SENATE DOCKET, NO. FILED ON: 1/19/2012

SENATE . . . . . No. 2108

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

An Act making appropriations for fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make supplemental appropriations for fiscal year 2012 and to make certain changes in law, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 1. To provide for supplementing certain items in the general appropriation act and other appropriation acts for fiscal year 2012, the sums set forth in section 2 are hereby appropriated from the General Fund unless specifically designated otherwise in this act or in those appropriation acts, for the several purposes and subject to the conditions specified in this act or in those appropriation acts, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2012. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of those items.

SECTION 2.

JUDICIARY

Massachusetts Legal Assistance Corporation

11 0321-1600 $1,000,000

12 SECRETARY OF THE COMMONWEALTH

13 Office of the Secretary of the Commonwealth

14 0521-0000 $101,125

15 TREASURER AND RECEIVER GENERAL

16 Office of the Treasurer and Receiver General

17 0612-0105 $200,000

18 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

19 Group Insurance Commission

20 1108-5201 $989,250

21 Appellate Tax Board

22 1310-1000 $275,000

23 Reserves

24 1599-0026 $1,000,000

25 1599-1705 $353,000

26 1599-1709 $350,258

27 1599-4430 $5,100,000

28 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

29 Office of the Secretary

30 2000-0100 $962,000

31 2030-1000 $727,850

32 Department of Agricultural Resources

33 2511-0100 $34,361

34 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

35 Department of Veterans Services

36 1410-0010 $10,000

37 Office of the Secretary

38 4000-0600 $35,000,000

39 Department of Youth Services

40 4200-0100 $600,000

41 4200-0300 $1,100,000

42 Department of Transitional Assistance

43 4403-2119 $140,000

44 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

45 Department of Housing and Community Development

46 7004-0099 $10,000

47 7004-0102 $230,000

48 EXECUTIVE OFFICE OF EDUCATION

49 Department of Higher Education

50 7066-0021 $1,800,000

51 EXECUTIVE OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY

52 Department of Criminal Justice Information Services

53 8000-0110 $150,000

54 Office of the Chief Medical Examiner

55 8000-0122 $140,000

56 Massachusetts Emergency Management Agency

57 8800-0001 $150,000

58 Department of Correction

59 8900-0010 $1,022,263

60 SHERIFFS

61 Hampden Sheriff's Department

62	8910-0102	$1,811,152
63		Worcester Sheriff's Department
64	8910-0105	$693,920
65		Middlesex Sheriff's Department
66	8910-0107	$4,699,590
67		Hampshire Sheriff's Department
68	8910-0110	$960,444
69		Berkshire Sheriff's Department
70	8910-0145	$1,410,841
71		Franklin Sheriff's Department
72	8910-0108	$1,100,000
73		Essex Sheriff's Department
74	8910-0619	$1,459,679
75		Barnstable Sheriff's Department
76	8910-8200	$2,000,218
77		Bristol Sheriff's Department
78	8910-8300	$1,904,189

79 Dukes Sheriff's Department

80 8910-8400 $183,204

81 Norfolk Sheriff's Department

82 8910-8600 $3,800,000

83 Plymouth Sheriff's Department

84 8910-8700 $1,743,757

85 Suffolk Sheriff's Department

86 8910-8800 $6,100,000

87 SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to
88 provide for an alteration of purpose for current appropriations, and to meet certain requirements
89 of law, the sums set forth in this section are hereby appropriated from the General Fund unless
90 specifically designated otherwise in this section, for the several purposes and subject to the
91 conditions specified in this section, and subject to the laws regulating the disbursement of public
92 funds for the fiscal year ending June 30, 2012. These sums shall be in addition to any amounts
93 previously appropriated and made available for the purposes of those items.

94 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

95 Reserves

96 1599-4282 To provide for certain collective bargaining costs, including the costs of
97 salary adjustments and other economic benefits authorized by the collective bargaining

98 agreements between the Commonwealth of Massachusetts and the Service Employees
99 International Union, Local 509, Units 8 and 10 for fiscal year 2012 $2,893,000

100 1599-4380 For a reserve to support information technology requirements and improve
101 information technology infrastructure at state agencies and departments; provided, that the
102 secretary of administration and finance, in consultation with the chief information officer of the
103 commonwealth, may transfer amounts from this account to items 1100-1700, 2000-1700, 4000-
104 1700, 7002-0017, 7009-1700 and 8000-1700; provided further, that in making such transfers, the
105 secretary shall prioritize maintaining existing information technology capacity and necessary
106 improvements to address data security and data access; and provided further, that within 30 days
107 of any transfers from this fund the secretary shall report to the house and senate committees on
108 ways on: (1) the amounts transferred from this account by line item; and (2) the methodology
109 used to determine transfers from this account $20,420,000

110 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

111 Division of Healthcare Finance and Policy

112 4100-0062 For the division of health care finance and policy, which may expend for
113 the migration of health safety net claims adjudication to the executive office of health and human
114 services through its MMIS system and for the maintenance of that claims adjudication, an
115 amount equal to the amount of federal financial participation received by the commonwealth for
116 such activities, not to exceed $6,000,000; provided, that the federal revenue received for such
117 expenditures shall be deposited in the General Fund and an amount equal to such revenue shall
118 be transferred into this account; and provided further, that notwithstanding any general or special
119 law to the contrary, for the purpose of accommodating timing discrepancies between the receipt

120 of retained revenues and related expenditures, the division may incur expenses in anticipation of
121 revenue, after written approval from the secretary of administration and finance, and the
122 comptroller shall certify for payment, amounts not to exceed the lower of this authorization or
123 the most recent revenue estimate as reported in the state accounting system $6,000,000

124 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

125 Department of Housing and Community Development

126 7004-1000 For a state supplement to the federal Low Income Home Energy
127 Assistance Program 42 U.S.C. section 8621 et seq., to assist low-income elders, working
128 families and other households with the purchase of heating oil, propane, natural gas, electricity
129 and other primary or secondary heating sources; provided, that expenditure of these
130 supplemental funds shall be made in accordance with the state plan submitted by the department
131 of housing and community development for operation of the fiscal year 2012 program, in
132 accordance with federal law; provided further, that the department shall establish the maximum
133 assistance for which a household shall be eligible commensurate with the increased funding
134 provided in this item; and provided further, that any federal funds received for fiscal year 2012
135 for the Low Income Home Energy Assistance Program that exceed $163,776,315, shall be used
136 to reimburse the state for expenditures made under this item, up to the amount appropriated
137 herein $21,187,407

138 SECTION 3. Section 172 of chapter 6 of the General Laws is hereby amended by
139 inserting after the word “more”, in line 184, as appearing in the 2010 Official Edition, the
140 following words:- , for 10 years following the disposition thereof, including termination of any
141 period of incarceration or custody.

142 SECTION 4. Section 1 of chapter 29 of the General Laws, as so appearing, is hereby
143 amended by inserting after the figure "131", in line 37, the following words:- and section 35NN
144 of chapter 10.

145 SECTION 5. Section 3 of chapter 30A of the General Laws, as so appearing, is hereby
146 amended by striking out, in lines 24 to 30, inclusive, the words "The notice shall also include a
147 small business impact statement considering the impact of the proposed action on small
148 businesses with the state secretary. Notwithstanding the provisions of section 6, the state
149 secretary shall include the small business impact statement on the electronic website of the state
150 secretary; provided, however, that the full text of the small business impact statement may be
151 inspected and copied in the office of the state secretary during business hours." and inserting in
152 place thereof the following words:-

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

158 SECTION 6. Paragraph (g ¾) of subdivision (1) of section 4 of said chapter 32, inserted
159 by section 10 of chapter 176 of the acts of 2011, is hereby amended by striking out the words
160 "retired member of the Boston Teachers Retirement System" and inserting in place thereof the
161 following words:- member who retired as a teacher from the State-Boston retirement system.

162 SECTION 7. Paragraph (f) of subdivision (2) of section 5 of said chapter 32, added by
163 section 18 of said chapter 176, is hereby amended by striking out the word “excluding” and
164 inserting in place thereof the following word:- from.

165 SECTION 8. Paragraph (ii) of subdivision (4) of said section 5 of said chapter 32, as
166 amended by section 21 of said chapter 176, is hereby further amended by striking out the words
167 “January 1” and inserting in place thereof the following words:- April 2.

168 SECTION 9. Section 15 of said chapter 32, as amended by section 31 of said chapter
169 176, is hereby further amended by adding the following subdivision:-

170 (7) In no event shall any member be entitled to receive a retirement allowance under
171 sections 1 to 28, inclusive, which is based upon a salary that was intentionally concealed from or
172 intentionally misreported to the commonwealth, or any political subdivision, district or authority
173 of the commonwealth, as determined by the commission. If a member intentionally concealed
174 compensation from or intentionally misreported compensation to an entity to which the member
175 was required to report the compensation, even if the reporting was not required for purposes of
176 calculating the member’s retirement allowance, the member’s retirement allowance shall be
177 based only upon the regular compensation actually reported to that entity or the amount reported
178 to the board, whichever is lower. Unless otherwise prohibited by law, such member shall receive
179 a return of any accumulated total deductions paid on amounts in excess of the compensation
180 actually reported, but no interest shall be payable on the accumulated deductions returned to the
181 member.

182 SECTION 10. The definition of “Services” in section 23B of chapter 32, as appearing in
183 section 42 of said chapter 176, is hereby amended by inserting after the words “employment
184 agreements” the following words:- , contingency fee agreements.

185 SECTION 11. Section 91 of said chapter 32 is hereby amended by striking out the word “
186 year”, as appearing in section 50 of said chapter 176, and inserting in place thereof the following
187 words:- 12 months.

188 SECTION 12. Section 6 of chapter 32A of the General Laws, as appearing in the 2010
189 Official Edition, is hereby amended by inserting after the second sentence the following 2
190 sentences:- For active and retired employees, their dependents and the survivors of deceased
191 employees, including municipal subscribers, except as otherwise required by state or federal law,
192 and except effective July 1 of any year, the commission shall not alter the schedule of
193 copayments and deductibles for health plans, or alter any other terms relating to health plans
194 which would require authorization by vote of the commissioners but, for health plans whose
195 rates change on January 1 instead of July 1, the commission may make such changes effective
196 January 1. If the governor reduces allotments to the commission under section 9C of chapter 29,
197 the commission may make any necessary adjustments to account for the reduction, but the
198 commission shall not alter the contribution ratios provided in the most recent applicable
199 appropriation act.

200 SECTION 13. Clause (9) of section 8 of chapter 44 of the General Laws, as appearing in
201 section 3 of chapter 52 of the acts of 2011, is hereby further amended by striking out the words
202 “as determined by the director” and inserting in place thereof the following words:- or such
203 longer period not to exceed 10 years as determined by the director after taking into consideration

204 the ability of the city, town or district to provide other essential public services and pay, when
205 due, the principal and interest on its debts, the amount of federal and state payments likely to be
206 received for the purpose of the appropriations and such other factors as the director may deem
207 necessary or advisable.

208 SECTION 14. Section 4 of chapter 57 of the General Laws, as amended by section 1 of
209 chapter 153 of the acts of 2011, is hereby further amended by striking out, under the caption
210 "Plymouth", the words "First Plymouth. – Consisting of precincts 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 14
211 and 15, of the town of Plymouth, in the county of Plymouth" and inserting in place thereof the
212 following words:- First Plymouth. – Consisting of precincts 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 14 and
213 15, of the town of Plymouth, in the county of Plymouth.

214 SECTION 15. Said section 4 of said chapter 57, as so amended, is hereby further
215 amended by striking out, under the caption "Suffolk", the words "Seventh Suffolk. – Consisting
216 of precincts 8, 9, and 10 of ward 4, precincts 1, 2, 3, 4, 5 and 8 of ward 12, precincts 4 and 5 of
217 ward 9, and precinct 1 of ward 21, of the city of Boston, in the county of Suffolk." and inserting
218 in place thereof the following words:-Consisting of precincts 8, 9 and 10 of ward 4, sub-precinct
219 2A of ward 5, precincts 1, 2, 3, 4, 5 and 8 of ward 12, precincts 4 and 5 of ward 9, and precinct 1
220 of ward 21 of the city of Boston, in the county of Suffolk.

221 SECTION 16. Section 64 of chapter 143 of the General Lawsis hereby amended by
222 striking out, in line 5, as so appearing, the word "shall" and inserting in place thereof the
223 following words:- , whether attached or detached shall.

224 SECTION 17. Chapter 176J of the General Laws is hereby amended by inserting after
225 section 11 the following 2 sections:-

226 Section 11A. A select or limited network plan shall continue to provide coverage for
227 medically necessary services that are part of the treatment program for a patient, prior to joining
228 the select or limited network, undergoing an active course of treatment or follow-up treatment
229 for a chronic disease at a comprehensive cancer center, pediatric hospital or pediatric specialty
230 unit, as defined in section 1 of chapter 118G, that does not participate in the carrier's select or
231 limited network plan.

232 For services provided under this section, reimbursement shall be based on median in-
233 network rates of the specific provider in the carrier's private plans in a manner consistent with
234 data filed by the carrier with the division of health care finance and policy or, if the specific
235 provider does not participate in any other plan of the carrier, then based on negotiated rates.
236 Patient cost-sharing responsibility for the services sought shall not exceed the lowest copayment
237 obligation established by the carrier for the receipt of the services offered through the carrier's
238 select or limited network.

239 Section 11B. Patients receiving an active course of treatment or follow-up treatment for a
240 chronic disease at a comprehensive cancer center, pediatric hospital or pediatric specialty unit, as
241 defined in section 1 of chapter 118G, prior to joining a tiered network, shall not pay an amount
242 for patient cost-sharing responsibility that exceeds the cost-sharing tier with the second highest
243 patient cost-sharing responsibility.

244 SECTION 18. Section 11A of said chapter 176J, inserted by section 17, is hereby
245 amended by striking out the first paragraph and inserting in place thereof the following
246 paragraph:-

247 For an insured member who is receiving an active course of treatment or follow up
248 treatment for a chronic disease and is newly enrolled in a select or limited network plan, the
249 carrier shall provide coverage for those medically necessary services that are part of that
250 treatment program provided by a health care provider not participating in a carrier's plan
251 pursuant to section 11 for the duration of that treatment if: (1) the insured's employer only offers
252 the insured a choice of plans in which the provider is not a participant; (2) the provider is a
253 comprehensive cancer center, pediatric hospital or pediatric specialty unit as defined in section 1
254 of chapter 118G; and (3) the provider is providing the insured with an ongoing course of
255 treatment not otherwise available in-network.

256 SECTION 19. Section 11B of chapter 176J of the General Laws is hereby repealed.

257 SECTION 20. Chapter 176J of the General Laws is hereby amended by inserting after
258 section 13 the following 2 sections:-

259 Section 14. If a medically necessary and covered service is not available to a member
260 within the carrier's provider network, the carrier shall cover the services out-of-network for as
261 long as the service is unavailable in-network.

262 Section 15. Any insurer offering a tiered network plan shall clearly and conspicuously
263 indicate in all promotional and agreement materials, the cost-sharing differences for enrollees in
264 the various tiers. The division of insurance shall promulgate regulations for determining what
265 constitutes clear and conspicuous and the potential cumulative effects of these differences.

266 SECTION 21. Section 25 of chapter 175 of the acts of 1998 is hereby repealed.

267 SECTION 22. The last paragraph of section 22 of chapter 61 of the acts of 2009 is
268 hereby amended by striking out the words “January 2, 2012”, inserted by section 4 of chapter 52
269 of the acts of 2011, and inserting in place thereof the following words:- April 30, 2012.

270 SECTION 23. Section 2 of chapter 131 of the acts of 2010 is hereby amended by striking
271 out item number “8400-0100” and inserting in place thereof the following item number:- 8400-
272 0101.

273 SECTION 24. Item 1599-1705 in section 2 of chapter 52 of the acts of 2011 is hereby
274 amended by adding the following words:- provided further, that $353,000 shall be expended for
275 reimbursements to school districts for education transportation cost increases due to the tornado;.

276 SECTION 25. Item 1108-5201 in section 2 of chapter 68 of the acts of 2011 is hereby
277 amended by striking out the figure “$1,028,612”, each time it appears, and inserting in place
278 thereof, in each instance, the following figure:- $2,017,862.

279 SECTION 26. Item 1410-0010 of said section 2 of said chapter 68 is hereby amended by
280 inserting after the words “department of veterans’ services” the following words:- ; provided,
281 that not less than $10,000 shall be expended for the Korean War memorial located in the
282 Charlestown Navy Yard.

283 SECTION 27. Item 1595-6379 of said section 2 of said chapter 68 is hereby amended by
284 striking out the figure “$7,806,972”, each time it appears, and inserting in place thereof, in each
285 instance, the following figure:- $8,808,113.

286 SECTION 28. Item 1599-0026 of said section 2 of said chapter 68 is hereby amended by
287 inserting after the words “aid share for fiscal year 2012” the following words:- ; provided further,

288 that not less than $1,000,000 shall be expended to fund a pilot program in Norfolk County,
289 including projects of regionalized county government services.

290 SECTION 29. Item 2000-0100 of section 2 of said chapter 68 is hereby amended by
291 striking out the words "than $150,000 for a program of collaborative research with academic
292 institutions that apply satellite and other technologies in an innovative manner to an existing
293 methodological model previously used in other fisheries to assess the biomass of groundfish in
294 the region managed by the New England Fishery Management Council; provided further, that the
295 executive office shall execute a memorandum of agreement with any such academic institution
296 not later than 30 days after the effective date of this act; and provided further, that the
297 memorandum shall require the timely production of information for use in the fisheries
298 management process" and inserting in place thereof the following words:- than $1,112,000 for a
299 program of collaborative research with the Massachusetts Maritime Academy that applies sonar
300 technology over significant surface area of the ocean to assess the biomass of groundfish in the
301 region managed by the New England Fishery Management Council.

302 SECTION 30. Item 7004-0099 of said section 2 of said chapter 68 is hereby amended by
303 adding the following words:- ; and provided further, that not more than $10,000 shall be
304 expended on funding the scouting and community center project identified in item 7003-0702 of
305 section 2 of chapter 182 of the acts of 2008.

306 SECTION 31. Item 7004-0101 of said section 2 of said chapter 68 of the acts of 2011, as
307 appearing in section 6 of chapter 171 of the acts of 2011, is hereby amended by striking out the
308 words "families who appear to be ineligible" and inserting in place thereof the following words:-
309 families who appear to be eligible.

310 SECTION 32. Said item 7004-0101 of said section 2 of said chapter 68, as appearing in
311 said section 6, is hereby further amended by striking out the words "or policy affecting
312 eligibility, benefits or administration of this program" and inserting in place thereof the
313 following words:-, administrative practice or policy that would alter eligibility for or the level of
314 benefits under this program, other than that which would benefit the clients.

315 SECTION 33. Item 7004-0108 of said section 2 of said chapter 68, as appearing in
316 section 7 of said chapter 171 is hereby amended by striking out the last proviso and inserting in
317 place thereof the following clause:- provided further, that notwithstanding any general or special
318 law to the contrary, 60 days before promulgating or amending any regulations, administrative
319 practice or policy that would alter eligibility for or the level of benefits under this program, other
320 than that which would benefit the clients, the department shall file with the house and senate
321 committees on ways and means and the clerks of the senate and house of representatives a report
322 setting forth justification for said changes, including but not limited to any determination by the
323 secretary of housing and economic development that available appropriations from the program
324 will be insufficient to meet projected expenses;.

325 SECTION 34. Said section 2 of said chapter 68 is hereby further amended by striking out
326 item number "7007-0951" and inserting in place thereof the following item number:- 7007-0952.

327 SECTION 35. Item 8000-0122 of said section 2 of said chapter 68 is hereby amended by
328 striking out the figure "$1,860,000", each time it appears, and inserting in place thereof, in each
329 instance, the following figure:- $2,000,000.

330 SECTION 36. Item 8910-8310 of said section 2 of said chapter 68 is hereby amended by
331 striking out the words "For the Bristol sheriff's office, which may expend for the operation of the

332 office an amount not to exceed $8,460,000 from revenues received from federal inmate
333 reimbursements" and inserting in place thereof the following words:- For the operation of the
334 Bristol sheriff's office; provided that the office may expend an amount not to exceed $7,710,000
335 from revenues received from federal reimbursements;

336 SECTION 37. Item 8910-8710 of said section 2 of said chapter 68 is hereby amended by
337 striking out the words "For the Plymouth sheriff's office, which may expend for the operation of
338 the office an amount not to exceed $16,000,000 from revenues received from federal inmate
339 reimbursements" and inserting in place thereof the following words:- For the operation of the
340 Plymouth sheriff's office; provided that the office may expend an amount not to exceed
341 $13,500,000 from revenues received from federal reimbursements;

342 SECTION 38. Subsection (c) of chapter 87 of the acts of 2011 is hereby amended by
343 striking out the words "December 31, 2011" and inserting in place thereof the following words:-
344 July 1, 2012.

345 SECTION 39. Chapter 153 of the Acts of 2011 is hereby amended by striking out section
346 2 and inserting in place thereof the following section:-

347 Section 2. Notwithstanding the provisions of any general or special law to the contrary,
348 for the purpose of electing representatives in the general court as provided in section 1, the
349 election commissioners for the city of Boston shall include census blocks census blocks
350 0102032000, 0102032001, 0102032004, 0102032005, 0102033000, 0102033001, 0102033002,
351 0102033003, and 0102033004 in sub-precinct 2A of ward 5. Notwithstanding any general or
352 special law to the contrary, the city of Boston shall divide precinct 2 of ward 5 along the
353 representative district boundary into 2 sub-precincts. If the polling place for a sub-precinct

354 established under this act is located in the same building as for an existing precinct, no additional
355 election officers need be appointed for such sub-precinct.

356 SECTION 40. Item 1599-1709 of section 2 of chapter 171 of the acts of 2011 is hereby
357 amended by adding the following words:- ; and provided further, that funds shall be transferred
358 to reimburse the town of Hawley for costs associated with repairs necessary on account of the
359 flooding of the Chickley river due to tropical storm Irene.

360 SECTION 41. Section 6 of chapter 176 of the acts of 2011 is hereby repealed.

361 SECTION 42. The last paragraph of section 56 of chapter 176 of the acts of 2011 is
362 hereby amended by striking out the words "April 15, 2012" and inserting in place thereof the
363 following words:- November 30, 2012.

364 SECTION 43. The last paragraph of section 58 of said chapter 176 is hereby amended by
365 striking out the words "March 1, 2012" and inserting in place thereof the following:- November
366 30, 2012.

367 SECTION 44. Subsection (6) of section 60 of said chapter 176 is hereby amended by
368 striking out the words " paragraph (4)" and inserting in place thereof the following words:-
369 subsection (5).

370 SECTION 45. Section 91 of chapter 142 of the acts of 2011, is hereby further amended
371 by striking out the last sentence and inserting in place thereof the following 2 sentences:-

372 The commission shall report to the general court the results of its investigation and study
373 and its recommendations, if any, by filing the same with the clerks of the senate and house of
374 representatives not later than July 31, 2012. The commission shall continue to meet on a

375 quarterly basis thereafter, to monitor progress on the subject and to determine whether further
376 action may be required to implement the results of its investigation and study.

377 SECTION 46. Notwithstanding any general or special law, rule or regulation to the
378 contrary, the division of insurance shall conduct a review into the network adequacy and cost and
379 quality-effectiveness of insurance products pursuant to section 11 of chapter 176J of the General
380 Laws for the health care needs of children and the health care needs of cancer patients. The
381 division shall promulgate regulations to ensure the needs of children and cancer patients are
382 being met, consistent with cost and quality goals, and shall submit an report of its actions and
383 potential legislative actions to the house and senate committees on ways and means and the joint
384 committee on health care financing by December 31, 2012.

385 SECTION 47. The salary adjustments and other cost items authorized by the following
386 2011 amendments to collective bargaining agreements, for the period from July 1, 2011, to June
387 30, 2014, shall be effective for the purpose of section 7 of chapter 150E of the General Laws:

388 (a) between the commonwealth and National Association of Government Employees
389 for units 1, 3 and 6;

390 (b) between the commonwealth and Alliance/AFSCME for unit 2;

391 (c) between the commonwealth and the New England Police Benevolent Association
392 for unit 4A;

393 (d) between the Essex sheriff and the International Brotherhood of Correction
394 Officers Local R1-71; and

395 (e) between the Plymouth sheriff and Massachusetts Correctional Officers Federated
396 Union Bureau of Criminal Investigation.

397 SECTION 48. Notwithstanding section 14 of chapter 151A of the General Laws, for
398 calendar year 2012, the experience rate of an employer qualifying therefor under subsection (b)
399 of said section 14 of said chapter 151A shall be the rate which appears in column "E" in clause
400 (1) of subsection (i) of said section 14 of said chapter 151A.

401 SECTION 49. Notwithstanding any general or special law to the contrary, the
402 comptroller shall transfer within 10 days of the effective date of this act $612,893 and the
403 accrued interest on that amount as determined by the comptroller, from the General Fund or from
404 other funds of the Commonwealth to the Marine Recreational Fisheries Development Fund
405 established in section 35NN of chapter 10 of the General Laws.

406 SECTION 50. Section 9 shall apply to any member under chapter 32 of the General
407 Laws for whom a retirement allowance has not been finally approved before the effective date of
408 this act.

409 SECTION 51. Section 6 and 11 shall take effect on April 2, 2012.

410 SECTION 52. Sections 7 to 10, inclusive, and 42 to 44, inclusive, shall take effect on
411 February 13, 2012.

412 SECTION 53. Section 14 shall take effect as of November 3, 2011.

413 SECTION 54. Section 16 shall take effect as of February 1, 2011.

414 SECTION 55. Sections 18 and 19 shall take effect on July 31, 2013.

415 SECTION 56. Section 48 shall take effect as of January 1, 2012.