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Massachusetts Commission Against Discrimination

0940-0100\$250,000

SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an alteration of purpose for current appropriations and to meet certain requirements of law, the sums set forth in this section are hereby appropriated from the General Fund unless specifically designated otherwise in this section, for the several purposes and subject to the conditions specified in this section and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2018. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of these items. These sums shall be made available until June 30, 2018.

SECRETARY OF THE COMMONWEALTH

Office of the Secretary

0521-0007 For reimbursements to municipalities for costs associated with the implementation of the mandated provisions of early voting for the November 8, 2016 State Election as required by section 25B of chapter 54 of the General Laws, as was determined through the collection and certification of accurate accounting by the state auditor and division of local mandates; and provided further, any unexpended funds in this item shall be made available until June 30, 2018.....\$1,063,978.14

EXECUTIVE OFFICE OF EDUCATION

Department of Elementary and Secondary Education

33 7061-0011 For a reserve to provide extraordinary relief to school districts educating
34 students who are residents of Puerto Rico or the United States Virgin Islands who have enrolled
35 in their schools, or in an educational entity to which they pay tuition to educate their students,
36 after October 2, 2017 due to the impact of hurricanes Maria and Irma; provided, that financial
37 support shall be provided to said districts, on a full time equivalent basis, and in a manner
38 consistent with the aid calculations made under the chapter 70 school aid program; provided
39 further, that funds distributed from this item, shall not be considered prior year chapter 70 aid
40 and shall not be used in the calculation of the minimum required local contribution for fiscal year
41 2019; provided further, that the department of elementary and secondary education shall adopt
42 equitable and proportionate guidelines and application procedures for grants to be made pursuant
43 to this item within 60 days of the effective date of this act; and provided further, that the
44 department shall report to the joint committee on education and the house and senate committees
45 on ways and means on the calculation and planned distribution of funds to school districts not
46 less than 15 days prior to disbursement of funds appropriated in this
47 item.....\$15,000,000

48 SECTION 3. Section 1 of chapter 211D of the General Laws, as appearing in the 2016
49 Official Edition, is hereby amended by striking out, in lines 35 through 37, inclusive, the words:-
50 “While serving on the committee, no member shall be assigned or appointed to represent
51 indigent defendants before any court of the commonwealth.”.

52 SECTION 4. Item 0940-0101 of section 2 of chapter 47 of the acts of 2017, as most
53 recently amended by section 28 of chapter 110 of the acts of 2017, is hereby amended by striking
54 out the figure “\$3,100,000”, each time it appears and inserting in place thereof, in each instance,
55 the following figure:- \$3,500,000.

56 SECTION 5. Item 0940-0102 of said section 2 of said chapter 47 is hereby amended by
57 striking out the figure “\$240,000”, each time it appears and inserting in place thereof, in each
58 instance, the following figure:- \$410,000.

59 SECTION 6. Item 7004-0099 of said section 2 of said chapter 47 is hereby amended by
60 adding the following words:- and provided further, that not less than \$200,000 shall be
61 expended for the Citizen Planner Training Collaborative to develop an updated curriculum,
62 expand the program across the commonwealth, develop online training and testing materials,
63 track certification for qualified planning board and zoning boards of appeals members and recruit
64 and train new instructors.

65 SECTION 7. Said item 7004-0099 of said section 2 of said chapter 47 is hereby further
66 amended by striking out the figure “\$8,158,469” and inserting in place thereof the following
67 figure:- \$8,358,469.

68 SECTION 8. (a) Notwithstanding any general or special law to the contrary, if the
69 committee for public counsel services, hereinafter the committee, determines that there exists a
70 limited availability of qualified private counsel appointed or assigned to care and protection
71 cases in any county the committee may, by a majority vote, declare an emergency in that county.

72 (b) Upon the declaration of an emergency pursuant to subsection (a) the committee may
73 authorize a temporary increase in the rate of compensation for private counsel appointed or
74 assigned to care and protection cases in that county who, prior to the declaration of an
75 emergency, have billed not less than 350 hours in the current fiscal year as private counsel
76 appointed or assigned to care and protection cases or who have billed not less than 700 hours in
77 the previous fiscal year as private counsel appointed or assigned to care and protection cases.

78 The committee shall designate a certain minimum number of cases to be taken by each private
79 appointed counsel who is designated eligible to receive the emergency temporary rate of
80 compensation. The temporary increase in the rate of compensation shall be for new case
81 assignments made on or after the date of the declaration of an emergency pursuant to subsection
82 (a). The temporary increase in the rate of compensation shall apply for the duration of such new
83 case assignments. The temporary increase in the rate of compensation for private counsel
84 appointed or assigned to care and protection cases approved by the committee shall not exceed
85 \$75 per hour. If the committee determines that the increase in the rate of compensation has not
86 resulted in a sufficient increase in the number of care and protection assignments being taken by
87 private counsel, the committee may modify the eligibility criteria. The chief counsel shall notify
88 the chairs of the house and senate committees on ways and means upon any such modification.

89 (c) Upon the declaration of an emergency pursuant to subsection (a) the chief counsel of
90 the committee may waive the annual cap on billable hours for private counsel appointed or
91 assigned to represent clients in care and protection cases in the specified county; provided,
92 however, that any counsel appointed or assigned to such cases shall not be paid for any time
93 billed in excess of 2,000 billable hours.

94 (d) The committee may limit the availability of the rate of compensation authorized under
95 subsection (b) based on the committee's monitoring and evaluation of the performance of
96 counsel under section 10 of chapter 211D of the General Laws or to attorneys whose offices are
97 located in particular counties.

98 (e) The committee shall submit a report of the effectiveness of this section to the chairs of
99 the house and senate committees on ways and means and the secretary of administration and
100 finance, not later than October 1, 2018.

101 SECTION 9. Section 8 of this act is hereby repealed.

102 SECTION 10. Section 9 of this act shall take effect on July 1, 2018.

103 SECTION 11. Except as otherwise specified, this act shall take effect upon its passage.