

HOUSE No. 3539

The Commonwealth of Massachusetts

The committee of conference on the disagreeing votes of the two branches with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 1814) to the House Bill making appropriations for the fiscal year 2013 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3522), reports (in part) recommending passage of the accompanying bill (House, No. 3539) [Total Appropriation: \$133,378,082.00]. June 30, 2013.

Brian S. Dempsey	Stephen M. Brewer
Stephen Kulik	Jennifer L. Flanagan
	Michael R. Knapik

HOUSE No.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act making appropriations for the fiscal year 2013 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 2013, and to make other changes in law, each of which is immediately needed for important public purposes,, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1 SECTION 1. To provide for supplementing certain items in the general appropriation act and
2 other appropriation acts for fiscal year 2013, to provide for certain unanticipated obligations of
3 the commonwealth, to provide for an alteration of purpose for current appropriations and to meet
4 certain requirements of law the sums set forth in sections 2 through 2E, inclusive, are hereby
5 appropriated from the General Fund unless specifically designated otherwise in this act or in
6 those appropriation acts, for the several purposes and subject to the conditions specified in this
7 act or in those appropriation acts, and subject to the laws regulating the disbursement of public
8 funds for the fiscal year ending June 30, 2013. These sums shall be in addition to any amounts
9 previously appropriated and made available for the purposes of those items.

10 SECTION 2.

JUDICIARY

Board of Bar Examiners.

13 0321-0100..... \$18,681

14 Committee for Public counsel Services.

15 0321-1510..... \$16,829,206

16 0321-1520..... \$1,400,000

17 Bristol District Attorney.

18 0340-0998..... \$125,000

19 Berkshire District Attorney.

20 0340-1100..... \$53,813

21 SECRETARY OF THE COMMONWEALTH

22 Office of the Secretary of the Commonwealth.

23 0511-0000..... \$19,547

24 0521-0000..... \$13,592,734

25 TREASURER AND RECEIVER GENERAL

26 Office of the Treasurer and Receiver General.

27 0610-2000..... \$500,000

28 0611-1000..... \$50,000

29 0612-0105..... \$200,000

30 Human Resource Division.

31 1750-0300..... \$347,000

32 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

33 Department of Housing and Community Development

34 7004-0099.....\$100,000

35 7004-0103..... \$1,200,000

36 EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

37 Department of Workforce Development.

38 7002-0012..... \$10,000,000

39 EXECUTIVE OFFICE OF EDUCATION

40 Department of Elementary and Secondary Education.

41	7061-9010.....	\$8,000,000
42	Department of Higher Education	
43	7066-0009.....	\$183,000
44	EXECUTIVE OFFICE FOR PUBLIC SAFETY AND SECURITY	
45	Office of the Chief Medical Examiner.	
46	8000-0122.....	\$250,000
47	Emergency Management Agency.	
48	8800-0001.....	\$641,750
49	Department of Corrections.	
50	8900-0001.....	\$3,800,000
51	SHERIFFS	
52	Essex Sheriff's Office.	
53	8910-0619.....	\$315,000
54	Franklin Sheriff's Office.	
55	8910-0108.....	\$390,000
56	Hampden Sheriff's Office.	
57	8910-1000.....	\$100,000
58	Massachusetts Sheriff's Association.	
59	8910-7110.....	\$28,000
60	Barnstable Sheriff's Office.	
61	8910-8200.....	\$1,825,000
62	Bristol Sheriff's Office.	
63	8910-8300.....	\$3,200,000
64	Dukes Sheriff's Office.	
65	8910-8400.....	\$125,300

66 Norfolk Sheriff's Office.
67 8910-8600..... \$900,000

68 Plymouth Sheriff's Office.
69 8910-8700..... \$2,500,000

70 Suffolk Sheriff's Office.
71 8910-8800..... \$2,500,000

72 SECTION 2A.

73 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

74 Reserves

75 1599-0087 For expenses incurred by the city of Worcester for public safety and
76 security.....\$47,000

77 1599-0090 For a reserve to reimburse municipalities for unanticipated costs related to
78 extreme weather events; provided, that not less than \$350,000 shall be available to the town of
79 Rockport for costs related to flood damage to Mill Pond Dam; provided further, that \$307,450
80 shall be available to the town of Arlington to reimburse the town for costs related to the July
81 2012 microburst; provided further, that not less than \$250,000 shall be available to the
82 Charlemont sewer district for repairs related to Hurricane Irene; and provided further, that
83 \$300,000 shall be available to the town of Milton to reimburse the town for health care costs
84 related to injured municipal employees.....\$1,207,450

85 1599-0415 For a reserve to provide home modifications and moving expenses for
86 certain victims of the Boston Marathon bombings; provided, however, that funding shall only be
87 provided to a person who has either lost a limb or lost the use of a limb as a result of the Boston
88 Marathon bombings that occurred on April 15, 2013; provided further, that an eligible person
89 shall receive benefits for the purpose of home modification or moving expenses to suitably
90 accessible housing that shall include, but not be limited to, the following: special fixtures or
91 movable facilities, moving expenses to obtain suitable alternative housing and other necessary
92 home modifications due to the person's disability; provided further, that the secretary of
93 administration and finance shall promulgate rules and regulations necessary for the identification
94 of eligible victims of the Boston Marathon bombings and the awarding of benefits; and provided
95 further, that the funds appropriated in this item shall not revert and shall be made available for
96 these purposes through June 30, 2014.....\$200,000

97 1599-1973 For the cost of hired and leased equipment, vehicle repair and sand, salt and
98 other control chemicals used for snow and ice control.....\$55,687,495

99 Commonwealth Transportation Fund 100 %

100 1599-1974 For a reserve to be administered by the executive office for administration
101 and finance for the purposes of facilitating the purchase of health insurance by certain
102 commonwealth employees under the premium only plan of the Section 125 cafeteria plan, 26
103 U.S.C. § 125, who are not eligible for health insurance coverage provided by the group insurance
104 commission under chapter 32A of the General Laws; provided, that funds in this item may be
105 expended until June 30, 2014.....\$400,000

106 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

107 Department of the Secretary of Health and Human Services

108 4000-0265.....\$1,000,000

109 Department of Public Health

110 4590-0925 For the costs of a prostate research program that the department shall grant
111 matching funds from this item to a research foundation selected by the department to undertake
112 the design and management of a 3 year multi-center clinical trial to determine the value of high-
113 quality multi-parametric magnetic resonance imaging service, in this item called MP MRI, as
114 defined by the prostate imaging radiologic system, in this item called PI-RADS, for acquisition
115 and reporting, to address the central challenges in prostate cancer care; provided further, that said
116 clinical trial shall produce scientific data on the value of high-precision MP MRIs and shall
117 include, but shall not be limited to, evaluating MP MRI and PI-RADS in improving early
118 detection of aggressive prostate cancer, eliminating unnecessary biopsies and treatment of
119 indolent disease and reducing health care costs; provided further, that the research foundation
120 selected for this clinical trial shall have a demonstrated record of designing, managing and
121 supporting pioneering work in prostate MRI research and PI-RADS development and shall have
122 a recognized leadership role in integrating efforts of multiple public and private partners in
123 national and international transformational research programs; provided further, that the research
124 foundation selected for this clinical trial shall provide evidence of current or past federally-
125 funded prostate MRI research that shall include PI-RADS standardization; provided further, that
126 any grant to a research foundation from this item shall be subject to such research foundation's
127 receipt of matching funds from federal or private sources; and provided further, that funds in this
128 item shall not revert and shall be made available through June 30,
129 2014.....\$1,500,000

130 SHERIFFS

131 Worcester Sheriff's Office

164 Massachusetts Department of Transportation

165 7004-2027 \$1,496,215

166 Commonwealth Transportation Fund.....100%

167 SECTION 3. Chapter 10 of the General Laws is hereby amended by inserting after
168 section 35XX the following section:-

169 Section 35YY. There shall be established upon the books of the commonwealth a
170 separate fund to be known as the Dockside Testing Trust Fund to be expended, without prior
171 appropriation, by the department of public health. The fund shall consist of fees to collected
172 from harvesters of molluscan shellfish on Georges Bank in waters that are not monitored for the
173 presence of paralytic shellfish toxin in the amount \$35,000 per vessel that harvests molluscan
174 shellfish in those waters. The commissioner shall make necessary expenditures from the fund
175 only for the administrative costs of the operations and programs of the department related to
176 regulating and monitoring the shellfish harvesters, including the testing of shellfish as necessary
177 to ensure that they are safe for human consumption. The department may incur expenses and the
178 comptroller may certify for payment amounts in anticipation of expected receipts, but no
179 expenditure shall be made from the fund that would cause the fund to be in deficit at the close of
180 a fiscal year. Moneys deposited in the fund that are unexpended at the end of a fiscal year shall
181 not revert to the General Fund.

182 SECTION 4. Paragraph (B) of section 2 of chapter 18 of the General Laws, as amended
183 by section 1 of chapter 161 of the acts of 2012, is hereby further amended by inserting at the end
184 thereof the following 2 clauses:-

185 (k) require the use of photo identification on the front of each newly issued and reissued
186 electronic benefit transfer card for each cardholder who is over the age of 18; provided, however,
187 that the department shall promulgate regulations to ensure that all authorized users and members
188 of the household are able to use an electronic benefit transfer card pursuant to 7 U.S.C.A §
189 2016(h)(9); provided further, that the department shall not require the use of photo identification
190 for individuals who are 60 years of age or over, blind, disabled or victims of domestic violence;
191 and provided, further, that in developing regulations for authorized users, the department shall
192 consult with businesses or vendor associations whose members accept electronic benefit transfer
193 cards as a form of payment including, but not limited to, the Massachusetts Food Association,
194 the New England Convenience Store Association and the Retailers Association of
195 Massachusetts.

196 (l) include the fraud hotline number and department website on all newly issued
197 electronic benefit transfer cards.

198 SECTION 5. Chapter 29 of the General Laws is hereby amended by inserting after
199 section 2III the the following section:-

200 Section 2KKKK. There shall be established and set upon the books of the
201 commonwealth a separate fund to be known as the Medical Marijuana Trust Fund, to be
202 expended without prior appropriation by the department of public health. Unless a greater
203 amount is authorized by law, the fund shall consist of revenue generated from fees collected after
204 July 1, 2013, as authorized by section 3B of chapter 7 of the General Laws and section 13 of
205 chapter 369 of the acts of 2012. The commissioner of public health or a designee shall
206 administer the fund and shall make expenditures from the fund for the administrative costs of
207 operations and programs related to said chapter 369. The department may incur expenses and the
208 comptroller may certify for payment, amounts in anticipation of expected receipts; provided,
209 however, that no expenditure shall be made from the fund which shall cause the fund to be in
210 deficit at the close of a fiscal year. Moneys deposited in the fund that are unexpended at the end
211 of a fiscal year shall not revert to the General Fund. The commissioner shall report annually not
212 later than March 1 to the house and senate committees on ways and means on the fund. The
213 report shall include, but not be limited to, revenue received by the fund, revenue and expenditure
214 projections for the forthcoming fiscal year and details of all expenditures from the fund,
215 including an analysis of whether the fund expenditures assisted the department in meeting its
216 regulatory mandates.

217 SECTION 6. Section 100A of chapter 32 of the General Laws, as appearing in the 2010
218 Official Edition, is hereby amended by inserting after the word “prosecutor”, in line 18, the
219 following words: “, any municipal or public emergency medical technician”.

220 SECTION 7. Section 24 of chapter 32A of the General Laws, as appearing in the 2010
221 Official Edition, is hereby amended by striking out, in lines 4 and 5, as so appearing, the words
222 “and shall administer the fund in accordance with that section” and inserting in place thereof the
223 following words:- the fund and shall employ the pension reserves investment management board
224 to invest the fund’s assets in the Pension Reserves Investment Trust Fund.

225 SECTION 8. Subsection (b) of section 6M of chapter 62 of the General Laws, as
226 appearing in section 29 of chapter 238 of the acts of 2012, is hereby amended by striking out the
227 definition of “Taxpayer” and inserting in place thereof the following definition:-

228 “Taxpayer”, a taxpayer subject to the personal income tax under this chapter.

229 SECTION 9. Clause (4) of subsection (c) of said section 6M of said chapter 62, as so
230 appearing, is hereby amended by striking out the word “fiscal” and inserting in place thereof the
231 following word:- taxable.

232 SECTION 10. Said section 6M of said chapter 62, as so appearing, is hereby further
233 amended by striking out subsections (f) to (k), inclusive, and inserting in place thereof the
234 following 6 subsections:-

235 (e) The total of all tax credits available to a taxpayer that makes a qualified investment
236 under this section shall not exceed \$1,000,000 in any 1 taxable year. No tax credit shall be
237 allowed to a taxpayer that makes a qualified investment of less than \$1,000.

238 (f) A taxpayer that makes a qualified investment shall be allowed a refundable credit, to
239 be computed as provided in this subsection, against the taxes imposed by this chapter. If the
240 amount of the credit allowed under this subsection exceeds the taxpayer's tax liability, the
241 commissioner shall treat the excess as an overpayment and shall pay the taxpayer the amount of
242 the excess, without interest. Alternatively, at the option of the taxpayer, a taxpayer entitled to a
243 credit under this subsection for a taxable year may carry over and apply against the taxpayer's
244 tax liability for any 1 or more of the succeeding 5 taxable years, the portion, as reduced from
245 year to year, of the credit which exceeds the tax for the taxable year. If the taxpayer elects to
246 carry over a credit balance, then the credit refund provision allowed by this subsection shall not
247 apply. The credit shall be equal to 50 per cent of the total qualified investments made by the
248 taxpayer, subject to the limits described in subsection (e). The department shall issue a
249 certification to the taxpayer after the taxpayer makes a qualified investment. The certification
250 shall be acceptable as proof that the expenditures related to that investment qualify as a qualified
251 investment for purposes of the credit allowed under this section.

252 (g) The credit allowable under this section shall be allowed for the taxable year in which
253 a qualified investment is made.

254 (h) Community investment tax credits allowed to a pass-through entity such as a
255 partnership or a limited liability company taxed as a partnership shall be passed through to the
256 persons designated as partners, members or owners, respectively, pro rata or pursuant to an
257 executed agreement among the persons designated as partners, members or owners documenting
258 an alternative distribution method without regard to their sharing of other tax or economic
259 attributes of the entity.

260 (i) The department shall authorize the tax credits under this section. The total value of
261 the tax credits authorized under this section, together with section 38EE of chapter 63, shall not
262 exceed \$3,000,000 in taxable year 2014 and \$6,000,000 in each of taxable years 2015 to 2019,
263 inclusive.

264 (j) The commissioner, in consultation with the department, shall adopt regulations to
265 carry out the tax credit established in this section.

266 SECTION 11. Subsection (b) of section 38EE of chapter 63 of the General Laws, as
267 appearing in section 35 of said chapter 238, is hereby amended by inserting before the definition
268 of “Community development corporation” the following definition:-

269 “Commissioner”, the commissioner of revenue or the commissioner’s duly authorized
270 representative.

271 SECTION 12. The definition of “Community investment tax credit” in said subsection
272 (b) of said section 38EE of said chapter 63, as so appearing, is hereby amended by striking out
273 the word “ subsection (c)” and inserting in place thereof the following word:- subsection (d).

274 SECTION 13. Subsection (b) of said section 38EE of said chapter 63, as so appearing, is
275 hereby amended by striking out the definition of “Taxpayer” and inserting in place thereof the
276 following definition:-

277 “Taxpayer”, a taxpayer subject to an excise under this chapter.

278 SECTION 14. Clause (4) of subsection (c) of said section 38EE of said chapter 63, as so
279 appearing, is hereby further amended by striking out the word “fiscal” and inserting in place
280 thereof the following word:- taxable.

281 SECTION 15. Said section 38EE of said chapter 63, as so appearing, is hereby further
282 amended by striking out subsections (e) to (i), inclusive, and inserting in place thereof the
283 following 5 subsections:-

284 (e) The total of all tax credits available to a taxpayer that makes a qualified investment
285 under this section shall not exceed \$1,000,000 in any 1 taxable year. No tax credit shall be
286 allowed to a taxpayer that makes a qualified investment of less than \$1,000.

287 (f) A taxpayer that makes a qualified investment shall be allowed a refundable credit, to
288 be computed as provided in this subsection, against the taxes imposed by this chapter. If the
289 amount of the credit allowed under this subsection exceeds the taxpayer’s tax liability, the
290 commissioner shall treat the excess as an overpayment and shall pay the taxpayer the amount of
291 the excess, without interest. Alternatively, at the option of the taxpayer, a taxpayer entitled to a
292 credit under this subsection for a taxable year may carry over and apply against the taxpayer’s
293 tax liability for any 1 or more of the succeeding 5 taxable years, the portion, as reduced from
294 year to year, of the credit which exceeds the tax for the taxable year. If the taxpayer elects to
295 carry over a credit balance, then the credit refund provision allowed by this subsection shall not
296 apply. The credit shall be equal to 50 per cent of the total qualified investments made by the
297 taxpayer, subject to the limits described in subsection (e). The department shall issue a
298 certification to the taxpayer after the taxpayer makes a qualified investment. The certification
299 shall be acceptable as proof that the expenditures related to that investment qualify as a qualified
300 investment for purposes of the credit allowed under this section.

301 (g) The credit allowable under this section shall be allowed for the taxable year in which
302 a qualified investment is made.

303 (h) Community investment tax credits allowed to a pass-through entity such as a
304 partnership or a limited liability company taxed as a partnership shall be passed through to the
305 persons designated as partners, members or owners, respectively, pro rata or under an executed
306 agreement among the persons designated as partners, members or owners documenting an
307 alternative distribution method without regard to their sharing of other tax or economic attributes
308 of the entity.

309 (i) The department shall authorize the tax credits under this section. The total value of
310 the tax credits authorized under this section, together with section 6M of chapter 62, shall not
311 exceed \$3,000,000 in taxable year 2014 and \$6,000,000 in each of taxable years 2015 to 2019,
312 inclusive.

313 SECTION 16. Section 12 of chapter 138 of the General Laws, as appearing in the 2010
314 Official Edition, is hereby amended by striking out, in lines 145 to 157, inclusive, the words “;
315 provided further, that a local licensing authority, subject to the approval of the commission, may
316 grant a license notwithstanding section 17 to sell wine for consumption on the winery premises
317 to a winegrower authorized to operate a farmer-winery under section 19B, to sell malt beverages
318 for consumption on the brewery premises to a farmer-brewer authorized to operate a farmer-
319 brewer under section 19C and to sell spirits for consumption on the distillery premises to a
320 farmer-distiller authorized to operate a farmer-distillery under section 19E; and provided further,
321 that such licensees may sell for on premises consumption wines, malt beverages and spirits
322 produced by the winery, brewery or distillery or produced for the winery, brewery or distillery
323 and sold under the winery, brewery or distillery brand name”.

324 SECTION 17. Section 19B of said chapter 138, as so appearing, is hereby amended by
325 striking out, in lines 112 and 113, the words “the pertinent provisions of section twelve” and
326 inserting in place thereof the following words:- this section.

327 SECTION 18. Said section 19B of said chapter 138, as so appearing, is hereby further
328 amended by adding the following subsection:-

329 (n) A local licensing authority, subject to the approval of the commission, may grant a
330 license notwithstanding section 17 to sell wines for consumption on the winery premises to a
331 winegrower authorized to operate a farmer-winery under this section; provided, however, that
332 such licensees may sell for on-premises consumption wines produced by the winery or produced
333 for the winery and sold under the winery brand name.

334 SECTION 19. Section 19C of said chapter 138, as so appearing, is hereby amended by
335 striking out, in line 119, the words “the pertinent provisions of section twelve” and inserting in
336 place thereof the following words:- this section.

337 SECTION 20. Said section 19C of said chapter 138, as so appearing, is hereby further
338 amended by adding the following subsection:-

339 (n) Notwithstanding section 17, a local licensing authority, subject to the approval of the
340 commission, may grant a license to sell malt beverages for consumption on the brewery premises
341 to a farmer-brewer authorized to operate a farmer-brewery pursuant to this section; provided,
342 however, that such licensees may sell for on-premises consumption malt beverages produced by
343 the brewery or produced for the brewery and sold under the brewery brand name.

344 SECTION 21. Section 19E of said chapter 138, as so appearing, is hereby amended by
345 striking out, in line 123, the words “the pertinent provisions of section 12” and inserting in place
346 thereof the following words:- this section.

347 SECTION 22. Said section 19E of said chapter 138, as so appearing, is hereby further
348 amended by adding the following subsection:-

349 (o) Notwithstanding section 17, a local licensing authority, subject to the approval of the
350 commission, may grant a license to sell spirits for consumption on the distillery premises to a
351 farmer-distiller authorized to operate a farmer-distillery pursuant to this section; provided,
352 however, that such licensees may sell for on-premises consumption spirits produced by the
353 distillery or produced for the distillery and sold under the distillery brand name.

354 SECTION 23. Chapter 176D of the General Laws is hereby amended by inserting after
355 section 3B the following section:-

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

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

360 “Emergency ambulance services”, emergency services that an ambulance service
361 provider is authorized to render pursuant to its ambulance service license when a condition or
362 situation in which an individual has a need for immediate medical attention, or where the
363 potential for such need is perceived by the individual, a bystander or an emergency medical
364 services provider.

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

368 “Insured”, an individual entitled to ambulance services benefits pursuant to an insurance
369 policy or insurance contract.

370 “Insurer”, a person, as defined in section 1 of chapter 176D; any health maintenance
371 organization, as defined in section 1 of chapter 176G; a non-profit hospital service corporation
372 organized pursuant to chapter 176A; any organization, as defined in section 1 of chapter 176I,
373 that participates in a preferred provider arrangement, as defined in said section 1 of said chapter
374 176I; any carrier offering a small group health insurance plan pursuant to chapter 176J; any
375 company, as defined in section 1 of chapter 175; any employee benefit trust; any self-insurance
376 plan; and any company possessing a certificate, as defined in section 34A of chapter 90, and
377 authorized to issue a policy of motor vehicle liability insurance pursuant to section 113A of
378 chapter 175 that provides insurance for the expense of medical coverage.

379 (b) Notwithstanding the provisions of any general or special law to the contrary, in any
380 instance in which an ambulance service provider that provides an emergency ambulance service
381 to an insured is not an ambulance service provider under contract to the insurer maintaining or
382 providing the insured’s insurance policy or insurance contract, the insurer maintaining or
383 providing such insurance policy or insurance contract shall pay the ambulance service provider
384 directly and promptly for the emergency ambulance service rendered to the insured.
385 Notwithstanding any prohibition against an insured’s assigning benefits under the insured’s
386 insurance policy or insurance contract, such payment shall be made to the ambulance service
387 provider; provided that the insured executes an assignment of benefits to the ambulance service
388 provider. In the event that an insured is either incapable or unable as a practical matter to execute
389 an assignment of benefits under an insurance policy or insurance contract pursuant to which an
390 assignment of benefits is not prohibited, or in connection with an insurance policy or insurance
391 contract that contains a prohibition against any such assignment of benefits, such payment shall
392 be made to the ambulance service provider regardless of any such incapacity or inability. An
393 ambulance service provider shall not be considered to have been paid for an emergency
394 ambulance service rendered to an insured if the insurer makes payment for the emergency
395 ambulance service to the insured. An ambulance service provider shall have a right of action
396 against an insurer that fails to make a payment to it pursuant to this subsection.

397 (c) Payment to an ambulance service provider pursuant to subsection (b) shall be at a rate
398 equal to the rate established by the municipality where the patient was transported from.

399 (d) An ambulance service provider receiving payment for an ambulance service in
400 accordance with subsections (b) and (c) shall be deemed to have been paid in full for the
401 ambulance service provided to the insured, and shall have no further right or recourse to further
402 bill the insured for said ambulance service with the exception of coinsurance, co-payments or
403 deductibles for which the insured is responsible under the insured’s insurance policy or insurance
404 contract.

405 (e) No term or provision of this section shall be construed as limiting or adversely
406 affecting an insured’s right to receive benefits under any insurance policy or insurance contract
407 providing insurance coverage for ambulance services. No term or provision of this section shall

408 create an entitlement on behalf of an insured to coverage for ambulance services if the insured's
409 insurance policy or insurance contract provides no coverage for ambulance services.

410 SECTION 24. Section 4B of chapter 262 of the General Laws, as amended by section
411 116 of chapter 93 of the acts of 2011, is hereby further amended by adding the following
412 sentence:- No fee pursuant to this section shall be charged to the commonwealth or a state
413 agency; provided, however, that if an action initiated by the commonwealth or a state agency
414 results in the appointment of a fiduciary with control over the assets of an estate, any such fees
415 normally chargeable to an estate shall be deferred until the fiduciary is duly appointed and
416 authorized to expend the assets of the estate.

417 SECTION 25. Section 40 of said chapter 262, as appearing in section 60 of chapter 140
418 of the acts of 2012, is hereby amended by adding the following sentence:- No fee under this
419 section shall be charged to the commonwealth or a state agency; provided, however, that if an
420 action initiated by the commonwealth or a state agency results in the appointment of a fiduciary
421 with control over the assets of an estate, any such fees normally chargeable to an estate shall be
422 deferred until the fiduciary is duly appointed and authorized to expend the assets of the estate.

423 SECTION 26. Section 4 of chapter 29 of the acts of 2007 is hereby repealed.

424 SECTION 27. The last paragraph of section 22 of chapter 61 of the acts of 2009 is hereby
425 amended by striking out the words "October 31, 2012", as inserted by section 15 of chapter 239
426 of the acts of 2012, and inserting in place thereof the following words:- July 15, 2013.

427 SECTION 28. Item 1599-2013 of section 2A of chapter 142 of the acts of 2011 is hereby
428 amended by inserting after the figure "3:10-CV30073" the following words:- , or other cases
429 involving the department of children and families.

430 SECTION 29. The last paragraph of section 56 of chapter 176 of the acts of 2011 is
431 hereby amended by striking out the words "April 15, 2013", as inserted by section 2 of chapter
432 435 of the acts of 2012, and inserting in place thereof the following words:- September 15, 2013.

433 SECTION 30. The last paragraph of section 59 of said chapter 176 is hereby amended by
434 striking out the words "March 15, 2013", as inserted by section 4 of said chapter 435, and
435 inserting in place thereof the following words:- August 15, 2013.

436 SECTION 31. Section 62 of said chapter 176 is hereby amended by striking out the
437 words "January 11, 2013", as inserted by section 5 of said chapter 435, and inserting in place
438 thereof the following words:- July 31, 2013.

439 SECTION 32. Item 0340-0900 of section 2 of chapter 139 of the acts of 2012 is hereby
440 amended by adding the following words:- ; and provided further, that any unexpended funds in
441 this item at the end of fiscal year 2013 shall not revert and shall be made available for the
442 purposes of this item until June 30, 2014.

443 SECTION 33. Item 0511-0000 of said section 2 of said chapter 139 of the acts of 2012 is
444 hereby amended by adding the following words:— ; and provided further, that the secretary is
445 directed to transfer \$19,547 to the Essex south registry of deeds for unanticipated rent costs.

446 SECTION 34. Item 1410-0010 of said section 2 of said chapter 139 is hereby amended
447 by adding the following words:- ; provided further, that any funds for the restoration of civil war
448 memorials shall not revert and shall be made available for the purpose of civil war memorial
449 restoration grants through June 30, 2014; and provided further, that not less than \$25,000 shall be
450 expended for the War Memorial in the town of Southwick to ensure compliance with the
451 Americans with Disabilities Act of 1990, Public Law 101-336, as amended.

452 SECTION 35. Said item 1410-0010 of said section 2 of said chapter 139 is hereby
453 further amended by striking out the figure “\$2,695,839” and inserting in place thereof the
454 following figure:- “\$2,720,839”.

455 SECTION 36. Item 2800-0700 of said section 2 of said chapter 139 of the acts of 2012 is
456 hereby amended by adding the following words:- ; and provided, further, that the department
457 may issue grants to public entities for the repair and maintenance of certain flood prevention
458 structures established pursuant to chapter 602 of the acts of 1966.

459 SECTION 37. Item 2810-0100 of said section 2 of said chapter 139 is hereby amended
460 by adding the following words:- ; and provided further, that not less than \$350,000 shall be
461 expended for aquatic invasive species control.

462 SECTION 38. Said item 2810-0100 of said section 2 of said chapter 139 is hereby further
463 amended by striking out the figure:- “\$41,409,387” and inserting in place thereof the following
464 figure:- \$41,759,387.

465 SECTION 39. Item 4100-0060 of said section 2 of said chapter 139 is hereby amended
466 by inserting after the words “acts of 1997” the following words:- ; provided further, that
467 assessment revenue received after June 30, 2013 for assessments billed in fiscal 2013 shall be
468 credited toward fiscal 2013 revenue receipts.

469 SECTION 40. Item 4513-1098 of said section 2 of said chapter 139 is hereby amended
470 by adding the following words:- ; and provided further, that any unexpended funds shall not
471 revert but shall be made available for expenditure until June 30, 2014.

472 SECTION 41. Said item 4513-1098 of said section 2 of said chapter 139 is hereby further
473 amended by striking out the figure “\$125,000” and inserting in place thereof the following
474 figure:- \$275,000.

475 SECTION 42. Item 4516-1010 of said section 2 of said chapter 139 of the acts of 2012 is
476 hereby amended by adding the following words:- provided, that not less than \$1,000,000 shall be

477 expended to the city of Boston's public health department for emergency preparedness and
478 ambulance services at public events.

479 SECTION 43. Said item 4516-1010 of said section 2 of said chapter 139 is hereby further
480 amended by striking out the figure "\$2,197,411" and inserting in place thereof the following
481 figure:- \$3,197,411.

482 SECTION 44. Item 7004-0102 of said section 2 of said chapter 139 is hereby amended
483 by adding the following words:- ; and provided further, that \$145,387 shall be expended for the
484 Friends of the Homeless, Inc. in the city of Springfield.

485 SECTION 45. Said item 7004-0102 of said section 2 of said chapter 139 is hereby further
486 amended by striking out the figure "\$40,450,335" and inserting in place thereof the following
487 figure:- \$40,597,722.

488 SECTION 46. Item 7008-0900 of said section 2 of said chapter 139 is hereby amended
489 by adding the following words:- ; provided further, that not less than \$100,000 shall be expended
490 to the Massachusetts International Festival of the Arts for the planned renovations and reopening
491 of the Victory Theatre in the city of Holyoke, including construction consulting, business
492 planning and architecture and engineering costs ; provided further, that not less than \$25,000
493 shall be expended for the Wareham Summer of Celebration Organization, Incorporated for the
494 town of Wareham's two hundredth anniversary of the attack on Wareham harbor by the British
495 sloop HMS Nimrod and the two hundred and seventy-fifth anniversary of the incorporation of
496 the town of Wareham; provided further, that not less than \$50,000 shall be expended to the New
497 Bedford Whaling Museum, in cooperation with the city of New Bedford, for the visit of the
498 whaling ship Charles W. Morgan to the city of New Bedford in June 2014; provided further, that
499 not less than \$100,000 shall be expended for the New Bedford Ocean Explorium; provided
500 further, that not less than \$150,000 shall be expended for the Frederick Douglas House in the city
501 of New Bedford for educational services, interpretative and museum services, programs and
502 acquisitions and to undertake tourism and marketing activities; provided further, that not less
503 than \$100,000 shall be expended for accessibility at the Arc of Greater Plymouth, Inc.; and
504 provided further, that not less than \$50,000 shall be expended to the Greater Plymouth
505 Performing Arts Center, Inc..

506 SECTION 47. Said item 7008-0900 of said section 2 of said chapter 139 is hereby further
507 amended by striking out the figure "\$7,217,109" and inserting in place thereof the following
508 figure:- \$7,792,109.

509 SECTION 48. Item 7066-0025 of said section 2 of said chapter 139 is hereby amended
510 by adding the following words:- ; and provided further that funds from this item may be
511 expended through August 31, 2013.

512 SECTION 49. Item 8000-0122 of said section 2 of said chapter 139 is hereby amended
513 by striking out the figure “\$2,250,000”, each time it appears, and inserting in place thereof the
514 following figure:- \$2,500,000.

515 SECTION 50. Item 8100-1001 of said section 2 of said chapter 139 is hereby amended
516 by adding the following words:- ; and provided further, that not less than \$100,000 shall be
517 expended for the purpose of enhancing the state police presence in the city of Springfield.

518 SECTION 51. Said item 8100-1001 of said section 2 of said chapter 139 is hereby further
519 amended by striking out the figure “\$244,122,688” and inserting in place thereof the following
520 figure:- \$244,222,688.

521 SECTION 52. Item 8324-0000 of said section 2 of said chapter 139 is hereby amended
522 by adding the following words:- ; and provided further, that \$50,000 shall be expended for
523 conceptual planning and development for fire safety improvements in the town of Dudley.

524 SECTION 53. Said item 8324-0000 of said section 2 of said chapter 139 is hereby further
525 amended by striking out the figure “\$18,513,773” and inserting in place thereof the following
526 figure:- \$18,563,773.

527 SECTION 54. Item 8910-1000 of said section 2 of said chapter 139 is hereby amended
528 by striking out the figure “\$2,396,673”, each time it appears, and inserting in place thereof the
529 following figure:- \$2,496,673.

530 SECTION 55. Item 1595-1067 of section 2E of said chapter 139 is hereby amended by
531 inserting after the words “non-federal share of such payment” the following words:- ; provided
532 further, that upon certification from the secretary of administration and finance the comptroller
533 shall credit up to \$11,213,334 in transfers made by the Cambridge public health commission
534 received after June 30, 2013, toward fiscal year 2013 revenue receipts.

535 SECTION 56. Item 1595-6368 of said section 2E of said chapter 139 is hereby amended
536 by inserting after the words “in fiscal year 2012”, the second time it appears, the following
537 words:- ; provided further, that not less than \$971,215 shall be provided to reimburse the
538 Community Transportation Association for unpaid costs related to the operation of Berkshire
539 Rides and Community Transit Services in prior fiscal years.

540 SECTION 57. Paragraph 2 of subsection (c) of section 41 of chapter 209 of the acts of
541 2012 is hereby amended by striking out “July 1, 2013” and inserting in place thereof the
542 following words:- October 31, 2013.

543 SECTION 58. Chapter 238 of the acts of 2012 is hereby amended by striking out
544 sections 82 and 83 and inserting in place thereof the following section:-

545 Section 82. The office of commonwealth performance, accountability and transparency,
546 in consultation with the department of housing and community development and the
547 commissioner of revenue, shall review the community investment tax credit in section 6M of
548 chapter 62 of the General Laws and section 38EE of chapter 63 of the General Laws and report
549 on the estimate of the anticipated foregone revenue from the tax credit, whether this tax credit
550 achieves the desired outcome and stated public policy purpose of the tax credit and if the tax
551 credit is the most cost effective means of achieving this public policy purpose and whether the
552 tax credit should be subject to a recapture if certain conditions are not met. Not later than March
553 1, 2015, the office of commonwealth performance, accountability and transparency shall file a
554 report, together with any recommendations regarding whether there should be legislative changes
555 to the tax credit or whether the goals of the tax credit can better be served through other means,
556 with the governor and with the clerks of the house of representatives and senate, who shall
557 forward the report to the joint committee on revenue, the joint committee on economic
558 development and emerging technologies, the joint committee on community development and
559 small businesses and the house and senate committees on ways and means. The report required
560 to be filed by the office under this section shall be made available online.

561 SECTION 59. Item 1599-0054 of section 2A of chapter 3 of the acts of 2013 is hereby
562 amended by adding the following words:- ; and provided further, that any funds unexpended in
563 fiscal year 2013 shall not revert and shall be made available for the purposes of this item until
564 June 30, 2014.

565 SECTION 60. Section 27 of chapter 3 is hereby amended by inserting after the word
566 “appropriation” the following words:- and that any portion of the reduction may be met through
567 the transfer of non-appropriated resources to the General Fund.

568 SECTION 61. Notwithstanding any general or special law to the contrary, the secretary
569 of health and human services, with the written approval of the secretary of administration and
570 finance, may authorize transfers of surplus among items 4000-0320, 4000-0430, 4000-0500,
571 4000-0600, 4000-0700, 4000-0870, 4000-0875, 4000-0880, 4000-0890, 4000-0895, 4000-0950,
572 4000-0990, 4000-1400, 4000-1405 and 4000-1420 of section 2 of chapter 139 of the acts of 2012
573 for the purpose of reducing any deficiency in these items, but any such transfer shall be made not
574 later than August 30, 2013.

575 SECTION 62. Notwithstanding any general or special law to the contrary, the secretary
576 of administration and finance may transfer funds from item 1599-1711 of section 2A of chapter
577 239 of the acts of 2012 to item 1599-1710 of said section 2A of said chapter 239. The secretary
578 shall notify the house and senate committees on ways and means in writing not less than 10 days
579 before directing the comptroller to make any such transfer.

580 SECTION 63. The salary adjustments and other economic benefits authorized by the
581 following collective bargaining agreements shall be effective for the purposes of section 7 of
582 chapter 150E of the General Laws:

583 (i) between the University of Massachusetts and the International Brotherhood of
584 Teamsters, Local 25, Unit B33, for the Boston campus;

585 (ii) between the University of Massachusetts and the American Federation of Teachers,
586 Local 1895, AFL-CIO, Faculty Federation, Units D80 and D81, for the Dartmouth campus; and

587 (iii) between the University of Massachusetts and the Federation of Maintenance and
588 Custodial Employees, MFT, AFT, AFL-CIO, Unit D83, for the Dartmouth campus.

589 SECTION 64. Notwithstanding any general or special law to the contrary, the department
590 of conservation and recreation shall authorize the installation and maintenance of a suitable
591 marker on the Charles River Esplanade in the city of Boston in recognition of David G. Mugar
592 on the fortieth anniversary of the Boston Pops July fourth fireworks spectacular.

593 SECTION 65. Notwithstanding any general or special law to the contrary and in
594 recognition of heroic measures taken by officer Sean Allen Collier, who was sworn as a special
595 state police officer pursuant to section 63 of chapter 22C of the General Laws and as a deputy
596 sheriff of Middlesex county and Suffolk county, to protect the public safety of the
597 commonwealth, the state retirement board shall issue a killed in the line of duty death benefit to
598 the family of officer Sean Allen Collier pursuant to section 100A of chapter 32 of the General
599 Laws. The state retirement board shall administer said benefit according to terms and conditions
600 established for benefits provided pursuant to said section 100A of said chapter 32.

601 SECTION 66. Notwithstanding any general or special law to the contrary, for fiscal year
602 2014, the secretary of health and human services shall implement, in its entirety and without
603 being subject to adjustment for the entire fiscal year, section 253 of chapter 224 of the acts of
604 2012 for its managed care and primary clinician programs.

605 SECTION 67. Notwithstanding any general or special law to the contrary, the secretary
606 of the commonwealth shall transfer \$716,511 from the elections division operating account, in
607 item 0521-0000 of section 2 of chapter 139 of the acts of 2012, to the HAVA Trust Account in
608 item 0521-0700 in order to meet federal matching fund requirements.

609 SECTION 68. Notwithstanding any general or special law to the contrary, the
610 unexpended balances of all capital accounts which otherwise would revert on June 30, 2013, but
611 which are necessary to fund obligations during fiscal year 2014, are hereby re-authorized;
612 provided, however, that this re-authorization shall terminate upon enactment of a capital account
613 extension law.

614 SECTION 69. Notwithstanding any general or special law to the contrary, the
615 department of housing and community development is directed to expend not less than a total of
616 \$150,000 for a one-time community action grant in the town of Holbrook in fiscal year 2013, as
617 appropriated for in item 7004-0099.

618 SECTION 70. Notwithstanding any general or special law to the contrary, the department
619 of correction shall expend not less than \$2,000,000 for cities and towns hosting department of
620 correction facilities in fiscal year 2013, as appropriated in item 8900-0001; provided, however,
621 that of the \$2,000,000, no city or town hosting a department of correction facility shall receive
622 more than \$800,000 and shall not receive less than the amount allocated in item 8900-0001 of
623 section 2 of chapter 68 of the acts of 2011.

624 SECTION 71. Notwithstanding any general or special law to the contrary, the funds
625 appropriated in item 4000-0265 of section 2A of chapter 142 of the acts of 2011 shall be again
626 appropriated for the same dollar amount in line item 4000-0265 and shall be distributed and
627 managed in the same manner as designated in section 60 of chapter 118 of the acts of 2012.

628 SECTION 72. Notwithstanding any general or special law to the contrary, on or before
629 March 1, 2014, the executive office of health and human services and the executive for
630 administration and finance shall submit a report to the house and senate committees on ways and
631 means and the joint committee on health care financing detailing the cost savings to the
632 commonwealth that would result from the implementation of a basic health program pursuant to
633 section 9 of chapter 118E and 42 U.S.C. section 18051.

634 SECTION 73. There is hereby established a special task force on state verification and
635 eligibility consisting of 6 members: the state auditor or a designee; the attorney general or a
636 designee; the inspector general or a designee; the state treasurer and receiver general or a
637 designee; the secretary of health and human services or a designee; and the secretary of
638 administration and finance or a designee, who shall serve as chair of the task force. The task
639 force shall make an investigation and study of the following issues: (1) the development of a
640 common eligibility standard to be applied to all agencies of the commonwealth administering
641 public assistance programs; (2) the obstacles to the implementation of a common eligibility
642 standard; (3) the fiscal impacts to the commonwealth of implementing a common eligibility
643 standard; (4) any federal limitations on the implementation of such a standard; and (5) any
644 ancillary impacts to the commonwealth or recipients of public benefits. Subject to appropriation,
645 the task force may hire an independent consultant to conduct research and assist with the
646 development of any recommendations. The task force shall report to the general court the results
647 of its investigation and study, and its recommendations, if any, together with drafts of legislation
648 to carry its recommendations into effect, by filing the same with the clerks of the senate and the
649 house of representatives on or before March 15, 2014

650 SECTION 74. Notwithstanding any general or special law to the contrary, and pursuant
651 to section 2 of chapter 18 of the General Laws, within 12 months of the effective date of this act,
652 the department of transitional assistance shall replace all existing electronic benefit transfer cards
653 with cards containing a photograph of the cardholder.

654 SECTION 75. Notwithstanding any general or special law to the contrary, and pursuant
655 to section 2 of chapter 18 of the General Laws, within 6 months of the effective date of this act,
656 the department of transitional assistance shall include on all new or reissued electronic benefit
657 cards a photograph of the cardholder.

658 SECTION 76. The department of transitional assistance shall consider utilizing the
659 photograph databases of the registry of motor vehicles and the Massachusetts Bay Transportation
660 Authority as a cost-saving measure. The department of transitional assistance shall work with the
661 registry of motor vehicles to access and cross-share facial recognition data and resources for the
662 purpose of identifying potential fraud by December 31, 2014. The department shall report any
663 case where there is reason to believe that fraud has been committed to the bureau of special
664 investigations, the district attorney or an appropriate law enforcement entity for such action as
665 they may deem proper.

666 SECTION 77. Notwithstanding any general or special law to the contrary, the secretary
667 of commonwealth shall expend not less than a total of \$19,392 for extraordinary election costs
668 incurred by the town of Northampton due to the November 6, 2012 election, as appropriated for
669 in item 0521-0000.

670 SECTION 78. Notwithstanding any general or special law to the contrary, any
671 unexpended balances, not exceeding a total of \$20,000,000, in items 4000-0600 and 4000-0700
672 of section 2 of chapter 139 of the acts of 2012, shall not revert to the General Fund until
673 September 1, 2013 and may be expended by the executive office of health and human services to
674 pay for services enumerated in said items 4000-0600 and 4000-0700 of said section 2 of said
675 chapter 139 provided during fiscal year 2013.

676 SECTION 79. (a) For the purposes of reducing the need for remediation following
677 matriculation into a postsecondary setting, the comptroller shall transfer \$30,000 from the
678 General Fund to the department of elementary and secondary education to administer the
679 uniform college and career readiness pilot program established in subsection (b).

680 (b) There shall be a uniform college and career readiness pilot program to be
681 administered by the department for the 2013 to 2014 school year for the school districts, charter
682 schools and innovation schools in gateway cities. The pilot program shall be administered to
683 approximately 750 students and shall consist of: (i) placement tests; (ii) diagnostic assessment
684 tests; (iii) intervention programs to be administered to students over a 10-week period as
685 indicated by a student's score on the diagnostic assessment test, to ensure that the student
686 receives online education services necessary for the student to demonstrate postsecondary and

687 workforce readiness with either a reduced or eliminated need for remediation; and (iv) second
688 placement tests following the delivery of any intervention services in order to collect data
689 necessary to determine the pilot program's efficacy. The placement tests and diagnostic
690 assessment tests shall be those tests commonly administered by public institutions of higher
691 education. The selected school districts, charter schools or innovation schools shall receive
692 funding to administer the tests and deliver the diagnosed remediation services. Administration of
693 the placement tests, diagnostic assessment tests and intervention services shall commence when
694 a student enters the eleventh grade.

695 (c) At the end of the pilot program, all recipient schools shall provide a report to the
696 department that includes data of the efficacy of the schools' program efforts by comparing the
697 initial placement tests to the placement tests administered following the delivery of remediation
698 services and the department shall submit the report to the house and senate committees on ways
699 and means, the joint committee on education and the joint committee on higher education by
700 August 1, 2014 to determine whether the pilot program shall be more broadly implemented.

701 SECTION 80. There shall be established and set up on the books of the commonwealth
702 a separate fund to be known as the Section 1202 Trust Fund. An amount equal to the federal
703 financial participation received for the portion of expenditures eligible for 100 per cent federal
704 financial participation under section 1202 of the Patient Protection and Affordable Care Act,
705 Public Law 111-152 and regulations adopted thereunder shall be deposited into the fund. The
706 amount deposited shall not exceed the amount expended from the fund. The secretary of health
707 and human services shall be the trustee of the fund and shall expend moneys in the fund, without
708 further appropriation, exclusively for services provided in calendar years 2013 and 2014 that are
709 eligible for 100 per cent federal financial participation under said section 1202. The secretary
710 may incur expenses, and the comptroller may certify for payment from the fund amounts in
711 anticipation of expected receipts, but no expenditure shall be made from the fund that shall cause
712 the fund to be in deficit at the close of a fiscal year. Any remaining balances in the fund at the
713 end of a fiscal year shall not revert to the General Fund and shall be available during the
714 following fiscal year for the purposes of this section. Funds may be expended for services
715 provided in prior fiscal years.

716 SECTION 81. Section 80 is hereby repealed.

717 SECTION 82. Sections 8 to 15, inclusive, shall take effect on January 1, 2014.

718 SECTION 83. Section 81 shall take effect on June 30, 2015.