HOUSE DOCKET, NO. 2467 FILED ON: 1/20/2011

HOUSE . . . . . No. 2960

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to the transfer of Department of Highways employees from the capital budget to the operating budget.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Bradley H. Jones, Jr.	*20th Middlesex*
Donald F. Humason, Jr.	*4th Hampden*
F. Jay Barrows	*1st Bristol*
Shaunna O'Connell	*3rd Bristol*
Todd M. Smola	*1st Hampden*
Sheila C. Harrington	*1st Middlesex*
Steven L. Levy	*4th Middlesex*
Paul K. Frost	*7th Worcester*
Steven S. Howitt	*4th Bristol*
Paul Adams	*17th Essex*
George N. Peterson, Jr.	*9th Worcester*
Elizabeth A. Poirier	*14th Bristol*
Viriato Manuel deMacedo	*1st Plymouth*

HOUSE DOCKET, NO. 2467 FILED ON: 1/20/2011

HOUSE . . . . . No. 2960

By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 2960) of Bradley H. Jones, Jr. and others for legislation to transfer the payment of personnel and operating expenses of the Department of Highways from the capital budget to the operating budget of said department. Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *2471* OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the transfer of Department of Highways employees from the capital budget to the operating budget.

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. Subparagraph (C) of section 2 of chapter 21J of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking the sentence contained in lines 41-43, inclusive, and inserting in place there of the following:- "The department shall deposit all receipts collected pursuant to this section as follows: (i) 60 percent shall be deposited into the General Fund; and (ii) 40 percent shall be deposited into the Capital Employees Transition Fund, established pursuant to section 2YYY of chapter 29."

SECTION 2. Chapter 29 of the General Laws, as so appearing, is hereby amended by inserting after section 2XXX the following section:-

Section 2YYY. There shall be established and set upon the books of the commonwealth a separate fund to be known as the Capital Employees Transition Fund, hereinafter referred to as the fund, which shall be administered by the department of highways within the executive office of transportation and public works. There shall be credited to the fund: (a) 40 percent of all receipts collected pursuant to section 2 of chapter 21J; and (b) any appropriations authorized by the general court. Amounts credited to the fund shall be expended by the department, in addition to any revenues appropriated by the general court from the Highway Fund, for the purpose of

16 paying for a portion of the department's operating costs that would have otherwise been paid by
17 bond proceeds. Operating costs may include, but shall not be limited to, the full-time personnel
18 expenses of the department, as well as any expenses incurred by the department as part of its
19 normal operations. The comptroller shall certify payments, including payments during the
20 accounts payable period, in anticipation of revenues from the fund for the purpose of making
21 authorized expenditures; provided however, that no expenditure shall cause the fund to be in
22 deficit at the end of a fiscal year.