

10565

10566 SECTION 66. Section 129B of chapter 140 of the General Laws is hereby amended by  
10567 inserting after clause (9B), as so appearing, the following clause:-

10568 (9C) Except as provided in clause (9B), the fee for an application for a firearm  
10569 identification card for any person under the age of 18 shall be \$25, which shall be payable to the  
10570 licensing authority and shall not be prorated or refunded in the case of revocation or denial. The  
10571 licensing authority shall retain 50 per cent of the fee and the remaining portion shall be deposited  
10572 into the General Fund. Notwithstanding any general or special law to the contrary, licensing  
10573 authorities shall deposit quarterly that portion of the firearm identification card application fee  
10574 which is to be deposited into the General Fund, not later than January 1, April 1, July 1 and  
10575 October 1 of each year.



10576 SECTION 66A. Section 64 of chapter 143 of the General Laws, as so appearing, is  
10577 hereby amended by striking out the third sentence.

10578

10579 SECTION 66B. Section 65 of said chapter 143, as so appearing, is hereby amended by  
10580 adding the following 2 paragraphs:-

10581 No elevator licensed under this chapter shall be operated without a valid inspection  
10582 certificate. If a certificate of inspection has expired, no new certificate shall be issued until a  
10583 new inspection has been completed and no elevator shall be operated until a new certificate of  
10584 inspection has been issued by a qualified state inspector. The owner or operator of an elevator  
10585 who fails to comply with this section shall be punished by a fine of \$1,000 for each day that an  
10586 elevator is in operation without a valid certificate of inspection. The commissioner or the  
10587 commissioner's designee, and such other person as may be specifically authorized, may issue a  
10588 written notice of violation under section 21 of chapter 22 for a violation of this section.

10589 An owner or operator of an elevator shall not be assessed a fine for having violated this  
10590 section if: (i) 30 days prior to the expiration of a certificate, the owner or operator has, in writing  
10591 or in any manner prescribed by the department, requested an inspection of such elevator by the  
10592 department and an inspection was not completed within such 30-day period; and (ii) such  
10593 elevator was not determined to be unsafe at any time during such 30-day period, notwithstanding  
10594 that the results of an inspection was rendered beyond such 30-day period.

10595

10596 SECTION 67. Section 1 of chapter 146 of the General Laws, as so appearing, is hereby  
10597 amended by inserting after the definition of “Department” the following definition:-

10598 “District engineering inspector”, an inspector of the division.

10599

10600 SECTION 68. Section 18 of said chapter 146, as so appearing, is hereby amended by  
10601 striking out, in line 3, the words “on blanks approved by the chief” and inserting in place thereof  
10602 the following words:- in a standard format that has been authorized and approved by the  
10603 department.

10604

10605 SECTION 69. Said chapter 146 is hereby further amended by striking out section 23, as  
10606 so appearing, and inserting in place thereof the following section:-

10607 Section 23. If upon inspection the district engineering inspector finds the boiler to be in  
10608 safe working order with the fittings necessary to safety and properly set up and the boiler and its  
10609 appurtenances conform to the rules of the board, the department shall issue to the owner or user  
10610 thereof a certificate of inspection stating the maximum pressure at which the boiler may be  
10611 operated, as ascertained by the rules of the board, and thereupon such owner or user may operate  
10612 the boiler mentioned in the certificate. If the district engineering inspector finds otherwise, the  
10613 department shall withhold the certificate until the boiler and its fittings are put in a condition to  
10614 ensure safety of operation and to ensure that the boiler and its appurtenances conform to the rules  
10615 of the board and the owner or user shall not operate such boiler, or cause it to be operated, until  
10616 such certificate has been granted.

10617

10618

10619           SECTION 70. Said chapter 146 is hereby further amended by striking out section 25, as  
10620 so appearing, and inserting in place thereof the following section:-

10621           Section 25. Insurance companies shall, after each internal and external inspection, if the  
10622 boiler and its appurtenances conform to the rules of the board and if they deem the boiler to be in  
10623 safe working condition otherwise, submit such information to the department. The department  
10624 shall, upon receipt of the required fee, issue a certificate of inspection stating the maximum  
10625 pressure at which the boiler may be operated as ascertained by the rules of the board.

10626

10627           SECTION 71. Section 34 of said chapter 146, as so appearing, is hereby amended by  
10628 striking out the first sentence and inserting in place thereof the following sentence:- No person  
10629 shall install or use, or cause to be installed or used, any tank or other receptacle for the storing of  
10630 compressed air at any pressure exceeding 50 pounds per square inch, except when attached to  
10631 locomotives or street or railway cars or trackless trolley vehicles, or to motor vehicles for use in  
10632 operating such vehicles or their brakes or body-lifting apparatus unless the owner or user of such  
10633 tank or other receptacle holds a certificate of inspection issued by the department, certifying that  
10634 the tank or other receptacle has been duly inspected within the preceding 2 years, or unless the  
10635 owner or user holds a policy of insurance upon the tank or other receptacle issued by an  
10636 insurance company authorized to insure air tanks within the commonwealth, together with a  
10637 certificate of inspection from the department.

10638

10639           SECTION 72. Section 71 of said chapter 146, as so appearing, is hereby amended by  
10640 striking out the second paragraph, and inserting in place thereof the following paragraph:-

10641           When the inspection of a boiler covered by section 70 is completed and the district  
10642 engineering inspector finds the boiler to be in safe working order, with the fittings necessary to  
10643 safety and properly set up and the boiler and any appurtenances conform to the rules of the board  
10644 and sections 1, 4 or 8 of the ASME Code, the department shall issue to the owner or user thereof  
10645 a certificate of inspection. The certificate shall state the maximum pressure at which the boiler  
10646 may be operated and thereupon the owner or user of the boiler may operate the boiler as stated in  
10647 the certificate. If the district engineering inspector finds otherwise, the department shall withhold  
10648 the certificate until the boiler and its appurtenances are put in a condition to ensure safety of  
10649 operation and to ensure that the boiler conforms to the rules of the board and said sections 1, 4 or  
10650 8 of the ASME Code. If the insurance inspector finds the boiler or pressure vessel to be in safe  
10651 working order, as above, the insurance inspector shall submit such information to the department  
10652 and the department shall, upon receipt of the required fee, issue a certificate of inspection. If the  
10653 insurance inspector finds otherwise, the insurance inspector shall submit such information and  
10654 report such findings to the department on the approved format. The department shall withhold a  
10655 certificate until the boiler or pressure vessel passes inspection. The owner of any such boiler  
10656 shall not operate nor cause to be operated any such boiler until a certificate has been issued.

10657

10658           SECTION 73. Said chapter 146 is hereby further amended by striking out section 76, as  
10659 so appearing, and inserting in place thereof the following section:-

10660           Section 76. No person shall act as an inspector of boilers for an insurance company  
10661 unless such person holds a certificate of competency under section 62.

10662

10663

10664           SECTION 74. Section 79 of said chapter 146, as so appearing, is hereby amended by  
10665 striking out the first sentence and inserting in place thereof the following 2 sentences:- The  
10666 certificate of inspection issued by the department shall state the name of the owner and that of  
10667 the user, if different from the owner, the location of the boiler, the number of the boiler, the date  
10668 of inspection, the maximum pressure at which the boiler may be operated and the signature of  
10669 the inspector who made the inspection. The certificate shall also contain such extracts from the  
10670 General Laws as shall be deemed necessary by the board.

10671

10672           SECTION 75. Said chapter 146 is hereby further amended by adding the following  
10673 section:-

10674           Section 90. The owner or user of a boiler or air tank inspected by an inspector shall pay a  
10675 fee to be determined annually by the commissioner of administration pursuant to section 3B of  
10676 chapter 7 for the issuance of a certificate of inspection by the department.

10677           SECTION 75A. Section 2 of chapter 149 of the General Laws, as appearing in the 2008  
10678 Official Edition, is hereby amended by adding the following paragraph:-

10679           The attorney general shall continue to be available to receive reports of suspected  
10680 violations of this chapter, including sections 19C and 26 relative to immigration status and wage

10681 laws and for violations of 8 U.S.C. section 1324a relative to the employment of individuals in  
10682 violation of federal immigration laws. All complaints, whether received in writing,  
10683 electronically or in any other form shall be documented and may be investigated as appropriate  
10684 by the attorney general to the extent permitted by federal law. The attorney general shall  
10685 promptly refer any substantiated violations of federal immigration law to Immigration and  
10686 Customs Enforcement. The attorney general shall annually prepare a report detailing all reported  
10687 violations of said sections 19C and 26 and reported violations of 8 U.S.C. sections 1324a, the  
10688 nature of the violations, the date on which each complaint was received and documented, any  
10689 enforcement action taken against an employer who knowingly employs illegal aliens and any  
10690 violations of federal law forwarded to United States Immigration and Customs Enforcement. The  
10691 report shall be submitted annually to the chairs of the house and senate committees on ways and  
10692 means and to the chairs of the joint committee on labor and workforce development not later  
10693 than February 1.

10694

10695 SECTION 75B. Section 19C of said chapter 149, as so appearing, is hereby amended by  
10696 striking out the third paragraph and inserting in place thereof the following paragraph:-

10697 Any person who violates this section or who knowingly utilizes a false identification  
10698 document for the purposes of soliciting, securing or maintaining employment from a public  
10699 employer shall be punished by a fine of not more than \$500 nor less than \$200 or by  
10700 imprisonment in the jail or house of correction for not more than 1 year.

10701

10702 SECTION 76. Chapter 149 of the General Laws is hereby amended by inserting after  
10703 section 33E the following section:-

10704 Section 33F. An employee of the commonwealth or of a county, a city or town that  
10705 accepts this section, may take a leave of absence, without loss of pay, of not more than 5 days for  
10706 the purpose of undergoing the medical procedure and associated physical recovery time due to  
10707 participation in a bone marrow donor program.

10708 SECTION 76A. Chapter 164 of the General Laws, is hereby amended by striking out  
10709 section 96, as appearing in the 2008 Official Edition, and inserting in place thereof the following  
10710 section:-

10711 Section 96. (a) For purposes of this section, the following words shall, unless the context  
10712 clearly requires otherwise, have the following meanings:

10713 “Control,” the possession of the power, through direct or indirect ownership of a majority  
10714 of the voting securities of a gas or electric company or a holding company, to direct or cause the  
10715 direction of the management and policies of a gas or electric company or a holding company or  
10716 the ability to effect a change in the composition of its board of directors or otherwise; provided,  
10717 however, that control shall not be deemed to arise solely from a revocable proxy or consent  
10718 given to a person in response to a public proxy or consent solicitation made under the applicable  
10719 rules and regulations of the Securities Exchange Act of 1934 unless a participant in said  
10720 solicitation has announced an intention to effect a merger or consolidation with, reorganization  
10721 or other business combination or extraordinary transaction involving the gas or electric company  
10722 or the holding company.

10723           “Foreign electric company,” an electric company with a domicile, principal place of  
10724 business, headquarters or place of incorporation located outside of the borders of the  
10725 commonwealth.

10726           "Foreign gas company," a gas company with a domicile, principal place of business,  
10727 headquarters or place of incorporation located outside of the borders of the commonwealth.

10728           “Holding company,” any corporation, association, partnership, trust or similar  
10729 organization or person which, regardless of the location of the domicile, principal place of  
10730 business, headquarters or place of incorporation of such entity, either alone or in conjunction and  
10731 under an arrangement or understanding with 1 or more other corporations, associations,  
10732 partnerships, trusts or similar organizations or persons, directly or indirectly, controls or seeks to  
10733 acquire control over, a gas or electric company."

10734           (b) Notwithstanding any other provisions of this chapter or any general or special law to  
10735 the contrary, companies, except steam distribution companies, subject to this chapter, or holding  
10736 companies may, consolidate or merge with one another or may sell and convey their properties to  
10737 another of such companies or to a wholesale generation company and such companies, holding  
10738 companies or wholesale generation companies may purchase such properties if such purchase,  
10739 sale, consolidation or merger and the terms thereof, have been approved, at meetings called  
10740 therefor, by vote of the holders of at least two-thirds of each class of stock outstanding and  
10741 entitled to vote on the question of each of the contracting companies, and that the department,  
10742 after notice and a public hearing, has determined that such purchase and sale or consolidation or  
10743 merger, and the terms thereof, are consistent with the public interest; provided, however, that in  
10744 making such a determination the department shall at a minimum consider: potential rate changes,



10745 if any; the long term strategies that will assure a reliable, cost effective energy delivery system;  
10746 any anticipated interruptions in service; or other factors which may negatively impact customer  
10747 service; and provided further, that the purchase or sale of properties by, or the consolidation or  
10748 merger of, wholesale generation companies shall not require departmental approval except as  
10749 otherwise provided in this section.

10750 (c) No gas, electric, or holding company, subject to this chapter, shall enter into any  
10751 transaction or otherwise take any action which would result in a change of its control over any  
10752 gas, electric or holding company or foreign gas or electric company unless the terms of that  
10753 transaction have been approved, at meetings called for that purpose, by vote of the holders of at  
10754 least two-thirds of each class of stock outstanding and entitled to vote on the question of each of  
10755 the contracting companies and the department, after notice and a public hearing, has determined  
10756 that such transaction or action, and the terms of that transaction, are consistent with the public  
10757 interest; provided, however, that in making such a determination the department shall at a  
10758 minimum consider: potential rate changes, if any; the long term strategies that will assure a  
10759 reliable, cost effective energy delivery system; any anticipated interruptions in service; or other  
10760 factors which may negatively impact customer service.

10761

10762 SECTION 77. Section 113B of chapter 175 of the General Laws is hereby amended by  
10763 striking out, in lines 160 and 178, as appearing in the 2008 Official Edition, the words "183 of  
10764 chapter 6" and inserting in place thereof, in each instance, the following words:- 57A of chapter  
10765 6C.

10766

10767 SECTION 78. Said chapter 175 of the General Laws is hereby further amended by  
10768 striking out section 168, as most recently amended by section 154 of chapter 240 of the acts of  
10769 2010, and inserting in place thereof the following section:-

10770 Section 168. (a) As used in this section the following words shall, unless the context  
10771 clearly requires otherwise, have the following meanings:-

10772 "Home state", relative to an insured: (1) the state in which an insured maintains its  
10773 principal place of business or, in the case of an individual, the individual's principal residence; or  
10774 (2) if 100 per cent of the risk is located out of the state referred to in clause (1), the state to which  
10775 the greatest percentage of the insured's taxable premium for that insurance contract is allocated.

10776 "State", any state of the United States, the District of Columbia, the commonwealth of  
10777 Puerto Rico, Guam, the Northern Mariana Islands, the Virgin Islands and American Samoa.

10778 "Unauthorized company", an insurer not licensed to engage in the business of insurance  
10779 in the commonwealth.

10780 "Unauthorized insurance", any property and casualty insurance permitted to be placed  
10781 with an unauthorized company eligible to accept such insurance.

10782 (b) The commissioner may, upon the payment of the fee prescribed by section 14, issue  
10783 to any suitable person aged 18 or older, a license to act as a special insurance broker to negotiate,  
10784 continue or renew contracts of insurance against any of the hazards specified in section 47 except  
10785 as specified in clause Fifteenth thereof, and except accident and health, workers' compensation,  
10786 compulsory motor vehicle liability and life insurance on property or interests in the  
10787 commonwealth with an unauthorized company upon the following conditions:

10788 (i) The applicant for the license shall file with the commissioner a written application as  
10789 prescribed by section 162L which shall be executed on oath by the applicant and kept on file by  
10790 the commissioner. If the commissioner is satisfied that the applicant is trustworthy and  
10791 competent, he shall issue the license, subject to suspension or revocation at the pleasure of the  
10792 commissioner. The license shall expire 1 year from the date of issuance, unless sooner  
10793 suspended or revoked.

10794 (ii) The commissioner may, in the commissioner's discretion, renew the license for each  
10795 succeeding year, upon the payment of the fee prescribed by section 14, without requiring the  
10796 detailed information specified by section 162L.

10797 (iii) Whenever the person named in such license shall procure any insurance in an  
10798 unauthorized company for an insured whose home state is the commonwealth, he shall execute,  
10799 and within 20 days thereafter, file with the commissioner an affidavit stating that the full amount  
10800 of insurance required to protect the subject property or interest of said insured is not procurable,  
10801 after a diligent effort has been made to do so, from among companies admitted to transact  
10802 insurance in the commonwealth against the hazard or hazards involved, and that the amount of  
10803 insurance procured in such unauthorized company is only the excess over the amount so  
10804 procurable from such admitted companies. Said affidavit shall have force and effect for 1 year  
10805 from the date of issuance or expiration of the policy, whichever comes later.

10806 (iv) Clause (iii) shall not apply to the procurement of a contract of insurance for an  
10807 exempt commercial risk or policyholder as described in section 224, if the commercial risk or  
10808 policyholder acknowledges in writing its understanding, that: (1) the company from which  
10809 insurance is procured is not admitted to transact insurance in the commonwealth; and (2) in the

10810 event of the insolvency of the company, a loss shall not be paid by the Massachusetts Insurers  
10811 Insolvency Fund under chapter 175D.

10812 (c) Any insurance policy procured under this section shall contain the following  
10813 disclosure notice to the policyholder: This policy is insured by a company which is not admitted  
10814 to transact insurance in the commonwealth, is not supervised by the commissioner of insurance  
10815 and, in the event of an insolvency of such company, a loss shall not be paid by the Massachusetts  
10816 Insurers Insolvency Fund under chapter 175D. The commissioner may, by regulation, amend the  
10817 foregoing disclosure notice. Each licensed special insurance broker shall maintain a copy of the  
10818 acknowledgement for inspection by the commissioner with respect to all policies of insurance so  
10819 procured by the licensee for exempt commercial risks or policyholders. Such licensed person  
10820 shall not be required to file such affidavit if such an affidavit relative to the same property or  
10821 interests has been filed within the preceding 12 months by any broker licensed under this section,  
10822 nor to offer any portion of such insurance to any company not possessed of net cash assets of at  
10823 least \$200,000, nor to one which has within the preceding 12 months been in an impaired  
10824 condition, nor shall such licensed person procure any such insurance on said property or interests  
10825 from any unauthorized company unless:

10826 (i)(A) such company is possessed of net cash assets of at least \$300,000 computed on the  
10827 basis fixed by sections 10 to 12, inclusive, and on the form prescribed by section 25; (B) such  
10828 company has satisfied the commissioner that its officers and directors are of good repute and  
10829 competent to manage an insurance company; (C) that the management of the company is  
10830 carrying out its insurance contracts in good faith; (D) such company has filed with the  
10831 commissioner an examination report of the affairs of the company completed within the previous  
10832 3 years and made by the proper supervisory official of its home state; and (E) such company has

10833 made a deposit of not less than \$400,000 with the state treasurer or with the proper board or  
10834 officer of some other state of the United States in accordance with the terms and conditions  
10835 hereinafter specified;

10836 (ii) such company has filed a financial statement on a form satisfactory to the  
10837 commissioner and conforms to and maintains the financial requirements specified in  
10838 subparagraph (i) of paragraph (D) of subsection (1) of section 20A; or

10839 (iii) such company is an eligible alien unauthorized insurer, as defined in section 168A;  
10840 provided, however, that such deposit shall be made in exclusive trust for the benefit and security  
10841 of all its policyholders in the United States, including obligees of bonds executed by such  
10842 company as surety, and when made with the state treasurer may be made in the securities and  
10843 subject to the limitations specified in sections 63 and 66, or in cash or in such other securities as  
10844 the commissioner may approve; provided further, that bonds need not be accepted by the state  
10845 treasurer unless in registered form and of denominations satisfactory to him, and shall not be  
10846 returned to the company until it has ceased to transact business in the commonwealth, or until the  
10847 commissioner is satisfied that the company is under no obligation to such policyholders or  
10848 obligees in the United States for whose benefit such deposit was made, or until the treasurer has  
10849 given his written consent to such return; provided further, that the commissioner may, in any  
10850 case, authorize in writing the return to the company of any excess of any deposit made under this  
10851 section over the amount required thereby, if he is satisfied that such return shall not be  
10852 prejudicial to the interests of such policyholders or obligees.

10853 (d) Each person so licensed shall keep a separate account of the business done under the  
10854 license, a certified copy of which account he shall forthwith file with the commissioner, showing

10855 the exact amount of such insurance placed for each person whose home state is the  
10856 commonwealth, the gross premium charged thereon, the companies in which the same is placed,  
10857 the date of the policies and the term thereof, and a report in the same detail of all such policies  
10858 cancelled, with the gross return premiums thereon. Each person so licensed shall file a sworn  
10859 statement with the state treasurer every January providing the gross premiums charged for  
10860 insurance procured or placed and the gross return premiums on such insurance cancelled under  
10861 such license during the year ending on December 31 last preceding. At the time of filing such  
10862 statement, each person licensed as a special insurance broker shall pay to the commonwealth a  
10863 fee, less such return premiums so reported, as follows:

10864 (1) if the insurance covers properties, risks or exposures located or to be performed in the  
10865 commonwealth and not in any other state, an amount equal to 4 per cent of such gross premiums;

10866 (2) if the insurance covers properties, risks or exposures located or to be performed both  
10867 in and outside of the commonwealth: (i) an amount equal to 4 per cent of such gross premiums  
10868 allocated to the commonwealth; plus (ii) an amount equal to the portion of the premiums  
10869 allocated to other states or territories on the basis of the tax rates and fees applicable to  
10870 properties, risks or exposures located or to be performed outside of the commonwealth; and

10871 (3) to the extent that other states where portions of the insured properties, risks or  
10872 exposures are located have failed to enter into a compact or reciprocal allocation procedure with  
10873 the commonwealth, the net premium tax collected shall be retained by the commonwealth.

10874 (e) Notwithstanding subsections (b) and (c), the commissioner may enter into a  
10875 cooperative agreement, reciprocal agreement or compact with another state or states in order to:  
10876 facilitate the collection, allocation and disbursement of insurance premium fees and taxes

10877 attributable to the placement of unauthorized insurance; provide for uniform methods of  
10878 allocation and reporting among unauthorized insurance risk classifications; and share  
10879 information among states related to unauthorized insurance premium fees and taxes. The  
10880 commissioner may also enter into other cooperative agreements with surplus lines stamping  
10881 offices and other similar entities located in other states related to the capturing and processing of  
10882 insurance premium and tax data. The commissioner may participate in any clearinghouse  
10883 established pursuant to any such agreement or agreements for the purpose of collecting and  
10884 disbursing to reciprocal states any funds collected pursuant to clause (3) of subsection (c)  
10885 applicable to properties, risks or exposures located or to be performed outside of the  
10886 commonwealth.

10887 (f) A person licensed under this section who negotiates, continues or renews any such  
10888 contracts of insurance in any unauthorized foreign company and who neglects to make and file  
10889 the affidavit and statements required by this section, or who willfully makes a false affidavit or  
10890 statement, or who negotiates, continues or renews any such contracts of insurance after the  
10891 revocation or during the suspension of his license, shall forfeit his license if not previously  
10892 revoked and be punished by a fine of not less than \$100 nor more than \$500 or by imprisonment  
10893 in the house of correction for not more than 1 year, or by both such fine and imprisonment.

10894 (g) Nothing in this section shall be deemed to amend or modify any of the provisions of,  
10895 or any of the exemptions specified in, section 160.

10896 (h) A license to act as a special insurance broker may, upon the payment of the fees  
10897 prescribed by section 14, be issued to any association, as defined in section 1 of chapter 182, for  
10898 the purpose of acting as a special insurance broker, subject to the conditions specified in section

10899 172A. The commissioner may, upon the payment of the fees prescribed by section 14, issue to a  
10900 partnership, a license to act as a special insurance broker subject to the conditions specified in  
10901 section 173. A license to act as a special insurance broker may, upon the payment of the fees  
10902 prescribed by section 14, be issued to any corporation, subject to the conditions specified in  
10903 section 174.

10904 (i) The commissioner may promulgate regulations as necessary to implement this section.

10905 SECTION 78A. Section 6 of chapter 176J of the General Laws is hereby amended by  
10906 striking subsection (c), as most recently amended by section 31A of chapter 359 of the acts of  
10907 2010, and inserting in place thereof the following subsection:-

10908 (c) Notwithstanding any general or special law to the contrary, the commissioner may  
10909 require carriers offering small group health insurance plans, including carriers licensed under  
10910 chapters 175, 176A, 176B or 176G, to file all changes to small group product base rates and to  
10911 small group rating factors at least 90 days before their proposed effective date. The  
10912 commissioner shall disapprove any proposed changes to base rates that are excessive, inadequate  
10913 or unreasonable in relation to the benefits charged. The commissioner shall disapprove any  
10914 change to small group rating factors that is discriminatory or not actuarially sound. The  
10915 determination of the commissioner shall be supported by sound actuarial assumptions and  
10916 methods, which shall be provided in writing to the carrier. Rate filing materials submitted for  
10917 review by the division shall be deemed confidential and exempt from the definition of public  
10918 records in clause Twenty-sixth of section 7 of chapter 4. The commissioner shall adopt  
10919 regulations to carry out this section.

10920



10921 SECTION 78B. Said section 6 of said chapter 176J is hereby further amended by  
10922 striking out subsection (f), as appearing in section 29 of chapter 288 of the acts of 2010, and  
10923 inserting in place thereof the following subsection:-

10924 (f) If the commissioner disapproves the rate submitted by a carrier, the commissioner  
10925 shall notify the carrier in writing not later than 60 days prior to the proposed effective date of the  
10926 carrier's rate. If the carrier's proposed rate has been disapproved, the carrier may submit a  
10927 request for a hearing with the division of insurance within 10 days after such notice of  
10928 disapproval. The division shall schedule a hearing within 10 days after receipt of such request.  
10929 The commissioner shall issue a written decision within 30 days after the conclusion of that  
10930 hearing.

10931

10932

10933 SECTION 78C. Section 3 of chapter 175H of the General Laws, as appearing in the  
10934 2008 Official Edition, is hereby amended by inserting before the word "Any", in line 1, the  
10935 following word:-- (a).

10936

10937 SECTION 78D. Said Section 3 of said chapter 175H, as so appearing, is hereby further  
10938 amended by inserting after the word "rebate", in line 7, the following words:-- , except as  
10939 provided in subsection (b).

10940

10941 SECTION 78E. Said section 3 of said chapter 175H, as so appearing, is hereby further  
10942 amended by adding the following 3 subsections:--

10943 (b)(1) This section shall not apply to any discount or free product vouchers that a retail  
10944 pharmacy provides to a consumer in connection with a pharmacy service, item or prescription  
10945 transfer offer or to any discount, rebate, product voucher or other reduction in an individual's  
10946 out-of-pocket expenses, including co-payments and deductibles, on a prescription drug, biologic  
10947 or vaccine, for which there does not exist a clinically proven generic equivalent, provided by a  
10948 pharmaceutical manufacturing company, as defined in section 1 of chapter 111N, that is made  
10949 available to an individual if the discount, rebate, product voucher or other reduction is provided  
10950 directly or electronically to the individual or through a point of sale or mail-in-rebate, or through  
10951 similar means; provided, however, that a pharmaceutical manufacturing company shall not  
10952 exclude nor favor any pharmacy in the redemption of such discount, rebate, product voucher or  
10953 other expense reduction offer to a consumer.

10954 (2) If a discount, rebate, product voucher or other reduction in an individual's out-of-  
10955 pocket expenses is applied to a consumer's prescription, the discount, rebate, product voucher or  
10956 other cost reduction shall be made available for all renewals thereof. Any consumer alleging a  
10957 violation of this clause shall contact the department of public health or the office of consumer  
10958 affairs and business regulation to report the violation. If a violation of this clause is found to  
10959 have occurred, the pharmaceutical manufacturer or any intermediary which interfered with the  
10960 availability of the discount, rebate, product voucher or other cost reduction shall make the  
10961 discount, rebate, product voucher or other cost reduction available to the consumer for the life of  
10962 the prescription and pay a fine of not more than \$1,000 to the department of public health.

10963 (c) Subsection (b) shall not restrict: (i) a pharmaceutical manufacturing company relative  
10964 to how such company distributes a prescription drug, biologic or vaccine; or (ii) a carrier or a  
10965 health maintenance organization, as defined in section 1 of chapter 118G, relative to how such  
10966 carrier or health maintenance organization elects its plan design to treat such discounts, rebates,  
10967 product voucher or other reduction in out-of-pocket expenses.

10968 (d) For purposes of the federal Health Insurance Portability and Accountability Act of  
10969 1996, hereinafter referred to as HIPAA, and regulations promulgated under HIPAA, nothing in  
10970 this section shall be deemed to require or allow the use or disclosure of health information in any  
10971 manner that does not otherwise comply with HIPAA or regulations promulgated under HIPAA.

10972

10973 SECTION 78F. Subsection (f) of said section 6 of said chapter 176J, as appearing in  
10974 section 78B, is hereby repealed.

10975

10976 SECTION 79. Chapter 211D of the General Laws is hereby amended by striking out  
10977 sections 1 to 2½, inclusive, as appearing in the 2008 Official Edition, and inserting in place  
10978 thereof the following 3 sections:-

10979 Section 1. There shall be a committee for public counsel services, hereinafter referred to  
10980 as the committee, to plan, oversee and coordinate the delivery of criminal and certain  
10981 noncriminal legal services by all salaried public counsel, bar advocate and other assigned counsel  
10982 programs and private attorneys serving on a per case basis. The committee shall operate as an  
10983 independent entity and shall be part of the judiciary for administrative purposes only. All

10984 members of the committee shall serve independently and bear no obligation to their appointing  
10985 authority. The committee shall consist of 11 members: 2 of whom shall be appointed by the  
10986 governor, 1 of whom shall be appointed by the speaker of the house and 1 of whom shall be  
10987 appointed by the senate president to be selected from recommendations provided by the  
10988 Massachusetts Bar Association, county bar associations, the Boston Bar Association and other  
10989 appropriate bar groups including, but not limited to, the Massachusetts Black Lawyers'  
10990 Association, the Women's Bar Association and the Massachusetts Association of Women  
10991 Lawyers; and 7 of whom shall be appointed by the justices of the supreme judicial court, 1 of  
10992 whom shall have experience as a public defender, 1 of whom shall have experience as a private  
10993 bar advocate, 1 of whom shall have criminal appellate experience, 1 of whom shall have a  
10994 background in public administration and public finance and 1 of whom shall be a current or  
10995 former dean or faculty member of a law school located in the commonwealth.

10996 All members of the committee shall have a strong commitment to quality representation  
10997 in indigent defense matters or have significant experience with issues related to indigent defense.  
10998 The committee shall not include active judges, elected state, county or local officials, district  
10999 attorneys, state or local law enforcement officials, public defenders employed by the  
11000 commonwealth or private bar advocates. The term of office of each member of the committee  
11001 shall be 4 years; provided, however, that of the members initially appointed, 2 shall be appointed  
11002 by the governor for terms of 1 year, 1 shall be appointed by the speaker for a term of 2 years, 1  
11003 shall be appointed by the senate president for a term of 2 years and 5 shall be appointed by the  
11004 justices of the supreme judicial court for terms of 4 years. Members of the committee shall only  
11005 be removed for cause. Removal of a member of the committee shall be approved by not less than  
11006 3 of the appointing authorities. Any vacancies shall be filled by the original appointing authority

11007 within 60 days of the occurrence of such vacancy. Any appointee shall continue in office beyond  
11008 the expiration date of his term until a successor in office has been appointed and qualified.  
11009 Vacancies shall be filled by the appointing authority that made the initial appointment to the  
11010 unexpired term. Members of the committee may be removed for cause by the corresponding  
11011 appointing authority. While serving on the committee, no member shall be assigned or appointed  
11012 to represent indigent defendants before any court of the commonwealth. No member shall  
11013 receive any compensation for service on the committee, but each member shall be reimbursed for  
11014 actual expenses incurred in attending the committee meetings.

11015 Chapter 268A shall apply to all members, officers and employees of the committee,  
11016 except that the committee may provide representation or enter into a contract pursuant to section  
11017 3 or section 6, although a member of the committee may have an interest or involvement in any  
11018 such matter if such interest and involvement is disclosed in advance to the other members of the  
11019 committee and recorded in the minutes of the committee; provided, however, that no member  
11020 having an interest or involvement in any contract under section 3 may participate in any  
11021 particular matter, as defined in section 1 of chapter 268A, relating to such contract.

11022 Section 2. The committee shall establish a definition of “indigency” for the purposes of  
11023 this chapter and uniform standards and procedures for the determination by the courts of the  
11024 commonwealth that: (1) a person is indigent and is unable to obtain counsel; or (2) said indigent  
11025 person has the ability to pay a reduced fee for the appointment of counsel. The definition and  
11026 standards, and any amendments thereto, shall be subject to the approval of the supreme judicial  
11027 court and shall be used by the courts of the commonwealth in determining assignment of cases to  
11028 the committee pursuant to section 5.

11029 In the formulation of the definition, standards and procedures, the committee shall  
11030 consider the potential applicability of the following to the provision of legal services for indigent  
11031 defendants: (1) the reporting system operated by the commissioner of transitional assistance for  
11032 the purpose of verifying financial eligibility of participants in state or federally funded programs;  
11033 (2) the accessibility of income data available from the department of revenue; and (3) verifying  
11034 material assets through the registry of motor vehicles.

11035 Section 2½. (a) Notwithstanding any general or special law to the contrary, a person  
11036 claiming indigency under section 2 shall execute a waiver authorizing the court's chief probation  
11037 officer, or the officer's designee, to obtain the person's wage, tax and asset information from the  
11038 department of revenue, department of transitional assistance and the registry of motor vehicles  
11039 that the court may find useful in verifying the person's claim of indigency. The waiver shall  
11040 authorize the chief probation officer, or the officer's designee, to conduct any further re-  
11041 assessment required by this section.

11042 (b) It shall be the responsibility of the chief probation officer assigned to each court to  
11043 ensure that a person claiming to be indigent meets the definition of indigency under section 2. A  
11044 person seeking the appointment of counsel shall be interviewed by the chief probation officer or  
11045 the officer's designee prior to the appointment of counsel. The person conducting the interview  
11046 shall explain to the person seeking appointment of counsel: (1) the definition of indigency; (2)  
11047 the process used to verify the person's information with other state agencies; and (3) the  
11048 penalties for misrepresenting financial information in applying for the appointment of counsel.  
11049 The officer or the officer's designee conducting the interview shall prepare a written indigency  
11050 intake report that shall record the results of the interview and a recommendation on whether or  
11051 not the person seeking appointment of counsel is indigent. The person seeking appointment of

11052 counsel and the officer or the officer's designee conducting the interview shall sign the indigency  
11053 intake report. In signing the report, the person seeking appointment of counsel shall certify under  
11054 the pains and penalties of perjury that the information contained therein is true and that the  
11055 person has not concealed any information relevant to the person's financial status. All statements  
11056 contained in the report shall be deemed material statements. The completed report shall be  
11057 presented to a judge who may adopt or reject the recommendations in the report, either in whole  
11058 or in part.

11059 (c) Appointment of counsel by a court shall, at all times, be subject to verification of  
11060 indigency by the chief probation officer assigned to each court. The chief probation officer or the  
11061 officer's designee shall, within 7 business days of appointment of counsel, complete a final  
11062 report of the financial circumstances of the person for whom counsel was appointed, containing  
11063 wage, tax and asset information. In preparing this final report the chief probation officer or the  
11064 officer's designee may access, through electronic sharing of information pursuant to a  
11065 memorandum of understanding established pursuant to subsection (j), wage, tax and asset  
11066 information in the possession of the department of revenue and the department of transitional  
11067 assistance, and any other information relevant to the verification of indigency in the possession  
11068 of the registry of motor vehicles. Said departments shall provide such information to the chief  
11069 probation officer or the officer's designee upon request. The chief probation officer shall sign the  
11070 final report, certifying that the person for whom counsel was appointed either continues to meet  
11071 or no longer meets the definition of indigency. Thereafter, the report shall be filed with the case  
11072 papers and shall be presented to the judge presiding at the person's next court appearance;  
11073 provided, however, that if a person for whom counsel was appointed is found to not meet the  
11074 definition of indigency, a court appearance shall be scheduled as soon as feasible prior to the

11075 person's next court appearance if said appearance is more than 2 weeks from the date the final  
11076 report is completed. If, upon receipt of the report, a judge finds that the person for whom  
11077 counsel was appointed no longer meets the definition of indigency, the judge shall revoke the  
11078 appointment of counsel and allow such person a reasonable continuance to obtain new counsel.

11079 Not later than 6 months after the appointment of counsel, and every 6 months thereafter,  
11080 the chief probation officer or the officer's designee shall conduct a further re-assessment of the  
11081 financial circumstances of the person for whom counsel was appointed to ensure that the person  
11082 continues to meet the definition of indigency. The chief probation officer or the officer's  
11083 designee shall prepare, sign and file a written report certifying that the person either continues to  
11084 meet, or no longer meets, the definition of indigency.

11085 (d) If a criminal defendant is charged with a second or further offense while continuing to  
11086 be represented by court-appointed counsel for a previously charged offense, the court in its  
11087 discretion shall determine whether any further determination of indigency, other than the bi-  
11088 annual re-assessments required by the defendant's representation for the first offense, need be  
11089 undertaken. Upon completion of a re-assessment, the chief probation officer shall prepare a  
11090 written report of the officer's findings. The chief probation officer shall sign the report,  
11091 certifying that the defendant either continues to meet or no longer meets the definition of  
11092 indigency. The report shall be filed with the case papers and shall be presented to the judge  
11093 presiding at the defendant's next court appearance. If, upon receipt of the report, a judge finds  
11094 that the defendant no longer meets the definition of indigency, the judge shall revoke the  
11095 appointment of counsel and allow the defendant a reasonable continuance to obtain new counsel.



11096 (e) If the court finds that a person has materially misrepresented or omitted information  
11097 concerning the person's property or assets for purposes of determining indigency and that the  
11098 person does not meet the definition of indigency, the court shall immediately terminate any  
11099 assignment or appointment of counsel made under this chapter and shall assess costs of not less  
11100 than \$500 against such person.

11101 (f) A person provided counsel under this chapter shall be assessed a counsel fee of \$200,  
11102 which the court may waive only upon a determination from officer's data verification process  
11103 that the person is unable to pay such \$200 within 180 days. If, upon the bi-annual re-assessment  
11104 of the person's indigency, the court concludes that the person is able to pay the \$200 counsel fee  
11105 of which the person obtained a waiver, the court shall revoke the waiver and re-impose the \$200  
11106 counsel fee. The fee shall be in addition to any reduced fee required pursuant to section 2 and  
11107 shall be collected in accordance with said section.

11108 (g) The court may authorize a person for whom counsel was appointed to perform  
11109 community service in lieu of payment of the counsel fee. A person seeking to work off a counsel  
11110 fee in community service shall perform 10 hours of community service, in a community service  
11111 program administered by the administrative office of the trial court, for each \$100 owed in legal  
11112 counsel fees. Notwithstanding any general or special law, rule or regulation to the contrary, a  
11113 court proceeding shall not be terminated and the person shall not be discharged if the person  
11114 owes any portion of the legal counsel fee imposed by this section. The clerk shall not release any  
11115 bail posted on such court proceeding until the legal counsel fee is satisfied in accordance with  
11116 this chapter.

11117 (h) The clerk of the court shall, within 60 days of appointment of counsel, report to the  
11118 department of revenue, the department of transitional assistance and the registry of motor  
11119 vehicles the amount of any legal counsel fee owed by the person for whom counsel was  
11120 appointed under this chapter. The department of revenue shall intercept payment of such fee  
11121 from tax refunds due to persons who owe all or a portion of such fee. The department of  
11122 transitional assistance may deduct the fee in weekly or monthly increments from persons who  
11123 have not paid the fee or a portion of the fee. The registry of motor vehicles shall not issue or  
11124 renew a person's driver's license or motor vehicle registration for any vehicle subsequently  
11125 purchased by such person until it receives notification from the clerk of the court that the fee has  
11126 been collected or worked off in community service.

11127 (i) The office of the commissioner of probation shall submit quarterly reports to the house  
11128 and senate committees on ways and means that shall include, but not be limited to: (a) the  
11129 number of individuals claiming indigency who are determined to be indigent; (b) the number of  
11130 individuals claiming indigency who are determined not to be indigent; (c) the number of  
11131 individuals found to have misrepresented wage, tax or asset information; (d) the number of  
11132 individuals found to no longer qualify for appointment of counsel upon any re-assessment of  
11133 indigency required by this section; (e) the total number of times an indigent misrepresentation  
11134 fee was collected and the aggregate amount of indigent misrepresentation fees collected; (f) the  
11135 total number of times indigent counsel fees were collected and waived and the aggregate amount  
11136 of indigent counsel fees collected and waived; (g) the average indigent counsel fee that each  
11137 court division collects; (h) the total number of times an indigent but able to contribute fee was  
11138 collected and waived and the aggregate amount of indigent but able to contribute fees collected  
11139 and waived; (i) the highest and lowest indigent but able to contribute fee collected in each court

11140 division; (j) the number of cases in which community service in lieu of indigent counsel fees was  
11141 performed; and (k) other pertinent information to ascertain the effectiveness of indigency  
11142 verification procedures. The information within such reports shall be delineated by court  
11143 division, and delineated further by month.

11144 (j) The office of the commissioner of probation, department of revenue and the  
11145 department of transitional assistance shall enter into a memorandum of understanding, which  
11146 may be amended from time to time, establishing an electronic verification system, capable of  
11147 verifying, within 7 business days of appointment of counsel, a person's claim of indigency,  
11148 based on wage, tax and asset information. A copy of the memorandum of understanding shall be  
11149 submitted to the clerks of the house of representatives and senate not later than October 31, 2011.

11150

11151 SECTION 80. Section 2A of said chapter 211D, as so appearing, is hereby amended by  
11152 striking out the second to fourth paragraphs, inclusive.

11153

11154 SECTION 81. Said chapter 211D is hereby amended by striking out sections 6 and 6A, as  
11155 so appearing, and inserting in place thereof the following 2 sections:-

11156 Section 6. (a) In carrying out its duties as prescribed in section 5, the committee shall  
11157 utilize its staff of attorneys, which shall be known hereafter as the public defender division. The  
11158 division shall include a unit to be known as the Roxbury defenders unit, which shall represent  
11159 clients as assigned pursuant to this chapter in the Roxbury division of the district court

11160 department. The public defender division shall be assigned to represent indigent defendants in all  
11161 criminal cases, except that:

11162 (i) the public defender division shall not be assigned to represent more than 1 defendant  
11163 in any matter before any court on the same case or arising out of the same incident;

11164 (ii) the public defender division shall not be assigned to represent a defendant in any case  
11165 in which there is a conflict of interest with any of its clients;

11166 (iii) notwithstanding any special or general law to the contrary, the public defender  
11167 division shall be assigned in any civil or criminal matter described in subsection (b) if the chief  
11168 counsel determines in writing that insufficient numbers of qualified attorneys are available for  
11169 assignment by the private counsel division.

11170 (b) In carrying out its duties as prescribed in section 5, the committee shall establish,  
11171 supervise and maintain a system for the appointment of private counsel, hereafter called the  
11172 private counsel division which shall include a children and family law program and a mental  
11173 health unit. The committee shall enter into contractual agreements with any state, county or local  
11174 bar association or voluntary charitable group, corporation or association, including bar advocate  
11175 groups, for the purpose of providing such counsel. The committee may also contract with such  
11176 other organized groups of attorneys as may be formed to afford representation to indigent  
11177 defendants and may appoint and compensate private attorneys, on a case-by-case basis, as  
11178 counsel for indigents entitled to representation. No individual, member or participant in a group,  
11179 corporation or association with whom the committee may contract under this paragraph shall be  
11180 considered to be or have any rights as a state employee.

11181           The private counsel division shall be assigned for all persons accused of crimes entitled  
11182 to counsel who, through their inability to pay for counsel, shall have counsel appointed to them,  
11183 but who, pursuant to subsection (a) shall not be represented by the public counsel division.

11184           The private counsel division shall also be assigned to represent persons in such other  
11185 proceedings as the chief counsel shall determine to be necessary.

11186           Section 6A. In carrying out its duties as prescribed in sections 5 and 6, the committee  
11187 shall establish a children and family law program which shall, upon the court's appointment,  
11188 provide representation to indigent persons in children and family law cases. Nothing herein shall  
11189 be construed to limit the system as established in sections 5 and 6, whereby the court appoints  
11190 certified private counsel to represent children and parents in the majority of children and family  
11191 law cases.

11192

11193           SECTION 82. Section 7 of said chapter 211D is hereby repealed.

11194

11195

11196

11197           SECTION 84. Said chapter 211D of the General Laws is hereby amended by striking out  
11198 section 12, as appearing in section 161 of chapter 27 of the acts of 2009, and inserting in place  
11199 thereof the following section:-

11200           Section 12. (a) The committee shall establish policies and procedures to provide fair  
11201 compensation to private counsel and vendors, which shall include a remedy for an attorney  
11202 aggrieved by the amount of payment. The committee shall also establish an audit and oversight  
11203 department to monitor billing and private attorney and vendor compensation. All private attorney  
11204 invoices shall be processed for payment within 30 days of receipt by the chief counsel, excluding  
11205 any bills held for review or audit. Bills shall be submitted to the committee within 60 days of the  
11206 conclusion of a case or, if the case is pending at the end of the fiscal year, within 30 days after  
11207 the end of such fiscal year. The amount of payment for invoices received by the chief counsel  
11208 more than 60 days but less than 90 days after the final disposition of the case or more than 30  
11209 days but less than 60 days after the end of the fiscal year shall be reduced by 10 per cent. Bills  
11210 submitted after such date need not be processed for payment within 30 days. For all bills not  
11211 submitted to the committee within 90 days after the conclusion of a case or, if the case is pending  
11212 at the end of the fiscal year, within 60 days after the end of the fiscal year, those bills so  
11213 submitted after such date shall not be processed for payment; provided, however, that the chief  
11214 counsel may authorize the payment of such bills, either in whole or in part, upon a determination  
11215 that the delay was due to extraordinary circumstances beyond the control of the attorney.

11216           (b) Bills shall be submitted to the committee for services provided under sections 27A to  
11217 27G, inclusive, of chapter 261 within 60 days of the last date of service or, if the case is pending  
11218 at the end of the fiscal year, within 30 days after the end of such fiscal year. The amount of  
11219 payment for invoices received by the chief counsel more than 60 days but less than 90 days after  
11220 the last date of service or more than 30 days but less than 60 days after the end of the fiscal year  
11221 shall be reduced by 10 per cent. For all bills not submitted to the committee within 90 days after  
11222 the last date of service or, if the case is pending at the end of the fiscal year, within 60 days after

11223 the end of the fiscal year, those bills so submitted after such date shall not be processed for  
11224 payment; provided, however, that the chief counsel may authorize the payment of such bills  
11225 either in whole or in part upon a determination that the delay was due to extraordinary  
11226 circumstances beyond the control of the vendor.

11227 (c) The committee may further prescribe such policies and procedures for payment as it  
11228 deems appropriate; provided, however, that the committee may impose interest and penalties,  
11229 where appropriate, upon overpayment of the private attorney bills recovered from private  
11230 attorneys and upon overpayment of vendor bills recovered from vendors.

11231

11232 SECTION 85. Section 14 of said chapter 211D is hereby repealed.

11233

11234 SECTION 86. Section 34E of chapter 221 of the General Laws is hereby amended by  
11235 striking out the last paragraph, as appearing in the 2008 Official Edition, and inserting in place  
11236 thereof the following paragraph:-

11237 The committee shall be eligible for federal funds and may accept gifts, donations, grants,  
11238 contributions or appropriations, which may be received from any source, public or private, to be  
11239 held, used or expended for any purpose related to the duties of the committee and, in the case of  
11240 a grant, in accordance with the terms and conditions of such grant. The committee may enter into  
11241 contracts to provide or receive services with any federal or state entity, with any group or  
11242 individual, whether for profit or non-profit, or with any voluntary or charitable group, association

11243 or organization including any bar association or foundation. Any such donations, funds,  
11244 contributions or grants shall be deposited in the Mental Health Legal Advisors Committee Trust.

11245

11246 SECTION 87. Said chapter 221 is hereby further amended by striking out section 88, as  
11247 most recent amended by section 96 of chapter 27 of the acts of 2009, and inserting in place  
11248 thereof the following section:-

11249 Section 88. Upon request of the presiding justice or any party, the stenographer shall  
11250 furnish a transcript of his notes, or any part thereof, taken at a trial or hearing, for which he shall  
11251 be paid by the party requesting it at the rate of \$3 per page for the original and \$1 per page for  
11252 each additional copy ordered at the same time. If requested by a party, the stenographer shall  
11253 furnish an electronic reproduction at an amount not to exceed \$5 for each electronic reproduction  
11254 requested. All electronic reproductions shall be in an open source format as specified by the  
11255 office of transcription services. Additional paper copies, if so requested by an indigent person or  
11256 counsel for an indigent person, shall be paid at \$.10 per page. In the event that daily copy is  
11257 ordered by the presiding justice or any party, the rate shall be \$4.50 per page for the original  
11258 copy and \$1.50 per page for each additional copy; provided that, if requested by a party, the  
11259 stenographer shall furnish an electronic reproduction at an amount not to exceed \$5 for each  
11260 electronic reproduction; and provided further, that additional paper copies, if so requested by an  
11261 indigent person or counsel for an indigent person, shall be paid at \$.10 per page. If a transcript is  
11262 ordered by the presiding justice or, in a criminal case, by the district attorney, payment therefor  
11263 shall be made at the same rate by the administrative office of the trial court upon a voucher  
11264 approved by the presiding justice and, in a criminal case, the charges for transcripts furnished to



11265 a justice and to the district attorney shall be taxed like other expenses. If the presiding justice  
11266 orders that a statement given to the police be transcribed, all parties shall receive a copy and  
11267 payment therefor shall be made at the same rate by the administrative office of the trial court  
11268 upon a voucher approved by the presiding justice.

11269

11270 SECTION 88. Section 1 of chapter 703 of the acts of 1963 is hereby amended by striking  
11271 out paragraph (h), as appearing in section 78 of chapter 189 of the acts of 2010, and inserting in  
11272 place thereof the following paragraph:-

11273 (h) “State college”, any of the public institutions of higher education in the state  
11274 university segment or the community college segment established in section 5 of chapter 15A of  
11275 the General Laws.

11276

11277 SECTION 89. The first sentence of section 3 of said chapter 703, as appearing in section  
11278 2 of chapter 290 of the acts of 1998, is hereby amended by adding the following words:- ;  
11279 provided, however, that the Authority shall not provide housing facilities at community colleges  
11280 unless the board of higher education authorizes the action.

11281

11282

11283 SECTION 90. The fourth sentence of section 6 of said chapter 703, as appearing in  
11284 section 24 of chapter 120 of the acts of 2009, is hereby amended by striking out the words “any

11285 applicable state college” and inserting in place thereof the following words:- 1 or more state  
11286 colleges, as appropriate,.

11287

11288 SECTION 91. The first sentence of the first paragraph of section 18A of said chapter  
11289 703, as most recently amended by section 25 of said chapter 120, is hereby further amended by  
11290 striking out the words “, and amounts described in clause (ii) shall be used only to prevent a  
11291 default by the Authority in connection with indebtedness incurred by the Authority on behalf of  
11292 the applicable state college”.

11293

11294 SECTION 92. Section 44 of chapter 85 of the acts of 1994 is hereby amended by  
11295 inserting after the words "Horseneck Beach State Reservation", inserted by section 2 of chapter  
11296 164 of the acts of 2009, the following words:- Officers’ Quarters at Fort Revere in the town of  
11297 Hull, Gatekeeper's House at Maudslay State Park, Gates House at Wachusett Mountain State  
11298 Reservation, Blue Farmhouse and garage and associated barns 3, 4 and 5 at 215 Cold Spring road  
11299 and Red Farmhouse and shed at 220 Cold Spring road at Spectacle Pond in the town of  
11300 Sandisfield, the McKay House at Willowdale State Forest, 57 Dedham street in the Hyde Park  
11301 section of the city of Boston, Speedway Administration Building located in the Brighton section  
11302 of the city of Boston, the Police Substation on Furnace Brook Parkway in the city of Quincy, the  
11303 Compressor Building at Quincy Quarries in the Blue Hills Reservation, any of the cottages on  
11304 Peddock’s Island in the Boston Harbor Islands National Park Area, 3 Wompatuck Cottages in  
11305 Wompatuck State Park, Stress House 1 at Neponset River Reservation and, notwithstanding any  
11306 general or special law to the contrary, the Schooner Ernestina and a portion of the New Bedford

11307 state pier, to provide sufficient berthing space; provided, however, that any lease of the Schooner  
11308 Ernestina entered into by the department shall require that the lessee consult with the Cape  
11309 Verdean Association in New Bedford in order to provide historic and cultural education  
11310 programs at said Schooner.

11311

11312 SECTION 93. Chapter 47 of the acts of 1997 is hereby amended by striking out section  
11313 22, as most recently amended by section 35 of chapter 61 of the acts of 2007, and inserting in  
11314 place thereof the following section:-

11315 Section 22. Notwithstanding any general or special law to the contrary, in fiscal years  
11316 2012 to 2016, inclusive, the division of health care finance and policy shall allocate \$1,000,000  
11317 annually for a Fishing Partnership Health Plan Corporation project that shall provide services to  
11318 fishermen and fishing families; provided, that such services shall include, but not be limited to,  
11319 assisting fishermen and fishing families in obtaining health insurance coverage.

11320

11321 SECTION 93A. Paragraph (d) of section 15 of chapter 152 of the acts of 1997, as  
11322 appearing in section 5 of chapter 256 of the acts of 2006, is hereby amended by striking out, in  
11323 line 3, the figure“250,000 gross square feet or more of the center’s exhibition space” and  
11324 inserting in place thereof the following words:- 160,000 gross square feet or more of the center’s  
11325 exhibition space; provided, however, that the Massachusetts Convention Center Authority shall  
11326 conduct a traffic study associated with increased gate show activity and its effect on the South  
11327 Boston section in the city of Boston.

11328

11329           SECTION 94. Sections 3A, 20A and 25 of chapter 175 of the acts of 1998 are hereby  
11330 repealed.

11331

11332           SECTION 95. Section 43 of chapter 206 of the acts of 1998 is hereby amended by  
11333 striking out the first sentence and inserting in place thereof the following 3 sentences:- The  
11334 department of environmental protection shall perform a targeted audit of a statistically significant  
11335 number, as determined by the department, of sites at which an activity and use limitation has  
11336 been implemented in order to ensure that response actions not overseen or conducted by the  
11337 department are performed in compliance with chapter 21E of the General Laws and regulations  
11338 adopted thereunder. In determining the statistically significant number, the department shall take  
11339 into account the need for audits to ensure a high level of compliance with said chapter 21E and  
11340 the Massachusetts Contingency Plan and the need to target audit resources in the most efficient  
11341 and effective manner. The department shall report annually to the joint committee on  
11342 environment, natural resources and agriculture and the house and senate committees on ways and  
11343 means detailing the number of audits conducted pursuant to this section.

11344

11345           SECTION 95A. Chapter 137 of the acts of 2003 is hereby amended by striking out  
11346 section 21, as appearing in section 77 of chapter 182 of the acts of 2008, and inserting in place  
11347 thereof the following section

11348           Section 21. Section 1 shall expire on September 11, 2014. Sections 2 and 3 shall expire  
11349 on September 11, 2005.

11350

11351           SECTION 95B. Section 1 of chapter 158 of the acts of 2004 is hereby amended by  
11352 striking out, in line 6, the words as a community youth facility”.

11353

11354           SECTION 95C. Item 6033-0417 of section 2A of chapter 291 of the acts of 2004, as  
11355 most recently amended by section 84 of chapter 139 of the acts of 2006, is hereby further  
11356 amended by striking out the words “relocation of the Amesbury department of public works barn  
11357 in the town of Amesbury to the site formerly known as Microfab” and inserting in place thereof  
11358 the following words:- “redevelopment and revitalization of the Lower Mill yard in the town of  
11359 Amesbury.

11360

11361           SECTION 96. Section 113 of chapter 58 of the acts of 2006 is hereby amended by  
11362 inserting after the word “measurements”, in line 22, the following words:- ; provided, however,  
11363 that substance abuse benefits shall instead obtain the approval of the commissioner of public  
11364 health.

11365

11366           SECTION 97. Chapter 122 of the acts of 2006 is hereby amended by striking out section  
11367 130 and inserting in place thereof the following section:-

11368           Section 130. Notwithstanding any general or special law or regulation to the contrary, the  
11369 state comptroller shall grant a permanent waiver or exemption from all applicable charges or  
11370 assessments made against the Water Supply Protection Trust by the office of the comptroller  
11371 pursuant to its authority under sections 5D and 6B of chapter 29 of the General Laws; provided,  
11372 however, that beginning in fiscal year 2012, the Water Supply Protection Trust shall be liable to  
11373 pay those charges that represent the fringe benefits for department of conservation and recreation  
11374 personnel that either dedicate their full time and attention to watershed protection activities or  
11375 spend some portion of their time indirectly supporting the department’s watershed protection  
11376 activities.

11377

11378           SECTION 98. Section 144 of chapter 122 of the acts of 2006 is hereby amended by  
11379 striking out, in lines 4 to 6, inclusive, the words “; provided, however, that no waiver or  
11380 exemption shall be granted without the written approval of the secretary of administration and  
11381 finance”.

11382

11383           SECTION 98A. Section 114 of chapter 169 of the acts of 2008 is hereby amended by  
11384 striking out the figure “2011” and inserting in place thereof the following figure:-2021.

11385

11386           SECTION 99. Subsection (2) of section 95 of chapter 173 of the acts of 2008 is hereby  
11387 amended by striking out, in line 2, the figure "2012" and inserting in place thereof the following  
11388 figure:- 2013.

11389

11390 SECTION 100. Section 103 of chapter 182 of the acts of 2008 is hereby amended by  
11391 striking out, in line 15, the figure “180” and inserting in place thereof the following figure:- 120.

11392

11393 SECTION 101. Subsection (b) of said section 103 of said chapter 182 is hereby amended  
11394 by striking out the first paragraph and inserting in place thereof the following paragraph:-

11395 If no lease agreement is reached with the town of Canton under subsection (a) before  
11396 April 1, 2012, the division of capital asset management and maintenance, in consultation with  
11397 and on behalf of the department of conservation and recreation, shall solicit proposals through a  
11398 request for proposals which shall include key contractual terms and conditions to be incorporated  
11399 into the contract including, but not limited to: (1) a comprehensive list of all recreational  
11400 facilities operated by the responsive bidder or offeror in the last 4 years; (2) other facilities  
11401 management or experience of the responsive bidder or offeror; (3) a senior citizens’ and  
11402 children’s discount program; (4) reservation policies; (5) proposed reasonable rates that ensure  
11403 continued public access; (6) required financial audits; (7) policies to encourage use of the golf  
11404 course by persons of all races and nationalities; (8) safety and security plans; (9) seasonal  
11405 opening and closing dates; (10) hours of operation; (11) holiday recognition; (12) grievance  
11406 processes; (13) clubhouse license; (14) a provision that the facility shall be maintained as a 36-  
11407 hole public golf course; (15) a provision that the lessee shall not construct facilities on the  
11408 grounds of the golf course or any property appurtenant thereto; provided, however, that the  
11409 lessee may construct facilities with the written approval of the commissioner of conservation and  
11410 recreation and the majority vote of the board of selectmen in the town of Canton; and (16) a host

11411 community agreement between the designated operator and the town of Canton. Any increase in  
11412 fees, including fees for season passes and club memberships, and any increase in charges for  
11413 greens' fees or golf cart or club rentals shall be approved in writing by the commissioner of  
11414 conservation and recreation; provided, however, that in considering any request for an increase  
11415 in fees, the commissioner shall consider, without limitation: (i) any capital investment made by  
11416 the contractor or lessee; (ii) the fees and charges at other public golf courses within reasonable  
11417 proximity; and (iii) the length of time since the last fee increase.

11418

11419 SECTION 101A. Notwithstanding any special or general law to the contrary, the special  
11420 commission on civic engagement and learning, established under section 106 of chapter 182 of  
11421 the acts of 2008, is hereby revived and continued; provided, however, that the commission shall  
11422 report to the general court the results of its investigation and study and its recommendations, if  
11423 any, together with drafts of legislation necessary to carry out its recommendations, by filing the  
11424 same with the clerks of the senate and the house and the joint committee on education on or  
11425 before December 31, 2012.

11426

11427 SECTION 101B. Item 6035-0817 of section 2A of chapter 303 of the acts of 2008, as  
11428 amended by section 30 of chapter 26 of the acts of 2009, is hereby further amended by striking  
11429 out the words "\$350,000 shall be expended for lighting improvements to the new Parker river  
11430 bridge or the North and South approaches to the bridge on route 1A in the town of Newbury" and  
11431 inserting in place thereof the following "\$250,000 may be expended for the town's rehabilitation  
11432 of a portion of River road in the town of Merrimac; provided further, that \$50,000 may be



11433 expended for the improvement of the DPW garage, located at 197 High road in the town of  
11434 Newbury; provided further, that such sum shall be placed into the town of Newbury's chapter 90  
11435 account in the event that improvements are made prior to the release of funds in this item.

11436

11437 SECTION 102. Section 23 of chapter 5 of the acts of 2009 is hereby amended by striking  
11438 out the figure "2011", inserted by section 115 of chapter 131 of the acts of 2010, and inserting in  
11439 place thereof the following figure:- 2012.

11440

11441 SECTION 103. Section 152 of chapter 25 of the acts of 2009 is hereby amended by  
11442 striking out the figure "2011" and inserting in place thereof the following figure:- 2013.

11443

11444 SECTION 103A. The third paragraph of section 22 of chapter 61 of the acts of 2009 is  
11445 hereby amended by adding the following sentence:- For the purpose of conducting its  
11446 investigation and study, the commission may contract with an independent, outside organization,  
11447 at a cost not to exceed \$50,000, to conduct a fiscal analysis of the potential cost savings and  
11448 other efficiencies that may be achieved by reorganization, consolidation, elimination or  
11449 realignment of sheriffs' offices.

11450

11451 SECTION 103B. Section 128 of chapter 27 of the acts of 2009 is hereby amended by  
11452 striking out subsection (a) and inserting in place thereof the following subsection:-

11453 (a) Notwithstanding any general or special law to the contrary, a successor agreement to  
11454 the current collective bargaining agreement for employees of the state police executed by the  
11455 ommonwealth, acting by and through the secretary of administration and finance, and the State  
11456 Police Association of Massachusetts shall not include benefits for any regular full-time member  
11457 of the state police hired on or after July 1, 2009 pursuant to the career incentive pay program  
11458 established pursuant to section 108L of chapter 41 of the General Laws. Nothing in this section  
11459 shall preclude regular full-time members of the state police otherwise eligible for participation in  
11460 the career incentive pay program established pursuant to said section 108L of said chapter 41  
11461 from participating in the program.

11462

11463 SECTION 103C. Item 4000-0640 of section 2 of chapter 131 of the acts of 2010 is hereby  
11464 amended by striking out the words “notwithstanding any general or special law to the contrary,  
11465 contingent upon receipt of not less than \$27,200,000 in TANF contingency funds authorized by  
11466 Title IV, section 403(b) of the Social Security Act, the division shall establish nursing facility  
11467 supplemental Medicaid rates and that a sum of \$27,200,000 shall be distributed as supplemental  
11468 nursing facility Medicaid rates for fiscal year 2011”, inserted by section 51A of chapter 359 of  
11469 the acts of 2010, and inserting in place thereof the following words:- the division shall establish  
11470 additional nursing facility supplemental Medicaid rates that cumulatively total \$27,000,000  
11471 which shall be distributed as supplemental nursing facility Medicaid rates; provided further, that  
11472 not less than \$2,800,000 shall be expended as incentive payments to nursing facilities meeting  
11473 the criteria determined by the MassHealth Nursing Facility Pay for Performance (P4P) Program  
11474 in 114.2 CMR 6.07 and that have established and participated in a cooperative effort in each  
11475 qualifying nursing facility between representatives of employees and management that is focused

11476 on implementing that criteria and improving the quality of services available to MassHealth  
11477 members; and provided further, that any unexpended funds in this item shall not revert but shall  
11478 be made available for the purposes of this item until June 30, 2012.”

11479

11480 SECTION 103D. Said item 4000-0640 of said section 2 of chapter 131, as most recently  
11481 amended by said section 51A of said chapter 359, is hereby further amended by striking out the  
11482 figure \$288,500,000 and inserting in place thereof the following figure:- \$318,300,000.

11483

11484 SECTION 104. Section 195 of chapter 131 of the acts of 2010 is hereby amended by  
11485 striking out the figure "2011" and inserting in place thereof the following figure:- 2012.

11486

11487 SECTION 105. Section 124 of chapter 359 of the acts of 2010 is hereby amended by  
11488 striking out the words “and June 30, 2011” and inserting in place thereof the following words:- ,  
11489 June 30, 2011 and June 30, 2012.

11490 SECTION 105A. Section 183 of chapter 131 of the Acts of 2010 is hereby amended by  
11491 striking out subsection (a) and inserting in place thereof the following subsection:-

11492 (a) Notwithstanding any general or special law to the contrary, the MassHealth program  
11493 within the department of health and human services shall register for the federal Systematic  
11494 Alien Verification for Entitlements or SAVE system by January 1, 2012, and shall use that  
11495 system to verify whether applicants whose documentation is not available or is questionable are  
11496 qualified aliens for benefit eligibility purposes. The department shall be exempt from this

11497 requirement if it has reported before January 1, 2012, to the senate and house committees on  
11498 ways and means and the executive office for administration and finance a report detailing the  
11499 specific steps it has undertaken to implement SAVE, the other departments it worked with to  
11500 implement such steps, and the specific reason or reasons it was unable to implement the program  
11501 before December 31, 2011. Should the department find that it is not able to implement the  
11502 SAVE system prior to January 1, 2012, it shall continue to undertake all reasonable, cost-  
11503 effective measures to verify the eligibility of applicants, including ensuring eligibility on the  
11504 basis of citizenship, during all times it is not implementing the SAVE system and shall begin  
11505 implementing a cost effective system that utilizes SAVE.

11506

11507 SECTION 105B. Section 184 of Chapter 131 of the Acts of 2010 is hereby amended by  
11508 striking out clause (5).

11509

11510 SECTION 106. Whenever the secretary of administration and finance determines that  
11511 procurement reforms or initiatives have resulted in cost savings for an agency of the executive  
11512 department during fiscal year 2012, the secretary may reduce allotments under section 9B of  
11513 chapter 29 of the General Laws to reflect some or all of the amounts saved, and within 15 days  
11514 shall notify in writing the house and senate committees on ways and means. The total amount of  
11515 such allotment reductions shall not exceed \$30,000,000 in fiscal year 2012.

11516

11517

11518 SECTION 107. Nothing in sections 29 to 32, inclusive, shall be construed to authorize  
11519 the governor to remove a sitting member of the industrial accident board or the industrial  
11520 accident reviewing board on the effective date of this act, whose term has not expired, to reduce  
11521 the number of members of either board.

11522

11523 SECTION 108. (a) Notwithstanding any general or special law to the contrary, the  
11524 comptroller shall, on or before June 30, 2012, transfer \$200,000,000 to the General Fund from  
11525 the Commonwealth Stabilization Fund, but the comptroller shall instead transfer a lesser amount  
11526 if the secretary of administration and finance so requests in writing. The comptroller, in  
11527 consultation with the secretary of administration and finance, may take the overall cash flow  
11528 needs of the commonwealth into consideration in determining the timing of any transfer of  
11529 funds. The comptroller shall provide a schedule of transfers to the secretary of administration  
11530 and finance and to the house and senate committees on ways and means.

11531 (b) Notwithstanding any general or special law to the contrary, during fiscal year 2012  
11532 the comptroller shall not transfer 0.5 per cent of the total revenue from taxes in the preceding  
11533 fiscal year to the Commonwealth Stabilization Fund, established in section 2H of chapter 29 of  
11534 the General Laws, as otherwise required pursuant to clause (a) of section 5C of said chapter 29.

11535 (c) Notwithstanding any general or special law to the contrary, the comptroller shall, not  
11536 later than June 30, 2012, transfer the interest earned from the Commonwealth Stabilization Fund  
11537 during fiscal year 2012 to the General Fund.

11538

11539 SECTION 109. Notwithstanding any general or special law to the contrary, changes  
11540 made to health insurance benefits under section 22 or 23 of chapter 32B of the General Laws  
11541 which are inconsistent with specific dollar amount limits on co-payments, deductibles or other  
11542 health care plan design features that are included in a collective bargaining agreement in effect  
11543 on July 1, 2011 or an agreement under section 19 of said chapter 32B between an appropriate  
11544 public authority and a public employee committee in effect on July 1, 2011 shall not take effect  
11545 until the expiration of the initial term of such agreement.

11546

11547

11548 SECTION 110. Notwithstanding subsection (e) of section 19 of the General Laws and  
11549 subsection (d) of section 23 of said chapter 32B or any general or special law to the contrary, the  
11550 commission shall prescribe rolling admissions procedures to permit a political subdivision that  
11551 transfers its subscribers to the group insurance commission under said section 19 or 23 of said  
11552 chapter 32B to transfer all subscribers for whom it provides health insurance coverage to the  
11553 commission as expeditiously as possible during fiscal year 2012.

11554

11555 SECTION 111. (a) Notwithstanding any general or special law to the contrary and except  
11556 as provided in subsection (b), an eligible individual pursuant to section 3 of chapter 118H of the  
11557 General Laws shall not include a person who is not eligible to receive federally-funded benefits  
11558 under sections 401, 402 or 403 of the Personal Responsibility and Work Opportunity  
11559 Reconciliation Act of 1996, Pub. L. No. 104-193, as amended, for fiscal year 2012.

11560 (b) Notwithstanding any general or special law to the contrary, the secretary of  
11561 administration and finance, the secretary of health and human services and the executive director  
11562 of the commonwealth health insurance connector authority may, in their discretion and subject  
11563 only to the terms and conditions in this subsection, establish or designate a health insurance plan  
11564 in which a person who is not eligible to receive federally-funded benefits under said sections  
11565 401, 402 or 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of  
11566 1996, Public Law 104-193, as amended, but who is an eligible individual pursuant to said section  
11567 3 of said chapter 118H may enroll for the period including July 1, 2011 to June 30, 2012,  
11568 inclusive. The plan may be contracted for selectively from the health plans that contracted in  
11569 fiscal year 2011 to provide insurance coverage to commonwealth care or MassHealth enrollees.  
11570 Total state appropriation to support coverage to all such persons shall not exceed \$42,000,000 for  
11571 fiscal year 2012. To the extent that additional federal financial participation becomes available  
11572 for paying the costs of such coverage, the secretary of administration and finance may direct the  
11573 comptroller to make such amounts available from the General Fund for the purpose of paying for  
11574 the costs of such coverage. If the secretary of administration and finance, the secretary of health  
11575 and human services and the executive director of the commonwealth health insurance connector  
11576 authority determine that the projected costs of enrolling eligible individuals in such coverage in  
11577 fiscal year 2012 will exceed available funding, they may limit enrollment in such coverage. If the  
11578 secretary of administration and finance, the secretary of health and human services and the  
11579 executive director of the commonwealth health insurance connector authority are unable to  
11580 establish or designate a health insurance plan under this section, the secretary of administration  
11581 and finance may direct the comptroller to transfer up to \$42,000,000 from the Commonwealth

11582 Care Trust Fund to the Health Safety Net Trust Fund for the cost of health safety net claims for  
11583 these individuals.

11584

11585 SECTION 112. Notwithstanding section 53 of chapter 118E of the General Laws or any  
11586 other general or special law to the contrary, the secretary of health and human services may  
11587 manage the MassHealth program within the appropriated levels in items 4000-0430, 4000-0500,  
11588 4000-0600, 4000-0700, 4000-0870, 4000-0875, 4000-0880, 4000-0890, 4000-0895, 4000-0950,  
11589 4000-0990, 4000-1400 and 4000-1405 by restructuring benefits to the extent permitted by  
11590 federal law; provided, however, that notwithstanding any general or special law to the contrary,  
11591 at least 90 days before restructuring any MassHealth benefits, the secretary shall file a report  
11592 with the executive office for administration and finance and the house and senate committees on  
11593 ways and means detailing the proposed changes and the anticipated fiscal impact of those  
11594 changes.

11595

11596 SECTION 113. Notwithstanding any general or special law to the contrary, the secretary  
11597 of health and human services may make expenditures for which federal reimbursement is  
11598 unavailable for: (1) the equivalent of MassHealth Standard benefits for children under age 21  
11599 who are in the care or custody of the department of youth services or the department of children  
11600 and families, and (2) dental benefits provided to clients of the department of developmental  
11601 services who are age 21 or over.

11602



11603

11604           SECTION 114. (a) Notwithstanding section 53 of chapter 118E of the General Laws, for  
11605 fiscal year 2012, the executive office of health and human services may determine the extent to  
11606 which to include within its covered services for adults the federally-optional dental services that  
11607 were included in its state plan or demonstration program in effect on January 1, 2002 and the  
11608 dental services that were covered for adults in the MassHealth basic program as of January 1,  
11609 2002; provided, that notwithstanding any general or special law to the contrary, at least 90 days  
11610 before restructuring any MassHealth dental benefits, the executive office shall file a report with  
11611 the executive office for administration and finance and the house and senate committees on ways  
11612 and means detailing the proposed changes and the anticipated fiscal impact of such changes.

11613           (b) Notwithstanding subsection (a) of section 6 of chapter 118H of the General Laws, for  
11614 fiscal year 2012, medically necessary dental services covered through health insurance plans  
11615 procured by the board of the Commonwealth Health Insurance Connector Authority for any  
11616 resident with a household income that does not exceed 100 per cent of the federal poverty level  
11617 shall include preventative procedures but shall exclude those categories of services that are not  
11618 provided through MassHealth.

11619

11620           SECTION 115. Notwithstanding any general or special law to the contrary, the executive  
11621 office of health and human services, acting in its capacity as the single state agency under Title  
11622 XIX of the Social Security Act and as the principal agency for all of the agencies within the  
11623 executive office and other federally-assisted programs administered by the executive office, may  
11624 enter into interdepartmental services agreements with the University of Massachusetts medical

11625 school to perform activities that the secretary of health and human services, in consultation with  
11626 the comptroller, determines appropriate and within the scope of the proper administration of said  
11627 Title XIX and other federal funding provisions to support the programs and activities of the  
11628 executive office. The activities may include: (1) providing administrative services including, but  
11629 not limited to, providing the medical expertise to support or administer utilization management  
11630 activities, determining eligibility based on disability, supporting case management activities and  
11631 similar initiatives; (2) providing consulting services related to quality assurance, program  
11632 evaluation and development, integrity and soundness and project management; and (3) providing  
11633 activities and services for the purpose of pursuing federal reimbursement or avoiding costs, third-  
11634 party liability and recouping payments to third parties. Federal reimbursement for any  
11635 expenditures made by the University of Massachusetts medical school relative to federally-  
11636 reimbursable services the university provides under these interdepartmental service agreements  
11637 or other contracts with the executive office shall be distributed to the university and recorded  
11638 distinctly in the state accounting system. The secretary may negotiate contingency fees for  
11639 activities and services related to pursuing federal reimbursement or avoiding costs and the  
11640 comptroller shall certify these fees and pay them upon the receipt of this revenue, reimbursement  
11641 or demonstration of costs avoided. Contracts for contingency fees shall not exceed 3 years and  
11642 shall not be renewed without prior review and approval by the executive office for administration  
11643 and finance. The secretary shall not pay contingency fees in excess of \$40,000,000 for state  
11644 fiscal year 2012; but contingency fees paid to the University of Massachusetts medical school  
11645 under an interagency service agreement for recoveries related to the special disability workload  
11646 projects shall be excluded from that \$40,000,000 limit for fiscal year 2012. The secretary of  
11647 health and human services shall submit to the secretary of administration and finance and the

11648 senate and house committees on ways and means a quarterly report detailing the amounts of the  
11649 agreements, the ongoing and new projects undertaken by the university, the amounts expended  
11650 on personnel and the amount of federal reimbursement and recoupment payments that the  
11651 university collected.

11652

11653 SECTION 116. Notwithstanding any general or special law to the contrary, on or before  
11654 October 3, 2011 and without further appropriation, the comptroller shall transfer from the  
11655 General Fund to the Health Safety Net Trust Fund established pursuant to section 36 of chapter  
11656 118G of the General Laws, in this section called the fund, the greater of \$45,000,000 or one-  
11657 twelfth of the total expenditures to hospitals and community health centers required pursuant to  
11658 this act, for the purposes of making initial gross payments to qualifying acute care hospitals for  
11659 the hospital fiscal year beginning October 1, 2011. These payments shall be made to hospitals  
11660 before, and in anticipation of, the payment by hospitals of their gross liability to the fund. The  
11661 comptroller shall transfer from the fund to the General Fund, not later than June 30, 2012, the  
11662 amount of the transfer authorized by this section and any allocation of that amount as certified by  
11663 the director of the health safety net office.

11664

11665 SECTION 117. Notwithstanding any general or special law to the contrary, nursing  
11666 facility and resident care facility rates effective July 1, 2011 under section 7 of chapter 118G of  
11667 the General Laws may be developed using the costs of calendar year 2005.

11668 SECTION 118. Notwithstanding any general or special law to the contrary, the nursing  
11669 home assessment established by subsection (b) of section 25 of chapter 118G of the General  
11670 Laws shall be sufficient in the aggregate to generate \$220,000,000 in fiscal year 2012.

11671

11672 SECTION 119. Notwithstanding any general or special law to the contrary, in hospital  
11673 fiscal year 2012, the office of the inspector general may continue to expend funds from the  
11674 Health Safety Net Trust Fund, established by section 36 of chapter 118G of the General Laws,  
11675 for the costs associated with maintaining a pool audit unit within the office. The unit shall  
11676 continue to oversee and examine the practices in all hospitals including, but not limited to, the  
11677 care of the uninsured and the resulting free care charges. The inspector general shall submit a  
11678 report to the house and senate committees on ways and means on the results of the audits and any  
11679 other completed analyses not later than March 1, 2012. For the purposes of these audits,  
11680 allowable free care services shall be defined pursuant to said chapter 118G and any regulations  
11681 adopted thereunder.

11682 SECTION 119A. Notwithstanding any general or special law to the contrary, the state  
11683 comptroller shall grant a 1-time waiver or exemption from applicable charges or assessments  
11684 made against grants disbursed from the Enhanced 911 Fund to the Berkshire sheriff's department  
11685 regional 911 communications center pursuant to its authority under sections 5D and 6B of  
11686 chapter 29 of the General Laws; provided, however, that a waiver or exemption shall not be  
11687 granted without the written approval of the secretary of administration and finance.

11688

11689 SECTION 120. The inspector general shall expend funds from the Health Safety Net  
11690 Trust Fund, established in section 36 of chapter 118G of the General Laws, to conduct a study  
11691 and review of the Massachusetts Medicaid program. The study shall include, but not be limited  
11692 to, a review of the program's eligibility requirements, utilization, claims administration and  
11693 compliance with federal mandates. The inspector general shall report any preliminary findings to  
11694 the secretary of health and human services and the house and senate committees on ways and  
11695 means not later than October 3, 2011 and issue a final report not later than December 1, 2011.

11696

11697 SECTION 121. The following agencies or authorities shall contribute the amounts below  
11698 for programs or services in fiscal year 2012:

11699 (a) the Massachusetts Housing Finance Authority, \$8,400,000 for the Massachusetts  
11700 rental voucher program;

11701 (b) the Massachusetts Development Finance Authority, \$3,000,000 for the Massachusetts  
11702 cultural council grant program;

11703 (c) the Massachusetts Educational Finance Authority, \$1,000,000 for the no interest loan  
11704 and scholarship programs;

11705 (d) the Massachusetts Housing Partnership, \$2,000,000 for the soft second mortgage  
11706 program;

11707 (e) the Massachusetts Convention Center Authority, \$5,000,000 for the office of travel  
11708 and tourism marketing program;

11709 (f) the Massachusetts Technology Collaborative, \$275,000 for the department of housing  
11710 and community development's broadband initiative;

11711 (g) the Massachusetts Growth Capital Corporation, \$500,000 for the small business  
11712 development center, \$700,000 for the office of small business and \$335,000 for the state  
11713 permitting office;

11714 (h) the commonwealth health insurance connector authority, \$2,500,000 for wellness  
11715 promotion;

11716 (g) the Massachusetts Clean Energy Center, \$1,000,000 to support the operations of the  
11717 executive office of energy and environmental affairs;

11718 (k) the Massachusetts Technology Collaborative and the Massachusetts Port Authority,  
11719 \$600,000 for the international trade and investment program; and

11720 (l) the Massachusetts Life Sciences Center, \$210,000 for the Tufts University veterinary  
11721 school.

11722

11723 SECTION 122. Notwithstanding any general or special law to the contrary, the  
11724 comptroller shall, in consultation with the commissioner of mental health, transfer \$10,000,000  
11725 from trust funds established pursuant to section 16 of chapter 19 of the General Laws to the  
11726 General Fund within 30 days from the effective date of this act.

11727

11728 SECTION 123. Notwithstanding any general or special law to the contrary, the funds and  
11729 associated interest transferred to the former Massachusetts Turnpike Authority in item 1599-  
11730 1975 of section 2 of chapter 192 of the acts of 2006 shall be transferred to the General Fund by  
11731 the Massachusetts Department of Transportation; provided, however, that any transfer under this  
11732 section shall be made by the comptroller in accordance with a transfer schedule to be developed  
11733 by the comptroller, after consulting with the secretary of transportation, the secretary of  
11734 administration and finance and the state treasurer. All transfers under the schedule shall be  
11735 completed not later than September 30, 2011.

11736

11737 SECTION 124. (a) Notwithstanding any general or special law to the contrary, the  
11738 department of environmental protection shall transfer \$3,000,000 of funds previously  
11739 appropriated or loans repaid as a result of item 1231-1020 of section 2 of chapter 151 of the acts  
11740 of 1996 to the General Fund on account of fiscal year 2012.

11741 (b) Notwithstanding any general or special law to the contrary, the Massachusetts  
11742 Housing Finance Agency shall, on or before June 30, 2012, transfer not more than \$5,400,000 of  
11743 loan repayment proceeds received under section 27 of chapter 23B of the General Laws to the  
11744 comptroller to be credited to the General Fund on account of fiscal year 2012.

11745

11746 SECTION 125. Notwithstanding any general or special law to the contrary, upon  
11747 receiving a written request from the secretary of administration and finance, the comptroller shall  
11748 transfer to the General Fund the unexpended balance of a fund, trust fund or other separate  
11749 account, in existence on April 1, 2011, whether established administratively or by law, including

11750 a separate account established under section 6 of chapter 6A of the General Laws or section 4F  
11751 of chapter 7 of the General Laws; provided, however, that the secretary and comptroller shall  
11752 report to the house and senate committees on ways and means 45 days prior to any such transfer.  
11753 The request shall certify that the secretary, in consultation with the comptroller, has determined  
11754 this balance not to be necessary for the purposes for which it was made available.

11755

11756 SECTION 126. Notwithstanding section 1 of chapter 29D of the General Laws or any  
11757 other general or special law to the contrary, all payments received by the commonwealth in fiscal  
11758 year 2012 pursuant to the master settlement agreement in Commonwealth of Massachusetts v.  
11759 Philip Morris, Inc. et. al., Middlesex Superior Court, No. 95-7378, shall be deposited in the  
11760 General Fund. Notwithstanding section 3 of said chapter 29D to the contrary, the comptroller  
11761 shall transfer 100 per cent of the earnings generated in fiscal year 2012 from the Health Care  
11762 Security Trust, as certified under paragraph (f) of said section 3 of said chapter 29D, to the  
11763 General Fund.

11764

11765 SECTION 127. (a) Notwithstanding any general or special law to the contrary, the  
11766 Massachusetts Department of Transportation may incur liabilities and make expenditures in  
11767 fiscal year 2012 in excess of funds available to the department for snow and ice removal;  
11768 provided, however, that such expenditures shall be approved by the secretary of transportation in  
11769 consultation with the secretary of administration and finance; provided further, that no expenses  
11770 shall be made in excess of funds available until \$50,000,000 has been expended for snow and ice  
11771 removal in fiscal year 2012; provided further, that the negative balance of funds available for



11772 snow and ice removal shall not exceed \$30,000,000 at any time; and provided further, that the  
11773 state comptroller may certify for payment invoices in excess of funds available to the  
11774 department.

11775 (b) The department shall, on or before May 1, 2012, report to the executive office for  
11776 administration and finance and the house and senate committees on ways and means the total  
11777 amounts budgeted and expended for snow and ice removal; provided, however, that the  
11778 department shall seek appropriations, as required, to cure deficiencies resulting from the removal  
11779 of snow and ice for the fiscal year ending June 30, 2012.

11780

11781

11782 SECTION 128. Notwithstanding any general or special law to the contrary, the formula  
11783 for application of funds provided in section 35J of chapter 10 of the General Laws shall not  
11784 apply in fiscal year 2012.

11785

11786

11787 SECTION 129. Notwithstanding any general or special law to the contrary, after  
11788 complying with clause (a) of section 5C of chapter 29 of the General Laws, the comptroller shall  
11789 dispose of the consolidated net surplus in the budgetary funds for fiscal year 2011 as follows: (i)  
11790 the comptroller shall transfer \$10,000,000 from the General Fund to the Massachusetts Life  
11791 Sciences Investment Fund established by section 6 of chapter 23I of the General Laws; and (ii)

11792 the remaining balance shall be transferred from the General Fund to the Commonwealth  
11793 Stabilization Fund.

11794

11795 SECTION 130. Notwithstanding any general or special law to the contrary, the  
11796 operational services division, which, under section 22N of chapter 7 of the General Laws, is  
11797 responsible for determining prices for programs under chapter 71B of the General Laws, shall set  
11798 those prices in fiscal year 2012 at the same level calculated for fiscal year 2011, except the prices  
11799 for those programs for extraordinary relief, as defined by the division's regulations; provided,  
11800 however, that upon the request of a program, the division shall determine the minimum price for  
11801 out-of-state purchasers by identifying the most recent price calculated for the program and  
11802 applying the estimated rate of inflation, which is established by October 1 of each year pursuant  
11803 to said section 22N of said chapter 7, in a compounded manner for each fiscal year following the  
11804 most recent calculated price. The division shall accept and process applications for program  
11805 reconstruction for fiscal year 2012 to be considered for rate adjustment in fiscal year 2013.  
11806 Programs for which prices in fiscal year 2011 were lower than the full amount permitted by the  
11807 operational services division may charge in fiscal year 2012 the full prices calculated for fiscal  
11808 year 2011.

11809

11810 SECTION 130A. Notwithstanding any general or special law or rule or regulation to the  
11811 contrary, the department of developmental services shall review 115 CMR 5:14 governing  
11812 behavior modification and adopt amendment thereto, pursuant to its authority under section 2 of  
11813 chapter 123B. The new regulation shall include, but not be limited to, prohibiting the use of

11814 Level III Aversive Interventions, as defined by the 115 CMR 5:14(3); provided, however, that  
11815 the department may grant a 1-year, individual-specific exemption to an individual who, as of  
11816 September 1, 2011, is subject to a pre-existing court-approved treatment plan which includes the  
11817 use of Level III Aversive Interventions to reduce or modify behavior; provided further, that such  
11818 exception may not be renewed if such individual is no longer subject to a court-approved  
11819 treatment plan or if such individual's court-approved treatment plan no longer authorizes the use  
11820 of Level III Aversive Interventions.

11821

11822 SECTION 131. (a) Notwithstanding any general or special law to the contrary, upon the  
11823 request of the board of selectmen in a town, the city council in a city with a plan E form of  
11824 government or the mayor in any other city, the department of revenue may recalculate the  
11825 minimum required local contribution, as defined in section 2 of chapter 70 of the General Laws,  
11826 in the fiscal year ending June 30, 2012. Based on the criteria established in this section, the  
11827 department shall recalculate the minimum required local contribution for a municipality's local  
11828 and regional schools and shall certify the amounts calculated to the department of elementary  
11829 and secondary education.

11830 (b) A city or town that used qualifying revenue amounts in a fiscal year which are not  
11831 available for use in the next fiscal year or that shall be required to use revenues for extraordinary  
11832 non school-related expenses for which it did not have to use revenues in the preceding fiscal year  
11833 or that has an excessive certified municipal revenue growth factor which is also greater than or  
11834 equal to 1.5 times the state average municipal revenue growth factor may appeal to the

11835 department of revenue not later than October 1, 2011, for an adjustment of its minimum required  
11836 local contribution and net school spending.

11837 (c) If an appeal is determined to be valid, the department of revenue may reduce  
11838 proportionately the minimum required local contribution amount based on the amount of  
11839 shortfall in revenue or based on the amount of increase in extraordinary expenditures in the  
11840 current fiscal year, but no adjustment to the minimum required local contribution on account of  
11841 an extraordinary expense in the budget for the fiscal year ending June 30, 2012, shall affect the  
11842 calculation of the minimum required local contribution in subsequent fiscal years. Qualifying  
11843 revenue amounts shall include, but not be limited to, extraordinary amounts of free cash, overlay  
11844 surplus and other available funds.

11845 (d) If upon submission of adequate documentation, the department of revenue determines  
11846 that the municipality's appeal regarding an excessive municipal revenue growth factor is valid,  
11847 the department shall recalculate the municipal revenue growth factor and the department of  
11848 elementary and secondary education shall use the revised growth factor to calculate the  
11849 preliminary local contribution, the minimum required local contribution and any other factor that  
11850 directly or indirectly uses the municipal revenue growth factor. Any relief granted as a result of  
11851 an excessive municipal revenue growth factor shall be a permanent reduction in the minimum  
11852 required local contribution.

11853 (e) The board of selectmen in a town, the city council in a city with a plan E form of  
11854 government, the mayor in any other city or a majority of the member municipalities of a regional  
11855 school district which used qualifying revenue amounts in a fiscal year that are not available for  
11856 use in the next fiscal year may appeal to the department of revenue not later than October 1,

11857 2011, for an adjustment to its net school spending requirement. If an appeal is determined to be  
11858 valid, the department of revenue shall reduce the net school spending requirement based on the  
11859 amount of the shortfall in revenue and reduce the minimum required local contribution of  
11860 member municipalities accordingly. Qualifying revenue amounts shall include, but not be limited  
11861 to, extraordinary amounts of excess and deficiency, surplus and uncommitted reserves.

11862 (f) If the regional school budget has already been adopted by two-thirds of the member  
11863 municipalities then, upon a majority vote of the member municipalities, the regional school  
11864 committee shall adjust the assessments of the member municipalities in accordance with the  
11865 reduction in minimum required local contributions approved by the department of revenue or the  
11866 department of elementary and secondary education in accordance with this section.

11867 (g) Notwithstanding clause (14) of section 3 of chapter 214 of the General Laws or any  
11868 other general or special law to the contrary, the amounts determined pursuant to this section shall  
11869 be the minimum required local contribution described in chapter 70 of the General Laws. The  
11870 department of revenue and the department of elementary and secondary education shall notify  
11871 the house and senate committees on ways and means and the joint committee on education of the  
11872 amount of any reduction in the minimum required local contribution amount.

11873 (h) If a city or town has an approved budget that exceeds the recalculated minimum  
11874 required local contribution and net school spending amounts for its local school system or its  
11875 recalculated minimum required local contribution to its regional school districts as provided in  
11876 this section, the local appropriating authority shall determine the extent to which the community  
11877 shall avail itself of any relief authorized by this section.

11878 (i) The amount of financial assistance due from the commonwealth in fiscal year 2012  
11879 pursuant to chapter 70 of the General Laws or any other law shall not be changed on account of  
11880 any redetermination of the minimum required local contribution pursuant to this section.

11881 (j) The department of revenue and the department of elementary and secondary education  
11882 shall issue guidelines for their respective duties pursuant to this section.

11883

11884 SECTION 132. (a) The University of Massachusetts at Boston, through its office of  
11885 dispute resolution, shall conduct a study of the effectiveness of community mediation to broaden  
11886 public access to dispute resolution. The study shall inform state-level planning and decision-  
11887 making to support and build upon existing infrastructure and enable investment in sustainable  
11888 community mediation programming within the commonwealth in the coming years. For purposes  
11889 of this study, “community mediation” shall mean mediation service programs of a private non-  
11890 profit or public agency that: (i) use trained community volunteers and serve the public regardless  
11891 of ability to pay; (ii) promote collaborative community relationships and public awareness; and  
11892 (iii) provide a dispute resolution forum and alternative to the judicial system at any stage of a  
11893 conflict.

11894 (b) The study shall include, but not be limited to:

11895 (i) a review of community mediation research, studies and data within the commonwealth  
11896 and other states and countries in order to identify cost savings and economic, social, health and  
11897 environmental benefits from community mediation, in some or all of the following areas: civil  
11898 small claims and consumer disputes; family, divorce, child custody and visitation disputes;  
11899 permanency and open adoption cases; landlord-tenant disputes and housing foreclosure cases;

11900 neighborhood conflicts around noise and property boundaries; school-related disputes; minor  
11901 criminal and victim-offender restorative justice cases; interpersonal workplace disputes; and  
11902 large-group disputes around public policy, environmental and community issues;

11903 (ii) a review and assessment of the historic and current legislative and public funding  
11904 structures for community mediation within the commonwealth;

11905 (iii) a review of successful models for public funding of community mediation in other  
11906 states and recommendations for potential applicability to the commonwealth;

11907 (iv) preliminary design of a state-of-the-art performance-based community mediation  
11908 funding framework within the commonwealth for state appropriations, government grants and  
11909 private foundation awards that support programming where there is an identifiable public nexus;

11910 (v) recommendations for the infrastructure and resources needed to oversee and  
11911 administer such a funding framework and recommendations for implementation steps and  
11912 timeframes; and

11913 (vi) recommendations for the establishment of an inter-governmental and cross-sector  
11914 advisory committee to oversee implementation and administration of community mediation  
11915 funding and programming.

11916 (c) The study shall be completed and submitted to the chairs of the house and senate  
11917 committees on ways and means and the secretary of administration and finance not later than  
11918 January 1, 2012.

11919

11920 SECTION 132A. (a) There shall be a special commission to identify and evaluate  
11921 potential sites suitable for the location of a replacement jail facility in Middlesex county,  
11922 consistent with chapter 304 of the acts of 2008. The commission shall establish whether such  
11923 sites are appropriate to adjoin facilities to house related criminal justice functions, including  
11924 courts, pre-arraignment lockup facilities and special population facilities.

11925 (b) The special commission shall also identify and evaluate potential sites in Middlesex  
11926 county suitable for the placement of a correctional facility to house female pretrial detainees and  
11927 female offenders sentenced to incarceration in the house of correction for 2½ years or less. The  
11928 commission shall document the needs of the communities in the vicinity of such sites and of the  
11929 individuals in those communities, and make recommendations relative to the most efficient and  
11930 effective investment of public resources to meet all of those needs.

11931 (c) The commission shall include the following officers or their designees: the secretary  
11932 of public safety and security, who shall chair the commission; the secretary of administration and  
11933 finance; the Middlesex sheriff, the administrative office of the trial court; the Middlesex superior  
11934 court clerk; the commissioner of capital asset management and maintenance; the Middlesex  
11935 district attorney; chief counsel of the committee for public counsel services; 1 member of the  
11936 senate appointed by the president; and 1 member of the house of representatives appointed by the  
11937 speaker. Members not otherwise subject to chapter 268A of the General Laws by virtue of their  
11938 public positions shall not be considered to be special state employees for purposes of said  
11939 chapter 268A on account of their service on the commission.

11940 (d) The commission shall report its findings and recommendations to the governor and  
11941 the clerks of the house of representatives and the senate not later than November 1, 2011.



11942

11943           SECTION 133. Notwithstanding clause (xxiii) of the third paragraph of section 9 of  
11944 chapter 211B of the General Laws or any other general or special law to the contrary, the chief  
11945 justice for administration and management may, from the effective date of this act through April  
11946 27, 2012, transfer funds from any item of appropriation within the trial court to any other item of  
11947 appropriation within the trial court. These transfers shall be made in accordance with schedules  
11948 submitted to the house and senate committees on ways and means. The schedules shall include:  
11949 (i) the amount of money transferred from any item of appropriation to any other item of  
11950 appropriation; (ii) the reason for the necessity of the transfer; and (iii) the date on which the  
11951 transfer shall be completed. A transfer under this section shall not occur until 10 days after the  
11952 revised funding schedules have been submitted in written form to the house and senate  
11953 committees on ways and means.

11954

11955

11956           SECTION 134. Notwithstanding any general or special law to the contrary, the amounts  
11957 transferred pursuant to subdivision (1) of section 22C of chapter 32 of the General Laws shall be  
11958 made available for the Commonwealth's Pension Liability Fund established in section 22 of said  
11959 chapter 32. The amounts transferred pursuant to said subdivision (1) of said section 22C of said  
11960 chapter 32 shall meet the commonwealth's obligations pursuant to said section 22C of said  
11961 chapter 32, including retirement benefits payable by the state employees' and the state teachers'  
11962 retirement systems, for the costs associated with a 3 per cent cost-of-living adjustment pursuant  
11963 to section 102 of said chapter 32, for the reimbursement of local retirement systems for

11964 previously authorized cost-of-living adjustments pursuant to said section 102 of said chapter 32  
11965 and for the costs of increased survivor benefits pursuant to chapter 389 of the acts of 1984. The  
11966 state board of retirement and each city, town, county and district shall verify these costs, subject  
11967 to the rules adopted by the state treasurer. The state treasurer may make payments upon a  
11968 transfer of funds to reimburse certain cities and towns for pensions to retired teachers, including  
11969 any other obligations which the commonwealth has assumed on behalf of any retirement system  
11970 other than the state employees' or state teachers' retirement systems and also including the  
11971 commonwealth's share of the amounts to be transferred pursuant to section 22B of said chapter  
11972 32 and the amounts to be transferred pursuant to clause (a) of the last paragraph of section 21 of  
11973 chapter 138 of the General Laws. All payments for the purposes described in this section shall be  
11974 made only pursuant to distribution of monies from the fund, and any distribution and the  
11975 payments for which distributions are required shall be detailed in a written report filed quarterly  
11976 by the secretary of administration and finance with the house and senate committees on ways and  
11977 means and the joint committee on public service in advance of this distribution. Distributions  
11978 shall not be made in advance of the date on which a payment is actually to be made. The state  
11979 board of retirement may expend an amount for the purposes of the board of higher education's  
11980 optional retirement program pursuant to section 40 of chapter 15A of the General Laws. To the  
11981 extent that the amount transferred pursuant to said subdivision (1) of said section 22C of said  
11982 chapter 32 exceeds the amount necessary to adequately fund the annual pension obligations, the  
11983 excess amount shall be credited to the Pension Reserves Investment Trust Fund, established by  
11984 subdivision (8) of said section 22 of said chapter 32, for the purpose of reducing the unfunded  
11985 pension liability of the commonwealth.

11986

11987 SECTION 135. Notwithstanding section 41C of chapter 7 of the General Laws or any  
11988 other general or special law to the contrary, the commissioner of capital asset management and  
11989 maintenance, in consultation with the committee for public counsel services, may enter into new  
11990 leases and amend existing leases in order to provide additional facilities for committee personnel.  
11991 Nothing in this section shall limit the commissioner's authority to terminate or renegotiate leases  
11992 as authorized by sections 102 and 104 of this act.

11993 SECTION 136. (a) Notwithstanding section 54 of chapter 7 of the General Laws, the  
11994 division of capital asset management and maintenance, on behalf of and in consultation with the  
11995 department of conservation and recreation, may, notwithstanding sections 40E to 40I, inclusive,  
11996 of said chapter 7 and using a competitive proposal process that the commissioner of capital asset  
11997 management and maintenance considers necessary or appropriate, lease and enter into other  
11998 agreements, for terms not to exceed 20 years, to or with 1 or more offerors who participate in  
11999 that process, for 1 or more skating rinks, so as to provide for the continued use, operation,  
12000 maintenance, repair and improvement of the following state-owned buildings and facilities  
12001 together with the land and appurtenances associated with those buildings and facilities,  
12002 comprising the following ice skating rinks and facilities of the department: Bajko Memorial Rink  
12003 in the Hyde Park section of the city of Boston; Connell Memorial Rink in the town of  
12004 Weymouth; Emmons Horrigan O'Neill Memorial Rink in the Charlestown section of the city of  
12005 Boston; Reilly Memorial Rink Brighton section of the city of Boston; Shea Memorial Rink in the  
12006 city of Quincy; Steriti Memorial Rink in the North End section of the city of Boston; and  
12007 Veterans Memorial Rink in the city of Somerville.

12008 There shall be an option for a one-time renewal of a lease or extension for operations and  
12009 maintenance services not exceeding an additional 5 years. A renewal or extension shall be at the

12010 discretion of the division in accordance with the original contract terms and conditions or with  
12011 contract terms and conditions more favorable to the commonwealth. All leases shall contain a  
12012 provision that requires the lessee to carry comprehensive general liability insurance with the  
12013 commonwealth named as a co-insured, protecting the commonwealth against all personal injury  
12014 or property damage within the rink and on the associated land during the term of the lease.

12015           The leases and other agreements shall be on terms acceptable to the commissioner of  
12016 capital asset management and maintenance, after consultation with the commissioner of  
12017 conservation and recreation, and notwithstanding any general or special law to the contrary, shall  
12018 provide for the lessees to manage, operate, improve, repair and maintain the properties. Any such  
12019 leases or other arrangements requiring capital improvements to be made to any buildings or  
12020 surface areas shall include a description of the required capital improvements and, at minimum,  
12021 performance specifications. The division, in consultation with the department, shall structure  
12022 each lease or other agreement to minimize disturbance of the current rights of any tenants who  
12023 may currently use any part of the rink or adjoining facilities, whether under a written lease or  
12024 other arrangement. All consideration received from the leases or other agreements shall be  
12025 payable to the department for deposit in the General Fund. The lessees of the properties shall  
12026 bear all costs deemed necessary or appropriate by the commissioner of capital asset management  
12027 and maintenance for the transaction including, without limitation, all costs for legal work,  
12028 surveys, title and the preparation of plans and specifications.

12029           (b) The division, in consultation with and on behalf of the department, shall solicit  
12030 proposals through a request for proposals, which shall, at a minimum, require each responsive  
12031 bidder or offeror to provide the following: (i) a comprehensive list of all rinks operated by that

12032 bidder in the last 4 years; (ii) other facilities management or experience; (iii) other skating or  
12033 hockey management experience; and (iv) required financial audits.

12034 (c) The request for proposals shall include contractual provisions that provide that any  
12035 benefits to the commonwealth and the costs of improvements and repairs made to the properties  
12036 provided by the tenants or the recipients of the properties shall be taken into account as part of  
12037 the consideration for such leases or other agreements and shall also include, at a minimum, the  
12038 following terms and conditions to be incorporated into the contract: (i) a residential discount  
12039 program; (ii) reservation policies; (iii) proposed reasonable rates that shall ensure continued  
12040 public access; (iv) policies to encourage use of the rink by persons of all races and nationalities;  
12041 (v) safety and security plans; (vi) seasonal opening and closing dates; (vii) hours of operation;  
12042 and (viii) for the purpose of maintaining stable and productive labor relations, to avoid  
12043 interruption of the operation of the rinks and to preserve the safety and environmental conditions  
12044 of the rinks, provisions that all employees currently working on the operation and maintenance  
12045 of the rinks, pools or wading and spray pools shall be offered employment by any party entering  
12046 into a contract pursuant to this section. The request for proposals shall also include a contractual  
12047 provision governing ice time allocation guidelines to the effect that ice time at rinks under the  
12048 jurisdiction of the division of state parks and recreation shall be allocated to user groups in the  
12049 following order of priority: general public skating; nonprofit youth groups; school hockey; youth  
12050 groups other than nonprofit youth groups; and adult organizations or informal groups. Ice time  
12051 may be allocated at the discretion of the operator; provided, however, that general public skating  
12052 shall be booked at a minimum of 12 hours per week, with a range of times and days which  
12053 reasonably allow for public skaters of all ages to participate in some public skating sessions.

12054           Every effort shall be made to balance the ice allocation needs of long-established youth  
12055 organizations and newly-formed youth organizations in a manner that provides equal opportunity  
12056 and equal access for youths of each gender.

12057           Upon the execution of an agreement authorized by this section, the department shall  
12058 reassign or relocate those employees who do not accept employment with the lessee to  
12059 comparable positions within the department subject to applicable collective bargaining  
12060 agreements.

12061           The inspector general shall review and approve any request for proposals to be issued by  
12062 the division before issuance.

12063           (d) Before the division, in consultation with the department, issues any request for  
12064 proposals under this section, the division shall hold open a prequalification period of at least 1  
12065 month for cities and towns, or a partnership of cities and towns which share geographic  
12066 boundaries as long as a subject rink is located within the geographic area of the municipalities  
12067 comprising the partnership, that desire to bid on rinks that are listed in this section and are  
12068 located within the city or town. Any city, town or partnership of municipalities that desires to  
12069 lease a rink under this section may submit materials for prequalification. This prequalification  
12070 may include, but shall not be limited to, the city's, town's or partnership's ability to finance the  
12071 capital improvements determined by the division to be necessary at each rink listed in this  
12072 section and to manage, operate and maintain the properties. The division, in consultation with the  
12073 department, shall determine whether a city, town or partnership is prequalified within 15 days  
12074 after the end of the prequalification period. If a city, town or partnership is determined to be  
12075 prequalified, that city, town or partnership shall be awarded the lease for that rink under the

12076 terms and conditions set forth in subsection (a) and the first paragraph of subsection (c). If a city,  
12077 town or partnership is determined to be prequalified, the city, town or partnership shall pay  
12078 nominal consideration for a lease subject to the required capital improvements, performance  
12079 specifications and other prequalification requirements and terms of the division and the  
12080 submitted proposal. The length of the lease shall be determined between the division and the  
12081 city, town or partnership but any existing municipal operator of a rink selected by a prior open  
12082 and competitive procurement process shall be deemed to be prequalified under this section.

12083           The failure of a city, town or partnership to apply for prequalification under this  
12084 subsection shall not prohibit that city, town or partnership from bidding under this section.

12085           (e) Notwithstanding sections 40E to 40I, inclusive, and section 54 of chapter 7 of the  
12086 General Laws, the division, on behalf of and in consultation with the department, and using a  
12087 competitive proposal process that the commissioner of capital asset management and  
12088 maintenance considers necessary or appropriate, may lease and enter into other agreements, for  
12089 terms not to exceed 20 years, to or with 1 or more offerors who participate in that process, for 1  
12090 or more swimming pools or wading or spray pools so as to provide for the continued use,  
12091 operation, maintenance, repair and improvement of the following state-owned buildings and  
12092 facilities together with the land and appurtenances associated with those buildings and facilities  
12093 comprising the following swimming or wading or spray pools of the department: Artesani  
12094 Playground Wading Pool in the Brighton section of the city of Boston; Reilly Memorial  
12095 Swimming Pool in said Brighton section of the city of Boston; Vietnam Veterans Memorial  
12096 Swimming Pool in the city of Chelsea; Neponset Landing II Spray Deck in the Hyde Park  
12097 section of the city of Boston; Olsen Swimming and Wading Pool in the Hyde Park section of the  
12098 city of Boston; Johnson Playground Spray Deck in the Jamaica Plain section of the city of

12099 Boston; Stony Brook Spray Deck in the Jamaica Plain section of the city of Boston; Cass  
12100 Memorial Swimming Pool in the Roxbury section of the city of Boston; Mission Hill Spray Deck  
12101 in the Roxbury section of the city of Boston; Lee Memorial Wading Pool in the West End  
12102 section of the city of Boston; McCrehan Memorial Swimming and Wading Pool in the city of  
12103 Cambridge; Veterans Memorial Swimming and Wading Pool, Magazine Beach, in the city of  
12104 Cambridge; Gerald J. Mason Memorial Swimming Pool in the city known as the town of  
12105 Agawam; Sara Jane Sherman Memorial Swimming Pool in the city of Chicopee; Philip Weih  
12106 Memorial Swimming Pool in the town of Clinton; Allied Veterans Memorial Swimming and  
12107 Wading Pool in the city of Everett, Veterans Memorial Swimming Pool in the city of Fall River;  
12108 Gustave Johnson Memorial Swimming Pool in the city of Fitchburg; Freetown State Forest  
12109 Wading Pool in the towns of Freetown and Assonet; Geisler Memorial Swimming Pool in the  
12110 city of Lawrence; Lt. Colonel Edward J. Higgins Swimming Pool in the city of Lawrence;  
12111 Leominster State Swimming Pool in the city of Leominster; Raymond Lord Memorial  
12112 Swimming Pool in the city of Lowell; Thompson Memorial Pool in the town of Ludlow; Holland  
12113 Memorial Swimming and Wading Pool in the city of Malden; Lloyd Memorial Swimming Pool  
12114 in the city of Melrose; Senator P. Eugene Casey Memorial Swimming Pool in the town of  
12115 Milford; Dilboy Memorial Swimming and Wading Pool in the city of Somerville; Latta Brothers  
12116 Memorial Swimming and Wading Pool in said city of Somerville; Andrew J. Petro Swimming  
12117 Pool in the town of Southbridge; John H. Thomas Memorial Swimming Pool in the city of  
12118 Springfield; Hall Memorial Swimming and Wading Pool in the town of Stoneham; Bradley  
12119 Palmer Wading Pool in the town of Topsfield; Dealtry Memorial Swimming and Wading Pool in  
12120 the city known as the town of Watertown; Bennett Field Swimming Pool in the city of  
12121 Worcester; Dennis F. Shine Memorial Swimming Pool in said city of Worcester; Connell



12122 Memorial Swimming Pool in the city known as the town of Weymouth; and Connors Memorial  
12123 Pool in the city of Waltham.

12124           There shall be an option for a 1-time renewal of the lease or extension for operations and  
12125 maintenance services not exceeding an additional 5 years. This renewal or extension shall be at  
12126 the discretion of the division in accordance with the original contract terms and conditions or  
12127 contract terms and conditions more favorable to the commonwealth. All leases shall contain a  
12128 provision that requires the lessee to carry comprehensive general liability insurance with the  
12129 commonwealth named as a co-insured, protecting the commonwealth against all personal injury  
12130 or property damage within swimming pools or wading or spray pools and on the associated land  
12131 during the term of the lease.

12132           The leases and other agreements shall be on terms acceptable to the commissioner of  
12133 capital asset management and maintenance, after consultation with the commissioner of  
12134 conservation and recreation and, notwithstanding any general or special law to the contrary, shall  
12135 provide for the lessees to manage, operate, improve, repair and maintain the properties. Any such  
12136 leases or other arrangements requiring capital improvements to be made to any buildings or  
12137 surface areas shall include a description of the required capital improvements and, at minimum,  
12138 performance specifications. The division, in consultation with the department, shall structure  
12139 each lease or other agreement to minimize disturbance of the current rights of any tenants who  
12140 may currently use any part of the swimming pools or wading or spray pools or adjoining  
12141 facilities, whether under a written lease or other arrangement. All consideration received from  
12142 the leases or other agreements shall be payable to the department for deposit in the General  
12143 Fund.

12144           The lessees of the properties shall bear all costs considered necessary or appropriate by  
12145 the commissioner of capital asset management and maintenance for the transaction, including  
12146 without limitation, all costs for legal work, surveys, title and the preparation of plans and  
12147 specifications.

12148           (f) The division, in consultation with and on behalf of the department, shall solicit  
12149 proposals through a request for proposals, which shall at a minimum require each responsive  
12150 bidder or offeror to provide the following: (i) a comprehensive list of all swimming pools or  
12151 wading or spray pools operated by that bidder in the last 4 years; (ii) other facilities management  
12152 or experience; (iii) other swimming, facility maintenance and water recreation management  
12153 experience; and (iv) required financial audits.

12154           (g) The request for proposals shall include contractual provisions that provide that any  
12155 benefits to the commonwealth and the costs of improvements and repairs made to the properties  
12156 provided by the tenants or the recipients of the properties shall be taken into account as part of  
12157 the consideration for such leases or other agreements; and shall also include, at a minimum, the  
12158 following contractual terms and conditions to be incorporated into the contract: (i) a residential  
12159 discount program; (ii) reservation policies; (iii) proposed reasonable rates that shall ensure  
12160 continued public access; (iv) policies to encourage use of the swimming pools and wading and  
12161 spray pools by persons of all races and nationalities; (v) safety and security plans; (vi) seasonal  
12162 opening and closing dates; (vii) hours of operation; and (viii) for the purpose of maintaining  
12163 stable and productive labor relations and to avoid interruption of the operation of the pools and to  
12164 preserve the safety and environmental conditions of those pools, provisions that all employees  
12165 currently working on the operation and maintenance of the swimming pools or wading or spray  
12166 pools be offered employment by any party entering into a contract under this section.

12167           The request for proposals shall also include a contractual provision as pertains to the  
12168 balance the pool allocation needs of long-established youth organizations and newly-formed  
12169 youth organizations in a manner that provides equal opportunity and equal access for youths of  
12170 each gender.

12171           (h) With respect to the Cass Memorial Swimming Pool in the Roxbury section of the city  
12172 of Boston and the Connell Memorial Swimming Pool in the city known as the town of  
12173 Weymouth, both of which are maintained and operated in the same buildings as the associated  
12174 public skating rink, preference shall be given to any proponent that agrees and offers to operate  
12175 both public programs and any lease for that facility shall provide that the lessee may sublease the  
12176 operation of the public swimming program, but the sublessee shall maintain the operation of the  
12177 swimming pool as a public swimming pool consistent with the request for proposals.

12178           (i) Upon the execution of an agreement authorized by this section, the department shall  
12179 reassign or relocate those employees who do not accept employment with the lessee to  
12180 comparable positions within the department subject to applicable collective bargaining  
12181 agreements.

12182           The inspector general shall review and approve any request for proposals to be issued by  
12183 the division before issuance.

12184           (j) Before the division, in consultation with the department, issues any request for  
12185 proposals under this section, the division shall hold open a prequalification period of at least 1  
12186 month for cities and towns, or a partnership of municipalities which share geographic boundaries  
12187 as long as a subject swimming pool or wading or spray pool is located within the geographic area  
12188 of the municipalities comprising the partnership, that desire to bid on swimming pools or wading

12189 or spray pools that are listed in this section and are located within the city or town. Any city,  
12190 town or partnership of municipalities that desires to lease a swimming pools or wading or spray  
12191 pools under this section may submit materials for prequalification. This prequalification may  
12192 include, but shall not be limited to, the city's, town's or partnership's ability to finance the capital  
12193 improvements determined by the division to be necessary at each swimming pool or wading or  
12194 spray pool listed in this section and to manage, operate and maintain the properties. The division,  
12195 in consultation with the department, shall determine whether a city, town or partnership is  
12196 prequalified within 15 days of the end of the prequalification period. If a city, town or  
12197 partnership is determined to be prequalified, that city, town or partnership shall be awarded the  
12198 lease for that swimming pool or wading or spray pool under the terms and conditions set forth in  
12199 subsection (e) and the first paragraph of subsection (g). If a city, town or partnership is  
12200 determined to be prequalified, the city, town or partnership shall pay nominal consideration for a  
12201 lease subject to the required capital improvements, performance specifications, and other  
12202 prequalification requirements and terms of the division and the submitted proposal. The length of  
12203 the lease shall be determined between the division and the city, town or partnership; however any  
12204 existing municipal operator of a swimming pool or wading or spray pool selected by a prior open  
12205 and competitive procurement process shall be considered to be prequalified under this  
12206 subsection.

12207           The failure of a city, town or partnership to apply for prequalification under this  
12208 subsection shall not prohibit that city, town or partnership from bidding under this section.

12209           (k) The provisions of any general or special law or rule or regulation relating to the  
12210 advertising, bidding or award of contracts, to the procurement of services or to the construction  
12211 and design of improvements shall not apply to a selected offeror that is awarded a contract under

12212 this section, except any selected offeror that is a municipality or a partnership of or with one or  
12213 more municipalities, or except as provided in this section.

12214

12215 SECTION 137. (a) Notwithstanding sections 40E to 40I, inclusive, of chapter 7 of the  
12216 General Laws or any other general or special law to the contrary and, in order to facilitate the  
12217 reuse of the properties identified in subsection (b) and to generate non-tax revenues for the  
12218 commonwealth, the commissioner of capital asset management and maintenance may sell, lease  
12219 for terms up to 99 years, including all renewals and extensions, or otherwise grant, convey or  
12220 transfer to purchasers or lessees an interest in any of those properties, or portions thereof, subject  
12221 to this section and on the terms and conditions that the commissioner considers appropriate. The  
12222 commissioner shall dispose of each property, or portion thereof, using appropriate competitive  
12223 bidding processes and procedures. At least 30 days before the date on which bids, proposals or  
12224 other offers to purchase or lease a property, or any portion thereof, are due, the commissioner  
12225 shall place a notice in the central register published by the state secretary under section 20A of  
12226 chapter 9 of the General Laws stating the availability of the property, the nature of the  
12227 competitive bidding process and other information that he considers relevant, including the time,  
12228 place and manner for the submission of bids and proposals and the opening of the bids or  
12229 proposals.

12230 (b) This section shall apply to the following properties:-

12231 (1) Those certain parcels of land located in the town of Belchertown at 47 State  
12232 street, or portions thereof, containing approximately 5.4 acres, together with any buildings or  
12233 structures thereon, known as the John Patrick center.

12234           (3)     That certain parcel of land located in the city of New Bedford at 593 Kempton  
12235 street, together with any buildings and structures thereon, formerly known as the Bristol county  
12236 jail, described in book 2659, page 15 recorded with the Bristol county registry of deeds, and  
12237 further shown on New Bedford assessors map 57, lot 201.

12238           (4)     That certain parcel of land located in the city of New Bedford at 5 Sycamore  
12239 street, together with any buildings and structures thereon, formerly known as the New Bedford  
12240 armory.

12241           (6)     Those certain parcels of land located in the town of Oak Bluffs between the  
12242 northeasterly side of Eastville avenue and the southeasterly side of Temahigan avenue, or  
12243 portions thereof, containing approximately 1.7 acres, together with any buildings and structures  
12244 thereon, used as a mental health center, described in book 303, page 516 recorded with the  
12245 Dukes county registry of deeds and shown on the Oak Bluffs assessors map 4, lot 151; provided,  
12246 however, that notwithstanding sections 40F to 40J, inclusive, of chapter 7 of the General Laws,  
12247 or any other general or special law to the contrary, the commissioner of capital asset  
12248 management and maintenance may transfer care, custody and control of said parcel from the  
12249 department of mental health to the department of state police.

12250           (c) The exact boundaries of the parcels described in subsection (b) shall be determined by  
12251 the commissioner of capital asset management and maintenance after completion of a survey.

12252           (d) Notwithstanding any general or special law to the contrary, the grantee or lessee of a  
12253 property identified in subsection (b) shall be responsible for all costs and expenses including, but  
12254 not limited to, costs associated with any engineering, surveys, appraisals and deed preparation

12255 related to the conveyances and transfers authorized in this section as such costs may be  
12256 determined by the commissioner of capital asset management and maintenance.

12257 (e) The commissioner may retain or grant rights of way or easements for access, egress,  
12258 utilities and drainage across any of the parcels and across other commonwealth property  
12259 contiguous to any of the parcels, and the commonwealth may accept from a developer such  
12260 rights of way or easements in roadways or across any of the parcels to be conveyed or transferred  
12261 for access, egress, drainage and utilities as the commissioner considers necessary and appropriate  
12262 to carry out this section.

12263 (f) No agreement for the sale, lease, transfer or other disposition of the properties listed in  
12264 subsection (b), and no deed executed by or on behalf of the commonwealth, shall be valid unless  
12265 the agreement or deed contains the following certification, signed by the commissioner:

12266 “I, the undersigned commissioner of capital asset management and maintenance, hereby  
12267 certify under penalties of perjury that I have fully complied with the relevant provisions of the  
12268 general appropriation act for fiscal year 2012 in connection with the property described in this  
12269 document.”

12270 (g) Each parcel described in subsections (b) and (i) shall be conveyed or leased without  
12271 warranties or representations by the commonwealth. Notwithstanding any general or special law  
12272 to the contrary, the proceeds of all conveyances and transfers under this section shall be  
12273 deposited in the General Fund.

12274 (h) Notwithstanding sections 40E to 40I, inclusive, of chapter 7 of the General Laws or  
12275 any other general or special law to the contrary, the commissioner of capital asset management  
12276 and maintenance may sell, lease for a term up to 99 years, including all renewals and extensions,

12277 or otherwise grant, convey or transfer to the town of Belchertown, for nominal consideration, a  
12278 parcel of land containing approximately 2.2 acres located adjacent to the John Patrick center at  
12279 47 State street. The exact boundaries of the parcel shall be determined by the commissioner of  
12280 capital asset management and maintenance after completion of a survey. The parcel shall be  
12281 used by the town of Belchertown for recreational activities and facilities.

12282 (i) If for any reason the parcel described in subsection (h) ceases to be used solely for the  
12283 purposes described in subsection (h), the commissioner of capital asset management and  
12284 maintenance may, after giving notice and an opportunity to the town of Belchertown, cause title  
12285 to the parcel to revert to the commonwealth.

12286 (j) The town of Belchertown shall be responsible for all costs and expenses including,  
12287 but not limited to, costs associated with any engineering, surveys, appraisals and deed  
12288 preparation related to the conveyance authorized in subsection (h) as such costs may be  
12289 determined by the commissioner of capital asset management and maintenance.

12290 (k) The commissioner may retain or grant rights of way or easements for access, egress,  
12291 utilities and drainage across any of the parcels in this section and across other commonwealth  
12292 property contiguous to any of the parcels, and the commonwealth may accept from the town such  
12293 rights of way or easements in roadways or across the parcel to be conveyed or transferred for  
12294 access, egress, drainage and utilities as the commissioner considers necessary and appropriate to  
12295 carry out this section.

12296 (l) Notwithstanding sections 40E to 40I, inclusive, of chapter 7 of the General Laws or  
12297 any other general or special law to the contrary, the commissioner of capital asset management  
12298 and maintenance may sell, lease for a term up to 99 years, including all renewals and extensions,



12299 or otherwise grant, convey or transfer to the city of Northampton, for nominal consideration,  
12300 those certain parcels of land located in said city behind the property used as a department of  
12301 mental health center for children and families at 78 Pomeroy terrace, or portions thereof,  
12302 containing approximately 6 acres, together with any buildings and structures thereon, used as a  
12303 department of mental health center for children and families. The city of Northampton shall be  
12304 responsible for all costs and expenses including, but not limited to, costs associated with any  
12305 engineering, surveys, appraisals and deed preparation related to the conveyance authorized in  
12306 this subsection as such costs may be determined by the commissioner of capital asset  
12307 management and maintenance.

12308

12309 SECTION 138. Notwithstanding any general or special law to the contrary, subject to  
12310 appropriation, the Cape Cod Commission or its designee, with assistance from the Cape Cod  
12311 public water purveyors and local assessors, shall compile relevant land use data in each town and  
12312 water usage in Cape Cod area water districts.

12313 This information shall be used by the Cape Cod Commission or its designee to conduct a  
12314 build-out analysis for Cape Cod for the purposes of, but not limited to: (i) identifying  
12315 opportunities to save an estimated \$2,000,000,000 to provide wastewater treatment for existing  
12316 development by pursuing regional wastewater treatment solutions; (ii) identifying high density  
12317 development in nitrogen-sensitive watersheds that cross town boundaries to provide an  
12318 opportunity to develop multi-town infrastructure resulting in savings to taxpayers to be in  
12319 compliance with the United States Environmental Protection Agency; and (iii) identifying the  
12320 costs of providing wastewater treatment for new growth, under different growth scenarios, and

12321 provide decision makers with the tools to make informed decisions about the cost of promoting  
12322 new growth in various locations. Such analysis shall be eligible to receive funds from the  
12323 commonwealth provided any such funds are matched with local funds.

12324 Results of the analysis shall be made public and shall provide a model for communities to  
12325 pursue regional wastewater options that satisfy environmental regulatory requirements in the  
12326 most efficient and cost effective manner.

12327 SECTION 138A. The division of health care finance and policy, in consultation with the  
12328 department of public health, shall conduct an analysis of the impact of the use of discounts,  
12329 rebates, product vouchers or other reductions for prescription drugs on health care costs. The  
12330 report shall include, but not be limited to, an analysis of the impact on commercial health  
12331 insurance premiums and on premiums associated with the group insurance commission, and a  
12332 comparison of any change in utilization of generic versus brand name prescription drugs. The  
12333 division shall file a report of its findings with the clerks of the senate and house of  
12334 representatives, the house and senate committees on ways and means and the joint committee on  
12335 health care financing not later than November 1, 2012.

12336

12337 SECTION 139. Not later than January 1, 2012, each sheriff shall, in consultation with the  
12338 comptroller, report to the house and senate committees on ways and means and the secretary of  
12339 administration and finance all funding sources, excluding state appropriations, for fiscal year  
12340 2011. The report shall include, but not be limited to, all monies from: (1) gifts, grants and  
12341 donations from public or private sources; (2) federal reimbursements and grants; (3) interest  
12342 earned on accounts; (4) sales of surplus real or personal property; (5) revenues generated by

12343 commissary accounts used for the sale or purchase of goods or services to persons in correctional  
12344 facilities; (6) gifts, grants, donations, reimbursements or other revenues carried over from prior  
12345 fiscal years; (7) revenues derived from the service of process and enforcement of court  
12346 judgments under chapter 37 of the General Laws and chapter 224 of the General Laws; and (8)  
12347 revenues derived from contracts or other agreements with public or private entities, including  
12348 contracts with the office of probation pursuant to chapter 211F of the General Laws. The report  
12349 shall detail the amount of funds collected and expended, and shall include the criteria used to  
12350 expend the funds.

12351

12352

12353 SECTION 140. There shall be a special commission to study the commonwealth's  
12354 criminal justice system, to consist of: the secretary of public safety and security, who shall serve  
12355 as the chair; the attorney general or a designee; the chief justice of the supreme judicial court or a  
12356 designee; the president of the Massachusetts Sheriffs Association or a designee; the president of  
12357 the Massachusetts District Attorneys Association or a designee; the chief counsel of the  
12358 committee for public counsel services or a designee; a representative from the Massachusetts Bar  
12359 Association; a representative from the Boston Bar Association; a representative from the  
12360 Massachusetts Association of Criminal Defense Lawyers; 3 members of the house of  
12361 representatives, 1 of whom shall be appointed by the minority leader; 3 members of the senate, 1  
12362 of whom shall be appointed by the minority leader; and 3 persons to be appointed by the  
12363 governor, 1 of whom shall have experience in mental health and substance abuse and addiction

12364 treatment, 1 of whom shall have experience in providing services or supervision for offenders,  
12365 and 1 of whom shall have experience in juvenile justice.

12366 In reviewing the commonwealth's criminal justice system, the commission shall examine  
12367 a variety of areas including, but not limited to: the prisoner classification systems, mandatory  
12368 minimum sentences, sentencing guidelines, the provision of cost-effective corrections'  
12369 healthcare, the probation system, the parole system, the operations of the sheriffs' offices,  
12370 overcrowding in prisons and houses of correction, recidivism rates, the treatment of juveniles  
12371 within the criminal justice system, the role that mental health and substance abuse issues play,  
12372 and best practices for reintegrating prisoners into the community.

12373 The commission shall investigate the feasibility of developing an application for  
12374 technical assistance from nationally recognized criminal justice reform programs with a data  
12375 driven approach in order to develop bipartisan legislation that would reduce corrections spending  
12376 and utilize the savings to reduce crime, strengthen public safety and fund other budget priorities;  
12377 provided, however, that the commission shall give priority in applying for technical assistance to  
12378 that which comes at no cost to the commonwealth.

12379 The commission shall have access to information related to both adults and juveniles  
12380 including, but not limited to, crime, arrest, conviction, jail, prison and probation and parole  
12381 supervision data provided by state and local agencies. As necessary, the commission shall: (i)  
12382 meet with other affected stakeholders; (ii) partner with nongovernmental organizations that have  
12383 expertise that can benefit the commission; and (iii) create advisory subgroups that include  
12384 affected stakeholders as necessary.

12385           The commission shall convene its first official meeting not later than September 1, 2011.  
12386   The commission shall submit to the house and senate committees on ways and means, the joint  
12387   committee on the judiciary, the joint committee on public safety and homeland security and the  
12388   secretary of administration and finance quarterly reports that include the dates of its meetings,  
12389   meeting participants not named to the commission and whether it has identified, applied for or  
12390   been selected for any federal or other funds.

12391           The commission shall issue a report not later than March 31, 2012, which shall include  
12392   recommendations for legislation to reduce recidivism, improve overall public safety outcomes,  
12393   provide alternatives for drug addicted and mentally ill defendants, increase communication and  
12394   cooperation among public safety entities, reduce overcrowding of facilities, increase reliance  
12395   upon evidence-based criminal justice methods, improve the collection and reporting of data on  
12396   adults and juveniles, contain correction costs and otherwise increase efficiencies within the  
12397   state's public safety entities.

12398           SECTION140A. There shall be established a commission to study the economic impact  
12399   on the business communities of the commonwealth by any proposal to change the existing  
12400   percentage of private attorneys and public salaried staff utilized by the committee for public  
12401   counsel services to deliver constitutionally mandated legal services.

12402           The commission shall be composed of 9 persons, 2 of whom shall be appointed by the  
12403   governor, 1 of whom shall be appointed by the senate president and 1 of whom shall appointed  
12404   by the speaker of the house of representatives. The remaining members shall be appointed as  
12405   follows: 1 member shall be a representative of local government appointed by the Massachusetts  
12406   Municipal Association; 1 member shall be a representative appointed by the Massachusetts Bar

12407 Association; 1 member shall be a representative appointed by the Massachusetts Association of  
12408 Court Appointed Attorneys; 1 member shall be the chief counsel of the committee for public  
12409 counsel services; and 1 member shall be a faculty member of the University of Massachusetts  
12410 with an expertise in economic development to be selected by the president of said university.

12411 The commission shall take into consideration the effect any such proposal may have on  
12412 business districts within each county, and the fiscal health and stabilization of such business  
12413 districts, if private firms providing these services were no longer utilized. The commission shall  
12414 also review vacancy rates and loss of revenues to other non-legal businesses.

12415 The commission shall report its findings to the clerks of the house of representatives and  
12416 senate, the house and senate committees on ways and means, the joint committee on revenue, the  
12417 joint committee on municipalities and regional government and the joint committee on the  
12418 judiciary not later than May 1, 2012.

12419

12420 SECTION 140B. (a) There shall be a special commission to investigate and study the  
12421 need to incentivize the commonwealth's college scholarship system. The commission shall  
12422 consist of: the speaker of the house of representatives, or a designee thereof; the president of the  
12423 senate, or a designee thereof; the minority leader of the house of representative, or a designee  
12424 thereof; the minority leader of the senate, or a designee thereof; the house chair of the joint  
12425 committee on higher education, or a designee thereof; the senate chair of the joint committee on  
12426 higher education, or a designee thereof; the secretary of education, or a designee thereof; the  
12427 commissioner of higher education, or a designee thereof; the executive director of the  
12428 Massachusetts Educational Financing Authority, or a designee thereof; and 6 persons appointed

12429 by the governor: 1 of whom shall be a representative from the University of Massachusetts; 1 of  
12430 whom shall be a representative from the commonwealth's universities; 1 of whom shall be a  
12431 representative from the commonwealth's community colleges; 1 of whom shall be a  
12432 representative from the Association of Independent Colleges and Universities in Massachusetts;  
12433 1 of whom shall be a representative from the Massachusetts Bankers Association; and 1 of whom  
12434 shall be a representative from Families United in Educational Leadership.

12435 (b) The special commission shall make an investigation and study of the scholarship  
12436 programs that provide financial assistance to Massachusetts students enrolled in, or pursuing, a  
12437 program of higher education at any approved public or independent college, university, school of  
12438 nursing or any other approved institution furnishing a program of higher education and shall  
12439 focus on students with little or no family history of college attendance. The study shall examine  
12440 methods that have been used in the commonwealth and other states to better prepare such  
12441 students for college. The study shall include, but not be limited to: the examination of voluntary  
12442 college savings programs focused on the needs of such families; the possible use of federally  
12443 matched independent development accounts; the impact of committing scholarship funds to  
12444 students prior to the twelfth grade; the need for a pilot program for ninth, tenth, eleventh and  
12445 twelfth grade students in up to 5 public school districts to encourage family engagement and  
12446 student academic achievement through the use of scholarships, in conjunction with family  
12447 savings for college; and potential additional funding sources for a college savings matching  
12448 program with priority placed on financial matches that have no additional cost to the  
12449 commonwealth.

12450 (c) The commission shall submit the results of its investigation and study and its  
12451 recommendations, if any, with the clerks of the senate and house of representatives who shall

12452 forward the same to the joint committee on higher education and the senate and house  
12453 committees on ways and means not later than December 31, 2012.

12454

12455 SECTION 141. The chief justice for administration and management may execute a  
12456 memorandum of understanding with any interested sheriff's office or the department of  
12457 correction to initiate or expand the use of video conferencing technology to conduct various  
12458 court proceedings for the purposes of improving courtroom efficiency and decreasing inmate  
12459 transportation costs. The terms of the agreement shall specify the types of court appearances that  
12460 can be conducted by video.

12461 In counties where there is inadequate technology to conduct appearances through video  
12462 conferencing technology, the chief justice for administration and management and the applicable  
12463 sheriff's office or the department of correction shall jointly file a proposal with the house and  
12464 senate committees on ways and means detailing the technological upgrades required, the amount  
12465 of funding needed to allow for the use of video conferencing technology and the availability of  
12466 federal or private grants for such purposes.

12467 The chief justice for administration and management and the Massachusetts Sheriffs'  
12468 Association shall, not later than February 15, 2012, file a joint report with the house and senate  
12469 committees on ways and means and the joint committee on the judiciary detailing the number  
12470 and locations of facilities and courthouses where video conferencing technology is being  
12471 utilized, the types of appearances being conducted through the use of the technology, the  
12472 approximate number of inmate transportation trips to and from court that have been eliminated  
12473 through the use of the technology, the savings associated with the elimination of trips and plans



12474 to expand the use of the technology into either additional facilities and courthouses or additional  
12475 types of appearances.

12476

12477 SECTION 142. Notwithstanding any general or special law to the contrary, the  
12478 department of correction shall conduct a study on the feasibility of re-procuring inmate medical  
12479 services contracts, including mental health services, for the purpose of lowering the per-inmate  
12480 cost of these services without lowering the quality of care. The study shall include, but not be  
12481 limited to: (i) the per-inmate costs of providing these services under the existing contracts; (ii)  
12482 the length and expiration date of the existing contracts; (iii) any concessions that have been made  
12483 by the providers in the last 3 fiscal years to lower the terms of the existing contracts; (iv) the  
12484 types of services provided under the current contracts; (v) the potential savings from re-  
12485 procuring these contracts; (vi) whether or not services would need to be eliminated or standards  
12486 of care lowered to produce savings; (vii) the timeframe needed to re-procure the contracts; (viii)  
12487 the potential to receive any federal reimbursements for inmate medical services; (ix) the potential  
12488 of utilizing statewide contracts and including the sheriffs' offices for the provision of these  
12489 services; and (x) a recommendation as to whether or not the department intends to re-procure  
12490 these contracts. The department may contract with a consultant who has expertise in the field of  
12491 inmate medical services contract procurement. The department shall file a report on the results  
12492 of the study with the secretary of administration and finance, the joint committee on healthcare  
12493 financing, the joint committee on mental health and substance abuse, the joint committee on  
12494 public safety and security and the senate and house committees on ways and means not later than  
12495 February 1, 2012.

12496

12497           SECTION 143. The secretary of public safety and security shall conduct a cost-benefit  
12498 analysis of merging the Massachusetts Bay Transportation Authority police force and the office  
12499 of environmental law enforcement into the department of state police. The study shall include,  
12500 but not be limited to: (i) the impact of a transfer on the safety of the Massachusetts Bay  
12501 Transportation Authority transit system; (ii) the one-time and ongoing costs of such a merger;  
12502 (iii) a proposal setting forth the new command structure; and (iv) the timeframe for  
12503 implementing a merger. In determining the cost of a merger, the study shall consider, but not be  
12504 limited to, the impact of a merger on: (i) the salary differential between the Massachusetts Bay  
12505 Transportation Authority police force and the office of environmental law enforcement and the  
12506 state police; (ii) employee benefits including health insurance, pension and career incentive  
12507 payment programs; (iii) equipment, capital, vehicle, information technology and barracks needs;  
12508 (iii) federal funding; (iv) future trooper staffing levels; (v) the types of positions that would be  
12509 eliminated; and (vi) realizing additional savings.

12510           The secretary shall consult with and receive information as needed from the  
12511 Massachusetts Department of Transportation, the office of environmental law enforcement and  
12512 the executive office of energy and environmental affairs. A report on the results of the study  
12513 shall be filed not later than January 10, 2012 with the secretary of administration and finance, the  
12514 joint committee on transportation, the joint committee on public safety and security and the  
12515 senate and house committees on ways and means.

12516           SECTION 143A. Notwithstanding any general or special law, rule or regulation or  
12517 performance standard to the contrary and in order to promote the protection of shorelines, coastal

12518 banks and beaches and coastal properties from the growing dangers of coastal erosion and to  
12519 further gain experience necessary for the evaluation of innovative coastal protection technologies  
12520 that have not previously been used in the commonwealth, the department of environmental  
12521 protection may issue required permits, certifications or approvals for a pilot project to deploy a  
12522 coastal bank and beach protection technology; provided, however, that such pilot project shall be  
12523 required to seek and obtain all permits, certifications or approvals otherwise required by law,  
12524 subject to the modifications authorized by this act; and provided further, that the pilot project  
12525 shall be required to comply with existing laws, rules and regulations, performance standards and  
12526 requirements to the maximum extent feasible. In issuing such permits, certifications or  
12527 approvals, the department of environmental protection may issue reasonable permit conditions to  
12528 minimize adverse impacts from the construction and operation of the pilot project and to protect  
12529 down-drift properties and property owners including, but not limited to, conditions requiring the  
12530 pilot project's owners and operators to indemnify others for any property damage caused by the  
12531 pilot project or requiring the establishment of a financial assurance mechanism to provide funds  
12532 for the costs of decommissioning the pilot project or for repairing any property damage caused  
12533 by the pilot project. The department of environmental protection, in conjunction with the office  
12534 of coastal zone management in the executive office of energy and environmental affairs, shall  
12535 monitor the success of the pilot project undertaken pursuant to this section and shall report its  
12536 findings and recommendations for further regulatory or statutory changes to promote the use of  
12537 innovative coastal protection technologies to the joint committee on environment, natural  
12538 resources and agriculture not later than 2 years after the deployment of the pilot project.

12539

12540 SECTION 144. Notwithstanding any general or special law to the contrary, all  
12541 secretariats, departments and agencies required to report under this act shall file their reports by  
12542 the dates required in this act via electronic means to the chairs of any committees named as  
12543 recipients as well as with the clerks of the senate and house committees on ways and means;  
12544 provided, however, that the house and senate clerks shall develop procedures and requirements  
12545 for secretariats, departments and agencies for the preparation of the reports to facilitate their  
12546 collection and storage and such reports shall be made available to the public via the general  
12547 court's website.

12548

12549 SECTION 145. Notwithstanding any general or special law or rule or regulation to the  
12550 contrary, all branches of government, and all agencies, departments, quasi-state agencies or  
12551 entities of the commonwealth required by law to file annual, semiannual, quarterly or financial  
12552 reports shall make any such report available online in searchable format and shall provide an  
12553 electronic copy of the report to the clerks of the senate and house of representatives. All reports  
12554 shall be conspicuous and accessible online in searchable format through the general court's  
12555 website and there shall be an archive of all reports available online in searchable format. An  
12556 entity that is required by law to receive such report shall be notified by written hard copy format  
12557 from the reporting entity of the availability of such report online in searchable format and the  
12558 means of accessing the report. An agency, department, quasi-state agency or any other entity of  
12559 the commonwealth shall provide a copy in hard copy format of any report upon request.  
12560 Compliance with this section shall fulfill any filing requirements established by any general or  
12561 special law.

12562

12563           SECTION 145A. There shall be a special commission to identify women who have made  
12564 an extraordinary contribution to the commonwealth and offer recommendations on providing  
12565 appropriate recognition for these women in the State House. The commission shall consist of: 3  
12566 members of the house of representatives, 1 of whom shall be appointed by the minority leader; 3  
12567 members of the senate, 1 of whom shall be appointed by the minority leader; and 2 persons to be  
12568 appointed by the governor. The commission shall issue a report of its findings to the clerks of  
12569 the house and senate by December 31, 2011.

12570

12571

12572           SECTION 145B. The inspector general in consultation with the attorney general may  
12573 enter into a contract with a third party to audit all affordable housing projects' cost certifications  
12574 submitted after January 1, 2004 that were built through the comprehensive permit process as  
12575 outlined in sections 20 to 23, inclusive, of chapter 40B of the General Laws and received a  
12576 determination of project eligibility after July 30, 2002. The third party shall be hired through a  
12577 competitive bidding process and be a certified public accountant licensed and in good standing  
12578 with the commonwealth and meet minimum professional qualifications as determined by the  
12579 inspector general.

12580           All audits performed through this section shall be conducted in accordance with the  
12581 American Institute of Certified Public Accountants auditing standards; provided, however, in the  
12582 event of any conflict between the American Institute of Certified Public Accountants standards  
12583 and housing policy guidance or regulation issued by the department of housing and community

12584 development or any subsidizing agency on or after November 30, 2006 such policy guidance or  
12585 regulation shall control. The audits performed under this section may include, but not be limited  
12586 to, a review of the submitted cost certification, agreements between the developer and the  
12587 municipality, purchase and sales agreements, any and all documentation relating to the real estate  
12588 appraisal of the relevant property or properties in accordance with the applicable rules that were  
12589 in place at the time that the cost certification occurred, all reported expenses and revenues and all  
12590 public documentation relating to the purchase, sale or lease of all constructed units.

12591           At the request of the third party, the inspector general may summons the production of all  
12592 records, reports, audits, reviews, papers, books, documents, recommendations, correspondence  
12593 and any other data and material relevant to any matter under audit or investigation, under section  
12594 9 of chapter 12A of the General Laws.

12595           The findings of every audit, including any evidence of illegal or fraudulent activities, or  
12596 cases where the actual realized profit of an individual project exceeds 20 per cent, shall be  
12597 presented immediately upon completion to the inspector general, the attorney general and the  
12598 department of housing and community development for review. The inspector general may take  
12599 whatever further action the inspector general deems necessary, under section 10 of said chapter  
12600 12A.

12601           It shall be the responsibility of the attorney general to recover all monies owed to the host  
12602 communities. The third party hired to conduct the initial audit may receive a pre-determined  
12603 percentage of all recovered monies, not to exceed 5 per cent, with the balance being returned to  
12604 the host community.

12605

12606 SECTION 145C. Notwithstanding any general or special law to the contrary, the  
12607 department of public health shall, in collaboration with the department of correction and the  
12608 Massachusetts Sheriffs' Association, investigate and make recommendations regarding the use  
12609 of an FDA-approved, non-narcotic, opioid antagonist therapy for opioid-dependent offenders  
12610 leaving correctional facilities and transitioning to community based treatment programs. The  
12611 department shall report its recommendations to the joint committee on mental health and  
12612 substance abuse and the house and senate committees on ways and means not later than January  
12613 2, 2012.

12614 If the department determines that use of an FDA-approved, non-narcotic, opioid  
12615 antagonist therapy for opioid-dependent offenders leaving correctional facilities and transitioning  
12616 to community based treatment programs is likely to be effective in improving treatment  
12617 outcomes and reducing recidivism, the department may enter into pilot programs to provide  
12618 voluntary treatment for opioid-dependent offenders with select sheriff's offices that choose to  
12619 participate.

12620

12621 SECTION 145D. (a) Notwithstanding sections 40E to 40K, inclusive, and sections 52 to  
12622 55, inclusive, of chapter 7 of the General Laws, the division of capital asset management and  
12623 maintenance, using those competitive proposal processes as the division considers necessary or  
12624 appropriate, in consultation with the department of conservation and recreation, may lease and  
12625 enter into other agreements with 1 or more persons or entities, for terms not to exceed 25 years,  
12626 for the continued use, operation, maintenance, repair and improvement of the Max Ulin  
12627 Memorial Rink, together with the land and appurtenances associated therewith.

12628 (b) The failure of a city or town to apply for prequalification under subsection (c) shall  
12629 not prohibit that city or town from bidding under this section.

12630 (c) Before the division, in consultation with the department, sends out a request for  
12631 proposals under this section, the division shall hold open a prequalification period of 30 days for  
12632 the town of Milton and any nonprofit organization located within the town of Milton that desires  
12633 to bid on the rink, or for a partnership of municipalities which share geographic boundaries as  
12634 long as the subject rink is located within the geographic area of the municipalities comprising the  
12635 partnership. The town, a nonprofit organization or a partnership of municipalities that desires to  
12636 lease the rink under this section may submit materials for prequalification. The prequalification  
12637 determination may consider, but need not be limited to, the town's, nonprofit organization's or  
12638 partnership's ability to finance the capital improvements determined to be necessary at the rink  
12639 by the division and to manage, operate and maintain the property. The division, in consultation  
12640 with the department, shall determine whether the town, a nonprofit or a partnership is  
12641 prequalified within 15 days of the expiration of the prequalification period. If the town or  
12642 nonprofit organization is determined to be prequalified, then the town or non-profit organization  
12643 shall be awarded the lease for the Max Ulin Skating Rink under the terms and conditions set  
12644 forth in this act; provided, however, that only 1 lease shall be awarded based on preference as  
12645 described in subsection (d).

12646 (d) (1) Preference shall be given to the town of Milton.

12647 (2) If the town and a nonprofit organization are determined to be prequalified, the town  
12648 shall be awarded the lease.



12649 (3) If more than 1 nonprofit organization is determined to be prequalified, the department  
12650 may choose to which nonprofit the lease for the rink shall be awarded.

12651 (4) The town or a nonprofit organization awarded the lease under this act shall pay the  
12652 sum of \$1.00 as consideration for the lease, subject to the required capital improvements,  
12653 performance specifications and other prequalification requirements and terms of the division and  
12654 submitted proposal. The length of the lease shall be determined between the division and the  
12655 town or nonprofit organization.

12656 (e) The lease and other agreements shall be on terms acceptable to the commissioner of  
12657 capital asset management and maintenance, after consultation with the commissioner of  
12658 conservation and recreation and, notwithstanding any general or special law to the contrary, shall  
12659 provide for the lessees to operate, manage, improve, repair and maintain the property and to  
12660 undertake initial capital improvements that commissioner determines are necessary due to the  
12661 structural condition of the property. Leases or other arrangements requiring improvements to be  
12662 made on the property may include a description of the initially required improvements and  
12663 performance specifications.

12664 (f) Ice time at the rink shall be allocated to user groups in the following order of priority:  
12665 general public skating; non-profit youth groups; high school hockey, not for profit schools or  
12666 colleges; for-profit youth groups and adult organizations or informal groups. Ice time may be  
12667 allocated at the discretion of the operator, but general public skating shall be booked, in 2-hour  
12668 contiguous blocks at a minimum of 12 hours per week, with a range of times and days which  
12669 reasonably allow for public skaters of all ages to participate in some public skating sessions.  
12670 Every effort shall be made to balance the ice allocation needs of long-established youth

12671 organizations and newly-formed youth organizations in a manner that provides equal opportunity  
12672 and equal access for youths of each gender.

12673 (g) The leases and other agreements authorized in this section shall provide that any  
12674 benefits to the community and the costs of improvements and repairs made to the property  
12675 provided by the lessees or the recipients of the property shall be taken into account as part of the  
12676 consideration for such leases or other agreements. Consideration received from the leases or  
12677 other agreements for the rink shall be payable to the department of conservation and recreation  
12678 for deposit into the General Fund. The lessees or the recipients of the property shall bear the  
12679 costs considered necessary or appropriate by the commissioner of conservation and recreation for  
12680 the transactions including, without limitation, costs for legal work, survey, title and the  
12681 preparation of plans and specifications.

12682 (h) The name of the Max Ulin Memorial rink shall not be altered or changed under any  
12683 lease or agreement entered into under this section.

12684

12685 SECTION 145E. Notwithstanding any general or special law to the contrary, the  
12686 department of higher education, the department of labor and workforce development, and the  
12687 department of elementary and secondary education shall meet and confer concerning the United  
12688 States Department of Labor Trade Adjustment Assistance Community College and Career  
12689 Training Grant (Massachusetts Community College Consortium Proposal) and file a report and  
12690 recommendations for sustainability of funding for the program by the commonwealth with the  
12691 house and senate committees on ways and means not later than October 1, 2011.

12692

12693 SECTION 145F.(a) There is hereby established a charter school working group to study  
12694 issues regarding charter schools including, but not limited to, the equity in funding, caps imposed  
12695 upon and innovations promoted by charter schools authorized under section 89 of chapter 71 of  
12696 the General Laws. The first meeting of the working group shall take place within 30 days after  
12697 the effective date of this act.

12698 (b) The working group shall consist of the speaker of the house of representatives, or the  
12699 speaker's designee, who shall serve as co-chair, the president of the senate, or the president's  
12700 designee, who shall serve as co-chair; the minority leaders of the house and senate, or their  
12701 designees; the house and senate chairs of the joint committee on education; the chairs of the  
12702 house and senate committees on ways and means; the secretary of administration and finance, or  
12703 the secretary's designee; the secretary of education or the secretary's designee; the commissioner  
12704 of elementary and secondary education, or the commissioner's designee; and 2 additional  
12705 members to be appointed by the governor.

12706 (c) The working group shall solicit advice from such persons and entities as it deems  
12707 necessary.

12708 (d) The working group shall file a report containing its findings and recommendations,  
12709 including legislation and regulations necessary to carry out its recommendations, with the joint  
12710 committee on education and the clerks of the house and senate not later than 9 months following  
12711 the first meeting of the working group.

12712

12713 SECTION 145G. Notwithstanding any general or special law to the contrary, the  
12714 comptroller shall transfer \$750,000 from the General Fund to the Head Injury Treatment  
12715 Services Trust Fund established in section 59 of chapter 10 of the General Laws.

12716

12717 SECTION 145H. Notwithstanding any general or special law to the contrary the  
12718 department of conservation and recreation shall return the westbound striping on Storrow drive,  
12719 in the city of Boston surrounding the Bowker overpass to the condition it was on January 1,  
12720 2008.

12721

12722 SECTION 145I. There shall be a special commission for the purpose of conducting an  
12723 investigating and study of the incidence and impacts in the commonwealth of Lyme disease and  
12724 other tick-borne diseases, including but not limited to anaplasmosis, babesiosis, bartonellosis,  
12725 and ehrlichiosis.

12726 The commission shall consist of: 3 members of the senate, 1 of whom shall be appointed  
12727 by the senate minority leader; 3 members of the house of representatives, 1 of whom shall be  
12728 appointed by the house minority leader; the commissioner of the department of public health, or  
12729 a designee; the commissioner of the division of health care finance and policy, or a designee, 3  
12730 members of local boards of health from different Lyme endemic areas of the state; the director of  
12731 the state laboratory institute, or a designee; the state epidemiologist, or a designee; and 6  
12732 members to be appointed by the governor, 1 of whom shall be a physician specialized in  
12733 infectious disease, 1 of whom shall be a professional member of the International Lyme and  
12734 Associated Diseases Society, 2 of whom who shall be considered experts in the treatment or

12735 research of Lyme disease, and 2 of whom shall be members of Lyme & other tick-borne diseases  
12736 organizations representing diverse regions of the commonwealth; and 2 public members who  
12737 shall be patients or family members of patients, 1 of whom shall be appointed by the senate and  
12738 1 of whom shall be appointed by the house of representatives.

12739           The study shall include, but not be limited to, a cost-benefit analysis of: (i) conducting a  
12740 Lyme disease public health clinical screening study in high risk regions; (ii) developing  
12741 education materials and training resources for detecting signs and symptoms of tick-borne  
12742 illnesses in school-aged populations, to be used by clinical providers and school health personnel  
12743 (iii) statewide surveillance and testing for tick-borne diseases in both *Ixodes scapularis* (black-  
12744 legged deer tick) and *Amblyomma americanum* (Lone Star) ticks, and (iv) educating the medical  
12745 community about research on all aspects of Lyme, both acute and chronic. The commission shall  
12746 also investigate the availability of grants and federal funds for the study of Lyme disease and  
12747 other tick-borne diseases to determine if future action is feasible and warranted to support Lyme  
12748 and tick-borne diseases research in the commonwealth. (v) The Commission shall review  
12749 mandatory reporting procedures to promote improved compliance both for CDC-positive and  
12750 clinically diagnosed cases of Lyme disease and associated tick-borne co-infections.

12751           The commission shall report the results of its investigation and study, together with drafts  
12752 of legislation, if any, necessary to carry its recommendations into effect, by filing the same with  
12753 the clerks of the senate and house of representatives, who shall forward the same to the joint  
12754 committee on public health and the house and senate committees on ways and means by April 1,  
12755 2012.

12756

12757 SECTION 145J. The secretary of administration and finance and the secretary of health  
12758 and human services shall evaluate the feasibility of contracting for recycling durable medical  
12759 equipment purchased and issued by the commonwealth through its medical assistance programs.

12760

12761 The evaluation shall include, but not be limited to, a request for qualifications or  
12762 proposals for entities capable of developing, implementing and operating a system of recycling  
12763 whereby an inventory of such equipment is developed and managed so as to maximize the  
12764 quality of service delivery to equipment recipients and to minimize costs and losses attributable  
12765 to waste, fraud and abuse.

12766 The secretary of administration and finance shall report the findings of the evaluation,  
12767 together with cost estimates for the operation of a recycling program, estimates of the savings it  
12768 would generate, and legislative recommendations, not later than October 31, 2011.

12769

12770 SECTION 145K. A local board of health in a city or town with a population of more than  
12771 150,000 residents may not prohibit the operation of smoking bars licensed to operate as of  
12772 January 1, 2011, as long as they continue to comply with applicable state and local laws in effect  
12773 as of January 1, 2011.

12774

12775 SECTION 145L. Notwithstanding any general or special law to the contrary, there shall  
12776 be a special commission to consist of the secretary of health and human services or a designee,  
12777 the commissioner of children and families or a designee, the commissioner of public health or a

12778 designee, the commissioner of mental health or a designee, the commissioner of youth services  
12779 or a designee, the commissioner of elementary and secondary education or a designee, the  
12780 commissioner of the early education and care or a designee, the undersecretary of housing and  
12781 community development or a designee, 2 members of the senate, 2 members of the house of  
12782 representatives, 3 youths who have experienced homelessness, a representative from each of the  
12783 following organizations: the Massachusetts Coalition for the Homeless, the Children’s League of  
12784 Massachusetts, the Task Force on Youth Aging Out of Department of Children and Families’  
12785 Care, the Massachusetts Appleseed Center for Law and Justice, the the commission on gay and  
12786 lesbian youth and the Massachusetts Housing and Shelter Alliance, and 7 persons to be  
12787 appointed by the governor, 5 of whom shall be unaccompanied youth service providers, to study  
12788 the adequacy and limitations of current services to meet the safety, support, housing, health,  
12789 education and quality of life needs of unaccompanied homeless or unstably housed youths as  
12790 defined under the McKinney-Vento Homeless Assistance Act, 42 U.S.C. §§ 11431-11435  
12791 (2002). The commission shall identify and address barriers to housing, services and education  
12792 for unaccompanied youths experiencing homelessness. Two working groups shall be established  
12793 within the commission to ensure a full and comprehensive report addressing the needs of all  
12794 subpopulations of unaccompanied homeless youths, 1 of which shall focus on the specific needs  
12795 of youths under 18 years of age and 1 of which shall focus on the needs of youth 18 to 22 years  
12796 of age. The commission’s report shall include recommendations for addressing the needs of  
12797 non-system involved youths and unstably housed youths, with the goal of ensuring a  
12798 comprehensive and effective response to the unique needs of this population. The commission,  
12799 in formulating its recommendations, shall take into account the best policies and practices in  
12800 other states and jurisdictions.

12801           The commission shall submit its initial report to the governor, the speaker of the house of  
12802 representative, the president of the senate and the joint committee on children, families and  
12803 persons with disabilities not later than 9 months after the effective date of this act, setting forth  
12804 the commission's conclusions on how to improve access to services for unaccompanied  
12805 homeless or unstably housed youths, together with any recommendations for regulatory or  
12806 legislative action with a timeline for implementation, cost estimates and finance mechanisms.  
12807 Thereafter, the commission shall submit its annual report not later than December 31 to the  
12808 governor, the speaker of the house of representatives, the president of the senate and the joint  
12809 committee on children, families and persons with disabilities detailing the extent of  
12810 homelessness among unaccompanied youths within the commonwealth and the progress made  
12811 toward implementing the commission's recommendations, along with other efforts to address the  
12812 needs of this population.

12813

12814           SECTION 145M. (a) It is hereby found and declared that the North Shore Community  
12815 College is a critical element of the commonwealth's higher education system and fulfilling the  
12816 mission of North Shore Community College to provide educational resources to the citizens of  
12817 the commonwealth is essential to providing students with skills and opportunities necessary to a  
12818 full and productive life. It is further declared that providing physical and financial resources  
12819 necessary to meet the needs of the North Shore Community College now and in the future is  
12820 critical to the ability of North Shore Community College to fulfill its mission including providing  
12821 the workforce with skills necessary to allow for the maintenance and expansion of the business,  
12822 industrial, technological and manufacturing sectors of the commonwealth's economy. It is  
12823 further found and declared that creation of a nonprofit assistance corporation with certain



12824 statutory authority will provide a vehicle with the necessary flexibility to prudently pursue  
12825 opportunities for the benefit of North Shore Community College , its present and future students  
12826 and the commonwealth. It is therefore expressly declared that the provisions of this section  
12827 constitute a needed program in the public interest in furtherance of an essential governmental  
12828 function and serve a necessary and valid public purpose for which public money may be  
12829 expended or invested

12830 (b) As used in this section, the following terms shall have the following meanings unless  
12831 the context clearly requires otherwise:

12832 “Board of directors”, the board of directors of the North Shore Community Assistance  
12833 Corporation created by this section

12834 ; “Board of higher education”, the board of higher education established pursuant to  
12835 section 4 of chapter 15A of the General Laws.

12836 “Board of trustees”, the board of trustees of the North Shore Community College.

12837 “College”, the North Shore Community College or, if the North Shore Community  
12838 College shall be dissolved or fails to qualify either as a political subdivision of the  
12839 commonwealth or an educational institution exempt from federal income tax under Section  
12840 501(c)(3) of the Code, then such other educational institution of higher learning established and  
12841 operating in the commonwealth as shall be designated by the board of higher education, which is  
12842 either such a political subdivision or such an exempt organization.

12843 “Code”, the Internal Revenue Code of 1986, as may be amended, from time to time.

12844 “Corporation”, the North Shore Community College Assistance Corporation established  
12845 in subsection (c).

12846 “Educational institution”, an educational organization within the meaning of section  
12847 170(b) (I )(A)(ii) of the Code.

12848 (c) There shall be a body politic and corporate to be known as the North Shore  
12849 Community College Assistance Corporation. The corporation shall not be a public agency or  
12850 state agency as those terms are described in chapter 7 of the General Laws. The corporation  
12851 shall be governed by a board of directors consisting of: the chairman of the board of trustees of  
12852 the college, the president of the college, the mayor of the city of Lynn, the president of the Lynn  
12853 city council, the director of the Lynn Economic Development Industrial Corporation, or a  
12854 successor thereto, 3 members to be appointed by the governor, at least 1 of whom shall be  
12855 experienced in the financial aspects of real estate development and management and at least 1 of  
12856 whom shall be experienced in planning, 1 member to be appointed by the Lynn Chamber of  
12857 Commerce, or a successor thereto, and 6 members appointed by the president of the college, at  
12858 least 2 of whom shall be experienced in higher education administration.

12859 (b) The appointed members of the board of directors shall serve 3-year terms. Of those  
12860 initially appointed by the governor, 1 shall be appointed for 1 year, 1 for 2 years and 1 for 3  
12861 years. Of those initially appointed by the president of the college, 2 shall be appointed for 1  
12862 year, 2 shall be appointed for 2 years and 3 shall be appointed for 3 years. The individual  
12863 initially appointed by the Lynn Chamber of Commerce shall be appointed for 2 years.  
12864 Vacancies arising from other than the expiration of the term shall be filled by the person  
12865 designated as the appointing authority for the initial appointment. Directors shall serve without

12866 compensation but may be reimbursed for expenses necessarily incurred in the performance of  
12867 their duties.

12868 (c) The board of directors from time to time shall elect from among themselves a  
12869 chairman, a vice chairman and a secretary. The secretary shall be the custodian of all books,  
12870 documents and papers of the corporation and its minute book and seal. Unless otherwise  
12871 provided in by-laws adopted by the board of directors, the number of directors required to  
12872 constitute a quorum shall be a majority of the directors then in office. If a quorum is present, a  
12873 majority of the directors may take any action on behalf of the board of directors except to the  
12874 extent that a larger number is required by this section, or other applicable laws or by-laws  
12875 adopted by the board of directors.

12876 (d) The purposes of the corporation shall be to: ( i ) promote the orderly growth and  
12877 development of the college; and (ii) to assist the college in securing physical and financial  
12878 resources necessary for the acquisition and development of sites for use by the college. In  
12879 furtherance of such purpose, the corporation shall, subject only to the restrictions and limitations  
12880 hereinafter provided, have the following powers:

12881 (1) to make and execute contracts and any other instruments necessary or convenient  
12882 for the exercise of its powers or the discharge of its duties and incur liabilities for any other  
12883 purposes of the corporation;

12884 (2) to have a corporate seal which it may alter at its pleasure;

12885 (3) to adopt by-laws for the regulation of its affairs;

12886 (4) to accept, acquire, receive, take and hold by bequest, devise, grant, gift, purchase,  
12887 exchange, lease, transfer, judicial order or decree or otherwise, for any of its objects and  
12888 purposes, any property both real and personal, reasonably related to the acquisition and  
12889 development of sites for use by the college and to develop such sites including, but not limited  
12890 to, the construction, renovation, operation and maintenance of buildings thereon;

12891 (5) to sue or be sued; provided, however, that a director or officer of the corporation  
12892 shall not be liable for the performance of his duties if he acts in compliance with section 6C of  
12893 chapter 180 of the General Laws;

12894 (6) to sell, convey, mortgage, lease, transfer, exchange or otherwise dispose of any  
12895 such property, both real and personal, as the objects and purposes of the corporation may require;

12896 (7) to borrow money and, from time to time, to make, accept, endorse, execute and  
12897 issue promissory notes, bills of exchange and other obligations of the corporation for monies  
12898 borrowed or in payment for property acquired or for any of the other purposes of the corporation  
12899 and to secure the payment of any such obligation by mortgage, pledge, deed, agreement or other  
12900 instrument of trust or other lien upon, assignment of or agreement in regard to all or any part of  
12901 the property rights or privileges of the corporation, whether now owned or hereafter to be  
12902 acquired;

12903 (8) to receive stocks, bonds, donations and gifts and to otherwise raise money for the  
12904 corporation's purposes;

12905 (9) to elect, appoint and employ officers, agents and employees, to fix their  
12906 compensation and define their duties and obligations and to indemnify corporate personnel;

12907           (10)     to enter into agreements for other transactions with any person including,  
12908 without limitation, any governmental instrumentalities or agencies in connection with any of its  
12909 powers or duties and any governmental agency may enter into such agreements or transactions  
12910 with the corporation; and

12911           (11)     to do all acts and things necessary or convenient to the exercise of any power or  
12912 the discharge of any duty provided for in this subsection.

12913           (e) The corporation shall be an institution for higher education solely for the purposes  
12914 such term is used in chapter 614 of the acts of 1968. Any acquisition of property by purchase,  
12915 lease or otherwise by the corporation shall be deemed a project as such term is used in said  
12916 chapter 614. The corporation shall be fully eligible to receive any assistance from the  
12917 Massachusetts Health and Education Facilities Authority established in said chapter 614 in the  
12918 same manner as any other institution for higher education.

12919           (f)(1) The corporation shall assess the space needs of the college on a regular basis and  
12920 may acquire sites for use by the college. The corporation may lease or rent land or space in any  
12921 facility under the control of the corporation to any entities other than the college only after  
12922 making a determination that the college does not have a foreseeable need for such space or land  
12923 for the term of the lease or rental agreement.

12924           (2) The corporation shall not sell, convey, transfer, exchange or otherwise dispose of any  
12925 real property without notifying, in writing and consulting with, the board of trustees and the  
12926 board of higher education and, after such consultation, making a determination that such sale,  
12927 conveyance, transfer or exchange is in the best interests of the college. Any such sale,

12928 conveyance, transfer or exchange shall require a vote of two-thirds of the members of the board  
12929 of directors.

12930 (g) The college or any state agency or entity acting on the college's behalf may enter into  
12931 an agreement to rent, lease or otherwise utilize any facility owned by or under the control of the  
12932 corporation. The corporation shall be paid rent and costs for such facilities at a rate agreed to by  
12933 the corporation and college or state agency or entity entering into an agreement on the college's  
12934 behalf; provided, however, that such amount shall not exceed the fair market value for the use of  
12935 such facilities at the time the agreement is made. Subject to such limitation, the college's  
12936 determination to rent, lease or otherwise utilize any facility owned or under the control of the  
12937 corporation and any agreement related thereto shall not be subject to chapter 7 of the General  
12938 Laws.

12939 (h)(1) The corporation shall not engage in any activities which are not in furtherance of  
12940 its corporate purposes or to support or benefit any organization other than the college and all of  
12941 the powers granted under this section to the corporation shall be exercised in a manner consistent  
12942 therewith.

12943 (2) Notwithstanding any other provision of this section, neither the directors and officers  
12944 of the corporation nor the corporation shall participate in any prohibited transaction within the  
12945 meaning of Section 503 of the Code, nor shall the corporation be operated at any time for the  
12946 primary purpose of carrying on a trade or business for profit.

12947 (i) Subject to this section, the corporation shall use or distribute all property from time  
12948 to time held by the corporation solely in the furtherance of its corporate purposes in such manner  
12949 as the board of directors shall determine. No part of the assets or net earnings, if any, of the

12950 corporation shall inure to the benefit of, or be distributable to, its directors or officers or private  
12951 individuals, except that the corporation may pay reasonable compensation for services rendered  
12952 and make payments and distributions in furtherance of its corporate purposes. The corporation  
12953 shall not directly or indirectly participate in or intervene in, including the publishing or  
12954 distributing of statements, any political campaign on behalf of or in opposition to any candidate  
12955 for public office. No substantial part of the activities of the corporation shall be for the carrying  
12956 on of propaganda or otherwise attempting to influence legislation, except to the extent the  
12957 corporation makes expenditures for purposes of influencing legislation in conformity with the  
12958 requirements of Section 501(h) of the Code. If the corporation is deemed to be a private  
12959 foundation as defined in Section 509 of the Code, chapter 68A of the General Laws shall apply  
12960 to it.

12961 (j)(1) The operation and maintenance of projects by the corporation shall constitute the  
12962 performance of an essential governmental function and the corporation shall not be required to  
12963 pay any taxes or special, betterment or other assessments within the commonwealth including,  
12964 without limitation, taxes on real or personal property and any ad valorem taxes, upon any  
12965 property owned, constructed, acquired, leased or used by it under this section. The corporation  
12966 shall not be subject to any taxes based upon or measured by income which may be enacted by the  
12967 commonwealth. Obligations issued by the corporation under this section and any income  
12968 derived therefrom, including any sale, exchange or transfer of such obligation, shall be free from  
12969 taxation within the commonwealth.

12970 (2) Land, buildings and tangible personal property of the corporation if leased to the  
12971 extent permitted under this section for any activity or transaction entered into by the lessee for  
12972 financial profit or gain shall be taxed or assessed by the city or town in which such land,

12973 buildings and tangible personal property is situated to the lessees thereof respectively in the same  
12974 manner as such land, buildings and tangible personal property would be taxed or assessed to such  
12975 lessees if they were owners thereof, except as follows:

12976 (A) the payment of the tax or assessment shall not be enforced by any lien upon or  
12977 sale of such land or buildings, but for the purpose of enforcing the payment of such taxes or  
12978 assessments by such lessees to the city or town in which such land or buildings are situated, a  
12979 sale of the leasehold interest in therein may be made by the collection of the city or town in the  
12980 manner provided by law for selling real estate for the nonpayment of real estate taxes;

12981 (B) such land, buildings and tangible personal property leased to any political  
12982 subdivision of the commonwealth or to any public charity described in section 8 of chapter 12 of  
12983 the General Laws for its charitable purposes shall not be taxed or assessed to any such lessees;

12984 (C) in lieu of taxes and any betterment or special assessments, the city of Lynn  
12985 may determine a sum to be paid to it annually in any year or period or years, such sum to be in  
12986 any year equal to or less than the amount that would be levied at the then current tax rate upon  
12987 the then current assessed value of such real estate, including buildings and other structures, the  
12988 valuation for each year being reduced by all abatements thereon; provided, however, that no  
12989 amount shall be due prior to the first year in which the corporation has leased some portion of the  
12990 real property to a third party and has received rental payments for fees in return therefor and any  
12991 amount so due shall be prorated based upon the percentage of the property for which rental  
12992 payments or fees have been received;

12993 (D) if any such lessee is subject to the excise levied under sections 30 to 42B,  
12994 inclusive, of chapter 63 of the General Laws, such tangible personal property shall be treated as



12995 though it were owned by such lessee for the purposes of such excise and it shall be valued at 8  
12996 times its annual rental rate, unless and to the extent that such property is treated by the lessee as  
12997 owned by it for federal income tax purposes, in which case, its value shall be its adjusted basis,  
12998 as defined in the applicable provisions of the Code; and

12999 (E) all tangible property, real or personal, so leased shall be considered tangible  
13000 property owned or rented and used in the commonwealth by such lessee for the purposes of  
13001 section 38 of chapter 63 of the General Laws.

13002 (k)(1) The corporation shall not exercise any of the following powers, duties, actions,  
13003 responsibilities or authorities in the absence of review and comment by the inspector general and  
13004 such review and comment shall be provided within 2 weeks after submission by the corporation  
13005 of a plan setting forth the power, duty, action, responsibility or authority proposed to be taken:

13006 (A) entering into a contract requiring an annual expenditure in excess of  
13007 \$100,000 by the corporation; provided, however, that the corporation may enter into those  
13008 contracts necessary to acquire sites, without further review by the inspector general, but pursuant  
13009 to a memorandum of understanding with the secretary of administration and finance with respect  
13010 to the acquisition, renovation, operation and potential disposition of sites;

13011 (B) borrowing monies such that the outstanding amount of monies borrowed by  
13012 the corporation exceeds \$100,000;

13013 (C) entering into a contract requiring the sale of an asset of the corporation  
13014 purchased with monies appropriated by the commonwealth; and

13015 (D) entering into a contract requiring the sale of all or substantially all of the  
13016 assets of the corporation.

13017 (2) In carrying out this section, the inspector general shall have access to all the  
13018 corporation's records, reports, audits, reviews, papers, books, documents, recommendations,  
13019 correspondence, including information relative to the purchase of services or anticipated  
13020 purchase of services from any contractor by the corporation, and any other data and material that  
13021 is maintained by or available to the corporation which in any way relates to the programs and  
13022 operations with respect to which the inspector general has duties and responsibilities under this  
13023 section, except any record to which section 18 of chapter 66 of the General Laws applies.

13024 (3) The inspector general may request such information, cooperation and assistance from  
13025 the corporation as may be necessary for carrying out his duties and responsibilities under this  
13026 section. Upon receipt of such request, the person in charge of the corporation's governing body  
13027 shall furnish to the inspector general or his authorized agent or representative such information,  
13028 cooperation and assistance, including information relative to the purchase of services or  
13029 anticipated purchase of services from any contractor by the corporation except any record to  
13030 which said section 18 of said chapter 66 applies. The inspector general may make such  
13031 investigation, audits and reports relating to the administration of the programs and operations of  
13032 the corporation as are in the judgment of the inspector general necessary and may conduct an  
13033 examination of any documents of the corporation to prevent or detect fraud, waste and abuse in  
13034 the expenditure of public funds. The inspector general shall have direct and prompt access to  
13035 the head of the corporation when necessary for any purpose pertaining to the performance of his  
13036 duties and responsibilities under this section. The inspector general may request the production,

13037 on a voluntary basis, of testimony or documents from any individual firm or nongovernmental  
13038 entity which relate to his duties and responsibilities under this section.

13039 (4) The inspector general may require, by summons, the production of all records,  
13040 reports, audits, reviews, papers, books, documents, recommendations, correspondence and any  
13041 other data and material relevant to any matter under audit or investigation pursuant to the this  
13042 section, except records to which said section 18 of said chapter 66 apply. Such summons shall  
13043 be served in the same manner as a summons for the production of documents in civil cases  
13044 issued on behalf of the commonwealth and all law relative to the issuance of summonses shall  
13045 apply to a summons issued pursuant to this section. Any justice of the superior court department  
13046 of the trial court may, upon application by the inspector general, issue an order to compel the  
13047 production of records, reports, audits, reviews, papers, books, documents, recommendations,  
13048 correspondence and any other data and material as aforesaid. Any failure to obey such order  
13049 may be punished by said court as contempt. Any summons issued pursuant to this section shall  
13050 not be made public by the inspector general or any officer or employee of his department and no  
13051 documents provided pursuant to this section shall be made public until such time as it is  
13052 necessary for the inspector general to do so in the performance of his duties under this section.  
13053 The production of such books and papers pursuant to a summons issued under this subsection  
13054 shall be governed by the same provisions with reference to secrecy which govern proceedings of  
13055 a grand jury. Disclosure of such production, attendance and testimony may be made to such  
13056 members of the staff of the inspector general as is deemed necessary by the inspector general to  
13057 assist him in the performance of his duties and responsibilities under this section and such  
13058 members of the staff may be present at the production of records.

13059 (5) The corporation shall submit annually an audited financial statement to the house and  
13060 senate committees on ways and means and the joint committee on higher education.

13061 (1) Upon dissolution of the corporation after payment of all of the liabilities of the  
13062 corporation or due provision therefor, all of the assets of the corporation shall be distributed to  
13063 the board of higher education, to be held in trust for the benefit and purposes of the college, and  
13064 shall not inure to the benefit of or be distributed to any private individual..

13065 SECTION145N. Notwithstanding any general or special law to the contrary, the  
13066 executive office of health and human services shall request a written opinion from the federal  
13067 Centers for Medicare and Medicaid Services regarding the availability of a waiver to allow  
13068 individuals qualifying for Medicaid and entering a nursing home to provide a living allowance  
13069 and an asset waiver for dependent adult children when there is no living community spouse as  
13070 defined under 42 U.S.C. section 1396r-5. The executive office shall report to the house and  
13071 senate committees on ways and means not later than February 1, 2012 on the availability of a  
13072 waiver and, if applicable, the estimated net state cost of a waiver that would allow individuals  
13073 qualifying for Medicaid and entering a nursing home to provide a living allowance and asset  
13074 waiver for dependent adult children when there is no living community spouse.

13075 SECTION 145O. Notwithstanding any general or special law to the contrary, the  
13076 commonwealth health insurance connector authority shall conduct a procurement in fiscal year  
13077 2012 for personnel, including direct care workers, earning less than \$40,000 in annual  
13078 compensation who are employed by private human service providers that deliver human and  
13079 social services under contracts with departments within the executive office of health and human  
13080 services and the executive office of elder affairs. The procurement shall be released not later

13081 than January 1, 2012 for coverage effective in fiscal year 2012. In developing regulations as  
13082 necessary for the procurement, bid, the administration of and the procedures of this section the  
13083 connector shall consult with the Massachusetts Council of Human Service Providers. Any  
13084 purchaser of health insurance coverage under this section shall pay the commonwealth health  
13085 insurance connector authority for 100 per cent of the costs of such coverage, including  
13086 reasonable administrative expenses.

13087 SECTION 145P. (a) Notwithstanding sections 40E to 40K, inclusive, and sections 52 to  
13088 55, inclusive, of chapter 7 of the General Laws or any other general or special law to the  
13089 contrary, the division of capital asset management and maintenance, in consultation with the  
13090 department of conservation and recreation, may lease and enter into an agreement for nominal  
13091 consideration, for a term not to exceed 25 years, with the town of Randolph for the property  
13092 currently under the care and control of the department, adjacent to the existing North Randolph  
13093 Little League field off of High street near the former Nike missile site in the town of Randolph,  
13094 for use as a dog park.

13095 (b) The town of Randolph shall be responsible for all costs and expenses including, but  
13096 not limited to, costs associated with engineering, surveys, appraisals and deed preparation related  
13097 to the conveyance authorized in subsection (a) as such costs may be determined by the  
13098 commissioner of capital asset management and maintenance, and costs, fees and expenses  
13099 relating to the care and maintenance for the property. The proceeds of all conveyances and  
13100 transfers under this section shall be deposited in the General Fund.

13101

13102           SECTION 145Q. Notwithstanding any general or special law to the contrary the attorney  
13103 general may review the compensation of any officer, director or senior manager acting in an  
13104 executive capacity for a public charity, required to be registered under section 8E of chapter 12  
13105 and to file annual reports under section 8F of chapter 12, to consider the appropriate  
13106 compensation levels given the nature and mission of the public charity. In so doing, the attorney  
13107 general may examine the compensation standards of not-for-profit public charities, both within  
13108 the commonwealth and nationwide. For the purposes of this section, compensation shall include  
13109 salary, bonus payments, incentive payments, deferred compensation, severance payments, below  
13110 market rate loans, and the lease or rental of real estate, personal property or any vehicle. The  
13111 attorney general shall report the findings of this review, which may include recommendations  
13112 about excessive compensation, to the clerks of the senate and the house of representatives by  
13113 December 31, 2011.

13114

13115           SECTION 145R. Notwithstanding any general or special law to the contrary, public  
13116 employers, contractors, or subcontractors, as defined in section 1 of chapter 30C of the General  
13117 Laws, with not more than 500 employees shall not be subject to sections 2 and 3 of said chapter  
13118 30C.

13119

13120           SECTION 145S. Notwithstanding any general or special law to the contrary, public  
13121 employers, contractors, or subcontractors, as defined in section 1 of chapter 30C of the General  
13122 Laws, with not more than 100 employees shall not be subject to sections 2 and 3 of said chapter  
13123 30C.

13124 SECTION 145T. Section 145R is hereby repealed.

13125

13126 SECTION 145U. Section 145S is hereby repealed.

13127

13128 SECTION 145V. Section 145T shall take effect on September 1, 2012.

13129

13130 SECTION 145W. Section 145U shall take effect on September 1, 2013.

13131

13132 SECTION 145X. Sections 2 and 3 of chapter 30C of the General Laws, inserted by  
13133 section 37B, and sections 145R and 145S shall take effect on September 1, 2011.

13134 SECTION 145Y. Notwithstanding any general or special law to the contrary, by  
13135 December 31, 2011, the Governor shall issue a report to the clerks of the house of representatives  
13136 and the senate on the progress made in securing an agreement relative to and programs pursuant  
13137 to the United States Immigration and Customs Enforcement Secure Communities program.

13138

13139 SECTION 146. Subsection (b) of section 75 of chapter 303 of the acts of 2008 shall not  
13140 apply in fiscal year 2012.

13141 SECTION 146A. The executive office of health and human services shall adopt  
13142 regulations to implement section 61F not later than December 31, 2011.

13143

13144           SECTION 147. Nothing in section 20 of chapter 32B of the General Laws shall affect  
13145 the validity of any action taken before July 1, 2011 by a city or town that authorizes the  
13146 contributory retirement system of which the employees of that city or town are members to be  
13147 the custodian of an Other Post-Employment Benefits Liability Trust Fund.

13148

13149           SECTION 148. Nothing in this act shall be construed to alter, amend or affect chapter 36  
13150 of the acts of 1998, chapter 423 of the acts of 2002, chapter 27 of the acts of 2003 or chapter 247  
13151 of the acts of 2004.

13152           SECTION 149. Section 4 shall take effect on May 4, 2012.

13153           SECTION 150. Section 21A shall take effect 6 months after the effective date of this act.

13154

13155           SECTION 151. Section 32B shall take effect as of January 1, 2009

13156

13157           SECTION 152. Sections 35, 54 and 55 shall take effect on December 1, 2011.

13158

13159           SECTION 153. Section 53B shall apply to stamps purchased on or after January 1, 2012.

13160



13161 SECTION 154. Section 51A shall be effective for taxable years beginning on or after  
13162 January 1, 2012

13163 SECTION 155. Sections 51B, 52A and 53A shall be effective for tax years beginning on  
13164 or after January 1, 2011.

13165 SECTION 156. Sections 66A and 66B shall take effect 180 days after the effective date  
13166 of this act.

13167 SECTION 157. Section 78E shall take effect on October 1, 2012.

13168 SECTION 158. Section 135 shall expire on July 1, 2013.

13169 SECTION 159. Except as otherwise specified, this act shall take effect on July 1, 2011