

SENATE No. 1920

Senate, Thursday, May 26, 2011— Text of the Senate amendments to the House Bill making appropriations for the fiscal year 2012 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 3401).

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

SECTION 1. To provide for the operations of the several departments, boards, commissions and institutions of the commonwealth and other services of the commonwealth, and for certain permanent improvements and to meet certain requirements of law, the sums set forth in sections 2, 2B, 2D, 2E and 3, for the several purposes and subject to the conditions specified in sections 2, 2B, 2D, 2E and 3, are hereby appropriated from the General Fund unless specifically designated otherwise, subject to the provisions of law regulating the disbursement of public funds and the approval thereof for the fiscal year ending June 30, 2012. All sums appropriated under this act, including supplemental and deficiency budgets, shall be expended in a manner reflecting and encouraging a policy of nondiscrimination and equal opportunity for members of minority groups, women and handicapped persons. All officials and employees of an agency, board, department, commission or division receiving monies under this act shall take affirmative steps to ensure equality of opportunity in the internal affairs of state government, as well as in their relations with the public, including those persons and organizations doing business with the commonwealth. Each agency, board, department, commission or division of the commonwealth, in spending appropriated sums and discharging its statutory responsibilities, shall adopt measures to ensure equal opportunity in the areas of hiring, promotion, demotion or transfer, recruitment, layoff or termination, rates of compensation, in-service or apprenticeship training programs and all terms and conditions of employment.

SECTION 1A. In accordance with Articles LXIII and CVII of the Articles of Amendment to the Constitution of the Commonwealth and section 6D of chapter 29 of the General Laws, it is hereby declared that the amounts of revenue set forth in this section by source for the respective funds of the commonwealth for the fiscal year ending June 30, 2012 are necessary and sufficient to provide the means to defray the appropriations and expenditures from such funds for said fiscal year as set forth and authorized in sections 2, 2B and 2E. The comptroller shall keep a distinct account of actual receipts from each such source by each such fund to furnish the executive office for administration and finance and the house and senate committees on ways and means with quarterly statements comparing such receipts with the projected receipts set forth herein and to include a full statement comparing such actual and projected receipts in the annual report for said fiscal year pursuant to section 13 of chapter 7A of the General Laws. The quarterly and annual reports shall also include detailed statements of any other sources of revenue for the budgeted funds in addition to those specified in this section.

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

Source	All Budgeted Funds*	General Fund	Commonwealth Transportation Fund	Massachusetts Tourism	Other**
Alcohol. Bev.	\$73.1	\$73.1	\$0.0	\$0.0	\$0.0
Cigarettes	\$445.6	\$445.6	\$0.0	\$0.0	\$0.0
Corporations	\$1,763.2	\$1,763.2	\$0.0	\$0.0	\$0.0
Deeds	\$120.6	\$120.6	\$0.0	\$0.0	\$0.0
Estate Inheritance	\$226.9	\$226.9	\$0.0	\$0.0	\$0.0
Financial Institutions	\$47.6	\$47.6	\$0.0	\$0.0	\$0.0
Income	\$11,577.8	\$11,577.8	\$0.0	\$0.0	\$0.0
Insurance	\$339.9	\$339.9	\$0.0	\$0.0	\$0.0
Motor Fuels	\$688.3	\$0.0	\$687.4	\$0.0	\$0.9
Public Utilities	-\$0.6	-\$0.6	\$0.0	\$0.0	\$0.0
Room Occupancy	\$119.4	\$77.6	\$0.0	\$41.8	\$0.0
Sales-Regular	\$3,574.9	\$3,354.7	\$220.2	\$0.0	\$0.0
Sales-Meals	\$848.4	\$796.1	\$52.3	\$0.0	\$0.0
Sales-Motor Vehicles	\$663.4	\$622.5	\$40.9	\$0.0	\$0.0
Miscellaneous	\$16.5	\$16.5	\$0.0	\$0.0	\$0.0
UI Surcharges	\$19.9	\$0.0	\$0.0	\$0.0	\$19.9
Total Consensus Tax Revenues:	\$20,525.0	\$19,461.7	\$1,000.8	\$41.8	\$20.8
Transfer to School Modernization and Reconstruction Trust (SMART) Fund	-\$678.1	-\$678.1			
Transfer to MBTA State and Local Contribution Fund	-\$779.6	-\$779.6			
Transfer to Pension Reserves Investment Trust Fund	-\$1,478.0	-\$1,478.0			
Transfer to workforce Training Fund	-\$19.9				-\$19.9
Total Consensus Tax Revenue for Budget:	\$17,569.4	\$16,525.9	\$1,000.8	\$41.8	\$0.9
Revenue Changes					
Delay of FAS 109	\$45.9	\$45.9	\$0.0	\$0.0	\$0.0
Tax Revenue Enhancements	\$66.5	\$66.5	\$0.0	\$0.0	\$0.0
Total Taxes Available for Budget:	\$17,681.8	\$16,638.2	\$1,000.8	\$41.8	\$0.9
Non-Tax Revenue					
Federal Reimbursements	\$7,854.6	\$7,848.4	\$0.0	\$0.0	\$6.2
Departmental Revenue	\$2,851.9	\$2,310.5	\$525.0	\$0.0	\$16.4

Consolidated Transfers	\$1,961.6	\$2,139.5	\$33.0	-\$0.3	-\$210.8
GRAND TOTAL	\$30,349.9	\$28,936.6	\$1,558.8	\$41.5	-\$187.0

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

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

SECTION 1B. The comptroller shall keep a distinct account of actual receipts of non-tax revenues by each department, board, commission or institution to furnish the executive office for administration and finance and the house and senate committees on ways and means with quarterly statements comparing such receipts with projected receipts set forth herein and to include a full statement comparing such receipts with projected receipts in the annual report for such fiscal year pursuant to section 13 of chapter 7A of the General Laws. The quarterly and annual reports shall also include detailed statements of any other sources of revenue for the budgeted funds in addition to those specified in this section.

Non-Tax Revenue: Department Summary

<u>Revenue Source</u>	<u>Unrestricted</u>	<u>Restricted</u>	<u>Total</u>
Judiciary			
Supreme Judicial Court	\$2,974,865	\$0	\$2,974,865
Committee for Public Counsel	\$4,027,926	\$8,900,000	\$12,927,926
Appeals Court	\$448,538	\$0	\$448,538
Trial Court	\$63,041,500	\$53,000,000	\$116,041,500
TOTAL:	\$70,492,829	\$61,900,000	\$132,392,829
District Attorneys			
District Attorney's Association	\$0	\$344,790	\$344,790
District Attorney Middle	\$100	\$0	\$100
TOTAL:	\$100	\$344,790	\$344,890
Secretary of the Commonwealth			
Secretary of the Commonwealth	\$202,180,397	\$30,000	\$202,210,397
TOTAL:	\$202,180,397	\$30,000	\$202,210,397
Treasurer and Receiver-General			
Office of the Treasurer	\$360,990,490	\$20,000,000	\$380,990,490
State Lottery Commission	\$175,584,087	\$812,694,829	\$988,278,916
TOTAL:	\$536,574,577	\$832,694,829	\$1,369,269,406
Attorney General			
Office of the Attorney General	\$38,186,492	\$775,000	\$38,961,492
TOTAL:	\$38,186,492	\$775,000	\$38,961,492
Inspector General			
Office of the Inspector General	\$0	\$600,000	\$600,000
TOTAL:	\$0	\$600,000	\$600,000
Office of Campaign and Political Finance			
Office of Campaign and Political Finance	\$75,050	\$0	\$75,050
TOTAL:	\$75,050	\$0	\$75,050
Massachusetts Commission Against Discrimination			

Massachusetts Commission Against Discrimination	\$177,500	\$2,000,054	\$2,177,554
TOTAL:	\$177,500	\$2,000,054	\$2,177,554
Office of the State Comptroller			
Office of the State Comptroller	\$437,959,446	\$0	\$437,959,446
TOTAL:	\$437,959,446	\$0	\$437,959,446
Executive Office for Administration and Finance			
Executive Office of Administration and Finance	\$37,165,500	\$0	\$37,165,500
Secretary of Administration and Finance	\$71,478,666	\$650,000	\$72,128,666
Division of Capital Asset Management & Maintenance	\$10,035,446	\$16,550,000	\$26,585,446
Bureau of State Office Buildings	\$168,600	\$0	\$168,600
Civil Service Commission	\$20,000	\$0	\$20,000
Group Insurance Commission	\$759,553,229	\$1,033,566	\$760,586,795
Division of Administrative Law Appeals	\$45,000	\$0	\$45,000
Department of Revenue	\$207,750,876	\$6,547,280	\$214,298,156
Appellate Tax Board	\$2,057,005	\$400,000	\$2,457,005
Human Resources Division	\$1,000	\$2,056,966	\$2,057,966
Operational Services Division	\$7,888,174	\$4,347,876	\$12,236,050
Information Technology Division	\$0	\$609,730	\$609,730
Public Employee Retirement Administration	\$179	\$0	\$179
TOTAL:	\$1,096,163,675	\$32,195,418	\$1,128,359,093
Executive Office of Energy & Environmental Affairs			
Executive Office of Energy & Environmental Affairs	\$4,287,450	\$385,000	\$4,672,450
Department of Environmental Protection	\$31,996,559	\$3,341,028	\$35,337,587
Department of Fish and Game	\$15,830,750	\$317,989	\$16,148,739
Department of Agricultural Resources	\$5,584,440	\$0	\$5,584,440
Department of Conservation and Recreation	\$12,447,228	\$8,486,831	\$20,934,059
Department of Public Utilities	\$13,962,530	\$2,350,000	\$16,312,530
Department of Energy Resources	\$4,016,486	\$0	\$4,016,486
TOTAL:	\$88,125,443	\$14,880,848	\$103,006,291
Executive Office of Health and Human Services			
Department of Veterans' Services	\$15,000	\$300,000	\$315,000
Secretary of Health and Human Services	\$4,808,448,578	\$225,000,000	\$5,033,448,578
Division of Health Care Finance and Policy	\$309,280,977	\$4,100,000	\$313,380,977
Mass Commission for the Blind	\$2,996,692	\$0	\$2,996,692
Massachusetts Rehabilitation Commission	\$4,477,690	\$0	\$4,477,690
Mass Commission for the Deaf	\$164,047	\$0	\$164,047
Chelsea Soldiers' Home	\$13,380,222	\$370,000	\$13,750,222
Holyoke Soldiers' Home	\$13,617,075	\$1,071,530	\$14,688,605
Department of Youth Services	\$2,963,963	\$0	\$2,963,963
Department of Transitional Assistance	\$430,584,120	\$0	\$430,584,120
Department of Public Health	\$101,017,136	\$60,043,378	\$161,060,514
Department of Children and Families	\$187,168,695	\$2,858,735	\$190,027,430
Department of Mental Health	\$80,537,591	\$10,125,000	\$90,662,591
Department of Developmental Services	\$461,436,263	\$150,000	\$461,586,263
Department of Elder Affairs	\$1,415,180,956	\$750,000	\$1,415,930,956

	TOTAL:	\$7,831,269,005	\$304,768,643	\$8,136,037,648
Massachusetts Department of Transportation				
Massachusetts Department of Transportation		\$524,290,000	\$0	\$524,290,000
	TOTAL:	\$524,290,000	\$0	\$524,290,000
Board of Library Commissioners				
Board of Library Commissioners		\$2,200	\$0	\$2,200
	TOTAL:	\$2,200	\$0	\$2,200
Executive Office of Housing & Economic Development				
Department of Housing & Community Development		\$2,699,068	\$2,323,853	\$5,022,921
Office of Consumer Affairs and Business Regulation		\$563,535	\$500,126	\$1,063,661
Division of Banks		\$20,983,532	\$2,650,000	\$23,633,532
Division of Insurance		\$81,021,250	\$0	\$81,021,250
Division of Professional Licensure		\$17,219,989	\$540,123	\$17,760,112
Division of Standards		\$1,623,925	\$418,751	\$2,042,676
Department of Telecommunications and Cable		\$5,045,970	\$0	\$5,045,970
	TOTAL:	\$129,157,269	\$6,432,853	\$135,590,122
Executive Office of Labor & Workforce Development				
Department of Labor Standards		\$2,575,962	\$452,850	\$3,028,812
Department of Industrial Accidents		\$23,010,250	0	\$23,010,250
Department of Labor Relations		\$102,000	\$86,550	\$188,550
	TOTAL:	\$25,688,212	\$539,400	\$26,227,612
Executive Office of Education				
Department of Early Education and Care		\$198,791,489	\$0	\$198,791,489
Department of Elementary and Secondary Education		\$6,717,591	\$1,367,409	\$8,085,000
University of Massachusetts		\$38,433,873	\$0	\$38,433,873
Bridgewater State College		\$2,276,247	\$0	\$2,276,247
Fitchburg State College		\$2,334,287	\$0	\$2,334,287
Framingham State College		\$2,017,273	\$0	\$2,017,273
Massachusetts College of Liberal Arts		\$371,415	\$0	\$371,415
Salem State College		\$3,225,560	\$0	\$3,225,560
Westfield State College		\$2,492,530	\$0	\$2,492,530
Worcester State College		\$1,978,891	\$0	\$1,978,891
Massachusetts Maritime Academy		\$318	\$0	\$318
Berkshire Community College		\$202,950	\$0	\$202,950
Bristol Community College		\$656,803	\$0	\$656,803
Cape Cod Community College		\$456,343	\$0	\$456,343
Greenfield Community College		\$206,784	\$0	\$206,784
Holyoke Community College		\$931,611	\$0	\$931,611
Mass Bay Community College		\$949,652	\$0	\$949,652
Massasoit Community College		\$834,611	\$0	\$834,611
Mount Wachusett Community College		\$381,498	\$0	\$381,498
Northern Essex Community College		\$585,998	\$0	\$585,998
North Shore Community College		\$781,979	\$0	\$781,979
Quinsigamond Community College		\$383,760	\$0	\$383,760
Springfield Technical Community College		\$855,067	\$0	\$855,067

Roxbury Community College	\$185,333	\$529,843	\$715,176
Middlesex Community College	\$431,435	\$0	\$431,435
Bunker Hill Community College	\$999,634	\$0	\$999,634
TOTAL:	\$267,482,932	\$1,897,252	\$269,380,184

Executive Office of Public Safety and Security

Executive Office of Public Safety and Security	\$80,000	\$0	\$80,000
Office of the Chief Medical Examiner	\$0	\$2,060,000	\$2,060,000
Criminal History Systems Board	\$7,032,940	\$0	\$7,032,940
Criminal Justice Training Council	\$2,000	\$900,000	\$902,000
Department of State Police	\$544,400	\$32,016,200	\$32,560,600
Department of Public Safety	\$22,387,294	\$6,790,182	\$29,177,476
Department of Fire Services	\$21,653,808	\$8,500	\$21,662,308
Military Division	\$2,500	\$1,400,000	\$1,402,500
Emergency Management Agency	\$736,407	\$0	\$736,407
Department of Corrections	\$900,000	\$15,589,000	\$16,489,000
Parole Board	\$400,000	\$600,000	\$1,000,000
TOTAL:	\$53,739,349	\$59,363,882	\$113,103,231

Sheriffs

Sheriff's Department Hampden	\$744,000	\$3,800,000	\$4,544,000
Sheriff's Department Worcester	\$151,680	\$0	\$151,680
Sheriff's Department Middlesex	\$204,000	\$950,000	\$1,154,000
Sheriff's Department Franklin	\$64,860	\$2,500,000	\$2,564,860
Sheriff's Department Hampshire	\$212,500	\$500,000	\$712,500
Sheriff's Department Essex	\$692,300	\$2,000,000	\$2,692,300
Sheriff's Department Berkshire	\$44,000	\$750,000	\$794,000
Sheriff's Department Association	\$0	\$344,790	\$344,790
Sheriff's Department Barnstable	\$0	\$250,000	\$250,000
Sheriff's Department Bristol	\$0	\$8,460,000	\$8,460,000
Sheriff's Department Nantucket	\$0	\$2,500,000	\$2,500,000
Sheriff's Department Plymouth	\$0	\$16,000,000	\$16,000,000
Sheriff's Department Suffolk	\$0	\$8,000,000	\$8,000,000
TOTAL:	\$2,113,340	\$46,054,790	\$48,168,130

Total Non-Tax Revenue : **\$11,303,677,816** **\$1,364,477,759** **\$12,668,155,575**

SECTION 2

JUDICIARY.

Supreme Judicial Court.

- 0320-0003.. For the operation of the supreme judicial court, including salaries of the chief justice and the 6 associate justices.....\$7,437,172
- 0320-0010.. For the operation of the clerk's office of the supreme judicial court for Suffolk county.....\$1,124,585
- 0321-0001.. For the operation of the commission on judicial conduct\$575,359
- 0321-0100.. For the services of the board of bar examiners \$1,061,436

Committee for Public Counsel Services.

- 0321-1500 For the operation of the committee for public counsel services, as authorized by chapter 211D of the General Laws; provided, that the committee shall develop and implement a system in which no less than 30 per cent of indigent defendants shall be represented by public defenders by the end of fiscal year 2012; provided further, that the committee shall provide a report to the legislature, not later than October 3, 2011, detailing an implementation plan for meeting the requirements of the previous proviso that shall include, but not be limited to, the following: (1) the expected surplus or deficiency for fiscal year 2012 of items 0321-1500 and 0321-1510; (2) the current and projected number of public defenders and private bar advocates assigned to each court house; and (3) any perceived impediments to implementing this plan by the end of fiscal year 2012 and possible solutions to such impediments; provided further, that in hiring public defenders, priority shall be given to current private bar advocates; provided further, that the committee shall submit a report to the clerks of the house of representatives and senate, the joint committee on the judiciary and the house and senate committees on ways and means, not later than January 30, 2012, that shall include, but not be limited to, the following: (1) the number of clients assisted by the committee in the prior fiscal year, delineated by public defender and private bar advocate representation, and further delineated by type of case and geographic location; (2) the average cost for public defender services rendered per client, delineated by type of case and geographic location; (3) the average cost for private bar advocate services rendered per client, delineated by type of case and geographic location; (4) the average number of hours spent per case by public defenders, delineated by type of case and geographic location; (5) the average number of hours billed by private bar advocates, delineated by type of case and geographic location; (6) the total amount of counsel fees paid to the committee by clients for services rendered, delineated by type of case and geographic location; (7) the total of indigent but able to contribute fees paid to the committee by clients for services rendered, delineated by type of case and geographic location; provided further, that the committee shall submit quarterly reports to the house and senate committees on ways and means starting on January 2, 2012 and ending on September 30, 2012 detailing progress made in providing up to 30 per cent of indigent defense through public defenders; provided further, that the report shall include, but not be limited to, the following: (1) the number of public defenders that have been hired to date; (2) the offices and divisions that these public defenders have been assigned to; (3) the total number of cases that have been assigned to these public defenders, delineated by type of case; (4) the total number of cases that have been assigned to all public defenders, delineated by type of case; (5) the number of public defender vacancies to be filled; (6) the total number of support staff, investigators, attorneys in charge and management that have been hired; (7) the number of cases that have been assigned to private bar advocates, delineated by type of case; (8) the total billable hours to date of private bar advocates, delineated by type of case; (9) the billable hours of private bar advocates broken down by: travel time, time spent in court, including wait time and trial preparation time, including interview time, investigating time and research time; (10) the number of private bar advocates that have been hired as public defenders; (11) changes to the private bar advocate billing system; (1) staffing efficiencies that have been

undertaken; (12) the number and cost of private investigators used, delineated by firm; (13) the number and cost of psychologists and psychiatrists used, delineated by firm; and (14) the progress of obtaining temporary and permanent office space; and provided further, that this data shall be provided in a cumulative manner, delineated by quarter\$66,261,8290321-1510.. For compensation paid to private counsel assigned to criminal and civil cases under paragraph (b) of section 6 of chapter 211D of the General Laws, pursuant to section 11 of said chapter 211D; provided, that not more than \$2,000,000 of the sum appropriated in this item may be expended for services rendered before fiscal year 2012..... \$88,032,356

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

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

Massachusetts Legal Assistance Corporation.

0321-1600.. For the Massachusetts Legal Assistance Corporation to provide legal representation for indigent or otherwise disadvantaged residents of the commonwealth; provided, that the corporation shall submit a report to the house and senate committees on ways and means not later than January 30, 2012 that shall include, but not be limited to, the following: (a) the number of persons whom the programs funded by the corporation assisted in the prior fiscal year; (b) any proposed expansion of legal services delineated by type of service, target population and cost; and (c) the total number of indigent or otherwise disadvantaged residents of the commonwealth who received services of the corporation, by type of case and geographic location; provided further, that the corporation may contract with any organization for the purpose of providing the representation; and provided further, that notwithstanding the first paragraph of section 9 of chapter 221A of the General Laws, funds shall be expended for the Disability Benefits Project, the Medicare Advocacy Project and the Battered Women’s Legal Assistance Project..... \$9,500,000

Mental Health Legal Advisors.

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

Prisoners’ Legal Services.

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

Social Law Library.

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

Appeals Court.

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

Trial Court.

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

0330-0300.. For the central administration of the trial court, including costs associated with trial court non-employee services, trial court dental and vision health plan agreements, jury expenses, trial court law

libraries, statewide telecommunications, private and municipal court rentals and leases, operation of courthouse facilities, rental of county court facilities, witness fees, printing expenses, equipment maintenance and repairs, the court interpreter program, insurance and chargeback costs, the Massachusetts sentencing commission, permanency mediation services, alternative dispute resolution, court security and judicial training; provided, that the trial court shall record all fees that are collected pursuant to subsection (e) of section 2½ of chapter 211D of the General Laws and shall record said fees in a separate source code entitled “indigent misrepresentation fees”; provided further, that the trial court shall record all fees that are collected pursuant to subsection (f) of said section 2½ of said chapter 211D and shall record said fees in a separate source code entitled “indigent counsel fees”; provided further, that the trial court shall record all fees collected pursuant to S.J.C. Rule 3:10 (10)(c)(ii) and shall record said fees in a separate source code entitled “indigent but able to contribute fees”; provided further, that notwithstanding any general or special law to the contrary, the chief justice for administration and management shall submit a report to the joint committee on the judiciary and the house and senate committees on ways and means 90 days prior to the temporary closure or temporary relocation of courthouses; provided further, that said report shall include, but not be limited to, the transfer of personnel, the reallocation of resources, the impact on other courthouses resulting from the temporary closure of said court and other factors that may affect implementation of said temporary closure; provided further, that 50 per cent of all fees payable pursuant to Massachusetts Rules of Criminal Procedure 15(d) and 30(c)(8) shall be paid from this item; provided further, that notwithstanding section 9A of chapter 30 of the General Laws, or any other general or special law to the contrary, the rights afforded to a veteran, pursuant to said section 9A of said chapter 30, shall also be afforded to any such veteran who holds a trial court office or position in the service of the commonwealth not classified under chapter 31 of the General Laws, other than an elective office, an appointive office for a fixed term or an office or position under section 7 of chapter 30 and who: (1) has held the office or position for not less than 1 year; and (2) has 30 years of total creditable service to the commonwealth, as defined in chapter 32 of the General Laws; provided further, that the trial court shall submit a report to the victim and witness assistance board detailing the amount of assessments imposed within each court by a justice or clerk-magistrate during the previous calendar year pursuant to section 8 of chapter 258B of the General Laws; provided further, that the report shall include, but not be limited to, the number of cases in which the assessment was reduced or waived by a judge or clerk-magistrate within the courts; and provided further, that the report shall be submitted to the victim and witness assistance board on or before January 10, 2012.....\$184,917,997

0330-3333.. For the chief justice for administration and management who may expend for the operation of the trial court an amount not to exceed \$27,000,000 from fees charged and collected pursuant to section 3 of chapter 90C of the General Laws, section 22 of chapter 218 of the General Laws and sections 2, 4A, 4B, 4C, 39 and 40 of chapter 262 of the General Laws; provided, that a schedule detailing the full allotment of said \$27,000,000 shall be submitted to the house and senate committees on ways and means not later than January 31, 2012; provided further, that the first \$50,000,000 of revenue received from the fees shall be deposited in the General Fund and not retained; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the chief justice may incur expenses and the comptroller shall certify for payments amounts not to exceed the lower of 1/2 of this authorization or the most recent revenue estimate, as reported in the state accounting system.....\$27,000,000

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

Superior Court Department.

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

District Court Department.

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

Probate and Family Court Department.

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

Land Court Department.

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

Boston Municipal Court Department.

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

Housing Court Department.

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

Juvenile Court Department.

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

Office of the Commissioner of Probation.

0339-1001.. For the office of the commissioner of probation; provided, that the office shall submit quarterly reports on indigency verification to the joint committee on the judiciary and the house and senate committees on ways and means to include, but not be limited to: (a) the number of individuals determined to be indigent; (b) the number of individuals determined not to be indigent; (c) the number of individuals found to be misrepresenting assets; (d) the number of individuals found to no longer qualify for appointment of counsel upon any re-assessment of indigency, as defined in section 2 ½ of chapter 211D of the General Laws; (e) the total number and amount of indigent misrepresentation fees collected; (f) the total number and amount of indigent counsel fees collected and the total number and amount of indigent counsel fees waived; (g) the average indigent counsel fee that each court division collects; (h) the total number and amount of indigent but able to contribute fees collected and waived; (i) the range of indigent but able to contribute fees collected; and (j) the number of cases in which community service in lieu of indigent counsel fees was performed; provided further, that the information within such report shall be delineated by court division; provided further, that the office shall submit quarterly reports to the joint committee on the judiciary and the house and senate committees on ways and means that shall include: (a) the office's definition of supervisory and nonsupervisory cases; (b) a detailed description of what each level of supervision within these classifications entails in terms of responsibilities of the probation officer; (c) the average time commitment for a probation officer for each level of supervision on a monthly basis; (d) the overall number of individuals on probation; (e) the number of individuals added to probation and the number removed from probation for each month within that quarter; (f) the total number of full time employees who administer probationary cases; provided further, that these figures shall be delineated by level of supervisory and nonsupervisory probation and further delineated by court division; provided further, that the overall number of individuals on probation and added to probation each month shall be separately delineated by originating court or referral source; and provided further, that the

report shall include the number of probationers served by community correction centers and electronic monitoring including, but not limited to, global positioning systems, and delineated by level of supervisory and nonsupervisory probation.....\$108,153,535

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

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

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

DISTRICT ATTORNEYS.

Suffolk District Attorney.

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

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

Middlesex District Attorney.

0340-0200.. For the Middlesex district attorney’s office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer\$13,690,462

0340-0201.. For the overtime costs of state police officers assigned to the Middlesex district attorney’s office

.....\$516,485

Eastern District Attorney.

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

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

Worcester District Attorney.

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

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

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

Hampden District Attorney.

0340-0500.. For the Hampden district attorney’s office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer \$8,004,233

0340-0501.. For the overtime costs of state police officers assigned to the Hampden district attorney’s office\$339,899

Hampshire/Franklin District Attorney.

0340-0600.. For the Hampshire/Franklin district attorney’s office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer\$4,983,716

0340-0601.. For the overtime costs of state police officers assigned to the Hampshire/Franklin district attorney's office\$294,248

Norfolk District Attorney.

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

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

Plymouth District Attorney.

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

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

Bristol District Attorney.

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

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

Cape and Islands District Attorney.

0340-1000.. For the Cape and Islands district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer\$3,617,658

0340-1001.. For the overtime costs of state police officers assigned to the Cape and Islands district attorney's office

Berkshire District Attorney.

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

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

DISTRICT ATTORNEYS ASSOCIATION.

0340-2100 For the operation of the Massachusetts District Attorneys Association, including the implementation and related expenses of the district attorneys’ offices automation and case management and tracking system; provided, that expenses associated with the system may be charged directly to this item; provided further, that the 11 district attorneys may contribute a portion of their fiscal year 2012 appropriation to the Massachusetts District Attorneys Association in order to alleviate the cost of the system and the cost of data lines associated with the district attorneys’ computer network; provided further, that the department shall work in conjunction with the disabled persons protection commission and the 11 district attorneys’ offices to prepare a report that shall include, but not be limited to: (a) the number of abuse cases that are referred to each district attorney’s office for further investigation; (b) the number of those referrals resulting in the filing of criminal charges, delineated by type of charge; (c) the number of cases referred to each district attorney’s office that remains open as of the date for submission of the report; and (d) the number of cases that resulted in a criminal prosecution and the disposition of each such prosecution; provided further, that the report shall be submitted to the house and senate committees on ways and means and the clerks of the house of representatives and the senate not later than March 14, 2012; provided further, that the association shall work in conjunction with the 11 district attorneys’ offices to prepare and submit a report to the house and senate committees on ways and means and the clerks of the house of representatives and the senate not later than February 28, 2012, summarizing the number and types of criminal cases managed or prosecuted by all district attorneys’ offices in calendar year 2011 and the disposition or status thereof which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals and supreme judicial courts in which the cases were managed or prosecuted; provided further, that for each jurisdiction of the courts, the report shall include, but not be limited to: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) a summary of the dispositions or statuses thereof; provided further, that the association shall work in conjunction with the 11 district attorneys’ offices to prepare and submit a report to the house and senate committees on ways and means and the clerks of the house of representatives and the senate not later than February 28, 2012, detailing all district attorneys’ offices’ use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to: (a) the amount of the funds deposited into an office’s special law enforcement trust fund in fiscal years 2009, 2010 and 2011; (b) how the funds were used in those fiscal years; and (c) the balance in the fund as of January 2, 2012; provided further, that the department shall work together with the 11 district attorneys’ offices to submit a report to the house and senate committees on ways and means and the clerks of the house of representatives and the senate not later than January 31, 2012, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; and provided further, that the report shall include, but not be limited to: (a) the total number of personnel from private law firms participating in the program at each of the 11 district attorney’s offices; (b) the name and address

of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program.....\$1,660,006

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

EXECUTIVE.

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

Office Of The Child Advocate.

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

SECRETARY OF THE COMMONWEALTH.

Office of the Secretary of the Commonwealth.

0511-0000.. For the operation of the office of the secretary; provided, that the secretary may transfer funds between items 0540-0900, 0540-1000, 0540-1100, 0540-1200, 0540-1300, 0540-1400, 0540-1500, 0540-1600, 0540-1700, 0540-1800, 0540-1900, 0540-2000 and 0540-2100 pursuant to an allocation schedule filed with the house and senate committees on ways and means not less than 30 days before the transfer; provided further, that each register of deeds using electronic record books shall ensure that all methods of electronically recording instruments conform to the regulations or standards established by the secretary of state and the records conservation board; and provided further, that those regulations shall be issued not later than June 29, 2012.....\$5,912,424

0511-0001.. For the secretary of state who may expend revenues not to exceed \$30,000 from the sale of merchandise at the Massachusetts state house gift shop for the purpose of replenishing and restocking gift shop inventory\$30,000

0511-0002.. For the operation of the corporations division; provided, that the division shall implement a corporate dissolution program which shall have a specific focus on limited liability corporations and limited liability partnerships that have failed in their statutory responsibility to file an annual report; and provided further, that the division shall file quarterly reports with the house and senate committees on ways and means detailing the total number of annual reports filed as a result of this program and the amount of revenue generated for the commonwealth.....\$254,213

0511-0200.. For the operation of the archives division.....\$378,121

0511-0230.. For the operation of the records center.....\$36,217

0511-0250.. For the operation of the archives facility.....\$296,521

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

0511-0270.. For the secretary of state who may contract with the University of Massachusetts Donahue Institute to provide the commonwealth with technical assistance on United States census data and to prepare annual population estimates; provided, that the contract shall be for no less than \$300,000.....	\$550,000
0511-0420.. For the operation of the address confidentiality program	\$130,858
0517-0000.. For the printing of public documents.....	\$450,000
0521-0000.. For the operation of the elections division, including preparation, printing and distribution of ballots and for other miscellaneous expenses for primary and other elections; provided, that the secretary of state may award grants for voter registration and education; and provided further, that the registration and education activities may be conducted by community-based voter registration and education organizations prior appropriation continued.....	\$4,900,000
0521-0001.. For the operation of the central voter registration computer system.....	\$4,900,000
0524-0000.. For providing information to voters.....	\$300,000
0526-0100.. For the operation of the Massachusetts historical commission	\$750,000
0527-0100.. For the operation of the ballot law commission.....	\$10,545
0528-0100.. For the operation of the records conservation board.....	\$34,056
0540-0900.. For the registry of deeds located in the city of Lawrence in the former county of Essex.....	\$1,017,334
0540-1000.. For the registry of deeds located in the city of Salem in the former county of Essex.....	\$2,703,583
0540-1100.. For the registry of deeds in the former county of Franklin.....	\$449,288
0540-1200.. For the registry of deeds in the former county of Hampden.....	\$1,643,100
0540-1300.. For the registry of deeds in the former county of Hampshire.....	\$471,423
0540-1400.. For the registry of deeds located in the city of Lowell in the former county of Middlesex.....	\$1,113,611
0540-1500.. For the registry of deeds located in the city of Cambridge in the former county of Middlesex.....	\$2,875,012
0540-1600.. For the registry of deeds located in the town of Adams in the former county of Berkshire.....	\$250,700
0540-1700.. For the registry of deeds located in the city of Pittsfield in the former county of Berkshire.....	\$419,400
0540-1800.. For the registry of deeds located in the town of Great Barrington in the former county of Berkshire.....	\$209,483
0540-1900.. For the registry of deeds in the former county of Suffolk	\$1,734,615
0540-2000.. For the registry of deeds located in the city of Fitchburg in the former county of Worcester.....	\$655,072
0540-2100.. For the registry of deeds located in the city of Worcester in the former county of Worcester.....	\$2,161,481

TREASURER AND RECEIVER-GENERAL.

Office of the Treasurer and Receiver General.

- 0610-0000.. For the office of the treasurer and receiver-general; provided, that the treasurer shall provide computer services required by the teachers' retirement board; provided further, that the treasurer's office shall submit a report to the victim and witness assistance board which details the amount of assessments transmitted to the treasurer during the previous calendar year on a monthly basis from the courts, the registrar of motor vehicles and the sheriff or superintendent of any correctional facility pursuant to section 8 of chapter 258B; provided further, that the report shall be submitted to the board on or before January 13, 2012; provided further, that funds may be expended for the payment of bank fees; and provided further, that the treasurer's office shall pay half of the administrative costs of the municipal finance oversight board from this item.....\$9,181,660
- 0610-0010.. For programs to promote and improve financial literacy for Massachusetts residents.....\$85,000
- 0610-0050.. For the administration of the alcoholic beverages control commission in its efforts to regulate and control the conduct and condition of traffic in alcoholic beverages; provided, that said commission shall maintain at least 1 chief investigator and other investigators for the purpose of regulating and controlling the traffic of alcoholic beverages; provided further, that said commission shall work and cooperate with the Bureau of Alcohol, Tobacco, Firearms and Explosives in the United States Department of Justice and other relevant federal agencies to assist in its efforts to regulate and control the traffic of alcoholic beverages; and provided further, that the commission shall seek out matching federal dollars and apply for federal grants that may be available to assist in the enforcement of laws pertaining to the traffic of alcoholic beverages.....\$1,893,262
- 0610-0060.. For the costs associated with the investigation and enforcement division of the alcoholic beverages control commission's implementation of the enhanced liquor enforcement programs, known as Safe Campus, Safe Holidays, Safe Prom, and Safe Summer; provided, that funds from this appropriation shall not support other operating costs of item 0610-0050.....\$100,000
- 0610-0140.. For the purpose of funding administrative, transactional and research expenses associated with maintaining and increasing the interest earnings on the General Fund and the Commonwealth Stabilization Fund investments.....\$21,582
- 0610-2000.. For payments made to veterans pursuant to section 16 of chapter 130 of the acts of 2005; provided, that the office of the state treasurer may expend not more than \$205,000 for costs incurred in the administration of these payments.....\$2,500,000
- 0611-1000.. For bonus payments to war veterans.....\$44,500

Lottery Commission.

- 0640-0000.. For the operation of the state lottery commission and arts lottery; provided, that no funds shall be expended from this item for any costs associated with the promotion or advertising of lottery games; provided further, that positions funded by this item shall not be subject to chapters 30 and 31 of the General Laws; and provided further, that 25 per cent of the amount appropriated herein shall be transferred quarterly from the State Lottery Fund to the General Fund.....\$77,414,012
- 0640-0005.. For the costs associated with the continued implementation of monitor games; provided, that any funds expended on promotional activities shall be limited to point-of-sale promotions and agent newsletters; and provided further, that 25 per cent of the amount appropriated in this item shall be transferred quarterly from the State Lottery Fund to the General Fund\$2,715,484
- 0640-0010.. For the promotional activities associated with the state lottery program; provided, that 25 per cent of the amount appropriated in this item shall be transferred quarterly from the State Lottery Fund to the

General Fund\$2,000,000

0640-0096.. For the purpose of the commonwealth’s fiscal year 2012 contributions to the health and welfare fund established pursuant to the collective-bargaining agreement between the lottery commission and the service employees international union, Local 888, AFL-CIO; provided, that the contributions shall be paid to the trust fund on such basis as the collective bargaining agreement provides; and provided further, that 25 per cent of the amount appropriated in this item shall be transferred quarterly from the State Lottery Fund to the General Fund.....\$355,945

Massachusetts Cultural Council.

0640-0300.. For the services and operations of the council, including grants to or contracts with public and non-public entities; provided, that notwithstanding any general or special law to the contrary, the council may expend the amounts herein appropriated for the purposes of the council as provided in sections 52 to 58, inclusive, of chapter 10 of the General Laws in amounts and at times as the council may determine pursuant to section 54 of said chapter 10; provided further, that 25 per cent of the amount appropriated herein shall be transferred quarterly from the Arts Lottery Fund to the General Fund; provided further, that any funds expended from this item for the benefit of schoolchildren shall be expended for the benefit of all Massachusetts schoolchildren and on the same terms and conditions; provided further, that the council shall not expend funds from this item for any grant or contract recipient that, in any program or activity for Massachusetts schoolchildren, does not apply the same terms and conditions to all such schoolchildren; and provided further, that a person employed under this item shall be considered an employee within the meaning of section 1 of chapter 150E of the General Laws and shall be placed in the appropriate bargaining unit..... \$5,449,866

Debt Service.

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

0699-0015.. For the payment of interest, discount and principal on certain bonded debt and the sale of bonds of the commonwealth; provided, that notwithstanding any general or special law to the contrary, the state treasurer may make payments pursuant to section 38C of chapter 29 of the General Laws from this item, items 0699-9100, 0699-2004 and 0699-0016; provided further, that the payments shall pertain to the bonds, notes, or other obligations authorized to be paid from each item; provided further, that notwithstanding any general or special law to the contrary, the comptroller may transfer the amounts that would otherwise be unexpended on June 30, 2012, from this item to items 0699-9100, 0699-2004 and 0699-0016 or from items 0699-9100, 0699-2004 and 0699-0016 to this item which would otherwise have insufficient amounts to meet debt service obligations for the fiscal year ending June 30, 2012; provided further, that each amount transferred shall be charged to the funds as specified in the item to which the amount is transferred; provided further, that payments on bonds issued pursuant to section 20 of said chapter 29 shall be paid from this item and shall be charged to the Infrastructure sub-fund of the Commonwealth Transportation Fund; provided further, that notwithstanding any general or special law to the contrary or other provisions of this item, the comptroller may charge the payments authorized in the item to the appropriate budgetary or other fund subject to a plan which the comptroller shall file 10 days in advance with the house and senate committees on ways and means; and provided, further, that the comptroller shall transfer from this item to the Government Land Bank Fund an amount equal to the amount by which debt service charged to the fund exceeds revenue deposited to the fund.....\$1,883,842,211

General Fund..... 54.09%

Commonwealth Transportation Fund.....45.91%

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

Commonwealth Transportation Fund..... 100%

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

Commonwealth Transportation Fund..... 100%

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

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

Commonwealth Transportation Fund..... 100%

STATE AUDITOR.

Office of the State Auditor.

0710-0000.. For the office of the state auditor, including the review and monitoring of privatization contracts in accordance with sections 52 to 55, inclusive, of chapter 7 of the General Laws.....\$13,659,122

0710-0100.. For the operation of the division of local mandates.....\$3 79,092

0710-0200.. For the operation of the bureau of special investigations; provided, that the office shall file quarterly reports with the house and senate committees on ways and means detailing the total amount of fraudulently obtained benefits identified by the bureau of special investigations of the office of the state auditor, the total value of settlement restitution payments, actual monthly collections and any circumstances that produce shortfalls in collections.....\$1,776,138

0710-0225.. For the operation of the Medicaid Audit Unit within the Division of Audit Operations in an effort to prevent and to identify fraud and abuse in the MassHealth system; provided, that the federal reimbursement for any expenditure from this item shall not be less than 50 per cent; provided further, that the division shall submit a report no later than December 1, 2011 to the house and senate committees on ways and means detailing all findings on activities and payments made through the MassHealth system; provided further, that the unit shall engage in a memorandum of understanding with the secretary of administration and finance to develop a system for the recovery of identified funds; and provided further, that the unit shall file a report with the house and senate committees on ways and means no later than February 22, 2012 on the total amount of recoveries identified, actual recovery collections, and any reasons why identified funds were not collected.....\$897,829

ATTORNEY GENERAL.

Office of the Attorney General.

- 0810-0000.. For the office of the attorney general, including the administration of the local consumer aid fund, the operation of the anti-trust division, all regional offices, a high-tech crime unit and the victim and witness compensation program; provided, that the victim and witness assistance program shall be administered in accordance with chapters 258B and 258C of the General Laws; and provided further, that the attorney general shall submit to the general court and the secretary of administration and finance a report detailing the claims submitted to the state treasurer for payment under item 0810-0004 indicating both the number and costs for each category of claim.....\$22,251,155
- 0810-0004.. For compensation to victims of violent crimes; provided, that notwithstanding chapter 258C of the General Laws, if a claimant is 60 years of age or older at the time of the crime and is not employed or receiving unemployment compensation, such claimant shall be eligible for compensation in accordance with said chapter 258C even if the claimant has suffered no out-of-pocket loss; provided further, that compensation to such claimant shall be limited to a maximum of \$50; and provided further, that notwithstanding any general or special law to the contrary, victims of the crime of rape shall be notified of all available services designed to assist rape victims including, but not limited to, the provisions outlined in section 5 of chapter 258B of the General Laws.....\$2,088,340
- 0810-0007.. For the overtime costs of state police officers assigned to the attorney general; provided, that expenditures shall not be made on or after the effective date of this act which would cause the commonwealth's obligation for the purpose of this item to exceed the amount appropriated in this item.....\$340,676
- 0810-0013.. For the office of the attorney general which may expend for a false claims program an amount not to exceed \$775,000 from revenues collected from enforcement of the false claims law; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$775,000
- 0810-0014.. For the operation of the department of public utilities proceedings unit within the office of the attorney general, pursuant to section 11E of chapter 12 of the General Laws; provided, that notwithstanding any general or special law to the contrary, the amount assessed under said section 11E of said chapter 12, shall equal the amount expended from this item and the associated fringe benefits costs for personnel paid from this item; and provided further, that funds shall be expended for the expenses of legal and technical personnel and associated administrative and travel expenses relative to participation in regulatory proceedings at the Federal Energy Regulatory Commission on behalf of Massachusetts ratepayers.....\$2,355,145
- 0810-0021.. For the operation of the Medicaid fraud control unit; provided, that the federal reimbursement for any expenditure from this item shall not be less than 75 per cent of the expenditure; provided, that funds shall continue to be used specifically for the investigation and prosecution of abuse, neglect, mistreatment and misappropriation based on referrals from the department of public health pursuant to section 72H of chapter 111 of the General Laws; provided further, that the unit shall provide training for all investigators of the department's division of health care quality responsible for the investigations on a periodic basis pursuant to a comprehensive training program to be developed by the division and the unit; and provided further, that training shall include instruction on techniques for improving the efficiency and quality of investigations of abuse, neglect, mistreatment and misappropriation pursuant to said section 72H of said chapter 111.....\$4,064,923

- 0810-0045.. For the labor law enforcement program pursuant to subsection (b) of section 1A of chapter 23 of the General Laws; provided, that notwithstanding any general or special law to the contrary, a non-management position funded by this item shall be considered a job title in a collective bargaining unit as prescribed by the labor relations commission and shall be subject to chapter 150E of the General Laws.....\$3,116,570
- 0810-0201.. For the costs incurred in administrative or judicial proceedings on insurance as authorized by section 11F of chapter 12 of the General Laws; provided, that funds made available in this item may be used to supplement the automobile insurance fraud unit and the workers' compensation fraud unit of the office of the attorney general; provided further, that notwithstanding any general or special law to the contrary, the amount assessed for these costs shall be equal to the amount expended from this item and the associated fringe benefits costs for personnel paid from this item; and provided further, that funds may be expended for costs associated with health insurance rate hearings.....\$1,539,942
- 0810-0338.. For the investigation and prosecution of automobile insurance fraud; provided, that notwithstanding any general or special law to the contrary, the amount assessed for these costs shall be equal to the amount appropriated by this item.....\$438,506
- 0810-0399.. For the investigation and prosecution of workers' compensation fraud; provided, that notwithstanding any general or special law to the contrary, the amount assessed for these costs shall be equal to the amount appropriated by this item; provided further, that the attorney general shall investigate and prosecute, when appropriate, employers who fail to provide workers' compensation insurance in accordance with the laws of the commonwealth; and provided further, that the unit shall investigate and report on all companies not in compliance with chapter 152 of the General Laws.....\$284,456

Victim and Witness Assistance Board.

- 0840-0100.. For the operation of the victim and witness assistance board; provided, that the board shall submit a comprehensive report compiled from the required information submitted to the office by the trial court, the registry of motor vehicles and the state treasurer relative to the collection of assessments for the previous calendar year under section 8 of chapter 258B of the General Laws; and provided further, that the report shall be submitted to the house and senate committees on ways and means on or before February 16, 2012.....\$509,267
- 0840-0101.. For the salaries and administration of the SAFEPLAN advocacy program, to be administered by the Massachusetts office of victim assistance; provided, that the office shall submit to the house and senate committees on ways and means, not later than February 1, 2012, a report detailing the effectiveness of contracting for the program including, but not limited to: (a) the number and type of incidents to which the advocates responded; (b) the type of services and service referrals provided by the domestic violence advocates; (c) the cost of providing such services and the extent of coordination with other service providers; and (d) state agencies.....\$741,199

STATE ETHICS COMMISSION.

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

OFFICE OF THE INSPECTOR GENERAL.

- 0910-0200.. For the operation of the office of the inspector general\$2,163,589
- 0910-0210.. For the office of the inspector general which may expend revenues collected up to a maximum of \$600,000 from the fees charged to participants in the Massachusetts public purchasing official certification program and the certified public manager program for the operation of such programs; provided, that for the purpose of accommodating discrepancies between the receipts of retained revenues and related expenditures, the office of the inspector general may incur expenses

and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system
.....\$600,000

OFFICE OF CAMPAIGN AND POLITICAL FINANCE.

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

MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION.

0940-0100.. For the office of the commission, including the processing and resolution of cases pending before the commission that were filed on or before July 1, 2005; provided, that on or before November 1, 2011, the commission shall submit to the house and senate committees on ways and means a report on the total number of all currently pending cases and the total number of the cases in the investigation, conciliation, post-probable cause and pre-public hearing and post-hearing stages; provided further, that the commission shall file an update of the report with the committees on or before March 7, 2012; provided further, that the commission shall identify in the reports the number of cases in which the commission has determined there is probable cause to believe that a violation of chapter 151B of the General Laws has been committed in a case in which the Massachusetts Bay Transportation Authority is named as a respondent; provided further, that the commission shall report to the house and senate committees on ways and means, on or before November 1, 2011, the number of cases pending before the commission in which a state agency or state authority is named as a respondent, specifying those cases in which the Massachusetts Bay Transportation Authority is named as a respondent, and the number of the cases in which there is probable cause to believe that a violation of said chapter 151B has been committed; provided further, that the commission shall include in the report the total number of new cases filed in fiscal year 2011 and the total number of cases closed by the commission in fiscal year 2011; provided further, that funds made available in this item shall be in addition to funds available in item 0940-0101; provided further, that all positions, except clerical, shall be exempt from chapter 31 of the General Laws; and provided further, that the commission shall pursue the highest allowable rate of federal reimbursement.....\$2,543,312

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

0940-0102.. For the Massachusetts commission against discrimination which may expend not more than \$70,000 from revenues collected from fees charged for the training and certification of diversity trainers for the operation of the discrimination prevention certification program.....\$70,000

COMMISSION ON THE STATUS OF WOMEN.

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

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

OFFICE OF THE STATE COMPTROLLER.

1000-0001.. For the office of the state comptroller; provided, that the amount of any federal funds and grant receipts credited and expended from this item shall be reported to the house and senate committees on ways and means; provided further, that the comptroller shall maintain a special federal and non-tax revenue unit which shall operate under policies and procedures developed in conjunction with the secretary of administration and finance; provided further, that the comptroller shall provide quarterly reports to the house and senate committees on ways and means which shall include for each state agency for which the commonwealth is billing, the eligible state services and the full-year estimate of revenues and revenues collected; provided further, that notwithstanding any general or special law to the contrary, should the comptroller receive notification from any member of the General Court that a reporting requirement stipulated within this act has not been met, the comptroller shall give immediate notice to the agency head and require the reporting requirement be met within 10 days; provided further, that the comptroller shall deduct \$1,000 from the item of appropriation that contains the reporting requirement; provided further, that all amounts deducted shall be deposited into the General Fund and the comptroller shall notify the house and senate committees on ways and means of all amounts so deducted; provided further, that notwithstanding any general or special law to the contrary, the comptroller may enter into contracts with private vendors to identify and pursue cost avoidance opportunities for programs of the commonwealth and to enter into interdepartmental service agreements with state agencies, as applicable, for such purpose; provided further, that 60 days before entering into any interdepartmental service agreement the comptroller shall notify the house and senate committees on ways and means; provided further, that the notification shall include, but not be limited to, a description of the project, the purpose and intent of the interdepartmental service agreement, a projection of the costs avoided in the current fiscal year, a copy of the contract with the private vendor including the proposed rate of compensation and any previous agreements related or similar to the new agreement with the above information; provided further, that payments to private vendors on account of such cost avoidance projects shall be made only from such actual cost savings as have been certified in writing to the house and senate committees on ways and means by the comptroller and the budget director as attributable to such cost avoidance projects; provided further, that the comptroller may establish such procedures, in consultation with the budget director and the affected departments, as he deems appropriate and necessary to accomplish the purpose of this item; and provided further, that the comptroller shall submit a report on such projects as a part of his annual report pursuant to section 12 of chapter 7A of the General Laws
\$7,722,891

DISABLED PERSONS PROTECTION COMMISSION.

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

BOARD OF LIBRARY COMMISSIONERS.

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

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

grants, 815 CMR 2.00; provided further, that notwithstanding any general or special law to the contrary, in calculating the fiscal year 2012 distribution of funds appropriated in this item, the board of library commissioners shall employ population figures used to calculate the fiscal year 2011 distribution; and provided further, that the board shall provide funds for the continued operation of a single regional library system to serve the different geographic regions of the commonwealth and requiring that physical locations be maintained in both eastern and western Massachusetts to serve the residents of those regions ; and provided further, that notwithstanding any general or special law to the contrary, the library of the commonwealth shall receive not less than 35.9 cents for each resident of the commonwealth
\$9,131,475

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

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

7000-9501.. For state aid to public libraries; provided, that notwithstanding any general or special law to the contrary, no city or town shall receive any money under this item in any year when the appropriation of the city or town for free public library services is below an amount equal to 102.5 per cent of the average of the appropriations for free public library service for the 3 years immediately preceding; provided further, that notwithstanding any general or special law to the contrary, the board of library commissioners may grant waivers in excess of the waiver limit set forth in the second paragraph of section 19A of chapter 78 of the General Laws in fiscal year 2012 for a period of not more than 1 year; provided further, that notwithstanding any general or special law to the contrary, of the amount by which this item exceeds the amount appropriated in chapter 194 of the acts of 1998, funds shall be distributed under the guidelines of the municipal equalization grant program, the library incentive grant program and the nonresident circulation offset program; and provided further, that any payment made under this item shall be deposited with the treasurer of the city or town and held in a separate account and shall be expended by the public library of that city or town without appropriation, notwithstanding any general or special law to the contrary.....\$6,823,657

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

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Office of the Secretary of Administration and Finance.

1100-1100.. For the office of the secretary; provided, that the secretary shall conduct an ongoing review of affirmative action steps taken by the various agencies, boards, departments, commissions or divisions to determine whether such agencies, boards, departments, commissions or divisions are complying with the commonwealth's policies of nondiscrimination and equal opportunity; provided further, that whenever noncompliance is determined by the secretary, the secretary shall hold a public hearing on the matter and report the resulting recommendations to the head of the particular agency, board, department, commission or division, to the governor and to the Massachusetts commission against discrimination; provided further, that the secretary shall report on the status of each agency, board, department, commission or division receiving monies under this act, including supplemental and deficiency budgets, as to compliance or noncompliance with affirmative action policies to the chairs of the house and senate committees on ways and means, the joint committee on public service and the joint committee on labor and workforce development on or before December 1, 2011; and provided further, that agencies within the executive office may, with the prior approval of the secretary, streamline and improve administrative operations pursuant to interdepartmental service agreements.....\$2,768,871

1100-1201.. For the assistant secretary for commonwealth performance, accountability and transparency, who may expend an amount not to exceed \$650,000 in fiscal year 2012 from the indirect costs charged under section 5D of chapter 29 to support the work of the office for commonwealth performance,

accountability and transparency; provided, that one-time purchases of equipment that could be procured through capital spending shall not be made from this item; provided further, that the secretary of administration and finance shall report to the house and senate committees on ways and means, on or before April 1, 2012, on the expenditures made from this account by object class; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the office may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$650,000

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

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

Division of Capital Asset Management and Maintenance.

1102-3205 For the division of capital asset management and maintenance which may expend for the maintenance and operation of the Massachusetts information technology center, the state transportation building and the Springfield state office building an amount not to exceed \$16,250,000 in revenues collected from rentals, commissions, fees, parking fees and any other sources pertaining to the operations of said facilities; provided, that the division shall work with the committee on public counsel services to ensure that all public defenders hired in fiscal year 2012 shall have access to adequate office space; provided further, that the division shall identify any office space that may be vacated by the staffing plan implemented pursuant to item 0321-1500 and shall prioritize use for public defenders; and provided further, that notwithstanding any general or special law to the contrary, and for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system.....\$16,250,000

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

Bureau of State Office Buildings.

1102-3301.. For the operation of the bureau and for the maintenance and operation of buildings under the jurisdiction of the state superintendent of buildings; provided, that the bureau shall continue to provide funding for all janitorial services at the same level provided in fiscal year 2011 for all the

buildings under the jurisdiction of the state superintendent; and provided further, that the bureau shall retain jurisdiction over all contracts, purchases and payments for materials and services required in the operation of the bureau.....\$4,270,117

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

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

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

Office on Disability.

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

Civil Service Commission.

1108-1011.. For the civil service commission; provided, that the General Fund shall be reimbursed for the appropriation herein through a fee charged on a per claim basis; provided further, that said commission shall develop and implement regulations to provide for reimbursement to the General Fund; and provided further, that the civil service commission may assess a fee upon the appointing authority when inappropriate action has occurred.....\$410,000

Group Insurance Commission.

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

1108-5200.. For the commonwealth's share of the group insurance premium and plan costs incurred in fiscal year 2012; provided, that notwithstanding any general or special law to the contrary, funds in this item shall not be available during the accounts-payable period of fiscal year 2012 and any unexpended balance in this item shall revert to the General Fund on June 30, 2012; provided further, that the secretary of administration and finance shall charge the division of unemployment assistance and other departments, authorities, agencies and divisions which have federal or other funds allocated to them for this purpose, for that portion of insurance premiums and plan costs as the secretary determines should be borne by such funds, and shall notify the comptroller of the amounts to be transferred, after similar determination, from the several state or other funds and amounts received in payment of all such charges or such transfers shall be credited to the General Fund; provided further, that funds may be expended from this item for the commonwealth's share of group insurance premium and plan costs provided to employees and retirees in prior fiscal years; provided further, that the group insurance commission shall report quarterly to the house and

senate committees on ways and means the amounts expended from this item for prior year costs; provided further, that the group insurance commission shall obtain reimbursement for premium and administrative expenses from other agencies and authorities not funded by state appropriation; provided further, that the secretary of administration and finance may charge all agencies for the commonwealth's share of the health insurance costs incurred on behalf of any employees of those agencies who are on leave of absence for a period of more than 1 year; provided further, that the amounts received in payment for the charges shall be credited to the General Fund; provided further, that notwithstanding section 26 of chapter 29 of the General Laws, the commission may negotiate, purchase and execute contracts before July 1 of each year for policies of group insurance as authorized by chapter 32A of the General Laws; provided further, that notwithstanding chapter 150E of the General Laws and as provided in section 8 of said chapter 32A and for the purposes of section 14 of said chapter 32A, the commonwealth's share of the group insurance premiums for state employees who have retired before July 1, 1994 shall be 90 per cent and the commonwealth's share of the group insurance premiums for state employees who have retired on or after July 1, 1994 shall be 85 per cent; provided further, that the commonwealth's share of the group insurance premiums for active state employees hired on or before June 30, 2003 and their dependents shall be 80 per cent; provided further, that the commonwealth's share of the group insurance premiums for active state employees hired after June 30, 2003 and their dependents shall be 75 per cent; provided further, that the commonwealth's share of the group insurance premiums for active state employees who filed an application for retirement on or after August 7, 2009, and on or before October 1, 2009, for a retirement date not later than January 31, 2010, shall be 85 per cent; provided further, that the commonwealth's share of the group insurance premiums for active state employees who file an application for retirement after October 1, 2009, shall be 80 per cent until a different contribution rate is established under said section 8 of said chapter 32A; provided further, that the commission shall notify the house and senate committees on ways and means by April 1 of each year of the cost of the commonwealth's projected share of group insurance premiums for the next fiscal year; provided further, that the group insurance commission may pay premium and plan costs for municipal employees and retirees who are enrolled in the group insurance commission's health plans pursuant to the commission's regulations; provided further, that the group insurance commission shall report no later than December 1, 2011 to the house and senate committees on ways and means on the premiums of enrollees of municipalities participating in the group insurance commission for fiscal years 2010 and 2011; and provided further, that such report shall include the premium reimbursement paid by each municipality per active enrollee by plan, the average employee premium contribution by plan for each municipality, estimates for the total premium per active enrollee by plan for each municipality and a comparison of the total premium estimate with the sum total of municipality reimbursement and average employee premium contribution.....\$1,131,305,510

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

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

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

1108-5500.. For the costs, notwithstanding chapter 32A of the General Laws, of dental and vision benefits for those active employees of the commonwealth, not including employees of authorities and any other political subdivision, who are not otherwise provided those benefits pursuant to a separate

appropriation or the terms of a contract or collective bargaining agreement; provided, that the employees shall pay 15 per cent of monthly premiums established by the commission for the benefits\$9,104,973

Division of Administrative Law Appeals.

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

George Fingold Library.

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

Department of Revenue.

1201-0100.. For the operation of the department of revenue, including tax collection administration and audits of certain foreign corporations and the division of local services; provided, that the department may allocate funds to the office of the attorney general for the purpose of the tax prosecution unit; provided further, that the department may charge the expenses for computer services, including the costs of personnel and other support costs provided to the child support enforcement unit, from this item to item 1201-0160, consistent with the costs attributable to said unit; provided further, that the department shall provide to the general court access to the municipal data bank; provided further, that notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by this account shall be positions requiring the services of an incumbent, on either a full-time or less than full-time basis beginning no earlier than December 1 and ending no later than November 30; and provided further, that seasonal positions funded by this account shall not be filled by an incumbent for more than 10 months within a 12-month period.....\$80,469,544

1201-0130.. For the department of revenue which may expend for the operation of the department not more than \$23,940,257 from revenues collected by the additional auditors for an enhanced audit program; provided, that the auditors shall: (1) discover and identify persons who are delinquent either in the filing of a tax return or the payment of a tax due and payable to the commonwealth; (2) obtain such delinquent returns; and (3) collect such delinquent taxes for a prior fiscal year; provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, that the department shall submit quarterly reports to the house and senate committees on ways and means that shall include, but not be limited to, the following: (1) the amount of revenue produced from these additional auditors; and (2) the amount of revenue produced by this item in fiscal years 2008, 2009, 2010 and 2011.....\$23,940,257

1201-0160.. For child support enforcement; provided, that the department may allocate funds appropriated herein to the department of state police, the district courts, the probate and family courts, the district attorneys and other state agencies for the performance of certain child support enforcement activities, and those agencies may expend the funds for the purposes of this item; provided further, that all such allocations shall be reported quarterly to the house and senate committees on ways and means upon the allocation of the funds; provided further, that the federal receipts associated with the child support computer network shall be drawn down at the highest possible rate of reimbursement and deposited into a revolving account to be expended for the network; provided

further, that federal receipts associated with child support enforcement grants shall be deposited into a revolving account to be drawn down at the highest possible rate of reimbursement and to be expended for the grant authority; provided further, that the department shall file quarterly reports with the house and senate committees on ways and means, detailing the balance, year-to-date and projected receipts and year-to-date and projected expenditures, by subsidiary, of the child support trust fund established pursuant to section 9 of chapter 119A of the General Laws; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system for federal incentives and said network in accounts 1201-0161, 1201-0410 and 1201-0412.....\$33,676,820

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

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

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

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

1233-2000.. For the tax abatement program for certain veterans, widows, blind persons and the elderly; provided, that cities and towns shall be reimbursed for the abatements granted under clauses Seventeenth, Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E, Thirty-seventh, Thirty-seventh A, Forty-first, Forty-first B, Forty-first C, Forty-first C 1/2 and Fifty-second of section 5 of chapter 59 of the General Laws; provided further, that the commonwealth shall reimburse each city or town that accepts said clause Forty-first B or said clause Forty-first C for additional costs incurred in determining eligibility of applicants under those clauses in an amount not to exceed \$2 per exemption granted; and provided further, that funds in this item shall be available for reimbursements to cities and towns for additional exemptions from the motor vehicle excise granted pursuant to the seventh paragraph of section 1 of chapter 60A of the General Laws..... \$25,301,475

- 1233-2350.. For the distribution to cities and towns of the balance of the State Lottery Fund in accordance with clause (c) of the second paragraph of section 35 of chapter 10 of the General Laws, and additional aid to municipalities, as provided for in section 3.....\$833,980,293
- 1233-2400.. For reimbursements to cities and towns in lieu of taxes on state-owned land pursuant to sections 13 to 17, inclusive, of chapter 58 of the General Laws.....\$27,270,000
- 1233-2401 For reimbursements to certain cities and towns for additional educational costs pursuant to chapter 40S of the General Laws; provided, that cities and towns eligible for reimbursements in fiscal year 2010 shall receive funding.....\$363,399

Appellate Tax Board.

- 1310-1000.. For the operation of the appellate tax board; provided, that the board shall schedule hearings in not less than 9 geographically diverse regions of the state; and provided further, that the board shall report to the house and senate committees on ways and means not later than December 1, 2011 on the number of hearings held at each location.....\$1,459,270
- 1310-1001.. For the appellate tax board which may expend revenues up to a maximum of \$400,000 from fees collected; provided, that in order to accommodate discrepancies between the receipt of retained revenues and related expenditures, the board may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$400,000

Reserves.

- 1599-0018.. For a reserve to fund revenue maximization efforts that cannot be realized on a contingent basis; provided, that the secretary of administration and finance shall pursue these efforts in consultation with the state comptroller and other state agencies where appropriate; and provided further, that the secretary shall report to the house and senate committees on ways and means not later than March 5, 2012 which shall include, but not be limited to, revenue and savings generated through revenue maximization efforts, further opportunities for revenue maximization and savings, and areas originally identified for revenue maximization and savings which did not generate expected revenue or savings.....\$750,000
- 1599-0024.. For a reserve to be administered by the office of the comptroller to fund a competitive grant program for the purpose of funding auditors at agencies and departments that demonstrate: (a) a reduction in audit functions due to budget reductions; (b) a decrease in fraud and waste recoveries in the past 3 fiscal years; and (c) a plan for expenditure of audit funds and an estimate of recoveries greater than the award received; provided, that funds shall be awarded to state entities that are most likely to generate savings or revenue from enhanced auditing or program integrity greater than the award received; provided further, that grants shall be made on a one-time, non-recurring basis and the comptroller shall develop guidelines and an application process and award all grants no later than October 3, 2011; provided further, that funds from this item may be expended for additional child support enforcement personnel at the department of revenue; provided further, that agencies awarded grants shall report to the comptroller quarterly detailing their expenditures and recoveries made with grant resources; and provided further, that the comptroller shall report to the house and senate committees on ways and means no later than March 1, 2012 on the grant recipients, their audit outcomes and the effectiveness of the grant program.....\$1,250,000
- 1599-0026.. For a reserve for 1-time grants to support municipal improvements; provided, that no less than \$4,000,000 shall be transferred to the division of local services and shall be expended for a multi-year competitive grant program to provide financial support for 1-time transition costs related to

regionalization and other efficiency initiatives, with allowable applicants to include municipalities, regional schools, school districts considering forming a regional school district or regionalizing services regional planning agencies and councils of governments; provided further, that regional planning agencies and councils of governments may also serve as the administrative or fiscal agent on behalf of municipalities; provided further, that funds may be expended to reimburse municipalities for planning costs associated with municipal infrastructure improvements incurred in fiscal year 2011; provided further, that said grant program shall be administered by the division of local services; provided further, that \$3,000,000 shall be transferred to the executive office of public safety and security for a competitive grant program to be administered by the office; provided further, that grants shall be awarded to communities that: (i) have a population of at least 65,000; and (ii) demonstrate that its police department had an operating budget per capita of less than \$200 in 2010; provided further, that \$2,000,000 shall be transferred to the department of elementary and secondary education to be distributed through a competitive grant program; provided further, that the competitive grant program shall include only those local education authorities whose chapter 70 aid in fiscal year 2012, as a percentage of foundation budget, is less than that local education authorities' target aid share for fiscal year 2012; provided further, notwithstanding any general or special law to the contrary, any payments made pursuant to this item to any school districts shall be deposited with the treasurer of such city, town or regional school district and held as a separate account and shall be expended by the school committee of such city, town or regional school district without municipal appropriation; and provided further, that each state entity administering grant funds through this item shall report to the house and senate committees on ways means no later than January 18, 2012 detailing grants awarded through this item and the criteria used for distribution

..... \$9,000,000

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

Commonwealth Transportation Fund..... 100%

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

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

Commonwealth Transportation Fund..... 100%

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

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

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

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

ways and means upon the expenditure of funds for the purposes of this item
.....\$5,000,000

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

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

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

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

Division of Human Resources.

1750-0100.. For the operation of the human resources division and the costs of administration, training and customer
support related to the commonwealth's human resources and compensation management system;
provided, that the information technology division shall continue a chargeback system for its
bureau of computer services, including the operation of the commonwealth's human resources and
compensation management system, which complies with the requirements of section 2B; provided
further, that the division shall be responsible for the administration of examinations for state and
municipal civil service titles, establishment of eligible lists, certification of eligible candidates to
state and municipal appointing authorities and technical assistance in selection and appointment to
state and municipal appointing authorities; provided further, that notwithstanding clause (n) of
section 5 of chapter 31 of the General Laws, or any other general or special law to the contrary, the
secretary of administration and finance shall charge a fee of not less than \$50 to be collected from
each applicant for a civil service examination; provided further, that the division shall administer a
program of state employee unemployment management, including, but not limited to, agency
training and assistance; provided further, that the division shall administer the statewide
classification system, including, but not limited to, maintaining a classification pay plan for civil
service titles within the commonwealth in accordance with generally accepted compensation
standards and reviewing appeals for reclassification; provided further, that the secretary of
administration and finance shall file with the house and senate committees on ways and means the
amounts of any economic benefits necessary to fund any incremental cost items contained in any
collective bargaining agreements with the various classified public employees' unions; and
provided further, that the nature and scope of economic proposals contained in those agreements
shall include all fixed percentage or dollar-based salary adjustments, non-base payments or other
forms of compensation and all supplemental fringe benefits resulting in any incremental
costs.....\$2,618,785

1750-0102.. For the human resources division which may expend not more than \$2,056,966 from revenues collected
from fees charged to applicants for civil service and non-civil service examinations and fees
charged for the costs of goods and services rendered in administering training programs; provided,
that the division shall collect from participating non-state agencies, political subdivisions and the
general public fees sufficient to cover all costs of the programs, including, but not limited to, a fee
to be collected from each applicant for a civil service examination or non-civil service
examination, notwithstanding clause (n) of section 5 of chapter 31 of the General Laws or any
other general or special law to the contrary; provided further, that the human resources division
may also expend revenues collected for implementation of the health and physical fitness
standards program established pursuant to sections 61A of said chapter 31 and the wellness
program established pursuant to section 61B of said chapter 31 and those programs in chapter 32
of the General Laws; provided further, that the personnel administrator shall charge a fee of not
less than \$50 to be collected from each applicant who participates in the physical ability test; and
provided further, that notwithstanding any general or special law to the contrary, for the purpose of

accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$2,056,966

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

1750-0300.. For the commonwealth's contributions in fiscal year 2012 to health and welfare funds established pursuant to certain collective bargaining agreements; provided, that the contributions shall be calculated as provided in the applicable collective bargaining agreement and shall be paid to the health and welfare trust funds on a monthly basis or on such other basis as the applicable collective bargaining agreement provides.....\$26,950,000

Operational Services Division.

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

1775-0106.. For the operation of an enhanced vendor auditing unit within the operational services division; provided, that the unit will use a risk analysis program to identify vendor areas at high risk of fraud, overbilling or unallowable expenses; provided further, that the risk analysis will use vendor filed uniform financial reports, contracts with state entities and MMARS billing records; provided further, that in determining risk, the unit shall consider: (1) failure to file in a timely manner annual uniform financial reports and required private audits; (2) related-party transactions; (3) use of management companies; (4) amounts of billed expenditures on credit cards; (5) expenditures for non-program expenses such as travel, meals and vehicles; and (6) referrals or complaints from other state agencies, public officials and consumers; provided further, that the unit shall conduct field audits as necessary to determine evidence of fraud, overbilling or unallowable expenses; provided further, that the unit shall develop a recovery plan to recoup all funds received by a vendor due to fraud, overbilling or unallowable expenses and shall be responsible for recovering said funds; provided further, that any recovery plan that provides for less than the full restitution of misspent funds shall not be implemented without the approval of the secretary of administration and finance; provided further, that all funds recovered shall be deposited in the General Fund; provided further, that audits which indicate criminal fraud shall be referred to the office of the attorney general for investigation; and provided further, that the unit shall file a report to the executive office of administration and finance and the house and senate committees on ways and means no later than March 7, 2012 on the activities of the unit including number of audits conducted, number of vendors audited, number of vendors demonstrating the risk factors listed in this item, funds identified for recoupment, funds recouped, any reasons why identified funds were not recouped and details of recovery plans that required the approval of the secretary of administration and finance.....\$475,000

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

1775-0124.. For the operational services division; provided, that the division may expend an amount not to exceed \$500,000 from revenue collected in the recovery of cost-reimbursement and non-reimbursable over billing and recoupment for health and human service agencies and as a result of administrative reviews, as determined during the division's audits and reviews of providers

pursuant to section 22N of chapter 7 of the General Laws; provided further, that the division may only retain revenues collected in excess of \$207,350; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system.....\$500,000

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

1775-0600.. For the operational services division; provided, that the division may expend not more than \$750,000 in revenues from the sale of state surplus personal property and the disposal of surplus motor vehicles, including, but not limited to, state police vehicles from vehicle accident and damage claims and from manufacturer warranties, rebates and settlements for the payment, expenses and liabilities for the acquisition, warehousing, allocation and distribution of surplus property and the purchase of motor vehicles; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the operational services division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system, including the costs of personnel\$750,000

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

1775-0900.. For the operational services division; provided, that the division may expend not more than \$55,000 in revenues collected under chapter 449 of the acts of 1984 and section 4L of chapter 7 of the General Laws, including the costs of personnel, from the sale of federal surplus property, including the payment, expenses and liabilities for the acquisition, warehousing, allocation and distribution of federal surplus property; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the operational services division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$55,000

Information Technology Division.

1790-0100.. For the operation of the information technology division; provided, that the division shall operate the geographic information system pursuant to subsection (d) of section 4B of chapter 21A of the General Laws; provided further, that the division shall continue a chargeback system for its bureau

of computer services, including the operation of the commonwealth's human resources and compensation management system, which complies with the requirements of section 2B; provided further, that the division shall develop a formula to determine the cost that will be charged to each agency for its use of the human resources and compensation management system; provided further, that the division may coordinate with any state agency or state authority which administers a grant program to develop a statewide grant information page on the commonwealth's official website, that shall include all necessary application forms and a grant program reference in a format that is retrievable and printable; provided further, that the division shall continue conducting audits and surveys to identify and realize savings in the acquisition and maintenance of communications lines; provided further, that the chief information officer shall file a status report with the house and senate committees on ways and means by May 31, 2012, with actual and projected savings and expenditures for the audits in the fiscal year ending June 30, 2012; provided further, that the state comptroller shall establish accounts and procedures as he deems appropriate and necessary to assist in accomplishing the purposes of this item; provided further, that any planned information technology development project or purchase by any agency under the authority of the governor for which the total projected cost exceeds \$200,000, including the cost of any related hardware, software, or consulting fees, and regardless of fiscal year or source of funds, shall be reviewed and approved by the chief information officer before such agency may obligate funds for the project or purchase; provided further, that the chief information officer may establish rules and procedures necessary to implement this item; and provided further, that the division shall file a report with the secretary of administration and finance and the house and senate committees on ways and means not later than December 15, 2011, that shall include, but not be limited to, the following: (a) financial statements detailing savings realized from the consolidation of information technology services within each executive office; (b) the number of personnel assigned to the information technology services within each executive office; and (c) efficiencies that have been achieved from the sharing of resources.....\$3,287,139

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

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

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS.

Office of the Secretary.

2000-0100.. For the operation of the office of the secretary of energy and environmental affairs, including the water resources commission, the hazardous waste facility site safety council, the coastal zone management program, environmental impact reviews conducted pursuant to chapter 30 of the General Laws and the mosquito-borne disease vector control chapter program; provided, that the executive office shall expend not less than \$150,000 for a program of collaborative research with academic institutions that apply satellite and other technologies in an innovative manner to an existing methodological model previously used in other fisheries to assess the biomass of groundfish in the region managed by the New England Fishery Management Council; provided further, that the executive office shall execute a memorandum of agreement with any such academic institution not later than 30 days after the effective date of this act; and provided further, that the memorandum shall require the timely production of information for use in the fisheries management process 5,695,430

2000-1011.. For the office of environmental law enforcement which may expend revenues in an amount not to

exceed \$85,000 from the administrative handling charge revenues received from electronic transactions processed through its online licensing and registration systems; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the office of environmental law enforcement may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system.....\$85,000

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

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

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

Department of Public Utilities.

2100-0012.. For the operation of the department of public utilities; provided, that notwithstanding the second sentence of the first paragraph of section 18 of chapter 25 of the General Laws to the contrary, the assessments levied for fiscal year 2012 under said first paragraph shall be made at a rate sufficient to produce the amount expended from this item as well as the associated fringe benefits costs for personnel paid from this item.....\$7,632,539

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

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

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

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

Department of Environmental Protection.

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

- 2200-0102.. For the department of environmental protection, which may expend an amount not to exceed \$260,812 from revenues collected from fees for wetland permits; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$260,812
- 2200-0107.. For technical assistance, grants, and support of efforts consistent with the Massachusetts recycling and solid waste master plan and climate protection plan.....\$275,000
- 2210-0105.. For the department of environmental protection, which may expend for the administration and implementation of the Massachusetts Toxics Use Reduction Act under chapter 21I of the General Laws an amount not to exceed \$3,080,216 from the revenue collected from fees, penalties, grants and tuition under said chapter 21I; provided, that not less than \$1,657,449 from this item shall be made available for the operation of the Toxics Use Reduction Institute program at the University of Massachusetts at Lowell; provided further, that the department shall enter into an interagency service agreement with the University of Massachusetts to make such funding available for this purpose; provided further, that not less than \$562,567 from this item shall be made available for toxics use reduction technical assistance and technology in accordance with said chapter 21I; provided further, that the department shall enter into an interagency service agreement with the executive office of energy and environmental affairs to make such funding available for this purpose; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$3,080,216
- 2220-2220.. For the administration and implementation of the federal Clean Air Act, including the operating permit program, the emissions banking program, the auto-related state implementation program, the low emission vehicle program, the non-auto-related state implementation program and the commonwealth's commitments under the New England Governors/Eastern Canadian Premiers Action Plans for reducing acid rain deposition and mercury emissions\$843,672
- 2220-2221.. For the administration and implementation of the operating permit and compliance program required under the federal Clean Air Act..... \$1,657,263
- 2250-2000.. For the purpose of state implementation of the federal Safe Drinking Water Act under section 18A of chapter 21A of the General Laws.....\$1,264,499
- 2260-8870.. For the expenses of the hazardous waste cleanup and underground storage tank programs, notwithstanding section 4 of chapter 21J of the General Laws.....\$11,973,797
- 2260-8872.. For the brownfields site audit program\$1,020,002
- 2260-8875.. For the development of a wastewater build-out and cost analysis for the Cape Cod region...\$150,000
- 2260-8881.. For the operation of the board of registration of hazardous waste site cleanup professionals, notwithstanding section 19A of chapter 21A of the General Laws.....\$326,681

Department of Fish and Game.

- 2300-0100.. For the office of the commissioner; provided, that the commissioner's office shall assess and receive payments from the division of marine fisheries, the division of fisheries and wildlife, the public access board, the division of ecological restoration and riverways program and all other programs

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

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

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

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

2310-0300.. For the operation of the natural heritage and endangered species program....\$150,000

2310-0306.. For the hunter safety training program\$410,511

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

2310-0316.. For the purchase of land containing wildlife habitat and for the costs of the division of fisheries and wildlife directly related to the administration of the wildlands stamp program pursuant to sections 2A and 2C of chapter 131 of the General Laws; provided, that funds shall not be expended from this item in the AA object class for the compensation of state employees assigned to any item.....\$1,000,000

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

2310-0317.. For the waterfowl management program established pursuant to section 11 of chapter 131 of the General Laws\$65,000

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

2320-0100.. For the administration of the public access board, including the maintenance, operation, and improvements of public access land and water areas; provided, that positions funded in this item shall not be subject to chapter 31 of the General Laws\$446,574

2330-0100 For the operation of the division of marine fisheries, including expenses of the Annisquam river marine research laboratory, marine research programs, a commercial fisheries program, a shellfish management program, including coastal area classification, mapping and technical assistance and for the operation of the Newburyport shellfish purification plant and shellfish classification program; provided, that funds shall be expended on a recreational fisheries program to be reimbursed by federal funds; provided further, that the division shall continue to develop strategies

to improve federal regulations governing the commercial fishing industry to promote sustainable fisheries; provided further, that \$400,000 shall be spent for the operation of the Newburyport shellfish purification plant; and provided further, that the commissioner shall develop a feasible plant management plan to reduce, to the maximum extent possible, the amount by which the cost of operating the plant exceeds the revenue it generates, and the plan shall include, but not be limited to, the following: (i) enabling the shellfish purification plant to accept for treatment those shellfish harvested by valid permit holders from waters not meeting the requirements for open status for acceptable water quality as a result of heavy rainfall pursuant to the National Shellfish Sanitation Program Guide For The Control Of Molluscan Shellfish; (ii) requiring the division to perform additional testing on permanently closed areas to ascertain the possibility of opening those areas as clean areas, with special consideration given to areas 2 and 3 north of Boston, or to developing regulations to permit the acceptance of shellfish harvested from those areas or other moderately contaminated areas for purification at the plant; (iii) reviewing the plant hours of operation and making adjustments to better accommodate tide schedules and weekend harvesting and increasing plant processing volume; (iv) increasing the frequency of testing at conditionally approved areas and making results of the testing expediently available to the general public; and (v) capturing opportunities for the use of the plant for shellfish not requiring purification, but for which additional cleansing, including from sand particulates, creates increased market value and increases the utilization of the plant and its revenues; provided further, that the commissioner shall evaluate each of these options in developing the plan; provided further, that the plan shall provide an explanation for the reasons for which any element described in this item is not included in the plan; and provided further, that the plan shall be submitted to the house and senate ways and means committees on or before February 15, 2012.....\$4,355,647.

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

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

2330-0150..For the operation and maintenance of the Newburyport shellfish purification plant; provided, that the division of marine fisheries may expend not more than \$100,000 from revenue collected from fees generated by operations; provided further, that the division shall submit a report detailing the revenues collected and expended and shellfish volume increase realized from the acceptance of shellfish from rainfall closures to the executive office of environmental affairs, the executive office for administration and finance and the house and senate committee on ways and means by June 30, 2012; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the division of marine fisheries may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$100,000

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

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

Department of Agricultural Resources.

2511-0100.. For the operation of the department of agricultural resources, including the division of administration, the integrated pest management program, the board of agriculture, the division of agricultural development, the division of animal health, the division of agricultural technical assistance, the

division of crop and pest services, including a program of laboratory services at the University of Massachusetts Amherst, the expenses of the pesticide board and other responsibilities associated with the promotion and development of the commonwealth's primary industries including agriculture, forestry and fisheries; provided, that funds may be expended to enhance the buy local effort in western, central, northeastern and southern Massachusetts; and provided further, that funds may be expended for the statewide 4-H program.....\$4,100,108

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

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

Department of Conservation and Recreation.

2800-0100.. For the operation of the department of conservation and recreation; provided, that said department shall enter into an interagency service agreement with the department of state police to provide police coverage on department of conservation and recreation properties and parkways; provided further, that the department of state police shall reimburse said department of conservation and recreation for costs incurred by said department including, but not limited to, vehicle maintenance and repairs, the operation of department of state police buildings and other related costs; provided further, that notwithstanding any general or special law to the contrary, all offices and positions of the division performing construction activities for the department of conservation and recreation shall be subject to classification under sections 45 to 50, inclusive, of chapter 30 of the General Laws; provided further, that notwithstanding section 3B of chapter 7 of the General Laws, the department shall establish or renegotiate fees, licenses, permits, rents and leases, and adjust or develop other revenue sources to fund the maintenance, operation and administration of the department; provided further, that funds may be expended for cleanup of *Pilayella* algae; and provided further, that no funds shall be expended from this item for personnel overtime costs.....\$3,517,586

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

2800-0401.. For a program to provide stormwater management for all properties and roadways under the care, custody and control of the department of conservation and recreation; provided, that the department shall implement a stormwater management program in compliance with federal and state stormwater management requirements; provided further, that the department shall inventory all stormwater infrastructure, assess its stormwater practices, analyze long term capital and operational needs and develop a stormwater management plan to comply with federal and state regulatory requirements; and provided further, that in order to protect public safety and to protect water resources for water supply, recreational and ecosystem uses, the department shall immediately implement interim stormwater management practices including, but not limited to, street sweeping, inspection and cleaning of catch basins and emergency repairs to roadway drainage.....\$391,237

2800-0501.. For the operation of the beaches, pools and spray pools under the control of the department of

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

2800-0700.. For the office of dam safety; provided, that the department shall, in collaboration with the department of environmental protection and the department of fish and game, establish and maintain a comprehensive inventory of all dams and develop a coordinated permitting and regulatory approach to dam removal for stream restoration and public safety; and provided further, that the department shall file a report with the house and senate committees on ways and means not later than December 16, 2011, that shall include, but not be limited to, the following: (a) the number of dam inspections that are scheduled for fiscal year 2012; and (b) the number of dams that are in need of repair or replacement \$290,151

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

2810-2041.. For the division of state parks and recreation which may expend not more than \$5,314,030 from revenue collected from fees charged by the division, including revenues collected from campsite reservation transactions from the automated campground reservation and registration program for additional expenses, upkeep and improvements to the parks and recreation system and for the personnel costs of seasonal employees; provided, that no funds from this item shall be expended for the costs of full-time equivalent personnel; provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; provided further, that no expenditures made in advance of the receipts shall be permitted to exceed 75 per cent of the amount of revenues projected by the first quarterly statement required by section 1B; provided further, that the comptroller shall notify the house and senate committees on ways and means at the time subsequent quarterly statements are published of the variance between actual and projected receipts in each such quarter and the implications of that variance for expenditures made; and provided further, that the division may

issue grants to public and nonpublic entities from this item and provided further, that the department may retain and deposit 70 per cent of the aforementioned fees generated above \$9,000,000 into the Conservation Trust; and provided further, that any revenue above \$9,000,000 spent from this item shall be verified on a monthly basis with monthly revenue estimates filed at the close of each month with the house and senate committees on ways and means.....\$5,314,030

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

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

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

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

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

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

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

November 30.....\$824,790

Department of Energy Resources.

- 7006-1001.. For the residential conservation service program under chapter 465 of the acts of 1980, and the commercial and apartment conservation service program pursuant to section 11A of chapter 25A of the General Laws; provided, that the assessments levied for fiscal year 2012 pursuant to chapter 465 of the acts of 1980 shall be made at a rate sufficient to produce the amount expended from this item as well as the associated fringe benefit costs for personnel paid from this item.....\$205,340
- 7006-1003.. For the operation of the department of energy resources; provided, that notwithstanding any general or special law to the contrary, the amount assessed under section 11H of chapter 25A of the General Laws shall be equal to the amount expended from this item as well as the associated fringe benefit costs for personnel paid from this item.....\$3,005,424

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

Office of the Secretary.

- 4000-0050.. For the operation of the personal care attendant quality workforce council established under section 29 of chapter 118G of the General Laws\$167,708
- 4000-0300.. For the operation of the executive office of health and human services, including the operation of the managed care oversight board; provided, that the executive office shall provide technical and administrative assistance to agencies under the purview of the secretariat receiving federal funds; provided further, that the executive office and its agencies, when contracting for services on the islands of Martha’s Vineyard and Nantucket, shall take into consideration the increased costs associated with the provision of goods, services and housing on said islands; provided further, that the executive office shall monitor the expenditures and completion timetables for systems development projects and enhancements undertaken by all agencies in the secretariat, and shall ensure that all measures are taken to make such systems compatible with one another for enhanced interagency interaction; provided further, that the executive office shall continue to develop and implement the common client identifier; provided further, that the executive office shall ensure that any collaborative assessments for children receiving services from multiple agencies within the secretariat shall be performed within existing resources; provided further, that funds appropriated in this item shall be expended for administrative and contracted services related to the implementation and operation of programs authorized by chapter 118E of the General Laws; provided further, that in consultation with the division of health care finance and policy, no rate increase shall be provided to existing Medicaid provider rates without taking all measures possible under Title XIX of the Social Security Act to ensure that rates of payment to providers do not exceed the rates that are necessary to meet only those costs which must be incurred by efficiently and economically operated providers in order to provide services of adequate quality; provided further, that funds may be expended for the operation of the office of health equity within the executive office of health and human services; provided further, that subject to appropriation, the executive office of health and human services may employ such additional staff or consultants as it may deem necessary for the office of health equity; provided further, that the office of health equity may prepare an annual health disparities report card with regional disparities data, evaluate effectiveness of interventions and replicate successful programs across the commonwealth; provided further, that the office of health equity shall work with a disparities reduction program with a focus on supporting efforts by community-based health agencies and community health workers to eliminate racial and ethnic health disparities, including efforts addressing social factors integral to such disparities; provided further, that expenditures for the purposes of each item appropriated for programs authorized by chapter 118E of the General Laws shall be accounted for in the Massachusetts management accounting and reporting system not more than 10 days after the expenditures have been made by the Medicaid management information system; provided further, that no expenditures shall be made that are not federally reimbursable, including those related to Titles XIX or XXI of the Social Security Act or the MassHealth demonstration waiver approved

under section 1115(a) of said Social Security Act or the community first section 1115 demonstration waiver, whether made by the executive office or another commonwealth entity, except as specifically authorized herein, or unless made for cost containment efforts, the purposes and amounts of which have been submitted to the executive office of administration and finance and the house and senate committees on ways and means 30 days prior to making such expenditures; provided further, that the executive office of health and human services may continue to recover provider overpayments made in the current and prior fiscal years through the Medicaid management information system and that these recoveries shall be considered current fiscal year expenditure refunds; provided further, that the executive office may collect directly from a liable third party any amounts paid to contracted providers under chapter 118E of the General Laws for which the executive office later discovers another third party is liable if no other course of recoupment is possible; provided further, that no funds shall be expended for the purpose of funding interpretive services directly or indirectly related to a settlement or resolution agreement with the office of civil rights or any other office, group or entity; provided further, that interpretive services currently provided shall not give rise to enforceable legal rights for any party or to an enforceable entitlement to interpretive services; provided further, that the federal financial participation received from claims filed based on in-kind administrative services related to outreach and eligibility activities performed by certain community organizations, under the "covering kids initiative," and in accordance with the federal revenue criteria in 45 CFR 74.23 or any other federal regulation which provides a basis for federal financial participation, shall be credited to this item and may be expended, without further appropriation, on administrative services including those covered under an agreement with the organizations participating in the initiative; provided further, that notwithstanding any general or special law to the contrary, the executive office shall require the commissioner of mental health to approve any prior authorization or other restriction on medication used to treat mental illness in accordance with written policies, procedures and regulations of the department of mental health; provided further, that the executive office of health and human services shall submit a report to the house and senate committees on ways and means no later than September 1, 2011, providing a detailed analysis of savings to be achieved in fiscal year 2012; provided further, that this report shall include, but not be limited to, savings from provider rate cuts, reprocurement of contracts and changes to MassHealth benefits; provided further, that the executive office of health and human services shall report to the house and senate committees on ways and means no later than February 1, 2012 on savings achieved in the MassHealth program for the first half of fiscal year 2012; provided further, that not later than September 1, 2011, the executive office of health and human services shall submit a report to the house and senate committees on ways and means detailing planned fiscal year 2012 expenditures by the executive office as funded by chargebacks to the 17 executive office cluster agencies; provided further, that any projection of deficiency in item 4000-0430, 4000-0500, 4000-0600, 4000-0700, 4000-0870, 4000-0875, 4000-0880, 4000-0890, 4000-0895, 4000-0950, 4000-0990, 4000-1400 or 4000-1405 shall be reported to the house and senate committees on ways and means not less than 90 days before the projected exhaustion of funding; provided further, that MassHealth shall notify the house and senate committees on ways and means not less than 60 days in advance of any change in the clinical eligibility criteria or rates paid to providers of adult day health services; provided further, that MassHealth shall adopt regulations by September 30, 2011, establishing a minimum criteria for licensure of an adult day health provider which shall set forth a standard of quality measures for services provided to members as a condition of licensure; provided further, that MassHealth shall adopt regulations establishing a process for the periodic inspection of adult day health providers by the agency to ensure compliance with those standards; provided further, that the regulations shall be the subject of at least 1 public hearing prior to their adoption; provided further, that MassHealth shall file a report with the house and senate committees on ways and means, the joint committee on health care financing and the clerks of the senate and house of representatives relative to the impact of the regulations on the service to current members and recommended drafts of legislation necessary to comply with this item; provided further, that MassHealth shall notify the house and senate committees on ways and means not less than 60 days in advance of any change in the rates paid to providers of adult foster care and group adult foster care services; provided further, that MassHealth shall notify the house and senate committees on ways and means not less than 60 days in advance of any change in services or rates paid to providers of adult day habilitation services; provided further, that said reports shall include an explanation of said deficiencies, including but not limited to updated

utilization and caseload information, as well as initiatives that did not generate expected savings; provided, however, that the information is provided in a manner that meets all applicable federal and state privacy and security requirements; and provided further, that any unexpended balance in these accounts shall revert to the General Fund on June 30, 2012 provided further, that the secretary of health and human services shall report semi-annually to the house and senate committees on ways and means relative to the impact of the reductions in adult dental services in MassHealth; and provided further, that such semi-annual reports shall include, but not be limited to, a detailed itemization of covered services and service utilization by service type, utilization of health safety net services, geographical location of the member receiving the service and the number of MassHealth clients unable to receive restorative dental health services who are pregnant, developmentally disabled, medically compromised patients or with HIV/AIDS, data detailing the time that elapses between a member's request for services and commencement of services and semi-annual data on utilization rates of emergency room visits related to dental health; provided further, that in calculating rates of payment for children enrolled in MassHealth receiving inpatient services at acute care pediatric hospitals and pediatric subspecialty units, as defined in section 1 of chapter 118G of the General Laws, the executive office may make a supplemental payment sufficient to assure that inpatient SPAD and outlier payments for discharges with a case mix acuity greater than 3.5 shall be at least equal to 85 per cent of the expenses incurred in providing services to those children; and provided further, that the executive office shall conduct a study to determine whether individuals in the Greater Brockton area who are receiving MassHealth benefits through a health maintenance organization under contract with the executive office have adequate access to those health care providers that have historically served those individuals

.....\$84,000,300

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

4000-0309.. For the expansion of auditing activities in MassHealth, including, but not limited to field audits of high risk services; provided, that no expenditures shall be made from this item that are not federally reimbursable; provided further, that notwithstanding any general or special law to the contrary, the state Medicaid office is hereby authorized to conduct a trial to determine the effectiveness of various fraud management tools to identify potential fraud at claims submission and validation in order to reduce Medicaid fraud prior to payment; provided further, that the state Medicaid office may employ strategies to improve systems for detection and may allow for the use of external data sources; provided further, that any such trial may test innovative technologies to improve Medicaid fraud detection and evaluate the efficacy of, among other things, a real-time model to identify and investigate potential Medicaid fraud cases prior to payment; provided further, that the Medicaid office may use actual claims data, in accordance with federal law, to identify specific suspicious provider billing patterns, document the results of any potential fraud findings and estimate anticipated savings and benefits to the commonwealth associated with such a fraud detection system; provided further, that the executive office of health and human services shall submit 2 reports to the house and senate committees on ways and means detailing recoveries and offsets generated by said audits; and provided further, that the first report shall be delivered no later than January 16, 2012 and that the second report shall be delivered no later than June 15, 2012.....\$1,000,000

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

4000-0430.. For the CommonHealth program to provide primary and supplemental medical care and assistance to

disabled adults and children under sections 9A, 16 and 16A of chapter 118E of the General Laws; provided, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years; provided further, that the executive office shall maximize federal reimbursement for state expenditures made on behalf of such adults and children; provided further, that children shall be determined eligible for the medical care and assistance if they meet the disability standards as defined by the executive office, which shall be no more restrictive than the standards in effect on July 1, 1996; and provided further, that the executive office shall process CommonHealth applications within 45 days of receipt of a completed application or within 90 days if a determination of disability is required.....\$130,439,637

4000-0500.. For health care services provided to medical assistance recipients under the executive office’s primary care clinician/mental health and substance abuse plan or through a health maintenance organization under contract with the executive office and for MassHealth benefits provided to children, adolescents and adults under clauses (a) to (d), inclusive, and clause (h) of subsection (2) of section 9A of chapter 118E of the General Laws and section 16C of said chapter 118E; provided, that no funds shall be expended from this item for children and adolescents under clause (c) of said subsection (2) of said section 9A of said chapter 118E whose family incomes, as determined by the executive office, exceed 150 per cent of the federal poverty level; provided further, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years; provided further, that \$10,000,000 shall be expended from this item or item 4000-0700, if necessary, to achieve maximum federal financial participation, to enhance the ability of hospitals, community health centers and primary care clinicians to serve populations in need more efficiently and effectively; provided further, that these funds may be allocated using the standards used in fiscal year 2010; provided further, that these funds shall be disbursed not later than April 1, 2012; provided further, that funds may be expended from this item or item 4000-0700, if necessary, to enhance the ability of hospitals to address emergency room capacity issues due to individuals with mental illness who are awaiting placement in an acute care bed; provided further, that the executive office shall maximize federal reimbursements for state expenditures made to these providers; provided further, that expenditures from this item shall be made only for the purposes expressly stated herein; and provided further, that notwithstanding any general or special law to the contrary, the secretary of health and human services shall not, without prior consent, reassign the behavioral health benefit of any eligible person to a managed care plan under contract with the office of MassHealth if the benefit is already managed by MassHealth’s specialty behavioral health managed care contractor; provided further, that for purposes of long-term health care cost savings and enhanced patient care, the commonwealth shall recognize telehealth remote patient monitoring provided by home health agencies as a service to clients otherwise reimbursable through Medicaid.....\$3,764,835,669

4000-0600.. For health care services provided to MassHealth members who are seniors and for the operation of the senior care options program under section 9D of chapter 118E of the General Laws; provided, that funds may be expended from this item for health care services provided to these recipients in prior fiscal years; provided further, that funds shall be expended for the community choices initiative; provided further, that no payment for special provider costs shall be made from this item without the prior written approval of the secretary of administration and finance; provided further, that benefits for this demonstration project shall not be reduced below the services provided in fiscal year 2011; provided further, that the eligibility requirements for this demonstration project shall not be more restrictive than those established in fiscal year 2011; provided further, that the executive office of health and human services shall submit a report to the house and senate committees on ways and means detailing the projected costs and the number of individuals served by the community choices initiative in fiscal year 2012 delineated by the federal poverty level; provided further, that notwithstanding any general or special law to the contrary, funds shall be expended from this item for the purpose of maintaining a personal needs allowance of \$72.80 per month for individuals residing in nursing homes and rest homes who are eligible for MassHealth, Emergency Aid to the Elderly, Disabled and Children program or Supplemental Security Income; provided further, that funds shall be expended from this item to implement the pre-admission counseling and assessment program under the third paragraph of section 9 of chapter 118E of the General Laws, which shall be implemented on a statewide basis through aging and disability

resource consortia; provided further, that notwithstanding any general or special law to the contrary, for any nursing home or non-acute chronic disease hospital that provides kosher food to its residents, the executive office of elder affairs, in consultation with the division of health care finance and policy, in recognition of the unique special innovative program status granted by the executive office of health and human services, shall continue to make the standard payment rates established in fiscal year 2006 to reflect the high dietary costs incurred in providing kosher food; provided further, that notwithstanding any general or special law to the contrary, nursing facility rates effective July 1, 2011 may be developed using the costs of calendar year 2005; and provided further, that the executive office of health and human services shall report quarterly to the house and senate committees on ways and means the number of members receiving health promotion and prevention, basic and complex adult day health services and the per member per month expenditure on health promotion and prevention, basic and complex care.....\$2,550,602,264

4000-0640 For nursing facility Medicaid rates; provided, that notwithstanding any general or special law to the contrary, in fiscal year 2012 the division of health care finance and policy shall establish nursing facility Medicaid rates that cumulatively total \$288,500,000 more than the annual payment rates established by the division under the rates in effect as of June 30, 2002; provided further, that an amount for expenses related to the collection and administration of section 25 of chapter 118G of the General Laws shall be transferred to the division of health care finance and policy; and provided further, that the payments made pursuant to this item shall be allocated in an amount sufficient to implement section 622 of chapter 151 of the acts of 1996\$288,500,000

4000-0700.. For health care services provided to medical assistance recipients under the executive office’s health care indemnity/third party liability plan and medical assistance recipients not otherwise covered under the executive office’s managed care or senior care plans, and for MassHealth benefits provided to children, adolescents and adults under clauses (a) to (d), inclusive and clause (h) of subsection (2) of section 9A of chapter 118E of the General Laws and section 16C of said chapter 118E; provided, that no payments for special provider costs shall be made from this item without the prior written approval of the secretary of administration and finance; provided further, that no funds shall be expended from this item for children and adolescents under clause (c) of said subsection (2) of said section 9A of said chapter 118E whose family incomes, as determined by the executive office, exceed 150 per cent of the federal poverty level; provided further, that children who have aged out of the custody of the department of children and families shall be eligible for benefits until they reach age 21; provided further, that funds shall be expended from this item for members who qualify for early intervention services; provided further, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years; provided further, that funds may be expended from this item, or item 4000-0500, if necessary to achieve maximum federal financial participation, to enhance the ability of hospitals, community health centers and primary care clinicians to more efficiently and effectively serve populations in need; provided further, that these funds may be allocated using the standards used in fiscal year 2010; provided further, that these funds shall be disbursed not later than April 1, 2012; provided further, that funds may be expended from this item or 4000-0500, if necessary, to enhance the ability of hospitals to address emergency room capacity issues due to individuals with mental illness who are awaiting placement in an acute care bed; provided further, that the executive office shall maximize federal reimbursements for state expenditures made to these providers; provided further, that the executive office shall not, in fiscal year 2012, fund programs relating to case management with the intention of reducing length of stay for neonatal intensive care unit cases; provided further, that notwithstanding the foregoing, funds may be expended from this item for the purchase of third party insurance including, but not limited to, Medicare for any medical assistance recipient; provided further, that the executive office may reduce MassHealth premiums or copayments or offer other incentives to encourage enrollees to comply with wellness goals; and provided further, that funds may be expended from this item for activities relating to disability determinations or utilization management and review, including patient screenings and evaluations, regardless of whether such activities are performed by a state agency, contractor, agent or provider..... \$2,030,206,633

- 4000-0870.. For health care services provided to adults participating in the medical assistance program pursuant to clause (g) of subsection (2) of section 9A of chapter 118E of the General Laws; provided, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years.....\$157,016,626
- 4000-0875.. For the provision of benefits to eligible women who require medical treatment for either breast or cervical cancer in accordance with section 1902(a)(10)(A)(ii)(XVIII) of the Breast and Cervical Cancer Prevention and Treatment Act of 2000, Public Law 106-354, and in accordance with section 10D of chapter 118E of the General Laws; provided, that the executive office shall provide those benefits to women whose income, as determined by the executive office, does not exceed 250 per cent of the federal poverty level, subject to continued federal approval; provided further, that eligibility for benefits shall be extended solely for the duration of the cancerous condition; provided further, that before the provision of any benefits covered by this item, the executive office shall require screening for either breast or cervical cancer through the comprehensive breast and cervical cancer early detection program operated by the department of public health, in accordance with item 4570-1512 of section 2D; and provided further, that funds may be expended from this item for health care services provided to these recipients in prior fiscal years\$4,770,999
- 4000-0880.. For MassHealth benefits under clause (c) of subsection (2) of section 9A of chapter 118E of the General Laws and section 16C of said chapter 118E for children and adolescents whose family incomes as determined by the executive office are above 150 per cent of the federal poverty level; provided, that funds may be expended from this item for health care services provided to these children and adolescents in prior fiscal years..... \$218,925,814
- 4000-0890.. For the cost of health insurance subsidies paid to employees and employers of small businesses in the insurance reimbursement program under section 9C of chapter 118E of the General Laws; provided, that funds may be expended from this item for health care services provided to these persons in prior fiscal years\$58,181,956
- 4000-0895.. For the healthy start program to provide medical care and assistance to pregnant women and infants residing in the commonwealth pursuant to section 10E of chapter 118E of the General Laws; provided, that funds may be expended from this item for health care services provided to these persons in prior fiscal years.....\$13,800,000
- 4000-0950.. For the purposes of administrative and program expenses associated with the children’s behavioral health initiative, in accordance with the settlement agreement in the case of Rosie D. et al. v. Romney, United States District Court for the District of Massachusetts civil action No. 01-30199-MAP, to provide comprehensive, community-based behavioral health services to children suffering from severe emotional disturbances; provided, that funds may be expended from this item for health care services provided to these persons in prior fiscal years; provided further, that the secretary of health and human services shall report biannually to the house and senate committees on ways and means relative to implementation of the initiative; provided further, that such biannual reports shall include, but not be limited to, details of the implementation plan, results of the scheduled plan to date, including a schedule detailing commencement of services and associated costs by service type, an analysis of compliance with the terms of the settlement agreement to date, a detailed itemization of services and service utilization by service type, geographical location and the age of the member receiving the service, data detailing the time that elapses between a member’s request for services and commencement of an initial assessment for services, the time to complete the initial assessment and the time that elapses between initial assessment for services and commencement of services and a quarterly update of whether projected expenditures are likely to exceed the amount appropriated herein; provided further, that any unexpended balance in this item shall revert to the General Fund on June 30, 2012; and provided further, that funds shall not be transferred from this item without notifying the house and senate committees on ways and means not less than 30 days prior to such a transfer; and provided further, that \$2,000,000 may be allocated from this item to item 5042-5000 to support the department of mental health’s role in implementing the children’s behavioral health initiative\$314,743,708

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

4000-1400.. For the purposes of providing MassHealth benefits to persons with a diagnosis of human immunodeficiency virus with incomes up to 200 per cent of the federal poverty level; provided, that funds may be expended from this item for health care services provided to these persons in prior fiscal years.....\$18,541,135

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

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

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

Office for Refugees and Immigrants.

4003-0122.. For a citizenship for new Americans program to assist legal permanent residents of the commonwealth in becoming citizens of the United States; provided, that the office for refugees and immigrants shall administer the program; provided further, that the program funded by this item shall provide assistance to persons who are within 3 years of eligibility to become citizens of the United States; provided further, that services shall be designed to include: ESOL/civics classes, citizenship application assistance, interview preparation and support services including, but not limited to, interpretation and referral services; provided further, that persons who would qualify for benefits under chapter 118A of the General Laws but for their status as legal non-citizens shall be given highest priority for services; and provided further, that persons who currently receive state-funded

benefits which could be replaced, in whole or in part, by federally-funded benefits if these persons become citizens, shall be given priority for services.....\$237,500

Division of Health Care Finance and Policy.

4100-0060.. For the operation of the division of health care finance and policy and the administration of the Health Safety Net Trust Fund established in section 36 of chapter 118G of the General Laws; provided, that notwithstanding any general or special law to the contrary, the assessment to acute hospitals authorized pursuant to section 5 of said chapter 118G for the estimated expenses of the division shall include in fiscal year 2012 the estimated expenses, including indirect costs, of the division and shall be equal to the amount appropriated in this item less amounts projected to be collected in fiscal year 2012 from: (1) filing fees; (2) fees and charges generated by the division's publication or dissemination of reports and information; and (3) federal financial participation received as reimbursement for the division's administrative costs; provided further, that the assessed amount shall not be less than 55 per cent of the total expenses appropriated for the division and the health safety net office; provided further, for the purposes of supporting the division's expanded role in developing health care policies that benefit government entities, providers, purchasers and consumers, the division shall assess surcharge payors as defined in section 34 of said chapter 118G, not less than 10 per cent of the total estimated expenses appropriated for the division and the health safety net office, including indirect costs, in fiscal year 2012, less amounts projected to be collected in fiscal year 2012 from: (1) filing fees; (2) fees and charges generated by the division's publication or dissemination of reports and information; and (3) federal financial participation received as reimbursement for the division's administrative costs; provided further, that the assessment on surcharge payors shall be calculated in a manner similar to the assessment authorized under section 38 of said chapter 118G and shall be collected in a manner consistent with the provisions of said chapter 118G and deposited in the General Fund; provided further, that the division shall promulgate regulations requiring all hospitals receiving payments from the Health Safety Net Trust Fund to report to the division the following utilization information: the number of inpatient admissions and outpatient visits by age category, income category, diagnostic category and average charge per admission; provided further, that the division shall submit quarterly reports to the house and senate committees on ways and means compiling this data; provided further, that the division, in consultation with the executive office of health and human services, shall not promulgate any increase in Medicaid provider rates without taking all measures possible under Title XIX of the Social Security Act or any successor federal statute to ensure that rates of payment to providers do not exceed such rates as are necessary to meet only those costs incurred by efficiently and economically operated providers in order to provide services of adequate quality; provided further, that the division shall meet the reporting requirements of section 25 of chapter 203 of the acts of 1996; provided further, that funds may be expended for the purposes of a survey and study of the uninsured and underinsured in the commonwealth, including the health insurance needs of the residents of the commonwealth; provided further, that this study shall examine the overall impact of programs administered by the executive office of health and human services on the uninsured, the underinsured and the role of employers in assisting their employees in affording health insurance pursuant to section 23 of chapter 118G of the General Laws; provided further, that the division shall publish annual reports on the financial condition of hospitals and other health care providers through the Health Benchmarks project website, in collaboration with the executive office of health and human services, the office of the attorney general and the University of Massachusetts; provided further, that the division shall submit to the house and senate committees on ways and means and the joint committee on health care financing not later than December 8, 2011 a report detailing utilization of the Health Safety Net Trust Fund; provided further, that the report shall include: (1) the number of persons in the commonwealth whose medical expenses were billed to the Health Safety Net Trust Fund in fiscal year 2011; (2) the total dollar amount billed to the Health Safety Net Trust Fund in fiscal year 2011; (3) the demographics of the population using the Health Safety Net Trust Fund; and (4) the types of services paid for out of the Health Safety Net Trust Fund in fiscal year 2011; provided further, that the division shall include in the report an analysis on hospitals' responsiveness to enrolling eligible individuals into the MassHealth program upon the date of service rather than charging those individuals to the Health Safety Net Trust Fund; provided further, that the division shall include in the report possible disincentives the state could provide to hospitals to discourage such behavior;

provided further, that funds shall be expended for the operation of the health care quality and cost council established in section 16K of chapter 6A of the General Laws to promote high-quality, cost-effective, patient-centered care; provided further, that the council shall file quarterly reports with the house and senate committees on ways and means delineating the progress made pursuant to the goals stated in said section 16K of said chapter 6A; provided further, that in fiscal year 2012, the division of health care finance and policy shall allocate \$2,000,000 for the Catastrophic Illness in Children Relief Fund, established in section 2ZZ of chapter 29 of the General Laws, from funds previously allocated for a demonstration project under section 22 of chapter 47 of the acts of 1997; provided further, that within 60 days after the effective date of this act, the division shall enter into an interagency agreement with the executive office of health and human services to perform health safety net claims adjudication with a full range of claims editing including edits to capture duplicate claims, medically unnecessary services, medically unlikely services and incorporating correct coding initiative edits through its MMIS system as soon as feasible but not later than June 30, 2012; and provided further, that the division and the executive office shall file a report no later than October 1, 2011 with the house and senate committees on ways and means on the plan to transition health safety net claims processing to the MMIS system.....\$21,157,507

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

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

Massachusetts Commission for the Blind.

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

4110-1000.. For the community services program; provided, that the Massachusetts commission for the blind shall work in collaboration with the Massachusetts commission for the deaf and hard of hearing to provide assistance and services to the deaf-blind community through the deaf-blind community access network.....\$3,871,792

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

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

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

Massachusetts Rehabilitation Commission.

4120-1000.. For the operation of the commission; provided, that the commissioner shall report quarterly to the house and senate committees on ways and means and the secretary of administration and finance on the

number of clients served and the amount expended on each type of service; provided further, that upon the written request of the commissioner of revenue, the commission shall provide lists of individual clients to whom or on behalf of whom payments have been made for the purpose of verifying eligibility and detecting and preventing fraud, error and abuse in the programs administered by the commission; and provided further, that the lists shall include client names and social security numbers and payee names and other identification, if different from a client's\$408,729

- 4120-2000.. For vocational rehabilitation services operated in cooperation with the federal government; provided, that no funds from the federal vocational rehabilitation grant or state appropriation shall be deducted for pensions, group health and life insurance and any other such indirect cost of the federally-reimbursed state employees; and provided further, that the commissioner, in making referrals to service providers, shall take into account the client's place of residence and the geographic proximity of the nearest provider to the residence.....\$10,013,228
- 4120-3000.. For employment assistance services; provided, that vocational evaluation and employment services for severely disabled adults may be provided.....\$2,362,792
- 4120-4000.. For independent living assistance services; provided, that all independent living centers identified in item 4120-4000 of section 2 of chapter 182 of the acts of 2008 shall receive the same amount in fiscal year 2012 as they received in said chapter 182 \$12,176,933
- 4120-4001.. For the housing registry for the disabled.....\$80,000
- 4120-4010.. For the turning 22 program of the commission\$801,551
- 4120-5000.. For homemaking services..... \$4,337,006
- 4120-6000.. For services for individuals with head injuries; provided, that the commission shall work with the executive office of health and human services to maximize federal reimbursement for clients receiving services through this item\$11,180,152

Massachusetts Commission for the Deaf and Hard of Hearing.

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

Department of Veterans' Services.

- 1410-0010.. For the operation of the department of veterans' services; provided, that the department may fund a housing specialist from this item; provided further, that the department may expend funds for the Glory 54th Brigade; provided further, that not less than the amount allocated in item 1410-0010 of section 2 of chapter 182 of the acts of 2008 shall be expended for the purpose of maintaining and rehabilitating Massachusetts Vietnam Veterans memorials; provided further, that not less than \$15,000 shall be expended for the Vietnam Veterans Moving Wall project in the metro west region; provided further, that the secretary of veterans' affairs shall submit a report to the joint committee on veterans and federal affairs and the house and senate committees on ways and means not later than December 30, 2011 on the secretariat's implementation of and the outreach efforts of the so-called "welcome home bill"; and provided further, that the report shall include the participation rates for service, hindrances to enrollment for the program and recommendations, including any necessary statutory or other changes to increase the number of service men and women who apply for such service..... \$2,148,506
- 1410-0012.. For services to veterans, including the maintenance and operation of outreach centers; provided, that the department shall increase the amount allocated to a program or its successor listed in this item as

appearing in section 2 of chapter 131 of the acts of 2010 by no less than 14 per cent in fiscal year 2012; provided further, that funds shall not be expended for the Middleboro Veteran Outreach Center; provided further, that the Nathan Hale Foundation in the town of Plymouth shall be the successor to the Middleboro Veteran Outreach Center; provided further, that the centers shall provide counseling to incarcerated veterans and to Vietnam era veterans and their families who may have been exposed to agent orange; and provided further, that these centers shall provide services to veterans who were discharged after September 11, 2001, and their families.....\$1,993,006

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

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

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

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

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

1410-0300.. For the payment of annuities to certain disabled veterans and the parents and un-remarried spouses of certain deceased veterans; provided, that the payments shall be made pursuant to section 6B of chapter 115 of the General Laws; provided further, that the department shall take reasonable steps to terminate payments upon the death of a recipient; provided further, that the department shall prorate annuity payments to ensure that the total payments in fiscal year 2012 shall not exceed the amount appropriated herein; and provided further, that the secretary of veterans' services shall file with the house and senate committees on ways and means a report detailing the number of applications received for annuities offered under this program at the end of each fiscal quarter..... \$20,035,820

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

assistance under said chapter 118E; provided further, that the executive office shall act on all applications under said chapter 118E and advise the applicant and the veterans' agent of the applicant's eligibility for said chapter 118E healthcare; provided further, that the veterans' agent shall advise the applicant of the right to assistance for medical benefits under said chapter 115 pending approval of the application for assistance under said chapter 118E by the executive office; provided further, that the secretary may supplement healthcare pursuant to said chapter 118E with healthcare coverage under said chapter 115 if he determines that supplemental coverage is necessary to afford the veteran or dependent sufficient relief and support; provided further, that payments to or on behalf of a veteran or dependent pursuant to said chapter 115 shall not be considered income for the purposes of determining eligibility under said chapter 118E; and provided further, that benefits awarded pursuant to section 6B of said chapter 115 shall be considered countable income\$38,980,045

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

Soldiers' Home in Massachusetts.

4180-0100.. For the maintenance and operation of the Soldiers' Home in Massachusetts located in the city of Chelsea, including a specialized unit for the treatment of Alzheimer's disease patients; provided, that graduates from the LPN school of nursing shall work in state-operated facilities for at least 1 year; and provided further, that no fee, assessment or other charge shall be imposed upon or required of any person for any outpatient treatment, admission or hospitalization which exceeds the amount of fees charged in fiscal year 2011\$25,940,788

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

Soldiers' Home in Holyoke.

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

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

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

4190-0200.. For the Soldiers' Home in Holyoke which may expend not more than \$35,000 from fees collected from veterans in its care for the purposes of providing television and telephone services to residents; provided, that fees from the use of telephones and televisions shall only be expended for payments

to vendors for said services; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the soldiers' home may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$35,000

4190-0300.. For the Soldiers' Home in Holyoke which may expend not more than \$671,530 for the operation of 12 additional long term care beds from revenue generated through the occupancy of these beds; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the Soldiers' Home may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$671,530

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

Department of Youth Services.

4200-0010.. For the administration of the department of youth services; provided, that the department shall continue to collaborate with the department of elementary and secondary education in order to align curriculum at the department of youth services with the statewide curriculum frameworks and to ease the reintegration of youth from facilities at the department of youth services into regular public school settings; provided further, that the department shall continue to execute its education funding initiative; provided further, that the commissioner of the department of youth services may transfer funds between items 4200-0100, 4200-0200, and 4200-0300, as necessary, pursuant to an allocation plan, which shall detail, by object class, the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means 15 days prior to any such transfer; and provided further, that not more than 6 per cent of any item shall be transferred in fiscal year 2012.....\$4,102,498

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

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

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

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

Department of Transitional Assistance.

4400-1000.. For the central administration of the department of transitional assistance; provided, that all costs associated with verifying disability for all programs of the department shall be paid from this item; provided further, that the department shall submit on a monthly basis to the house and senate committees on ways and means and the secretary of administration and finance a status report on program expenditures, savings and revenues, error rate measurements and public assistance caseloads and benefits; provided further, that the department shall collect all out-of-court settlement restitution payments; provided further, that the restitution payments shall include, but not be limited to, installment and lump sum payments; provided further, that notwithstanding any general or special law to the contrary, unless otherwise expressly provided, federal reimbursements received for the purposes of the department, including reimbursements for administrative, fringe and overhead costs, for the current fiscal year and prior fiscal years, shall be credited to the General Fund; provided further, that an application for assistance under chapter 118 of the General Laws shall be deemed an application for assistance under chapter 118E of the General Laws; provided further, that if assistance under said chapter 118 is denied, the application shall be transmitted by the department to the executive office of health and human services for a determination of eligibility under said chapter 118E; provided further, that the department shall, to the extent feasible within the appropriation provided, provide for extended office hours; provided further, that the department shall accomplish the staffing of these extended office hours to the maximum extent possible through the use of flex-time that will allow workers to modify their working hours to accommodate their specific personal and family needs; provided further, that the department shall, to the extent feasible within the appropriation provided, continue and expand the program of placing workers at community and human service organizations for the purposes of facilitating supplemental nutrition assistance program applications and redeterminations; provided further, that the department shall report to the house and senate committees on ways and means not later than December 15, 2011 on the extended office hours and placement of workers at community and human service organizations that the department has determined is feasible within the appropriation provided and that the department will provide in the current fiscal year; provided further, that the department of transitional assistance shall provide the caseload forecasting office with enrollment data and any other information pertinent to caseload forecasting that is requested by the office on a monthly basis; and provided, however, that the information is provided in a manner that meets all applicable federal and state privacy and security requirements.....\$53,084,416

4400-1001.. For programs to increase the commonwealth's participation rate in the supplemental nutrition assistance program and other federal nutrition programs; provided, that funds shall be expended for a grant with Project Bread -The Walk for Hunger, Inc.; provided further, that the work of department employees paid for from this item shall be restricted to processing supplemental nutrition assistance program applications; provided further, that the department shall not require supplemental nutrition assistance program applicants to provide re-verification of eligibility factors previously verified and not subject to change; provided further, that notwithstanding any general or special law to the contrary, the department shall require only 1 signature from supplemental nutrition assistance program applicants; provided further, that the department shall fund a unit staffed by department employees to respond to supplemental nutrition assistance program inquiries, and arrange and conduct telephone interviews for initial supplemental nutrition assistance program applications from this item; provided further, that the department shall fund a system to image and catalogue eligibility documents electronically from this item; provided further, that funds may be expended for supplemental nutrition assistance program outreach; and provided further, that the department shall report to the house and senate committees on ways and means not later than December 1, 2011 on the status of these programs.....\$2,933,683

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

4401-1000.. For employment programs, including and limited to: (a) programs operated through the Massachusetts Office of Refugee and Immigrants; (b) the disability assessments conducted by the University of Massachusetts; (c) transportation benefits for recipients of temporary aid for families with dependent children; and (d) the Young Parents program; provided, that certain parents who have

not yet reached the age of 18 years, including those who are ineligible for transitional aid to families with dependent children but who would qualify for benefits under chapter 118 of the General Laws but for the deeming of the grandparents' income, shall be eligible to receive services; and (e) Project SAFE.....\$4,464,633

4403-2000.. For a program of transitional aid to families with dependent children; provided, that notwithstanding any general or special law to the contrary, benefits under the program of transitional aid to families with dependent children shall be paid only to citizens of the United States and to non-citizens for whom federal funds may be used to provide benefits; provided further, that notwithstanding any general or special law or any provisions of this act to the contrary, no benefit under this item shall be made available to illegal or undocumented aliens; provided further, that the need standard shall be equal to the standard in effect in fiscal year 2011 unless the department determines that a reduction in the monthly payment standard should be implemented before the end of the fiscal year to keep program expenditures within the amounts appropriated in this item; provided further, that the payment standard shall be equal to the need standard; provided further, that the payment standard for families who do not qualify for an exempt category of assistance under subsection (e) of section 110 of chapter 5 of the acts of 1995, or any successor statute, shall be 2.75 per cent below the otherwise applicable payment standard in fiscal year 2012, pursuant to the state plan required under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996; provided further, that the department shall notify parents under the age of 20 receiving benefits from the program of the requirements found in clause (2) of subsection (i) of said section 110 of said chapter 5 of the acts of 1995, or any successor statute; provided further, that a \$40 per month rent allowance shall be paid to all households incurring a rent or mortgage expense and not residing in public housing or subsidized housing; provided further, that a nonrecurring children's clothing allowance in the amount of \$150 shall be provided to each child eligible under this program in September 2011, to the extent feasible within appropriation; provided further, that the nonrecurring clothing allotment in fiscal year 2012 shall not be less than \$75; provided further, that the children's clothing allowance shall be included in the standard of need for the month of September 2011; provided further, that benefits under this program shall not be available to those families in which a child has been removed from the household pursuant to a court order after a care and protection hearing under chapter 119 of the General Laws, nor to adult recipients otherwise eligible for transitional aid to families with dependent children but for the temporary removal of the dependent child or children from the home by the department of children and families in accordance with department procedures; provided further, that notwithstanding section 2 of chapter 118 of the General Laws, or any other general or special law to the contrary, the department shall render aid to pregnant women with no other eligible dependent children only if it has been medically verified that the child is expected to be born within the month the payments are to be made or within the 3 month period after the month of payment, and who, if the child had been born and was living with such woman in the month of payment would be categorically and financially eligible for transitional aid to families with dependent children benefits; provided further, that certain families that suffer a reduction in benefits due to a loss of earned income and participation in retrospective budgeting may receive a supplemental benefit to compensate them for the loss; provided further, that the department shall, to the extent feasible within the existing appropriation and funding from other sources, review its disability standards to determine the extent to which they reflect the current medical and vocational criteria; provided further, that the department shall report on any proposed revisions by December 1, 2011, to the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities on the results of that review before any changes to the standards are proposed; provided further, that no funds from this item shall be expended by the department for child care or transportation services for the employment and training program; provided further, that no funds from this item shall be expended by the department for family reunification benefits or informal child care; provided further, that the department shall provide oral and written notification to all recipients of their child care benefits at the time of application and on a semi-annual basis; provided further, that the notification shall include the full range of child care options available, including center-based child care, family-based child care and in-home relative child care; provided further, that the notification shall detail available child care benefits for current and former recipients, including employment and training benefits and transitional benefits; provided further, that the notice shall further advise recipients of the availability of supplemental nutrition

assistance program benefits; provided further, that in promulgating, amending or rescinding its regulations with respect to eligibility for, or levels of benefits under the program, the department shall take into account the amounts available to it for expenditure by this item so as not to exceed the appropriation; provided further, that notwithstanding any general or special law to the contrary, 60 days before promulgating any eligibility or benefit changes, the commissioner shall file with the house and senate committees on ways and means and with the clerks of the senate and house of representatives a detailed and comprehensive report setting forth the text of, basis, and reasons for the proposed changes; and provided further, that the report shall state the department's most accurate assessment of the probable effects of benefit or eligibility changes upon recipient families..... \$318,730,614

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

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

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

4408-1000.. For a program of cash assistance to certain residents of the commonwealth, entitled emergency aid to the elderly, disabled and children found by the department to be eligible for the aid under chapter 117A of the General Laws and regulations promulgated by the department and subject to the limitations of appropriation therefore; provided, that benefits under this item shall only be provided to residents who are citizens of the United States or qualified aliens or non-citizens otherwise permanently residing in the United States under color of law and shall not be provided to illegal or undocumented aliens; provided further, that the individual shall not be subject to sponsor income deeming or related restrictions; provided further, that the payment standard shall equal the payment standard in effect under the general relief program in fiscal year 1991; provided further, that the department may provide benefits to persons age 65 or older who have applied for benefits under chapter 118A of the General Laws, to persons suffering from a medically-determinable impairment or combination of impairments which is expected to last for a period as determined by department regulations and which substantially reduces or eliminates such individuals' capacity to support themselves and which has been verified by a competent authority, to certain persons caring for a disabled person, to otherwise eligible participants in the vocational rehabilitation program of the Massachusetts rehabilitation commission and to dependent children who are ineligible for benefits under both chapter 118 of the General Laws and the separate program created by section 210 of chapter 43 of the acts of 1997 and parents or other caretakers of dependent children who are ineligible under said chapter 118 and under said separate program; provided further, that no ex-offender, person over age 45 without a prior work history or person in a residential treatment facility shall be eligible for benefits under this program unless the person otherwise meets the eligibility criteria described in this item and defined by regulations of the department; provided further, that no person incarcerated in a correctional institution shall be eligible for benefits under the program; provided further, that no funds shall be expended from this item for the payment of expenses associated with any medical review team, other disability screening process or costs associated with verifying disability for this program; provided further,

that the department shall adopt emergency regulations under chapter 30A of the General Laws to implement the changes to this program required by this item promptly and within the appropriation; provided further, that in initially implementing the program for this fiscal year, the department shall include all eligibility categories permitted in this item at the payment standard in effect for the former general relief program in fiscal year 1991; provided further, that in promulgating, amending or rescinding its regulations with respect to eligibility or benefits, including the payment standard, medical benefits and any other benefits under this program, the department shall take into account the amounts available to it for expenditure by this item so as not to exceed the amount appropriated in this item; provided further, that the department may promulgate emergency regulations under chapter 30A of the General Laws to implement these eligibility or benefit changes or both; provided further, that nothing in this item shall be construed as creating any right accruing to recipients of the former general relief program; provided further, that reimbursements collected from the Social Security Administration on behalf of former clients of the emergency aid to the elderly, disabled and children program or unprocessed payments from the program that are returned to the department shall be credited to the General Fund; provided further, that notwithstanding any general or special law to the contrary, the funds made available in this item shall be the only funds available for the program, and the department shall not spend funds for the program in excess of the amount made available in this item; provided further, that notwithstanding any general or special law to the contrary, 60 days before promulgating any eligibility or benefit changes, the commissioner shall file with the house and senate committees on ways and means and with the clerks of the senate and house of representatives a detailed and comprehensive report setting forth the text of, basis, and reasons for the proposed changes; and provided further, that the report shall state the department's most accurate assessment of the probable effects of benefit or eligibility changes upon recipient families.....\$88,958,966

Department of Public Health.

4510-0020.. For the department of public health which may expend not more than \$375,000 in revenues collected from fees charged by the food protection programs for program costs of the department's food protection program; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenue and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$375,000

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

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

4510-0100.. For the administration and operation of the department, including the personnel support of programmatic staff within the department, including the health statistics program, the operation of the registry of vital records and statistics and the Massachusetts Cancer Registry.....\$15,975,017

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

..... \$963,949

4510-0600.. For an environmental and community health hazards program, including control of radiation and nuclear hazards, consumer products protection, food and drugs, lead poisoning prevention in accordance with chapter 482 of the acts of 1993, lead-based paint inspections in day care facilities, inspection of radiological facilities, licensing of x-ray technologists and the administration of the bureau of environmental health assessment pursuant to chapter 111F of the General Laws; provided, that the department shall file a report with the house and senate committees on ways and means, the joint committee on public health and the joint committee on health care financing on the status of local health inspections of food establishments, consistent with the department of public health food safety regulations and a report on the current waiting list for indoor air inspections by October 3, 2011; provided further, that \$100,000 shall be expended for the purpose of the continuation of an environmental risk assessment of the health impacts of the General Lawrence Logan Airport in the East Boston section of the city of Boston on any community that is located within a 5 mile radius of the airport and is potentially impacted by the airport; provided further, that the assessment may include, but not be limited to, examining incidences of respiratory diseases and cancers and performing medical and laboratory tests and examinations of residents of these communities; and provided further, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item for the environmental risk assessment shall be assessed upon the Massachusetts Port Authority and paid within 30 days after receipt of notice of such assessment from the commissioner of public health.....\$3,305,454

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

4510-0616.. For the department of public health, which may expend not more than \$1,241,668 for a drug registration and monitoring program from revenues collected from fees charged to registered practitioners, including physicians, dentists, veterinarians, podiatrists and optometrists for controlled substance registration; provided, that funds may be expended from this item for the costs of personnel; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system\$1,241,668

4510-0710.. For the operation of the division of health care quality and the office of patient protection; provided, that the division shall be responsible for assuring the quality of patient care provided by the commonwealth's health care facilities and services and for protecting the health and safety of patients who receive care and services in nursing homes, rest homes, clinical laboratories, clinics, institutions for the mentally retarded and the mentally ill, hospitals and infirmaries, including the inspection of ambulance services; provided further, that investigators shall conduct investigations of abuse, neglect, mistreatment and misappropriation; provided further, that all investigators in the division of health care quality responsible for the investigations shall receive training by the Medicaid fraud control unit in the office of the attorney general; provided further, that the division

shall continue a comprehensive training, education and outreach program for nursing home administrators and managers and other supervisory personnel in long-term care to improve the quality of care in long-term care facilities; provided further, that the program shall promote the use of best practices, models of quality care giving and the culture of workforce retention within the facilities and shall focus on systemic ways to reduce deficiencies; and provided further, that services funded through this item shall include, but not be limited to: education, training, intervention, support, surveillance and evaluation.....\$6,493,455

- 4510-0712.. For the department of public health; which may expend not more than \$1,562,309 in revenues collected from the licensure of health facilities for program costs of the division of health care quality; provided further, that the department may expend not more than \$877,402 from revenues collected from individuals applying for emergency medical technician licensure and recertification; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenue and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$2,439,711
- 4510-0715.. For the operation of a center for primary care recruitment and placement to improve access to primary care services.....\$157,000
- 4510-0716.. For the operation of an evidenced-based outreach and education program designed to provide information and education on the therapeutic and cost-effective utilization of prescription drugs to physicians, pharmacists and other health care professionals authorized to prescribe and diagnose prescription drugs.....\$93,000
- 4510-0721.. For the operation and administration of the board of registration in nursing.....\$795,800
- 4510-0722.. For the operation and administration of the board of registration in pharmacy..... \$194,806
- 4510-0723.. For the operation and administration of the board of registration in medicine and the committee on acupuncture.....\$997,001
- 4510-0725.. For the operation and administration of certain health boards of registration, including the boards of registration in dentistry, nursing home administrators, physician assistants, perfusionists, genetic counselors and respiratory care\$273,383
- 4510-0726.. For the board of registration in medicine, including the physician profiles program; provided, that the board may expend revenues not to exceed \$300,000 from new revenues associated with increased license and renewal fees\$300,000
- 4510-0790.. For regional emergency medical services; provided, that no funds shall be expended in the AA object class; and provided further, that the regional emergency medical services councils, designated under 105 CMR 170.101 and the C-MED medical emergency communications centers that were in existence on January 1, 1992, shall remain the designated councils and C-MED communications centers.....\$931,959
- 4510-0810.. For a statewide sexual assault nurse examiner program and pediatric sexual assault nurse examiner program for the care of victims of sexual assault; provided, that funds shall be expended to support children’s advocacy centers; and provided further, that the program shall operate under specific statewide protocols and by an on-call system of nurse examiners.....\$3,196,985
- 4512-0103.. For human immunodeficiency virus and acquired immune deficiency syndrome services and programs and related services for persons affected by the associated conditions of viral hepatitis and sexually transmitted infections; provided, that funds shall be expended in proportion to each of the demographic groups afflicted by HIV/AIDS and associated conditions; and provided further, that no funds from this item shall be expended for disease research in fiscal year

2012.....\$31,097,810

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

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

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

- 4512-0202.. For jail diversion programs primarily for nonviolent offenders with OxyContin or heroin addiction to be procured by the department of public health; provided, that each program shall have at least 60 beds and shall provide clinical assessment services to the respective courts, inpatient treatment for up to 90 days and ongoing case management services for up to 1 year; provided further, that individuals may be diverted to this or other programs by a district attorney in conjunction with the office of the commissioner of probation if: (a) there is reason to believe that the individual being diverted suffers from an addiction to OxyContin or heroin, or other substance use disorder; and (b) the diversion of an individual is clinically appropriate and consistent with established clinical and public safety criteria; provided further, that programs shall be established in separate counties in locations deemed suitable by the department of public health; provided further, that the department of public health shall coordinate operations with the sheriffs, the district attorneys, the office of the commissioner of probation and the department of correction; provided further, that not more than \$500,000 shall be used to support the ongoing treatment needs of clients after 90 days for which there is no other payer; and provided further, that not later than August 2, 2011, the department of public health shall provide a report to the joint committee on mental health and substance abuse and the house and senate committees on ways and means as to the outcomes of the program and the cost of operations.....\$2,000,000

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

- 4512-0225.. For the department of public health which may expend not more than \$1,000,000 for a compulsive gamblers' treatment program from unclaimed prize money held in the State Lottery Fund for more than 1 year from the date of the drawing when the unclaimed prize money was won, and from the proceeds of a multi-jurisdictional lottery game under subsection (e) of section 24A of chapter 10 of the General Laws; provided, that the state comptroller shall transfer the amount to the General Fund; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenue and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$1,000,000

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

- 4513-1000.. For the provision of family health services; provided, that funds shall be provided for comprehensive family planning services, including HIV counseling and testing, community-based health education and outreach services provided by agencies certified as comprehensive family planning agencies; and provided further, that funds may be expended for the Massachusetts birth defects

monitoring program.....\$4,656,797

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

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

4513-1020.. For the early intervention program; provided, that the department shall report quarterly to the house and senate committees on ways and means the total number of units of service purchased and the total expenditures for the units of service paid by the department, the executive office of health and human services and third party payers for early intervention services for the following services categories: home visit, center-based individual, child-focused group, parent-focused group, and screening and assessment; provided further, that the department shall make all reasonable efforts to secure third party and Medicaid reimbursements for the services funded in this item; provided further, that funds from this item shall be expended to provide respite services to families of children enrolled in early intervention programs who have complex care requirements, multiple disabilities and extensive medical and health needs; provided further, that no claim for reimbursement made on behalf of an uninsured person shall be paid from this item until the program receives notice of a denial of eligibility for the MassHealth program from the executive office of health and human services; provided further, that nothing in this item shall give rise to or shall be construed as giving rise to enforceable legal rights to any such services or an enforceable entitlement to the early intervention services funded in this item; provided further, that the department shall provide written notification to the senate and house committees on ways and means 90 days prior to any change to its current eligibility criteria; provided further, that these funds may be used to pay for current and prior year claims; provided further, that MassHealth shall reimburse the department for all costs incurred for the transportation of MassHealth members who participate in the early intervention program; provided further, that the department of public health shall report no later than April 2, 2012 on the number of children, by community, receiving early intervention services who without early intervention services are likely to require special education services; and provided further, that the department shall provide services to eligible children through one service delivery model and shall not determine eligibility for services based on family insurance status.....\$31,144,420

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

4513-1026.. For the provision of statewide and community-based suicide prevention, intervention, post-intervention and surveillance activities and the implementation of a statewide suicide prevention plan; provided, that funds may be expended for a program to address elder suicide behavior and attempts with the geriatric mental health services program within the department of elder affairs; provided further, that funds shall be expended for a Veterans in Crisis Hotline; provided further, that the hotline shall be for the use of veterans who seek counseling programs operated by the department of veterans affairs or concerned family members of those veterans so that they may be directed towards the programs and services offered by their local or regional Veterans Services office; and provided further, that the hotline shall be staffed by counselors or outreach programs contracted by the department and trained in issues of mental health counseling and veterans services\$2,248,776

4513-1111.. For the promotion of health and disease prevention which may include: breast cancer prevention;

diabetes screening and outreach; ovarian cancer screening; a statewide STOP stroke program and ongoing stroke prevention and education; multiple sclerosis screening, information, education and treatment programs and the Multiple Sclerosis Home Living Navigating Key Services program administered by the Central New England Chapter of the National Multiple Sclerosis Society; colorectal cancer prevention; hepatitis C prevention and management; prostate cancer screening, education and treatment with a particular focus on African American males; osteoporosis education; maintenance of the Amyotrophic Lateral Sclerosis registry created pursuant to section 25A of chapter 111 of the General Laws; and maintenance of the statewide lupus database; provided, that funds may be expended for the operation of the Betsy Lehman Center for patient safety..... \$3,508,981

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

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

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

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

4516-1022.. For the department of public health which may expend not more than \$256,248 generated by fees collected from insurers for tuberculosis tests performed at the state laboratory institute; provided, that revenues collected may be used to supplement the costs of said laboratory; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system \$256,248

4518-0200.. For the department of public health which may expend not more than \$675,000 generated by fees collected from the following services provided at the registry of vital records and statistics: amendments of vital records, requests for vital records not issued in person at the registry, requests for heirloom certificates and research requests performed by registry staff at the registry; provided, that the registrar of vital records and statistics shall exempt from payment of a fee any person requesting a verification of birth for the purpose of establishing eligibility for Medicaid; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the

comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system..... \$675,000

4530-9000.. For teenage pregnancy prevention services; provided, that applications for such funds shall be administered through the department upon receipt and approval of coordinated community service plans to be evaluated in accordance with guidelines issued by the department; provided further, that portions of the grants may be used for state agency purchases of designated services identified by the community service plans; provided further, that funding shall be expended on those communities with the highest teen birth rates according to an annual statistical estimate conducted by the department; provided further, that funds shall be expended on programming directed at children under the care of the department of children and families who are at high risk for teenage pregnancy; and provided further, that the department shall collaborate with the department of children and families on this programming..... \$2,402,347

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

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

4590-0250.. For school health services and school-based health centers in public and non-public schools; provided, that services shall include, but not be limited to: (a) strengthening the infrastructure of school health services in the areas of personnel and policy development, programming and interdisciplinary collaboration; (b) developing linkages between school health services programs and community health providers; (c) incorporating health education programs, including tobacco prevention and cessation activities in school curricula and in the provision of school based health services; and (d) incorporating obesity prevention programs, including nutrition and wellness programs, in school curricula to address the nutrition and lifestyle habits needed for healthy development; provided further, that the services shall meet standards and eligibility guidelines established by the department in consultation with the department of elementary and secondary education; provided further, that funds shall be expended for school nurses and school-based health center programs; provided further, that funds may be expended to address the recommendations of the permanent commission on gay and lesbian youth, established in section 67 of chapter 3 of the General Laws, for the reduction of health disparities for gay, lesbian bisexual and transgendered youth; and provided further, that funds may be expended for the Massachusetts Model of Community Coalitions.....\$10,536,723

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

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

commissioner of public health and approved by the secretary of administration and finance; provided further, that such reimbursement shall not exceed 10 per cent of total personnel costs for the hospital; provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, that no funds appropriated herein shall be expended for administrative, space or energy expenses of the department not directly related to personnel or programs funded in this item.....\$16,457,488

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

4590-0915.. For the maintenance and operation of Tewksbury hospital, Massachusetts hospital school, Lemuel Shattuck hospital and the hospital bureau, including the state office of pharmacy services; provided, that no funds appropriated in this item shall be expended for administrative, space or energy expenses of the department not directly related to personnel or programs funded in this item; provided further, that reimbursements received for medical services provided at the Lemuel Shattuck Hospital to inmates of state sheriff correctional facilities not managed by private health care vendors shall be credited to item 4590-0903 of section 2B; and provided further, that notwithstanding any general or special law to the contrary, the department shall seek to obtain federal financial participation for care provided to inmates of the department of correction and of county correctional facilities who are treated at the public health hospitals.....\$139,397,307

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

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

4590-1506.. For a competitive grant program to be administered by the department of public health to support the establishment of a comprehensive youth violence prevention program; provided, that eligibility shall be determined by the criteria set forth in item 4590-1506 of section 2 of chapter 182 of the acts of 2008; provided further, that no grants shall be awarded to law enforcement agencies; provided further, that the department of public health shall report to the house and senate committees on ways and means and the executive office of administration and finance not later than November 1, 2011, detailing the grant amount awarded to each recipient and a description of each grant; and provided further, that each grant recipient shall provide the department of public health with a comprehensive list of best practices that have been instituted as a result of these grants..... \$1,000,000

4590-1507.. For matching grants to the Alliance of Massachusetts YMCAs, the Massachusetts Alliance of Boys & Girls Clubs and YWCA organizations: provided, that the Massachusetts Alliance of Boys & Girls

Clubs shall distribute funds to all Boys and Girls Clubs that received grants from this item in fiscal year 2011 provided further, that the Alliance of Massachusetts YMCAS shall distribute funds to all YMCAs that received grants from this item in fiscal year 2011\$1,300,000

Department of Children and Families.

4800-0015.. For central and area office administration; provided, that the associated expenses of employees whose AA and DD object class costs are paid from item 4800-1100 shall be paid from this item; provided further, that no funds shall be expended from this item for the compensation of unit 8 employees; provided further, that the department shall not place a child or adolescent referred by, or discharged from, the care of the department of mental health until the latter department forwards an assessment and recommendation as to whether the child or adolescent may be appropriately placed in foster care or, if due to severe emotional disturbance, is more appropriate for group care; provided further, that the department, in consultation with the department of mental health, shall assist the latter department in making such assessments and recommendations; provided further, that if placement of a child with someone other than a parent becomes necessary, the department shall place the highest priority on identifying a family resource within the child's kinship or family circle and shall provide services and support to partner with the family resource in meeting the child's needs; provided further, that unless otherwise authorized, all funds, including federal reimbursements received by the department, shall be credited to the General Fund; provided further, that the department and the department of early education and care shall provide standards for early education and care placements made through the supportive child care program; provided further, that the department of children and families, in collaboration with the department of early education and care, shall maintain a centralized list detailing the number of children eligible for supportive child care services, the number of supportive slots filled and the number of supportive slots available; provided further, that no waiting list for the services shall exist; provided further, that all children eligible for services under item 3000-3050 shall receive said services; provided further, that notwithstanding any general or special law to the contrary, the department shall not reduce recoupment amounts recommended by the state auditor; provided further, that by October 3, 2011, the department shall issue draft revised regulations for public comment which shall ensure that the department maintains an independent, timely and fair administrative hearings system and shall issue final regulations by December 1, 2011; provided further, that not later than October 1, 2011, the department shall: (a) revise its procedures to ensure that newly requested administrative hearings are scheduled and decided upon on a timely basis and (b) submit to the joint committee on children, families and persons with disabilities a plan for eliminating its backlog of administrative hearing requests; provided further, that the plan shall identify the number of fair hearing requests that were pending as of July 1, 2011, and shall set quarterly benchmarks for elimination of the backlog; provided further, that the department shall submit quarterly reports to the joint committee on children, families, and persons with disabilities on the status of the backlog; provided further, that not later than February 15 of the current fiscal year, the department shall provide to the house and senate committees on ways and means and the joint committee on children and families a report detailing the number of medical and psychiatric personnel currently employed by or under contract with the department; provided further, that the report shall include the number of foster care reviews conducted by the department and the average length of time in which each review is completed; provided further, the report shall contain the number of the department's contracts reviewed by the state auditor and the number of corrective action plans issued; provided further, that the report shall also include the number of corrective action plans entered into by the department; provided further, that the report shall include the number of social workers and supervisors who have earned a bachelors' or masters' degree in social work; provided further, that the report shall include the total number of social workers and the total number of social workers holding licensure, by level; provided further, that the department shall file a report on the first business day of each month to the senate and house committees on ways and means and the joint committee on children and families on the caseload of the department; provided further, that caseloads provided in this report shall include: residential placements, congregate care, foster care, therapeutic foster care, adoption, guardianship, 51A reports, substantiated 51A reports, the number of children who die in the care and custody of the department, the number of children currently eligible for supportive child care and the number of children presently receiving supportive child care, and the number of medical and psychiatric consultation requests made by

the department's social workers; provided further, that the report shall include the number of approved foster care placements; provided further, that the report shall also include the number of children in psychiatric hospitals and community-based acute treatment programs who remain hospitalized beyond their medically-necessary stay while awaiting placement and the number of days each case remains in placement beyond that which is medically-necessary; provided further, that the report shall include the number of children under the department of children and families care and custody who are being served in medical or psychiatric care provided through other publicly-funded sources; provided further, that the report shall also contain the number of children served by supervised visitation centers and the number of those children who are reunified with their families; provided further, that the report shall also contain information on the total number of children served, their ages, the number of children served in each service plan, the number of children in out-of-home placements and the number of placements each child has had before receiving an out-of-home placement; provided further, that the report shall also contain, for each area office, the number of kinship guardianship subsidies provided in the month covered by the report and the number of kinship guardianship subsidies provided in that month for which federal reimbursement was received; provided further, that the report shall also contain, for each area office, the total spending on services other than case management services provided to families for the purposes of keeping a child with his parents or reunifying the child with his parents, spending by type of the service, and the unduplicated number of families that receive the services; provided further, that the report shall also contain for each area office, the total number of families in the month residing in shelter paid for by the department, a list of where the families are sheltered, the total cost and average cost per family of those shelters, and a description of how the department determines who does or does not qualify for shelter; provided further, that the report shall include, for each area office, broken down by type of service, the number of requests for voluntary services, whether the request was approved or denied, the number of families that are denied voluntary services and receive a 51A report, the reasons for denying the service, and what, if any, referrals were made for services by other agencies or entities; provided further, that the report shall also contain the number of families receiving multiple 51A reports within a 10-month period, the number of cases reopened within 6 months of being closed and the number of children who return home and then re-enter an out-of-home placement within 6 months; provided further, that not later than November 2, 2011, the department shall submit a report to the house and senate committees on ways and means and the chairs of the joint committee on children and families that includes any rules, regulations, or guidelines established by the department to carry out its duties pursuant to chapter 119 of the General Laws, including, but not limited to: (a) criteria used to determine whether a child has been abused or neglected; (b) guidelines for removal of a child from the home; and (c) standards to determine what reasonable efforts are made to keep a child in the home; provided further, that to the extent feasible within the appropriations to all services for children and families, maintain existing services for the aging out population; provided further, that the department may set the quarterly clothing allotments at the same rates as in Fiscal Year 1997; provided further, that if the number of foster children under the care of the department in the third quarter is lower than the number of foster children under the care of the department for the first and second quarters, foster children in the care of the department may receive a clothing allowance for the fourth quarter at an amount up to the amount provided in Fiscal Year 2011; provided further, that the commissioner of the department of children and families may transfer funds between items, 4800-0030, 4800-0038, 4800-0040 and 4800-0041, as necessary, pursuant to an allocation plan, which shall detail, by object class, the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means 15 days prior to any such transfer; and provided further, that not more than 5 per cent of any item shall be transferred in fiscal year 2012; and provided further, that no funds shall be transferred from 4800-0040 to any of those items.....\$62,616,711

4800-0016.. For the department of children and families which may expend for the operation of the transitional employment program an amount not to exceed \$1,000,000 from revenues collected from various state, county and municipal government entities, as well as state authorities, for the costs related to the provision of services by the participants and the overhead costs and expenses incurred by the not-for-profit managing agent selected by the commissioner for administering the program; provided, that notwithstanding any general or special law to the contrary, the commissioner of the department of children and families may enter into a contract with Roca, Inc., a not-for-profit

community-based agency, to manage the transitional employment program and to provide services to participants from the aging out population, parolees, probationers, youth service releases, or other community residents considered to have employment needs.....\$1,000,000

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

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

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

4800-0038.. For guardianship, foster care, adoption, family preservation and kinship services provided by the department of children and families; provided, that services funded through this item shall include shelter services, substance abuse treatment, young parent programs, parent aides, education and counseling services, foster care, adoption and guardianship subsidies, tiered reimbursements used to promote the foster care placement of children with special medical and social needs, assessment of the appropriateness of adoption for children in the care of the department for more than 12 months, protective services provided by partnership agencies, targeted recruitment and retention of foster families, respite care services, post-adoption services, support services for foster, kinship and adoptive families and juvenile firesetter programs; provided further, that not less than \$ 250,000 shall be expended for a contract with Julie's Family Learning Program, Inc. in the South Boston section of the city of Boston; provided further, that the regional offices shall work with the contracted entities for children placed in the intensive foster care system and with the receiving communities of these children to ensure all necessary services are provided; provided further, that funding may be expended on supervised visitation programs, children's advocacy centers, services for child victims of sexual abuse and assault, family support and stabilization services, and community-based support and education programs helping low-income, female-headed families break the cycle of poverty; and provided further, that funds may be expended on programs that received funding in fiscal year 2011.....\$242,173,947

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

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

4800-0091.. For the department of children and families which may expend not more than \$1,858,735 in federal reimbursements received under Title IV-E of the Social Security Act during fiscal year 2012 for the purposes of developing a training institute for professional development at the department of children and families with the University of Massachusetts Medical School and Salem State University; provided, that for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, that notwithstanding section 1 or any other general or special law to the contrary, federal reimbursements received in excess of \$1,858,735 shall be credited to the General Fund \$1,858,735

- 4800-0151.. For a program to provide alternative overnight non-secure placements for status offenders and nonviolent delinquent youths up to the age of 17 in order to prevent the inappropriate use of juvenile cells in police stations for such offenders, in compliance with the federal Juvenile Justice and Delinquency Prevention Act of 1974, as amended; provided, that the programs which provide the alternative non-secure placements shall collaborate with the appropriate county sheriff's office to provide referrals of those offenders and delinquent youths to any programs within the sheriff's office designed to positively influence youths or reduce juvenile crime.....\$270,919
- 4800-1100.. For the AA and DD object class costs of the department's social workers; provided, that funds shall be directed toward mitigating social worker caseloads in those area offices furthest above the statewide weighted caseload standard and toward achieving a social worker caseload ratio of 18 to 1 statewide; and provided further, that only employees of bargaining unit 8 as identified in the Massachusetts personnel administrative reporting and information system shall be paid from this item..... \$159,452,441
- 4800-1400.. For shelters and support services for people at risk of domestic violence; provided, that the department shall pursue the establishment of public-private partnership agreements established for family stabilization services funded from sources other than the commonwealth; provided further, that services shall include supervised visitation programs, and scattered site transitional housing programs, including programs to assist victims of domestic violence in finding and maintaining permanent housing; provided further, that participants in battered women's programs shall be provided with information regarding local transitional housing resources; provided further, that funding shall be made available to enhance counseling services for children who have witnessed domestic violence; provided further, that funding shall be made available for emergency shelters for substance abusing battered women; provided further, that funding shall be made available for a statewide domestic violence hotline; provided further, that the department shall continue to provide any match funding required by federal program regulations; provided further, that domestic violence prevention specialists shall be funded from this item; and provided further, that the department's domestic violence prevention specialists shall work in collaboration with the department of transitional assistance to identify victims of domestic violence and assist victims in accessing community resources.\$20,770,858

Department of Mental Health.

- 5011-0100.. For the operation of the department..... \$26,484,325
- 5042-5000.. For child and adolescent services, including the costs of psychiatric and related services provided to children and adolescents determined to be medically-ready for discharge from acute hospital units or mental health facilities and who are experiencing unnecessary delays in being discharged due to the lack of more appropriate settings; provided, that for the purpose of funding those services, the commissioner of mental health may allocate funds from the amount appropriated in this item to other departments within the executive office of health and human services; provided further, that the department shall not refer or discharge a child or adolescent to the custody or care of the department of children and families until the department of mental health forwards its assessment and recommendation as to whether the child or adolescent is appropriate for foster care or, due to severe emotional disturbance, is more appropriate for group care; and provided further, that funds shall be expended for the Child Psychiatry Access Project.....\$69,773,509
- 5042-6000.. For the operation of a statewide program to provide mental health consultations by telephone, available for a minimum of 5 days a week, to pediatricians, family physicians, nurse practitioners and youth serving primary care practices for persons under the age of 19 who exhibit a possible mental health or substance use disorder; provided, that notwithstanding any general or special law to the contrary, the costs of this program may be assessed on surcharge payers under section 38 of chapter 118G of the General Laws and may be collected in a manner consistent with said chapter 118G.....\$2,000,000

- 5046-0000.. For adult mental health and support services; provided, that the department shall allocate funds in an amount not to exceed \$5,000,000 from item 5095-0015 to this item, as necessary, pursuant to allocation plans submitted to the house and senate committees on ways and means 30 days prior to any such transfer, for residential and day services for clients formerly receiving care at department facilities; and provided further, that the department shall report to the house and senate committees on ways and means on the distribution of funds per adult and child planning population and the types of services received in each region for fiscal year 2012, not later than February 7, 2012.....\$329,255,801
- 5046-2000.. For homelessness services.....\$20,134,424
- 5046-4000.. For the department of mental health which may expend not more than \$125,000 in revenue collected from occupancy fees charged to the tenants in the creative housing option in community environments, the CHOICE program authorized by chapter 167 of the acts of 1987; provided, that all fees collected under that program shall be expended for the routine maintenance and repair of facilities in the CHOICE program including the costs of personnel.....\$125,000
- 5047-0001.. For emergency service programs and mental health care services..... \$34,214,489
- 5055-0000.. For forensic services provided by the department; provided, that funds shall be expended for juvenile court clinics.....\$8,097,163
- 5095-0015.. For the operation of hospital facilities and community-based mental health services; provided, that in order to comply with the decision in *Olmstead v. L.E.* 527 U.S. 581 and to enhance care for clients served by the department, the department shall discharge clients residing in the inpatient facilities to residential services in the community when the following criteria are met: (a) the client is deemed clinically suited for a more integrated setting; (b) community residential service capacity and resources available are sufficient to provide each client with an equal or improved level of service; and (c) the cost to the commonwealth of serving the client in the community is less than or equal to the cost of serving the client in inpatient care; provided further, that any client transferred to another inpatient facility as the result of a facility closure shall receive a level of care that is equal to or better than the care that had been received at the closed facility; provided further, that the department may allocate funds in an amount not to exceed \$5,000,000 from this item to item 5046-0000, as necessary, under allocation plans submitted to the house and senate committees on ways and means 30 days before any transfer for residential and day services for clients formerly receiving inpatient care at the centers and facilities; and provided further, that the department of mental health shall notify the joint committee on mental health and substance abuse and the house and senate committees on ways and means 45 days prior to the closure of any inpatient state hospital beds or community mental health programs and shall report to the committees any associated cost savings of any such consolidation or closure; provided further, that the department shall submit a plan to the chairs of the house and senate committees on ways and means and the house and senate chairs of the joint committee on mental health and substance abuse 120 days before opening more than 50 beds in a new facility; provided further, that the plan shall include, but not be limited to the following: (a) the number of beds in operation at the new facility; (b) the number of beds affected at existing facilities; (c) the department's efforts to proportionally assess bed closures across the geographic regions of the state; (d) the department's efforts to maintain staffing levels within existing geographic regions; and (e) assessment of the inpatient bed capacity, both public and private, in each geographic region, both prior to the new facility's operation and following the opening of the new facility; provided further, that the department shall not reduce beds at existing facilities prior to the submission of the plan; provided further, that the plan shall not substantially impact any region in the state disproportionately.....\$146,732,857
- 5095-0017.. For the department of mental health, which may expend not more than \$10,000,000 in revenue transferred to the General Fund from trust funds authorized in section 16 of chapter 19 of the General Laws; provided, that funds from this item may support inpatient or community services; and provided further, that the department may allocate funds from this item to items 5046-0000 and 5095-0015 as necessary, under allocation plans submitted to the house and senate committees on ways and means 30 days before any transfer.....\$10,000,000

Department of Developmental Services.

- 5911-1003.. For the administration and operations of the department of developmental services; provided, that the department shall not charge user fees for transportation or community day services; and provided further, that the department shall not charge fees for eligibility determination for services provided by the department or for applications of requests for transfer of guardianship.
.....\$57,613,847
- 5911-2000.. For transportation costs associated with the adult services program; provided, that the department shall provide transportation on the basis of priority of need as determined by the department
.....\$11,641,431
- 5920-2000.. For vendor-operated, community-based residential adult services, including intensive individual supports; provided, that annualized funding shall be expended for turning 22 clients who began receiving the services in fiscal year 2011 pursuant to item 5920-5000 of section 2 of chapter 131 of the acts of 2010; provided further, that the commissioner of the department of developmental services shall transfer funds from this item to item 5920-2010, as necessary, pursuant to an allocation plan, which shall detail, by object class, the distribution of said funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means 30 days before any such transfer; and provided further, that not more than \$5,000,000 shall be transferred from this item in fiscal year 2012.....\$751,797,120
- 5920-2002.. For court monitor costs in compliance with the terms of the Rolland settlement agreement, dated June 16, 2008, Civil Action No. 98-30208-KPN, filed in the United States District Court of Massachusetts in order to provide active services for class members.....\$400,000
- 5920-2010.. For state-operated, community-based residential services for adults, including community-based health services.....\$164,194,179
- 5920-2025.. For community-based day and work programs for adults\$123,267,971
- 5920-3000.. For respite services and intensive family supports.....\$32,592,372
- 5920-3010.. For contracted support services for families with autistic children through the autism division at the department of developmental services; provided, that funds shall be expended for the purposes of providing services under the Children’s Autism Spectrum Disorder Waiver; provided further, that the department shall expend not less than the amount authorized in fiscal year 2010 on the Children’s Autism Spectrum Disorder Waiver; provided further, that at a minimum, this waiver shall include children with autism spectrum disorder ages 0 to 8, inclusive, including children with autism spectrum disorder ages 0 to 3, inclusive, receiving services through the department of public health’s early intervention program; provided further, that the income eligibility for the waiver shall not be any lower than MassHealth standard income eligibility for children; provided further, that the department shall take all steps necessary to ensure that eligible children with autism immediately begin to receive services pursuant to such waiver; provided further, that the department shall immediately file any waiver amendments necessary to comply with the requirements of this item with the Centers for Medicare and Medicaid services; provided further, that the department shall report to the house and senate committees on ways and means, the joint committee on education and the joint committee on children, families and persons with disabilities on the number of contracted support services provided for families with autistic children under this item and the costs associated with such services, not later than January 4, 2012; provided further, that such report shall include, but not be limited to, the services provided by the Children’s Autism Spectrum Disorder Waiver, with information regarding the number of children enrolled in the waiver and receiving services, linguistic and cultural diversity, age, gender and geographic representation of the applicants and the children enrolled in the program, department plans to continue to assess the demand for waiver services, any executive office of health and human services plans to expand the waiver for children on the autism spectrum of all ages in the future and any other information determined relevant by the department; and provided further, that the

department shall submit copies of any amended waiver to the house and senate committees on ways and means, the joint committee on education and the joint committee on children, families and persons with disabilities upon submission of the amendment.\$4,134,809

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

5930-1000.. For the operation of facilities for individuals with intellectual disabilities; provided, that in order to comply with the decision in *Olmstead v. L.E. 527 U.S. 581* and to enhance care for clients served by the department, the department shall discharge clients residing in intermittent care facilities for individuals with intellectual disabilities, in this item called ICF/MRs, to residential services in the community if the following criteria are met: (a) the client is deemed clinically suited for a more integrated setting; (b) community residential service capacity and resources available are sufficient to provide each client with an equal or improved level of service; and (c) the cost to the commonwealth of serving the client in the community is less than or equal to the cost of serving the client in ICF/MRs; provided further, that any client transferred to another ICF/MR as the result of a facility closure shall receive a level of care that is equal to or better than the care that had been received at the closed ICF/MR; provided further, that the department may allocate funds from this item to items 5920-2000, 5920-2010, and 5920-2025, as necessary, under allocation plans submitted to the house and senate committees on ways and means 30 days before any transfer for residential and day services for clients formerly receiving inpatient care at ICF/MRs; provided further, that the department shall maximize federal reimbursement, whenever possible under federal regulation, for the direct and indirect costs of services provided by the employees funded in this item; and provided further, that at least 6 months prior to closing each of the aforementioned ICF/MRs, the secretary of housing and economic development or his designee and the commissioner of capital asset management and maintenance or his designee shall meet jointly with affected municipal officials and produce a plan for the timely demolition of buildings, remediation of hazardous materials and future use of the property, including disposition by the commonwealth for redevelopment or conservation, if appropriate; provided further; that notwithstanding any general or special law or rule or regulation to the contrary, the division of capital asset management shall not close the pool facilities located at the Walter E. Fernald Developmental Center in the city of Waltham, until a comparable site has been arranged for individuals from the community who use the pool; provided further, that a "comparable site" shall mean a site which maintains therapeutic pool qualities, including but not limited to, maintaining a pool temperature of 90-94 degrees, providing proper chair lifts and ramps and the presence of qualified staff trained in water safety, lifeguarding and specialized aquatic exercise and shall be located within a reasonable and accommodating distance from the Fernald Development Center..... \$142,156,836

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

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT.

Office of the Secretary.

- 7002-0010.. For the operation of the office of the secretary of housing and economic development; provided, that agencies within the executive office may, with the prior approval of the secretary, streamline and improve administrative operations pursuant to interdepartmental service agreements\$410,140
- 7002-0017.. For the provision of information technology services within the executive office of housing and economic development, including the homeless management information system....\$2,067,930

Department of Housing and Community Development.

- 7004-0001.. For the commission on Indian affairs.....\$99,010
- 7004-0099.. For the operation of the department of housing and community development; provided, that notwithstanding any general or special law to the contrary, the department may make expenditures for the purposes of the department against federal grants for certain direct and indirect costs under a cost overhead allocation plan approved by the comptroller; provided further, that the comptroller shall maintain an account on the Massachusetts management accounting and reporting system for the purpose of making these expenditures; provided further, that expenditures made against the account shall not be subject to appropriation and may include the cost of personnel; provided further, that notwithstanding any general or special law, rule, or regulation to the contrary, the department may conduct annual verifications of household income levels based upon state tax returns for the purposes of administering the state and federal housing subsidy programs funded in items 7004-9005, 7004-9024, 7004-9030, 7004-9033, 7004-9316 and items 7004-9009, 7004-9014, 7004-9019, 7004-9020 of section 2D; provided further, that as a condition of eligibility or continued occupancy by an applicant or a tenant, the department may require disclosure of the social security number of an applicant or tenant and members of the applicant's or tenant's household for use in verification of income eligibility; provided further, that the department may deny or terminate participation in subsidy programs for failure by an applicant or a tenant to provide a social security number for use in verification of income eligibility; provided further, that the department may also consult with the department of revenue, the department of transitional assistance or any other state or federal agency to conduct this income verification; provided further, that notwithstanding any general or special law to the contrary, these state agencies shall consult and cooperate with the department and furnish any information in the possession of the agencies including, but not limited to, tax returns and applications for public assistance or financial aid; provided further, that for the purposes of conducting this income verification, the director of the department may enter into an interdepartmental service agreement with the commissioner of revenue to utilize the department of revenue's wage reporting and bank match system for the purpose of verifying the income and eligibility of participants in federally assisted housing programs and that of members of the participants' households; provided further, that notwithstanding section 12 of chapter 490 of the acts of 1980, the department may authorize neighborhood housing services corporations to retain, re-assign and reloan funds received in repayment of loans made under the neighborhood housing services rehabilitation program; provided further, that the department shall, not later than September 1, 2011, reaffirm regulations clarifying that a household that otherwise qualifies for any preference or priority for state subsidized housing or rental assistance based on homeless or at-risk status shall retain that preference or priority notwithstanding receipt of rental assistance that is intended to be temporary including, but not limited to, any temporary or bridge subsidies provided with state or federal funds; provided further, that the department shall provide the caseload forecasting office with enrollment data and any other information pertinent to caseload forecasting that is requested by the office on a monthly basis; and provided, however, that the information is provided in a manner that meets all applicable federal and state privacy and security requirements.....\$6,642,317
- 7004-0100.. For the operations of the homeless shelter and services unit, including the compensation of caseworkers and support personnel; provided, that the department shall receive and process applications for assistance from items 7004-0101 and 7004-0108 each business day during normal business hours

at the Fitchburg office of the department of transitional assistance;.....\$5,000,000

7004-0101.. For certain expenses of the emergency assistance program pursuant to section 30 of chapter 23B of the General Laws as follows: (i) contracted temporary emergency family shelters and (ii) congregate emergency housing programs; provided, that eligibility for any such assistance shall be limited to families with incomes at or below 115 per cent of the 2009 or a later-issued higher federal poverty level; provided further, that any family whose income exceeds 115 per cent of the federal poverty level while the family is receiving assistance funded by this item shall not become ineligible for assistance due to exceeding the income limit for a period of 6 months from the date that the 115 per cent level was exceeded; provided further, that notwithstanding any general or special law or program regulation to the contrary: (i) those families that shall be eligible for assistance through a temporary emergency family shelter shall include : (a) families that are at risk of domestic abuse in their current housing situation; and (b) families that, through no fault of their own, are homeless due to fire or natural disaster; and (ii) all families otherwise eligible for temporary emergency family shelter pursuant to departmental regulations, including those families otherwise eligible under clause (i) of this proviso, in which the head of household is not more than 21 years of age at the time of application for emergency assistance, shall be served only through a young families congregate housing program; provided further, that such facilities shall not be subject to licensing requirements of the executive office of health and human services; provided further, that a family, who receives emergency housing assistance due to domestic abuse, shall be connected to the appropriate social service agency; provided further, that other families meeting eligibility requirements for temporary emergency shelter pursuant to said section 30 of said chapter 23B and 106 CMR 309, or as later amended as authorized by this item, shall receive temporary assistance from this item pending placement in housing under item 7004-0108; provided further, that temporary assistance under this item shall be terminated upon the offer of available housing or housing assistance necessary to maintain housing under item 7004-0108; provided further, that a family shall not decline an offer for available housing or housing assistance necessary to maintain housing if the offer accommodates the size and disabilities of the family and the new housing placement will not result in a job loss for the client or interruption of special education services provided pursuant to an individualized education plan; provided further, that any family that declines an adequate offer of available housing or housing assistance necessary to maintain housing shall be ineligible for available housing or housing assistance necessary to maintain housing from this item; provided further, that any family receiving benefits pursuant to said section 30 of said chapter 23B as of June 30, 2011 shall not become ineligible for temporary emergency family shelter benefits if any such family in which the head of household is more than 21 years of age shall transfer to the short-term housing transition program, as such assistance becomes available, and any such family in which the head of household is not more than 21 years of age shall transfer to a young families congregate housing facility, as such facilities become available; provided further, that the department shall establish reasonable requirements for such families to escrow a portion of their income; provided further, that the escrowed funds shall be exempt from otherwise applicable asset limits; provided further, that the family may withdraw the amount placed in escrow upon transition to permanent housing or losing eligibility for shelter services; provided further, that benefits under this item shall be provided only to residents who are citizens of the United States or aliens lawfully admitted for permanent residence or otherwise permanently residing under color of law in the United States; provided further, that the department shall take all steps necessary to enforce regulations to prevent abuse of the emergency assistance program, including a wage match agreement with the department of revenue; provided further, that no emergency assistance expenditures shall be paid from this item unless explicitly authorized; provided further, that an eligible household that is approved for shelter placement shall be placed in a shelter as close as possible to the household's home community unless a household requests otherwise; provided further, that if the closest available placement is not within 20 miles of the household's home community, the household shall be transferred to an appropriate shelter within 20 miles of its home community at the earliest possible date unless the household requests otherwise; provided further, that eligibility for shelter by an otherwise eligible family shall not be impaired by prior receipt of any non-shelter benefit; provided further, that the department shall make every effort consistent with family safety to ensure that children receiving services from this item shall continue attending school in the community in which they lived prior to receiving

services funded from this item; provided further, that should a family with a child under the age of 3 be placed in a hotel or motel, the department of housing and community development shall ensure that the hotel or motel provides a crib for each child under the age of 3 that meets all state and federal safety codes; provided further, that notwithstanding any general or special law to the contrary, the department shall immediately provide shelter for up to 30 days to a family who appears to be eligible for such shelter based on statements provided by the family and any other information in the possession of the department but who need additional time to obtain any third-party verifications reasonably required by the department; provided further, that benefits received under said section 30 of said chapter 23B shall render a family ineligible for emergency assistance for a period of 12 months from the date upon which the family exits a temporary emergency family shelter; provided further, that a family receiving such shelter benefits who is found not to be eligible for continuing emergency assistance benefits shall be eligible for aid pending a timely appeal pursuant to said chapter 23B; provided further, that the department shall not impose unreasonable requirements for third-party verification and shall accept verifications from a family whenever reasonable; provided further, that the department shall use its best efforts to ensure that a family placed by the emergency assistance program shall be provided with access to refrigeration and basic cooking facilities; provided further, that notwithstanding any general or special law to the contrary, 60 days before promulgating any such eligibility restrictions or benefit reductions, the undersecretary shall file with the house and senate committees on ways and means and the clerks of the senate and house of representatives a determination by the secretary of housing and economic development that available appropriations for the program will be insufficient to meet projected expenses and a report setting forth such proposed changes; provided further, that all of this item shall be subject to appropriation and, in the event of a deficiency, nothing in this item shall give rise to or shall be construed as giving rise to any enforceable right or entitlement to services in excess of the amounts appropriated in this item; provided further, that any amounts appropriated in this item may be transferred to item 7004-0108 upon the approval of the secretary of administration and finance; provided further, the department shall notify the chairs of the house and senate committees on ways and means of any transfer within 15 days; provided further, that any transfer of funds shall not leave this item in a projected deficit; provided further, that the department shall submit quarterly reports to the house and senate committees on ways and means, detailing the number of families transitioned from shelter benefits to affordable, subsidized or otherwise assisted housing through this program; provided further, said report shall include the average, minimum and maximum cost per family of such assistance, the number of families served who required further assistance at a later date, the type of assistance later required and provided, and the current housing stability of each family who received transitional housing or short-term housing assistance within the prior 18 months; provided further, that no funds shall be expended for personnel or administrative costs; provided further, that no funds shall be expended for costs associated with the homeless management information system; and provided further, that the department of housing and community development shall notify local school departments of the placement of a family in its district within 5 days of placement; provided further, that the department may maintain in fiscal year 2012 the same interagency service agreement with the bureau of substance abuse services in the department of public health that was in effect during fiscal year 2011 for services to families struggling with addiction.....\$97,797,200

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

7004-0104.. For the home and healthy for good program operated by the Massachusetts Housing and Shelter

Alliance for the purpose of reducing the incidence of chronic homelessness in the commonwealth; provided, that the Massachusetts Housing and Shelter Alliance shall be solely responsible for the administration of this program..... \$1,200,000

7004-0108.. For a program of short-term housing assistance for: (i) families eligible for temporary emergency shelter under section 30 of chapter 23B of the General Laws and 106 CMR 309 or as later amended as authorized by item 7004-0101; (ii) families eligible for temporary emergency shelter under said section 30 of said chapter 23B and 106 CMR 309, or as later amended as authorized by item 7004-0101, but for the fact that they are imminently at risk of becoming homeless; and (iii) families in which the head of household is not more than 21 years of age at the time of application for assistance and who have exited a young families congregate shelter funded under item 7004-0101; provided, that the assistance provided under this item shall include housing stabilization and economic self-sufficiency case management services for each family receiving benefits hereunder; provided further, that the assistance may include, but shall not be limited to, payments of rent and utility arrears, a portion of the household's monthly rent, first month's rent, last month's rent, security deposit, utility charges, extraordinary medical bills and immediate temporary housing arrangements, or any combination thereof, so long as such assistance shall maintain housing for the family; provided further, that assistance towards a portion of the household's monthly rent shall be an eligible use of funds hereunder only in the event that the monthly rent for the housing does not exceed 80 per cent of the fair market rent for such housing, as determined in accordance with the United States Department of Housing and Urban Development; provided further, that the department shall allow for a higher monthly rent in the event that a household already housed, that is transitioning to this program from another time-limited assistance program, would be displaced due to the restriction on fair market rent; provided further, that the department may exceed 80 per cent of the fair market rent if the department determines that such placement is cost-effective and meets the short-term housing needs of eligible families in a timely manner; provided further, that eligible families shall not pay more than 35 per cent of household income towards rent and utilities; provided further, that a family's eligibility for assistance provided hereunder shall not exceed a period of 36 successive months from the date the family receives assistance hereunder, not including time spent in temporary accommodations; provided further, that a family that is terminated from the program because it has received 36 successive months of assistance shall not be able to receive assistance hereunder for 12 months from the last date it received assistance through this program; provided further, that for the initial 12 month period for which the family receives assistance hereunder, payments shall not exceed: (1) \$4,000; or (2) if assistance is used for a portion of the household's monthly rent and utility costs, the difference between 35 per cent of household income and the monthly cost of rent and utilities for such housing; provided further, that administering agency shall also be able to make payments toward temporary accommodations for the family prior to the family securing a rental housing unit with assistance hereunder; provided, however, that such assistance shall be reduced by: (1) 5 per cent for each of the next 12-month periods for which the family receives assistance hereunder; or (2) such lesser amount as maintains the eligible family's contribution towards rent and utilities at not more than 35 per cent of household income; provided further, that the continued eligibility of the family shall be determined on an annual basis; provided further, that a family shall not be deemed ineligible as a result of any single violation of a self-sufficiency plan; provided further, that a family that exceeds the income eligibility criteria pursuant to said section 30 of said chapter 23B shall be eligible for continued assistance hereunder so long as they meet the requirements of their housing stabilization plan and do not exceed 50 per cent of area median income as determined by the department in accordance with guidelines adopted by the United States Department of Housing and Urban Development; provided further, that benefits under this item shall be provided only to residents who are citizens of the United States or aliens lawfully admitted for permanent residence or otherwise permanently residing under color of law in the United States; provided further, that a family who would be eligible for temporary emergency family shelter under said section 30 of said chapter 23B and 106 CMR 309, or as later amended as authorized by item 7004-0101, is directed to this program, and has no feasible alternative housing, shall have housing made immediately available to them or be able to access shelter until a housing unit is available for the family to rent utilizing benefits hereunder; provided further, that every rental unit shall be inspected for compliance with the state sanitary code or substantially similar requirements to ensure its safety for occupants; provided further, that the department shall take all steps necessary to enforce

regulations to prevent abuse of the short-term housing transition program, including a wage match agreement with the department of revenue; provided further, that a family that did not make a good faith effort to secure an apartment or did not make a good faith effort to follow their housing stabilization plan during the term of their assistance shall be ineligible for benefits pursuant to said section 30 of said chapter 23B and short-term housing transition benefits for a period of no more than 24 months from the later of the date upon which the family exits a temporary emergency family shelter or a monthly rental assistance payment is made to or on behalf of the family or 12 months for a family that received assistance only for rent arrears, utility charges assistance extending for less than 12 months or extraordinary medical bills; provided further, that no family with a head of household who is over 60 years of age or who is disabled and who is in compliance with the requirements of a housing stabilization plan that accommodates disabilities shall be denied short-term housing assistance; provided further, that any such family with a head of household who is over 60 years of age or who is disabled shall not have engaged in, or be engaged in, any activity that threatens the health, safety or security of the family, other program participants or program staff; provided further, that families receiving benefits under this program who are found not to be eligible for continuing benefits shall be eligible for aid pending a timely appeal pursuant to said chapter 23B; provided further, that families who are denied assistance under this item may appeal pursuant to said chapter 23B, including subsection (F) of section 30, and regulations adopted to implement said chapter 23B; provided further, that the department, as a condition of continued eligibility for assistance pursuant to this program, may require disclosure of social security numbers by all members of a family in the short-term housing transition program for use in verification of income with other agencies, departments and executive offices; provided further, that any family in which a member of the family shall fail to provide a social security number for use in verifying the family's income and eligibility shall no longer be eligible to receive benefits from the short-term housing transition program; provided further, that the department shall administer the short-term housing transition program through the following agencies unless administering agencies are otherwise procured by the department: Berkshire Housing Development Corporation, Central Massachusetts Housing Alliance, Inc., Community Teamwork, Inc., Housing Assistance Corporation, Franklin County Housing and Redevelopment Authority, Hap, Inc., Metropolitan Boston Housing Partnership, RCAP Solutions, Inc., South Middlesex Opportunity Council, Inc. and South Shore Housing Development Corporation; provided further, that the department shall use funds provided for this program for stabilization workers to focus efforts on housing retention and link households to supports, including job training, education, job search, childcare opportunities and long-term sustainable housing available; provided further, that the department may enter into agreements with other public and private agencies for the provision of such services; provided further, that a stabilization worker shall be assigned to each household; provided further, that all of this item shall be subject to appropriation and, in the event of a deficiency, nothing in this item shall give rise to or shall be construed as giving rise to any enforceable right or entitlement to services in excess of the amounts appropriated in this item; provided further, that the department shall issue rules and regulations for the short-term housing transition program; provided further, that the department shall promulgate regulations for the short-term housing transition program, which shall include a process whereby families eligible for short-term housing assistance under this item shall be provided with temporary housing and shall also delegate authority for exceeding 80 per cent of fair market for assistance for rents to the administering agencies to facilitate providing housing for households expeditiously; provided further, that the department shall submit bi-annual reports to the house and senate committees on ways and means, which shall include the number of families served, the type of assistance given, the number of families assisted through this program, the average, minimum and maximum cost per family of such assistance and the current housing stability of each family who received assistance within the prior 18 months; and provided further, the department shall file a report with the chairs of the house and senate committees on ways and means not later than January 13, 2012, detailing the implementation of this program, which shall include the status of families receiving temporary emergency family shelter benefits pursuant to said section 30 of said chapter 23B as of June 30, 2011; provided further, that beginning October 1, 2011, the department shall report on a quarterly basis to the chairs of the joint committee on housing and the joint committee on children, families and persons with disabilities, the number of families, from each local department office, who are ineligible for further assistance by operation of the 24-month and 12-month restrictions in this

item.....\$38,561,732

7004-3036.. For housing services and counseling; provided, that funds shall be expended as grants to 9 regional housing consumer education centers operated by the regional nonprofit housing authorities; provided further, that the grants shall be awarded through a competitive application process under criteria created by the department; provided further, that the department shall submit annual reports to the secretary of administration and finance, the house and senate committees on ways and means and the joint committee on housing detailing all expenditures of the program, including each regional housing consumer education center, the total number of persons who received information and referral services, the costs for such services rendered per consumer and the identification of consumer issues and trends; and provided further, that no funds shall be expended from this item in the AA object class for the compensation of state employees.....\$1,377,812

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

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

7004-9005.. For subsidies to housing authorities and nonprofit organizations including funds for deficiencies caused by certain reduced rentals in housing for the elderly, handicapped, veterans and relocated persons under sections 32 and 40 of chapter 121B of the General Laws; provided, that notwithstanding any general or special law to the contrary, all housing authorities operating elderly public housing shall offer first preference for elderly public housing units which are vacant on the effective date of this act, and thereafter, to those persons 60 years of age or older as of June 30, 2011, receiving rental assistance from the Massachusetts rental voucher program; provided further, that the department may expend funds appropriated in this item for deficiencies caused by certain reduced rentals which may be anticipated in the operation of housing authorities for the first quarter of the subsequent fiscal year; provided further, that no monies shall be expended from this item for the purpose of reimbursing the debt service reserve included in the budgets of housing authorities; provided further, that no funds shall be expended from this item in the AA object class for the compensation of state employees; provided further, that the amount appropriated in this item shall be considered to meet any and all obligations under said sections 32 and 40 of said chapter 121B; provided further, that any new reduced rental units developed in fiscal year 2012 eligible for subsidies under this item shall not cause any annualization that results in an amount exceeding the amount appropriated in this item; and provided further, that all funds in excess of normal utilities, operations and maintenance costs may be expended for capital repairs.....\$62,500,000

7004-9024.. For a program of rental assistance for low-income families and elderly persons through mobile and project-based vouchers; provided, that rental assistance shall only be paid under a program to be known as the Massachusetts rental voucher program; provided further, that the income of the households shall not exceed 200 per cent of the federal poverty level; provided further, that the department may award mobile vouchers to eligible households currently occupying project-based units that shall expire due to the nonrenewal of project-based rental assistance contracts; provided further, that the department, as a condition of continued eligibility for vouchers and voucher payments, may require disclosure of social security numbers by participants and members of participants' households in the Massachusetts rental voucher program for use in verification of income with other agencies, departments and executive offices; provided further, that any household in which a participant or member of a participant's household shall fail to provide a social security number for use in verifying the household's income and eligibility shall no longer be eligible for a voucher or to receive benefits from the voucher program; provided further, that the vouchers shall be in varying dollar amounts and shall be set by the department based on considerations, including, but not limited to, family size, composition, income level and

geographic location; provided further, that notwithstanding any general or special law to the contrary, the monthly dollar amount of each voucher shall be the department-approved total monthly rent of the unit less the monthly amount paid for rent by the household; provided further, that notwithstanding any general or special law to the contrary, the use of rent surveys shall not be required in determining the amounts of the mobile vouchers or the project-based units; provided further, that any household which is proven to have caused intentional damage to its rental unit in an amount exceeding 2 month's rent during any 1-year lease period shall be terminated from the program; provided further, that notwithstanding any general or special law to the contrary, a mobile voucher whose use is or has been discontinued shall be re-assigned within 90 days; provided further, that the department shall pay agencies \$32.50 per voucher per month for the costs of administering the program; provided further, that subsidies shall not be reduced for the cost of accommodating the cost of the inspections; provided further, that notwithstanding any general or special law to the contrary, each household holding a project-based voucher shall pay at least 30 per cent but not more than 40 per cent of its income as rent, and each household holding a mobile voucher shall pay at least 30 per cent but not more than 40 per cent of its income as rent; provided further, that the department shall establish the amounts of the mobile vouchers and the project-based vouchers so that the appropriation in this item is not exceeded by payments for rental assistance and administration; provided further, that the department shall not enter into commitments which shall cause it to exceed the appropriation set forth in this item; provided further, that the households holding mobile vouchers shall have priority for occupancy of the project-based dwelling units in the event of a vacancy; provided further, that the department may impose certain obligations for each participant in the Massachusetts rental voucher program through a 12-month contract which shall be executed by the participant and the department; provided further, that such obligations may include, but shall not be limited to, job training, counseling, household budgeting and education, as defined in regulations promulgated by the department and to the extent these programs are available; provided further, that each participant shall be required to undertake and meet these contractually established obligations as a condition for continued eligibility in the program; provided further, that for continued eligibility, each participant shall execute this 12-month contract on or before September 1, 2011, if the participant's annual eligibility recertification date occurs between June 30, 2011 and September 1, 2011, and otherwise on or before the annual eligibility recertification date; provided further, that any participant who is over the age of 60 years or who is disabled may be exempted from any obligations unsuitable under particular circumstances; provided further, that no funds shall be expended from this item in the AA object class for the compensation of state employees; provided further, that the department may assist housing authorities, at their written request, in the immediate implementation of a homeless prevention program utilizing alternative housing resources available to them for low-income families and the elderly by designating participants in the Massachusetts rental voucher program as at risk of displacement by public action through no fault of their own; provided further, that participating local housing authorities may take all steps necessary to enable them to transfer mobile voucher program participants from the Massachusetts rental voucher program into another housing subsidy program; and provided further, that the department of housing and community development shall strive to avoid a reduction in the value of the Massachusetts rental voucher from its value as of June 30, 2011.....\$35,900,000

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

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

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

7004-9315.. For the low-income housing tax credit program; provided, that the department may expend not more than \$2,323,853 from revenue collected from fees collected under Executive Order No. 291, pertaining to low-income housing tax credits, for the costs of administering and monitoring the programs, including the costs of personnel, subject to the approval of the director of the department; and provided further, that notwithstanding any general or special law to the contrary and for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$2,323,853

7004-9316.. For a program to provide assistance for homeless families moving into subsidized or private housing and families at risk of becoming homeless due to a significant reduction of income or increase in expenses; provided, that the amount of financial assistance shall not exceed \$3,000 per family; provided further, that funds may be used for security deposits, first and last month's rent, electric, gas, sewer and water utility payments for utility arrearages incurred on or after December 1, 2011; provided further, that assistance shall be administered by the department through contracts with the regional non-profit housing agencies; provided further, that no assistance shall be provided to any family with an income in excess of 50 per cent of the area median income; provided further, that prior to authorizing a residential assistance payment for a family, the non-profit housing agency shall make a finding that the family experienced a significant reduction of income or increase in expenses and has secured new income or a change in circumstances and that the payment will enable the family to retain its current housing, obtain new housing or otherwise avoid homelessness; provided further, that in making these findings the agency shall, unless the facts of the case warrant otherwise, apply a presumption that the payment will enable a family to retain its housing, obtain new housing or otherwise avoid homelessness if the family is paying less than or equal to 50 per cent of its income for that housing; provided further, that a family who is paying more than 50 per cent of its income for its housing shall be provided a fair opportunity to establish that a residential assistance payment will enable it to retain its housing, obtain new housing or otherwise avoid homelessness; provided further, that residential assistance payments may be made through direct vendor payments according to standards to be established by the department; provided further, that the agencies shall establish a system for referring families approved for residential assistance payments who the agencies determine would benefit from these services to existing community-based programs that provide additional housing stabilization supports, including assistance in obtaining housing subsidies and locating alternative housing that is safe and affordable for those families; provided further, that the program shall be administered under guidelines established by the department; and provided further, that the department shall

provide a status report to the secretary of administration and finance and the house and senate committees on ways and means not later than March 1, 2012, that includes, but is not limited to, all program expenditures, the number of recipients of the funds, the housing status of the recipients before and after receiving assistance, the purposes for which each family used the assistance, the administrative costs and other related costs of the program, including whether such recipient resided or continues to reside in state or federal public housing and any other information necessary to determine the effectiveness of the program.....\$260,000

Office of Consumer Affairs and Business Regulation.

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

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

Division of Banks.

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

7006-0011.. For the costs incurred by the division of banks associated with licensure of loan originators pursuant to chapter 255F of the General Laws; provided, that the division may expend revenues in an amount not to exceed \$2,650,000 from the revenue received from administrative fees associated with the licensure fees and from civil administrative penalties pursuant to said chapter 255F; provided further, that the division may expend from such revenue an amount to be determined by the commissioner of banks as grants for the operation of a program for best lending practices, first-time homeowner counseling for non-traditional loans and 10 or more foreclosure education centers pursuant to section 16 of chapter 206 of the acts of 2007; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the commissioner may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system.....\$2,650,000

Division of Insurance.

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

7006-0029.. For the operation of the health care access bureau of the division of insurance; provided, that under

section 7A of chapter 26 of the General Laws, the full amount appropriated in this item, as well as the associated fringe benefits costs for personnel paid from this item, shall be assessed upon the carriers licensed under chapters 175, 176A, 176B and 176G of the General Laws.....\$1,100,000

Division of Professional Licensure.

- 7006-0040.. For the operation and administration of the division of professional licensure.....\$2,272,285
- 7006-0110.. For the operation of the state racing commission.....\$1,600,253
- 7006-0140.. For distribution to each city and town within which racing meetings are conducted under section 18D of chapter 58 of the General Laws.....\$1,150,000
- 7006-0151.. For the division of professional licensure which may expend for the oversight of proprietary schools an amount not to exceed \$540,123; provided, that no expenditures made in advance of the receipts shall be permitted to exceed 50 per cent of the amount of revenues projected by the first quarterly statement required by section 1B.....\$540,123

Division of Standards.

- 7006-0060.. For the operation of the division of standards.....\$658,397
- 7006-0066.. For the support of the division of standards' municipal inspection efforts; provided, that up to 12 per cent of the amount appropriated herein may be expended for administrative costs of the division.....\$160,372
- 7006-0067.. For the division of standards; provided, that the division may expend for enforcement of weights and measures laws an amount not to exceed \$58,751 from revenues received from item pricing violations collected through municipal inspection efforts, and from weights and measures fees and fines collected from cities and towns.....\$58,751
- 7006-0068.. For the division of standards; provided, that the division may expend an amount not to exceed \$360,000 from revenue received from license fees assessed to owners of motor vehicle repair shops\$360,000

Department of Telecommunications and Cable.

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

Massachusetts Office of Business Development.

- 7007-0150 For the Massachusetts office of business development for contracts with regional economic development organizations under the program established by section 3J and 3K of chapter 23A of the General Laws, prior appropriation continued \$600,000
- 7007-0300.. For the operation of the Massachusetts office of business development, which shall include the operation and support of capital grants programs, including the Massachusetts Opportunity Relocation and Expansion Jobs Capital Program established in chapter 123 of the acts of 2006, and for marketing and promoting the commonwealth in order to attract and retain targeted businesses and industries.....\$1,666,885
- 7007-0500.. For the operation and maintenance of the Massachusetts biotechnology research institute for the purpose of promoting the commercialization of new, academic-based research and development,

and raising the scientific awareness of the communities of the commonwealth..... \$200,000

7007-0800.. For a grant for the state match for a small business development center; provided, that no funds shall be expended from this item until such time as the United States Small Business Administration has made a payment or has executed a contract to pay the University of Massachusetts at Amherst for the operation of the center; provided further, that the funds expended from this item shall not exceed 25 per cent of the gross operating cost of said center; provided further, that not more than \$300,000 from this item shall be expended for federal procurement technical assistance services within said center; provided further, that the services shall include, but not be limited to, assisting businesses in securing federal contracts, obtaining contract financing, generating responses to requests-for-proposals, interpreting bid documents, providing educational workshops and seminars and for the electronic identification and tracking of federal bid opportunities; provided further, that funds expended for the purpose of operating federal procurement technical assistance services within said center shall be subject to the receipt of matching funds from federal or private sources, including the United States Department of Defense; and provided further, that annual expenditure reports shall be filed with the house and senate committees on ways and means.....\$704,286

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

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

Massachusetts Tourism Fund..... 100%

Massachusetts Marketing Partnership.

7008-0900.. For the operation and administration of the office of travel and tourism; provided, that the office shall be the official and lead agency to facilitate and attract major sports events and championships in the commonwealth; provided further, that the office shall be the official and lead agency to facilitate motion picture production and development within the commonwealth; and provided further, that funds appropriated within this item shall also be used for financial assistance to local tourist councils under section 14 of chapter 23A of the General Laws.....\$1,788,167

Massachusetts Tourism Fund..... 100%

7008-1000.. For assistance to regional tourist councils under section 14 of chapter 23A of the General Laws; provided, that notwithstanding any general or special law or rule or regulation to the contrary, each of the councils may expend an amount not to exceed 20 per cent of the funds appropriated in this item for the cost of administrative services.....\$6,000,000

Massachusetts Tourism Fund..... 100%

7008-1300.. For the operation of the Massachusetts international trade office.....\$100,000

Massachusetts Tourism Fund..... 100%

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.

Office of the Secretary.

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

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

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

Department of Career Services.

7003-0605..For the operation and maintenance of the Massachusetts Manufacturing Extension Partnership for the purpose of maintaining and promoting manufacturing as an integral part of the economy and for programs designed to assist small and mid-sized manufacturing companies.....\$325,000

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

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

Department of Labor Standards.

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

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

Department of Industrial Accidents.

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

Department of Labor Relations.

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

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

EXECUTIVE OFFICE OF EDUCATION.

Department of Early Education and Care.

3000-1000.. For the administration of the department of early education and care and the costs of field operations and licensing provided through the department; provided, that the department shall report on the first business day of each month to the joint committee on education, the joint committee on children, families and persons with disabilities, the house and senate committees on ways and means, and the secretary of administration and finance on the unduplicated number of children on waiting lists for state-subsidized early education and care programs and services, including supportive child care services; provided further, that notwithstanding chapter 66A of the General Laws, the department of early education and care, the lead agencies of community partnership councils, the child care resource and referral agencies, the department of elementary and secondary education, the department of transitional assistance, the department of children and families and the department of public health may share with each other personal data regarding the parents and children who receive services provided under early education and care programs administered by the commonwealth for waitlist management, program implementation and evaluation, reporting, and policy development purposes; provided further, that the department shall issue monthly reports detailing the number and average cost of voucher and contracted slots funded by the department by category of eligibility, including children who have been the subject of supported 51A cases, children referred by or transitioning from the department of children and families and children of income-eligible families; provided further, that said reports shall include the number of recipients subject to subsection (f) of section 110 of chapter 5 of the acts of 1995; provided further, that the department of early education and care shall provide the caseload forecasting office with enrollment data and any other information pertinent to caseload forecasting that is requested by the office on a monthly basis; and provided, however, that the information is provided in a manner that meets all applicable federal and state privacy and security requirements.....\$11,104,990

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

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

3000-3050.. For supportive early education and care services; provided, that funds from this item shall only be expended for early education and care costs of children with active cases at the department of children and families; provided further, that the department of early education and care, in collaboration with the department of children and families, shall maintain a centralized list detailing the number of children eligible for services in this item, the number of supportive slots filled and the number of supportive slots available; provided further, that funds may be used to provide services during a transition period of 6 months for families upon the closure of their case; provided further, that all children eligible for services under this item shall receive those services; provided further, that if the department determines that available appropriations for this program will be insufficient to meet projected expenses, the commissioner shall file with the house and senate committees on ways and means and the secretary of administration and finance, a report detailing the amount of appropriation needed to address such deficiency; and provided further, that the commissioner of early education and care may transfer not more than 3 per cent of funds to this item from items 3000-1000, 3000-4050 and 3000-4060, as necessary, pursuant to an allocation plan, which shall detail by object class the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means 30 days before the transfer.....\$77,448,576

3000-4050.. For financial assistance for families currently involved with or transitioning from transitional aid to families with dependent children to enroll in an early education and care program; provided, that early education and care shall be available to former participants who are working for up to 1 year after termination of their benefits; provided further, that post-transitional early education and care benefits shall be provided to participants who are working for up to 1 year after the transitional period; provided further, that the department shall issue monthly reports detailing the number and average cost of voucher and contracted slots funded from this item and item 3000-3050; provided further, that the department may provide early education and care benefits to parents who are under 18 years of age, who are currently enrolled in a job training program, and who would qualify for benefits under chapter 118 of the General Laws but for the deeming of the grandparents’ income; provided further, that all teens eligible for year-round, full-time early education and care services shall be participating in school, education, work and training-related activities or a combination thereof for at least the minimum number of hours required by regulations; provided further, that recipients shall not be charged fees for care provided under this item; provided further, that early education and care slots funded from this item shall be distributed geographically in a manner that provides fair and adequate access to early education and care for all eligible individuals; provided further, that informal early education and care benefits may be funded from this item; provided further, that not more than \$2 per child per hour shall be paid for the services; provided further, that the commissioner of early education and care may transfer funds to this item from items 3000-1000 and 3000-4060, as necessary, pursuant to an allocation plan, which shall detail by object class the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means at least 30 days before the transfer; and provided further, that not more than 3 per cent of any item may be transferred in fiscal year 2012.....\$132,458,313

3000-4060.. For income-eligible early education and care programs; provided, that teen parents at risk of becoming eligible for transitional aid to families with dependent children may be paid from this item; provided further, that informal early education and care benefits for families meeting income-eligibility criteria may be funded from this item; provided further, that not more than \$2 per child per hour shall be paid for the services; provided further, that early education and care slots funded from this item shall be distributed geographically in a manner that provides fair and adequate access to early education and care for all eligible individuals; provided further, that the department may expend funds from this item on grants to support inclusive learning environments; provided further, that the commissioner of early education and care may transfer 3 per cent of funds to this item from items 3000-1000 and 3000-4050, as necessary, pursuant to an allocation plan, which

shall detail by object class the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means at least 30 days before the transfer; provided further, that not more than 3 per cent of any item may be transferred in fiscal year 2012; provided further, that said plan shall be filed with the house and senate chairs of the joint committee on education, the chairs of the house and senate committees on ways and means and the secretary of administration and finance; and provided further, that notwithstanding any general or special law to the contrary, any payment made under any such grant with a school district shall be deposited with the treasurer of such city, town, or regional school district and held as a separate account and shall be expended by the school committee of such city, town, or regional school district without further appropriation,.....\$227,965,287

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

3000-5075.. For the Massachusetts Universal Pre-Kindergarten Program; provided, that funds from this item shall be expended on grants to improve the quality of and expand access to preschool programs and services to children from the age of 2 years and 9 months until they are kindergarten eligible; provided further, that in awarding grant funds under this program, preference shall be given to establishing preschool classrooms in towns and cities with schools and districts at risk of or determined to be under-performing in accordance with sections 1J and 1K of chapter 69 of the General Laws, schools and districts which have been placed in the accountability status of identified for improvement, corrective action, or restructuring pursuant to departmental regulations or which have been designated commonwealth priority schools or commonwealth pilot schools pursuant to said regulations, schools or districts with a high percentage of students scoring in levels 1 and 2 on the MCAS exams or programs which serve children not less than 50 per cent of whom are from families earning at or below 85 per cent of the state median income; provided further, that funds may also be used to enhance community-wide capacity building efforts within statewide parameters established by the board; provided further, that any newly-funded programs designated as Massachusetts Universal Pre-Kindergarten Program participants shall have been accredited by the National Association for the Education of Young Children, the New England Association of Schools and Colleges, the National Association of Family Child Care or a Child Development Associate credential or higher; provided further, that programs receiving grant funds may use the funds to enhance teacher and staff quality and compensation, enhance program ability to interpret and use assessment data effectively, enhance developmentally-appropriate practice, incorporate ancillary services into the program, facilitate or provide access to wrap-around services for working families or to increase capacity to expand access to age-eligible children on the centralized waitlist maintained by the department; provided further, that preference shall be given in awarding grants to those programs which demonstrate affordability for middle class and working class parents according to standards to be developed by the department; and provided further, that any payment made under any such grant with a school district shall be deposited with the treasurer of such city, town or regional school district and held as a separate account and shall be expended by the school committee of such city, town or regional school district without municipal appropriation, notwithstanding any general or special law to the contrary\$7,500,000

3000-6000.. For the establishment of a statewide network of supports for early education and care programs to advance the quality of their services to children; provided, that supports funded through this item shall include, but not be limited to, curriculum development, child assessment systems, activities that encourage providers to obtain associate and bachelor degrees, payment of fees and direct assistance to programs seeking accreditation by agencies approved by the board and professional development courses; provided further, that eligible recipients for such grants shall include, but not be limited to, community partnership councils, municipal school districts, regional school districts, educational collaboratives, head start programs, licensed child care providers and child care resource and referral centers; provided further, that supports funded through this item shall be in alignment with the quality requirements of the Massachusetts Universal Pre-Kindergarten Program and the development of the quality rating and improvement system; provided further, that the department shall encourage and support early childhood education and care providers to obtain

associate and bachelor degrees through professional development programs, including, but not limited to, the building careers program model; provided further, that where possible, funds from this item shall be coordinated with funding from item 3000-7050; and provided further, that the department may expend funds from the item on grants for supplemental services for children with individualized education plans.....\$13,986,633

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

3000-7000.. For statewide neonatal and postnatal home parenting education and home visiting programs for at-risk newborns to be administered by the Children’s Trust Fund; provided, that the department shall collaborate with the Children’s Trust Fund, whenever appropriate, to coordinate services provided through this item with services provided through item 3000-7050 in order to ensure that parents receiving services through this item are aware of all opportunities available to them and their children through the department; provided further, that such services shall be made available statewide to parents under the age of 21 years; provided further, that notwithstanding any general or special law to the contrary, priority for such services shall be given to low-income parents; and provided further, that the Children’s Trust Fund shall issue a report to the joint committee on education and the house and senate committees on ways and means, not later than February 15, 2012, detailing the expenditure of state funds appropriated herein.....\$10,482,355

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

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

Office of the Secretary of Education.

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

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

Department of Elementary and Secondary Education.

- 7010-0005.. For the operation of the department of elementary and secondary education.....\$12,511,669
- 7010-0012.. For grants to cities, towns and regional school districts for payments of certain costs and related expenses for the program to eliminate racial imbalance established under section 12A of chapter 76 of the General Laws; provided, that funds shall be made available for payment for services rendered by METCO, Inc. and Springfield public schools..... \$17,642,582
7010-0020.. For the Bay State Reading Institute; provided, that the program shall be administered under contract to Middlesex Community College in programmatic collaboration with Framingham State University and Fitchburg State University; provided further, that the Institute shall provide literacy based intervention in districts and schools found by the department of elementary and secondary education to be at levels 3, 4, and 5 with preference for schools and districts at levels 4 and 5 in accordance with sections 1J and 1K of chapter 69 of the General Laws; provided further, that such school-wide literacy-based intervention programs shall be led by a school-based planning team, which includes teaching faculty and the school principal, shall provide for the training of teachers in effective, research-based strategies for reading instruction and shall include a school-wide literacy coordinator who shall be responsible for the coordination and training of other school staff; provided further, that the programs shall evaluate and track all students' reading and writing skills at least annually; provided further, that the student evaluations shall be compared to measurable goals and benchmarks that have been developed in consultation with the school-based planning team; provided further, that funds appropriated in this item for this initiative may be expended through June 30, 2013; and provided further, that the bay state reading institute shall provide to the house and senate committees on ways and means and the joint committee on education a report detailing, by school, program success in meeting measurable goals and benchmarks.....\$392,000
- 7010-0033.. For literacy and early literacy programs; provided, that these programs shall provide ongoing evaluation of the outcomes thereof; provided further, that programs receiving funding through this item shall document the outcomes of evaluations; provided further, that evaluations shall be compared to measurable goals and benchmarks that shall be developed by the department; and provided further, that programs receiving funds from this item shall provide to the department, the house and senate committees on ways and means and the joint committee on education, an annual report detailing program success in meeting measurable goals and benchmarks\$3,084,981
- 7027-0019.. For school-to-career connecting activities; provided, that notwithstanding any general or special law to the contrary, the board of elementary and secondary education, in cooperation with the department of workforce development and the state workforce investment board, may establish and support a public-private partnership to link high school students with economic and learning opportunities on the job as part of the school-to-work transition program; provided further, that such program may include the award of matching grants to workforce investment boards or other local public-private partnerships involving local community job commitments and work site learning opportunities for students; provided further, that the grants shall require at least a 200 per cent match in wages for the students from private sector participants; provided further, that the program shall include, but not be limited to, a provision that business leaders commit resources to pay salaries, to provide mentoring and instruction on the job and to work closely with teachers; provided further, that public funds shall assume the costs of connecting schools and businesses to ensure that students serve productively on the job; and provided further, that no funds shall be expended for personnel costs, prior appropriation continued.....\$1,200,000
- 7027-1004.. For English language acquisition professional development to improve the academic performance of English language learners and effectively implement sheltered English immersion as outlined in chapter 71A of the General Laws; provided, that the department shall only approve professional development courses and offerings with proven, replicable results in improving teacher performance, and which shall have demonstrated the use of best practices as determined by the

department, including data comparing pre-training and post-training knowledge; provided further, that the department shall, not later than February 15, 2012, provide a report on the number of educators who have received such training since passage of said chapter 71A, the estimated number who need such additional training, a review and analysis of the most effective types of professional development and the most common gaps in the knowledge base of educators implementing English immersion and teaching English language acquisition, along with legislative or regulatory recommendations of the department; provided further, that said report shall be provided to the secretary of administration and finance, the senate president, the speaker of the house, the chairs of the house and senate committees on ways and means and the house and senate chairs of the joint committee on education; provided further, that funds may be expended through August 31, 2012; and provided further, that no funds shall be expended for personnel costs.....\$357,638

7028-0031.. For the expenses of school age children in institutional schools under section 12 of chapter 71B of the General Laws; provided, that the department may provide special education services to eligible inmates in county houses of correction; provided further, that the department of youth services shall continue to collaborate with the department of elementary and secondary education in order to align curriculum at the department of youth services with the statewide curriculum frameworks and to ease the reintegration of youth from facilities at the department of youth services into regular public school settings; and provided further, that the department of elementary and secondary education, in conjunction with the commissioner of youth services, shall submit a report on progress made on the reintegration of these youth and the alignment of the department of youth services curriculum to the house and senate committees on ways and means not later than December 1, 2011.....\$7,256,897

7030-1002.. For kindergarten expansion grants to provide grant awards to continue quality enhancement of existing full-day kindergarten classrooms; provided, that the department shall administer a grant program to encourage the voluntary expansion of high quality, full-day kindergarten education throughout the commonwealth; provided further, that grants funded through this appropriation shall not annualize to more than \$18,000 per classroom in subsequent fiscal years; provided further, that preference shall be given to grant applicants with high percentages of students scoring in levels 1 or 2 on the Massachusetts comprehensive assessment system exam, as determined by the department based on available data; provided further, that any grant funds distributed from this item shall be deposited with the treasurer of such city, town or regional school district and held in a separate account and shall be expended by the school committee of such city, town or regional school district without further appropriation, notwithstanding any general or special law to the contrary; provided further, that such program shall supplement and shall not supplant currently funded local, state and federal programs at the school or district; provided further, that not later than January 17, 2012, the department shall report to the house and senate committees on ways and means on the total number of grants requested and awarded; provided further, that the report shall detail common factors associated with both successful and unsuccessful applications and shall include the total number of full-day and half-day kindergarten classrooms projected to be in operation in public schools in fiscal year 2013; provided further, that all kindergarten programs previously funded through community partnership councils at the department of early education and care may receive grants from this item in amounts equal to the amounts they received in fiscal year 2011, reduced in proportion to the overall reduction of this item from fiscal year 2011 to fiscal year 2012; and provided further, that no funds shall be expended for personnel costs\$20,948,947

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

- 7035-0002.. For the provision and improvement of adult basic education services, including reading, writing and mathematics; provided, that grants shall be distributed to a diverse network of organizations which have demonstrated effectiveness in the provision of such services, and that are selected competitively by the department of elementary and secondary education; provided further, that such grants shall support the successful transition of students from other adult basic education programs to community college certificate and degree-granting programs; provided further, that such grants shall be contingent upon satisfactory levels of performance as defined and determined by the department; provided further, that in no case shall grants be considered an entitlement to a grant recipient; provided further, that the department shall consult with the community colleges and other service providers in establishing and implementing content, performance and professional standards for adult basic education programs and services; and provided further, that no funds shall be expended for personnel costs at the department of elementary and secondary education..... \$27,702,108
- 7035-0006.. For reimbursements to regional school districts for the transportation of pupils; provided, that notwithstanding any general or special law to the contrary, the commonwealth's obligation shall not exceed the amount appropriated in this item \$43,521,000
- 7035-0007.. For reimbursements to cities, towns, regional vocational or county agricultural school districts, independent vocational schools, or collaboratives for certain expenditures for transportation of nonresident pupils to any approved vocational-technical program of any regional or county agricultural school district, city, town, independent school or collaborative pursuant to section 8A of chapter 74 of the General Laws; provided, that should the amount appropriated herein be insufficient to fully fund said section 8A of said chapter 74, initial reimbursements made by the department of elementary and secondary education may be pro-rated by the department to all eligible cities, towns, regional vocational or county agricultural school districts, independent vocational schools, or collaboratives; and provided further, that upon a determination by the department that the funds appropriated in this item are insufficient to meet the commonwealth's full obligation under said section 8A, the department shall, within 10 days, notify the secretary of administration and finance, the house and senate chairs of the joint committee on education and the chairs of the house and senate ways and means committees of the amount needed to fully fund said obligation\$400,000
- 7051-0015.. For operating funds to distribute food for the Massachusetts emergency food assistance program.....\$1,000,000
- 7053-1909.. For reimbursements to cities and towns for partial assistance in the furnishing of lunches to school children, including partial assistance in the furnishing of lunches to school children as authorized by chapter 538 of the acts of 1951, and for supplementing funds allocated for the special milk program; provided, that notwithstanding any general or special law to the contrary, payments so authorized in the aggregate for partial assistance in the furnishing of lunches to school children shall not exceed the required state revenue match contained in Public Law 79-396, as amended, cited as the National School Lunch Act and in the regulations implementing the act.....\$5,426,986
- 7053-1925.. For the school breakfast program for public and nonpublic schools and for grants to improve summer food programs during the summer school vacation period; provided, that funds shall be expended for the summer food service outreach program and the school breakfast outreach program; provided further, that within the summer food program, priority shall be given to extending such programs for the full summer vacation period and promoting increased participation in such programs; provided further, that the department of elementary and secondary education shall solicit proposals from returning sponsors and school food authorities in time for implementation of such grant program during the summer of 2012; provided further, that such grants shall only be awarded to sponsors who can demonstrate their intent to offer full summer programs or increase participation; provided further, that the department shall require sufficient reporting from each grantee to measure the success of such grant program; provided further, that the department shall select grantees for the program authorized by this item not later

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

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

7061-0012.. For the reimbursement of extraordinary special education costs under section 5A of chapter 71B of the General Laws; provided, that reimbursements shall be prorated so that expenses of this item do not exceed the amount appropriated in this item; provided further, that upon receipt by the department of elementary and secondary education of required special education cost reports from school districts, the department shall reimburse districts based on fiscal year 2011 claims; provided further, that the department may expend funds to continue and expand voluntary residential placement prevention programs between the department of elementary and secondary education and other departments within the executive office of health and human services that develop community-based support services for children and their families; provided further, that the department shall provide not less than \$6,500,000 to the department of developmental services for the voluntary residential placement prevention program administered by the department of developmental services; provided further, that the department of elementary and secondary education shall fully cooperate in providing information and assistance necessary for the department of developmental services to maximize federal reimbursement and to effectively serve students in less restrictive settings; provided further, that the department shall expend funds to provide books in accessible synthetic audio format made available through the federal NIMAS-NIMAC book repository for the outreach and training of teachers and students for the use of NIMAS-NIMAC and human speech audio digital textbooks; provided further, that the department shall expend funds for the costs of borrowing audio textbooks by special education students; provided further, that funds may be expended for the monitoring and follow-up activities of the department's complaint management system, review and approval of local educational authority applications, and local school districts' compliance with the part B requirements of the federal Special Education Law, known as the Individuals with Disabilities Education Act, in the provision of special education and related services to children with disabilities; provided further, that funds may be expended to administer the reimbursements funded herein; provided further, that funds may be expended to reimburse districts for extraordinary increases in costs incurred during fiscal year 2012 which would be reimbursable under said section 5A of said chapter 71B; provided further, that reimbursements for current year costs shall be limited to school districts which experience increases of greater than 25 per cent from costs reimbursable under said section 5A of said chapter 71B and incurred during fiscal year 2011 to costs reimbursable under said section 5A of said chapter 71B and incurred during fiscal year 2012 or other cases of extraordinary hardship where special education costs increase in relationship to total district costs as the department may define through regulation or guidelines; provided further, that reimbursements for current year costs shall be allocated as one-time grants and shall not decrease reimbursements in the following fiscal year; provided further, that the department shall conduct audits of fiscal year 2011 claims;

provided further, that if the claims are found to be inaccurate, the department shall recalculate the fiscal year 2012 reimbursement amount and adjust the third and fourth quarter payments to the districts to reflect the new reimbursement amount; provided further, that the department shall file a report with the house and senate committees on ways and means not later than February 15, 2012, on the results of the audit; and provided further, that the department shall work in conjunction with the department of public health to track, by community, the number of children receiving early intervention services and the number of those children who later receive special education services and shall report the house and senate committees on ways and means on April 1, 2012 detailing the findings \$194,119,160

7061-0029.. For the office of school and district accountability, established in section 55A of chapter 15 of the General Laws; provided, that notwithstanding said 55A of said chapter 15 of the General Laws, the office shall perform not less than 20 school district audits for fiscal year 2012; provided further, that the district of Randolph shall join the 10 districts of Boston, Brockton, Fall River, Holyoke, Lawrence, Lowell, Lynn, New Bedford, Springfield, and Worcester, in the cohort known as the Commissioner’s Districts.....\$939,083

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

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

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

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

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

strategies with proven results as determined by the department of elementary and secondary education; provided further, that such programs shall supplement currently funded local, state and federal programs at the school or district; provided further, that funds shall be expended for a competitive grant program to fund academic support and college transition services to be implemented in fiscal year 2012, and operated by public institutions of higher learning or by public-private partnerships in the commonwealth, for students in the graduating classes of 2003 to 2014, inclusive, who may have completed all other high school requirements but have not yet obtained a competency determination as defined in said section 1D of said chapter 69 as measured by the MCAS assessment instrument authorized by said section 1I of said chapter 69, but who are working to pass the English, Math, and Science, Technology, and Engineering MCAS tests , obtain a competency determination and earn a high school diploma; provided further, that for the purpose of the programs, appropriated funds may be expended through August 31, 2012, to allow for summer remediation programs; provided further, that funds shall be expended for competitive grants to fund Pathways programs targeting students in the graduating classes of 2003-2015, instituted by local school districts, public institutions of higher education and qualified public and private educational services organizations and One-Stop Career Centers including, but not limited to, school-to-work connecting activities, creating worksite learning experiences for students as an extension of the classroom, outreach programs for students who will need post-twelfth grade remediation to attain the skills necessary to pass MCAS and counseling programs to educate parents and high school students on post-twelfth grade remediation options; provided further, that funds shall be expended for a competitive grant program, guidelines for which shall be developed by the department of elementary and secondary education, for intensive remediation programs in communities with students in the graduating classes of 2003 to 2016, inclusive, who have not obtained a competency determination or have scored in levels 1 or 2 on either the English or math MCAS exams or level 1 on Science, Technology and Engineering MCAS; provided further, that the department of elementary and secondary education may give preference for such assistance to those districts with a high percentage of high school students scoring in level 1 on the MCAS exam in English, math and Science, Technology and Engineering; provided further, that eligible applicants shall include individual high schools and those institutions which shall have partnered with a high school or group of high schools; provided further, that no district shall receive a grant from this appropriation until the district submits to the department of elementary and secondary education a comprehensive district plan, pursuant to the provisions of said section 1I of said chapter 69, to improve performance of all student populations including, but not limited to, students with disabilities; provided further, that any evaluation will examine the likelihood and efficiency of replication of these programs and practices in school districts with a large percentage of English language learners; provided further, that these funds may be expended for professional development related to these programs; provided further, that the department shall issue a report not later than February 2, 2012, as a condition of continued funding under this account, in collaboration with the department of higher education, describing MCAS support programs for the graduating classes of 2003 to 2016, inclusive, funded by this item and 7027-0019, school to work accounts, institutions of public higher education and other sources, including federal sources; provided further, that such report shall include, but not be limited to, the number of students eligible to participate in such programs, the number of students participating in such programs, the number of students who have passed the MCAS assessment and obtained a competency determination through these programs but not met local graduation requirements and the number of students who have passed the MCAS assessment and obtained a competency determination through these programs and met local graduation requirements; provided further, that said report shall be provided to the chairs of the house and senate ways and means committees and the house and senate chairs of the joint committee on education; provided further, that any grant funds distributed from this item to a city, town or regional school district shall be deposited with the treasurer of such city, town or regional school district and held in a separate account and shall be expended by the school committee of such city, town or regional school district without further appropriation, notwithstanding any general or special law to the contrary; and provided further, that no funds shall be expended for personnel costs.....\$8,344,804

7061-9408.. For targeted intervention to schools and districts at risk of or determined to be underperforming under sections 1J and 1K of chapter 69 of the General Laws, schools and districts which have been

placed in the accountability status of identified for improvement, corrective action or restructuring pursuant to departmental regulations, or which have been designated commonwealth priority schools or commonwealth pilot schools pursuant to said regulations; provided, that no money shall be expended in any school or district that fails to file a comprehensive district plan pursuant to the provisions of section II of said chapter 69; provided further, that the department shall only approve reform plans with proven, replicable results in improving student performance; provided further, that in carrying out the provisions of this item, the department may contract with school support specialists, turnaround partners and such other external assistance as is needed in the expert opinion of the commissioner, to successfully turn around failing school and district performance; provided further, that no funds shall be expended on targeted intervention unless the department shall have approved, as part of the comprehensive district improvement plan, a professional development plan which addresses the needs of the district as determined by the department; provided further, that eligible professional development activities for purposes of this item shall include, but not be limited to: professional development among teachers of the same grade levels and teachers of the same subject matter across grade levels, professional development focused on improving the teacher's content knowledge in the field or subject area in which the teacher is practicing, professional development which provides teachers with research based strategies for increasing student success, professional development teaching the principles of data driven instruction and funding which helps provide common planning time for teachers within a school and within the school district; provided further, that preference in the awarding of such funds shall be given to professional development in math and English content skills; provided further, that funds from any targeted intervention grant may be used to partially offset the cost of said professional development and common planning time; provided further, that funds may be expended for the purchase of instructional materials pursuant to section 57 of chapter 15 of the General Laws; provided further, that no funds shall be expended on instructional materials except where the purchase of such materials is part of a comprehensive plan to align the school or district curriculum with the Massachusetts curriculum frameworks; provided further, that preference in distributing funds shall be made for proposals which coordinate reform efforts within all schools of a district in order to prevent conflicts between multiple reforms and interventions among the schools; provided further, that funds may be expended for the commonwealth pilot school initiative established by the board in November 2006; provided further, that the department shall issue a report not later than February 2, 2012 describing and analyzing all intervention and targeted assistance efforts funded by this item; provided further, that such report shall include, but not be limited to: the number of schools and school districts eligible to receive such assistance, the number of students attending school in said districts, the nature and type of intervention activities funded through this item, by school and school district, the number of teachers in professional development funded in part through this item, the number of districts with curricula or professional development systems aligned with the Massachusetts curriculum frameworks and the number that are undertaking that effort with grants funded by this item, the number of outside vendors with whom the department has contracted to provide intervention and turnaround services, the amount each vendor has received and the results obtained in each instance, the number of students who have passed the Massachusetts comprehensive assessment system and obtained a competency determination through these programs before, and during, the period of intervention and turnaround and any other data relative to the successes achieved or challenges faced by the effort to turn around schools, along with any legislative or budgetary recommendations for improving the initiative and increasing the success of all intervention efforts; provided further, that said report shall include an analysis of the number of districts with curriculum plans not aligned to the Massachusetts curriculum frameworks, along with any legislative and regulatory recommendations to address the issue; provided further, that the report shall be provided to the secretary of administration and finance, the senate president, the speaker of the house, the chairs of the house and senate ways and means committees and the house and senate chairs of the joint committee on education; provided further, that no funds shall be expended on recurring school or school district expenditures unless the department and school district have developed a long-term plan to fund such expenditures from the district's operational budget; provided further, that for the purpose of this item, appropriated funds may be expended through August 31, 2012, to allow for intervention and school and district improvement planning in the summer months; and provided further, that any funds distributed from this item to a city, town or regional school district shall be deposited with the treasurer of such city, town or regional school district and held in a separate

account and shall be expended by the school committee of such city, town or regional school district without further appropriation, notwithstanding any general or special law to the contrary; provided further, that funds may be expended for the continuation of a parent engagement program under section 2 of chapter 182 of the acts of 2008\$6,740,746

7061-9412.. For grants to cities, towns and regional school districts for the purpose of planning for and implementing expanded learning time in the form of longer school days or school years at selected schools; provided, that implementation grants shall only be provided under this item to schools and districts which submitted qualifying applications which were approved by the department in fiscal year 2011 and which include a minimum of an additional 300 hours on a mandatory basis for all children attending that school; provided further, that in approving expanded learning time implementation grant applications, preference shall be given to districts with high poverty rates or a high percentage of students scoring in levels 1 or 2 on the Massachusetts comprehensive assessment system, those districts with proposals that have the greatest potential for district-wide impact, those districts that plan to utilize partnerships with community-based organizations and institutions of higher education and those districts with proposals that include a comprehensive restructuring of the entire school day or year to maximize the use of the additional learning time; provided further, that the department shall approve implementation proposals that include an appropriate mix of additional time spent on core academics, additional time spent on enrichment opportunities such as small group tutoring, homework help, music, arts, sports, physical activity, health and wellness programs, project-based experiential learning and additional time for teacher preparation or professional development; provided further, that the department shall only approve implementation proposals that assume not more than \$1,300 per pupil per year in future state appropriations of expanded learning time implementation funds; provided further, that in extraordinary cases the department may exceed the \$1,300 per pupil per year limit; provided further, that the department shall review all qualified proposals and award approved grants not later than August 16, 2011; provided further, that in carrying out the provisions of this item, funds may be expended by the department to support the impact and effectiveness of the program; provided further, that the department shall issue an annual report, not later than February 2, 2012, on the implementation of plans in all participating districts; provided further, that the report shall include, but not be limited to, the names of schools and school districts participating, the number of students attending these schools and the nature and type of changes made in participating schools as a result of this program; provided further, that the report shall also include an anticipated budget for this program for the next fiscal year and a breakdown of the distribution of the \$1,300 per student by school; provided further, that said report shall be provided to the secretary of administration and finance, the senate president, the speaker of the house, the chairs of the house and senate committees on ways and means and the house and senate chairs of the joint committee on education; provided further, that for this item, appropriated funds may be expended through August 31, 2012 to allow for planning and implementation during the summer months; provided further, that any grant funds distributed from this item to a city, town or regional school district shall be deposited with the treasurer of such city, town or regional school district and held in a separate account and shall be expended by the school committee of such city, town or regional school district without further appropriation, notwithstanding any general or special law to the contrary; and provided further, that no funds shall be expended for personnel costs at the department of elementary and secondary education \$13,139,669

7061-9600.. For a discretionary grant pilot program with the purpose of providing monies to school districts and state public institutions of higher education partnering together to offer inclusive concurrent enrollment programs for students with disabilities as defined in section 1 of chapter 71B of the General Laws between the ages of 18 and 22, inclusive; provided, that the grant program will be limited to students who are considered to have severe disabilities and, in the case of students ages 18 to 19, shall be limited to students with severe disabilities who have been unable to achieve the competency determination necessary to pass the Massachusetts comprehensive assessment system exam; provided further, that said students with disabilities shall be offered enrollment in credit and noncredit courses that include nondisabled students, including enrollment in noncredit courses and credit bearing courses in audit status for students who may not meet course prerequisites and

requirements, and that the partnering school districts will provide supports, services and accommodations necessary to facilitate a student's enrollment; provided further, that the department, in consultation with the department of higher education, shall develop guidelines to ensure that the grant program promotes civic engagement and mentoring of faculty in state institutions of higher education and supports college success, work success, participation in student life of the college community and provision of a free appropriate public education in the least restrictive environment; provided further, that the department, in consultation with the department of higher education, shall develop strategies and procedures to help sustain and replicate the existing inclusive concurrent enrollment programs initiated through this pilot program, including, but not limited to: provision of funds to retain employment specialists and assist students in meeting competitive employment and other transition-related goals and adoption of procedures and funding mechanisms to ensure that new partnerships of institutions of higher education and school districts providing inclusive concurrent enrollment programs fully utilize the models and expertise developed in existing partnerships; provided further, that the department shall develop a mechanism to encourage existing and new partnerships to expand capacity to respond to individual parents who request an opportunity for their children to participate in the inclusive concurrent enrollment initiative; provided further, that tuition for courses shall be waived by the institutions of higher education for students enrolled through this grant program develop strategies and procedures to help sustain and replicate the existing inclusive concurrent enrollment programs initiated through this pilot program, including, but not limited to: provision of funds to retain employment specialists and assist students in meeting competitive employment and other transition-related goals and adoption of procedures and funding mechanisms to ensure that new partnerships of institutions of higher education and school districts providing inclusive concurrent enrollment programs fully utilize the models and expertise developed in existing partnerships; provided further, that the department shall develop a mechanism to encourage existing and new partnerships to expand capacity to respond to individual parents who request an opportunity for their children to participate in the inclusive concurrent enrollment initiative; provided further, that tuition for courses shall be waived by the institutions of higher education for students enrolled through this grant program; provided further, that funds may be distributed to the department of higher education in order to increase the capacity of public institutions of higher education to include students with severe disabilities in the concurrent enrollment pilot program; provided further, that funds may be allocated to the department of elementary and secondary education to provide training and technical assistance to school districts for program implementation; provided further, that the department of elementary and secondary education, in consultation with the department of higher education, shall report to the house and senate committees on ways and means, the joint committee on education and the joint committee on higher education on the discretionary grant program not later than February 15, 2012; provided further, that no funds shall be expended for personnel employed by the department of elementary and secondary education; and provided further, that for the purpose of this item, appropriated funds may be expended through August 31, 2012

.....\$400,000

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

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

may be used for a variety of activities, including but not limited to: (1) academic tutoring and homework centers where content is linked to and based on the curriculum guidelines promulgated by said department; (2) programs which improve the health of students, including physical activities, athletics, nutrition and health education and exercise; (3) art, theater, and music programs developed in collaboration with the Massachusetts cultural council, local cultural councils or cultural organizations in the commonwealth funded by the Massachusetts cultural council; (4) enrichment activities not otherwise provided during the school day; (5) advanced study for the gifted and talented; and (6) community service programs; provided further, that funds shall be expended for services that actively include children with disabilities in after-school programs that also serve non-disabled children and services that include children where English is a second language; provided further, that the department of elementary and secondary education shall consult the executive office of health and human services and the department of early education and care to maximize the provision of wrap-around services and to coordinate programs and services for children and youth during after-school and out-of-school time programs; provided further, that the department shall select grant recipients not later than September 30, 2011, and shall report on the preliminary results of said grants not later than February 15, 2012, to the secretary of administration and finance, the house and senate chairs of the joint committee on education and the chairs of the house and senate committees on ways and means; provided further, that for the purpose of this item, appropriated funds may be expended through August 31, 2012, to allow for implementation of said programs during the summer months; and provided further, funds shall be expended to convene regional networks, to work with the department of elementary and secondary education and the department of early education and care to support the implementation of school-community partnerships and to submit a report by October 14, 2011, to the general court and the administration making recommendations on how to enhance school-community partnerships and positive outcomes for children and youth through funding as provided in this item

.....\$1,410,000

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

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

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

7061-9634.. For a transfer of this item to the Massachusetts Service Alliance, which shall be responsible for administering a competitive statewide grant program for public and private agencies to start or expand youth mentoring programs according to current best practices and for purposes including advancing academic performance, self-esteem, social competence and workforce development; provided, that the department of elementary and secondary education shall transfer the amount appropriated in this item to the Massachusetts Service Alliance for the purpose of these grants; provided further, that in order to be eligible to receive funds from this item, each public or private agency shall provide a matching amount equal to \$1 for every \$1 disbursed from this item; and provided further, that the Massachusetts Service Alliance shall submit a report detailing the impact of grants, expenditure of funds and the amount and source of matching funds raised to the department of elementary and secondary education.....\$100,000

7061-9804.. For teacher content training in math and science; provided, that said training shall include math specialist and Massachusetts test for educator licensure preparation; provided further, that funds from this item shall be expended on content based professional development in math and science, with a focus on elementary and middle school math and science teachers in districts with a high percentage of students scoring in level 1 or 2 on the math or science Massachusetts comprehensive assessment system exams, or in districts which are at risk of or determined to be underperforming

in accordance with sections 1J and 1K of chapter 69 of the General Laws; provided further, that such professional development courses shall demonstrate proven, replicable results in improving teacher and student performance, and shall demonstrate the use of best practices, as determined by the department, including data comparing pre-training and post-training content knowledge; and provided further, that for the purpose of this item, appropriated funds may be expended through August 31, 2012 provided further, that not less than \$400,000 shall be expended on a program which shall provide advanced placement math, science and English teacher training in at least 40 school districts, provided that such program shall provide a matching amount of at least \$400,000 in private funding; and provided further, that the department shall deliver to the legislature an independent evaluation of the program and its impact on student achievement, particularly as it relates to closing achievement gaps..... \$746,162

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

Department of Higher Education.

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

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

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

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

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

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

7066-0020.. For the nursing and allied health workforce development initiative, to develop and support strategies that increase the number of public higher education faculty members and students who participate in programs that support careers in fields related to nursing and allied health; provided, that the amount appropriated in this item shall be transferred to the Massachusetts Nursing and Allied Health Workforce Development Trust Fund established in section 33 of chapter 305 of the acts of 2008; and provided further, that funds shall be transferred to the Trust Fund according to an allotment schedule adopted by the executive office for administration and finance.

.....\$635,250

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

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

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

7070-0065.. For a scholarship program to provide financial assistance to Massachusetts students enrolled in and pursuing a program of higher education in any approved public or independent college, university, school of nursing, or any other approved institution furnishing a program of higher education; provided, that funds from this item may be expended on the administration of the scholarship program; provided further, that the commissioner of higher education, in coordination with the Massachusetts state scholarship office, shall adopt regulations governing the eligibility and the awarding of financial assistance; provided further, that funds from this item shall be in addition to \$1,000,000 made available by the Massachusetts Education Finance Authority in fiscal year 2012 for a program of needs-based financial assistance for Massachusetts residents enrolled in and pursuing a program of higher education at the University of Massachusetts, the state universities or the community colleges; and provided further, that the department shall make funds available for early educator scholarships in amounts equal to the amounts made available in fiscal year 2011, reduced in proportion to the overall reduction of this item from fiscal year 2011 to fiscal year 2012..... \$87,507,756

7077-0023.. For a contract with the Cummings School of Veterinary Medicine at Tufts University; provided, that funds appropriated in this item shall be expended under a resident veterinary tuition remission plan as approved by the commissioner of higher education for supportive veterinary services provided to the commonwealth; provided further, that prior year costs may be paid from this item; provided further, that funds appropriated in this item shall support bioterrorism prevention research related to diseases that can be transmitted from animals to humans, in consultation with Massachusetts emergency authorities; provided further, that funds may be expended for a program in collaboration with a community college to educate and train veterinary technicians; and provided

further, that the school may work in consultation with the Norfolk County Agricultural School on veterinary programs.....\$2,000,000

7520-0424.. For a health and welfare reserve for eligible personnel employed at the community colleges and state universities.\$5,709,044

University of Massachusetts.

7100-0200.. For the operation of the University of Massachusetts; provided, that this appropriation assumes out of state tuition is retained by the university; provided further, that notwithstanding any general or special law to the contrary, the university may establish and organize auxiliary organizations, subject to policies, rules and regulations adopted by the board, to provide essential functions which are integral to the educational mission of the university; provided further, that notwithstanding any general or special law to the contrary, the university may enter into leases of real property without prior approval of the division of capital asset management and maintenance; provided further, that the University of Massachusetts shall expend funds for the operation of the Massachusetts office of public collaboration at the University of Massachusetts Boston, for capital lease payments from the University of Massachusetts to the Massachusetts Development Finance Agency and for the University of Massachusetts Amherst Cranberry Station; provided further, that the University of Massachusetts Amherst shall continue to operate and support the University of Massachusetts Design Center in Springfield; provided further, that the department of higher education's commonwealth college honors program at the University of Massachusetts Amherst shall be operated at a funding level not less than the funding level at which it operated in fiscal year 2011; and provided further, that funds may be expended for the operation of the Future of Work Research Initiative at the University of Massachusetts Labor Centers at Amherst, Boston, Dartmouth and Lowell campuses, for the University of Massachusetts Medical School to enhance efforts to increase the number of graduating medical students in primary care specialties and for the operation of an inner-city youth collaborative at the UMass Field Station on Nantucket to learn about nature, ecology, environment, science and history on the island; provided further, that the expansion or further development of the University of Massachusetts Dartmouth School for Marine Science and Technology shall be constructed contiguous to the current School for Marine Science and Technology site or a similarly suitable site located within in the city of New Bedford\$417,982,753

State Universities.

7109-0100.. For Bridgewater State University; provided, that this appropriation assumes out of state tuition is retained by the university.....\$33,860,038

7110-0100.. For Fitchburg State University; provided, that this appropriation assumes out of state tuition is retained by the university\$23,467,647

7112-0100.. For Framingham State University; provided, that this appropriation assumes out of state tuition is retained by the university\$21,266,256

7113-0100.. For the Massachusetts College of Liberal Arts; provided, that this appropriation assumes out of state tuition is retained by the college\$12,559,859

7114-0100.. For Salem State University; provided, that this appropriation assumes out of state tuition is retained by the university\$34,614,021

7115-0100.. For Westfield State University; provided, that this appropriation assumes out of state tuition is retained by the university\$20,139,642

7116-0100.. For Worcester State University; provided, that this appropriation assumes out of state tuition is retained by the university\$19,941,794

7117-0100.. For the Massachusetts College of Art; provided, that this appropriation assumes out of state tuition is retained by the college\$13,405,202

7118-0100.. For the Massachusetts Maritime Academy; provided, that this appropriation assumes out of state tuition is retained by the academy\$12,330,691

Community Colleges.

7502-0100.. For Berkshire Community College; provided, that this appropriation assumes out of state tuition is retained by the college\$7,988,207

7503-0100.. For Bristol Community College; provided, that this appropriation assumes out of state tuition is retained by the college\$13,885,391

7504-0100.. For Cape Cod Community College; provided, that this appropriation assumes out of state tuition is retained by the college\$9,823,796

7505-0100.. For Greenfield Community College; provided, that this appropriation assumes out of state tuition is retained by the college\$7,805,889

7506-0100.. For Holyoke Community College; provided, that this appropriation assumes out of state tuition is retained by the college\$16,074,594

7507-0100.. For Massachusetts Bay Community College; provided, that this appropriation assumes out of state tuition is retained by the college\$11,859,106

7508-0100.. For Massasoit Community College; provided, that this appropriation assumes out of state tuition is retained by the college\$17,376,154

7509-0100.. For Mount Wachusett Community College; provided, that this appropriation assumes out of state tuition is retained by the college\$11,007,508

7510-0100.. For Northern Essex Community College; provided, that this appropriation assumes out of state tuition is retained by the college\$16,305,635

7511-0100.. For North Shore Community College, including the post-secondary programs of the Essex Agricultural and Technical Institute operated by North Shore Community College; provided, that this appropriation assumes out of state tuition is retained by the college\$17,629,906

7512-0100.. For Quinsigamond Community College; provided, that this appropriation assumes out of state tuition is retained by the college\$12,980,557

7514-0100.. For Springfield Technical Community College; provided, that this appropriation assumes out of state tuition is retained by the college\$21,070,398

7515-0100.. For Roxbury Community College; provided, that this appropriation assumes out of state tuition is retained by the college\$9,729,356

7515-0121.. For the Reggie Lewis Track and Athletic Center at Roxbury Community College; provided, that the college may expend an amount not to exceed \$529,843 received from fees, rentals and facility expenses associated with the running and operation of national track meets, high school track meets, high school dual meets, Roxbury Community College athletic events, other special athletic events, conferences, meetings and programs; and provided further, that only expenses for contracted services associated with these events and for the capital needs of the facility shall be funded from this item\$529,843

7516-0100.. For Middlesex Community College; provided, that this appropriation assumes out of state tuition is retained by the college\$17,121,183

7518-0100.. For Bunker Hill Community College; provided, that this appropriation assumes out of state tuition is retained by the college\$17,496,631

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY.

Office of the Secretary.

8000-0000.. For the office of the secretary, including the administration of the committee on criminal justice and the highway safety bureau to provide matching funds for a federal planning and administration grant pursuant to 23 U.S.C. section 402 and the costs associated with the implementation of chapter 228 of the acts of 2000; provided that \$100,000 shall be expended for the commission created in section 140 of this act; and provided further, that the secretary shall enter into an agreement with a state college or university to provide for the expansion of comprehensive law enforcement and emergency response training and mandatory reporter programs for local, state and federal criminal justice and homeland security professionals \$2,143,074

8000-0038.. For the operation of a witness protection program pursuant to chapter 263A of the General Laws\$94,245

8000-0040.. For police career incentives to reimburse certain cities and towns for career incentive salary increases for police officers; provided, however, that regular full-time members of municipal police departments hired on or after July 1, 2009 shall not be eligible to participate in the career incentive pay program established pursuant to section 108L of chapter 41 of the General Laws; provided further, that any current regular full-time member of a municipal police department who has not enrolled in an education program for the purposes of participating in the career incentive pay program pursuant to said section 108L of said chapter 41 of the General Laws, as of October 1, 2009, shall not be eligible to participate in the career incentive pay program established pursuant to said section 108L of said chapter 41 of the General Laws; provided further, that any current regular full-time member of a municipal police department who has begun to accumulate credit hours pursuant to said section 108L of said chapter 41 of the General Laws as of October 1, 2009 shall be allowed to accumulate the maximum number of credit hours for any eligible degree permitted pursuant to said section 108L of said chapter 41 of the General Laws; provided further, that any current regular full-time member of a municipal police department on active duty in the armed forces of the United States in any theater of operations from July 1, 2008 through September 1, 2009 who enrolls in an education program for the purposes of participating in the career incentive pay program pursuant to said section 108L of said chapter 41 no later than 4 months from the date of his return from active duty shall be allowed to accumulate the maximum number of credit hours for any eligible degree permitted pursuant to said section 108L of said chapter 41; and provided further, that any permanent employee of a municipal police department appointed prior to October 1, 2009 and separated from employment pursuant to section 39 of chapter 31 of the General Laws may enroll in an education program for the purposes of participating in the career incentive pay program pursuant to said section 108L of said chapter 41 no later than 4 months from the date of his reinstatement \$2,500,000

8000-0202.. For the purchase and distribution of sexual assault evidence collection kits; provided, that administrative resources provided from other items for the implementation of this program in fiscal year 2011 shall not be reduced in fiscal year 2012 \$86,882

8000-1700.. For the provision of information technology services within the executive office of public safety and security.....\$18,077,757

Chief Medical Examiner.

8000-0105.. For the operation of the office of the chief medical examiner, established pursuant to chapter 38 of the General Laws; provided, that the agency shall submit a report to the house and senate committees on ways and means not later than January 17, 2012 detailing the caseload of the office; and provided further, that the report shall include, but not be limited to, the number of toxicology tests, the reduction of turnaround time of toxicology tests and the reduction of the case backlog, the number of autopsies performed, the number of cases under the office's jurisdiction, the number of external exams performed, the number of cases determined to be homicides and the number of cremations performed under the office's jurisdiction in 2010 and 2011.....\$7,022,773

8000-0122.. For the office of the chief medical examiner, which may expend for its operations an amount not to exceed \$2,060,000 in revenues collected from fees for services provided by the chief medical examiner; provided, that notwithstanding any general or special law to the contrary, for the purposes of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the agency may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... \$2,060,000

State Police Crime Laboratory.

8000-0106.. For the operation and related costs of the state police crime laboratory; provided, that the analysis of narcotic drug synthetic substitutes, poisons, drugs, medicines, and chemicals shall be funded in this item in order to support the law enforcement efforts of the district attorneys, the state police and municipal police departments; provided further, that the practices and procedures of the state police crime laboratory shall be informed by the recommendations of the forensic sciences advisory board; and provided further, that the agency shall report to the house and senate committees on ways and means and the joint committee on public safety and homeland security not later than December 30, 2011, concerning, but not limited to, the number of cases introduced to the CODIS database, the number of confirmations attained from the CODIS database and the number of cases referred to a district attorney delineated by county.....\$12,506,412

Department of Criminal Justice Information Services.

8000-0110.. For the operation of the department of criminal justice information services, including criminal justice information services, criminal offender record information services, firearms support services and victim services; provided, that funds may be expended for the purpose of enabling local housing authorities' access to criminal offender record information when qualifying applicants for state-assisted housing\$2,106,449

Sex Offender Registry.

8000-0125.. For the operation of the sex offender registry program, including, but not limited to, the costs of maintaining a computerized registry system and the classification of persons subject to the registry; provided, that notwithstanding any general or special law to the contrary, the registration fee paid by convicted sex offenders under section 178Q of chapter 6 of the General Laws shall be retained and expended by the sex offender registry board.....\$3,641,391

Department of State Police.

8100-0000.. For the administration and operation of the department of state police; provided, that the department shall expend funds from this item for the purpose of maximizing federal grants for the operation of a counter-terrorism unit and the payment of overtime for state police officers; provided

further, that the department shall maintain the division of field services which shall include, but not be limited to, the bureau of metropolitan district operations; provided further, that not fewer than 40 officers may be provided to the department of conservation and recreation for the purpose of patrolling the watershed property of the department of conservation and recreation; provided further, that funds shall be expended from this item for the administration and operation of an automated fingerprint identification system and the motor carrier safety assistance program; provided further, that not fewer than 5 officers shall be provided to the disabled persons protection commission for the purpose of investigating cases of criminal abuse; provided further, that the department shall enter into an interagency agreement with the department of conservation and recreation to provide police coverage on department properties and parkways; provided further, that the creation of a new or the expansion of the existing statewide communications network shall include the office of law enforcement in the executive office of energy and environmental affairs at no cost to, or compensation from, that office; provided further, that there shall be a study submitted to the house and senate committees on ways and means not later than January 31, 2012, on traffic details worked by the department of state police, including troops A, B, C, D, E, F, and H, over the last year, which shall detail, on a monthly basis: the total number of hours worked on traffic details by state police officers, the total amount paid to state police officers for traffic details, the standard hourly rates for traffic details done by state police officers and the city or town in which traffic details are performed by state police officers; and provided further, that the department may expend funds from this item for the administration of budgetary, procurement, fiscal, human resources, payroll and other administrative services of the office of the chief medical examiner, the municipal police training committee and the criminal history systems board.....\$227,585,684

8100-0006.. For private police details; provided, that the department may expend up to \$27,500,000 in revenues collected from fees charged for private police details and for the costs of administering such details; and provided further, that notwithstanding any general or special law to the contrary, the department may incur, and the comptroller may certify for payment, expenses and liabilities during fiscal year 2012 to be charged to this item in an amount not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system for the purposes stated in this item to accommodate the delayed receipt of revenues authorized to be retained in this item during fiscal year 2012.....\$27,500,000

8100-0011.. For the department of state police, which may expend an amount not to exceed \$3,100,000 for certain police activities provided pursuant to agreements authorized in this item; provided, that for fiscal year 2012, the colonel of state police may enter into service agreements with the commanding officer or other person in charge of a military reservation of the United States located in the Massachusetts Development Finance Agency, established in chapter 23G of the General Laws; provided further, that such agreements shall establish the responsibilities pertaining to the operation and maintenance of police services including, but not limited to: (a) provisions governing payment to the department for the cost of regular salaries, overtime, retirement, and other employee benefits; and (b) provisions governing payment to the department for the cost of furnishings and equipment necessary to provide such police services; provided further, that the department may charge any recipients of police services for the cost of such services, as authorized by this item; provided further, that the department may retain the revenue so received and expend such revenue as necessary pursuant to this item to provide the agreed level of services; provided further, that the colonel may enter into service agreements as may be necessary to enhance the protection of persons, as well as assets and infrastructure located within the commonwealth, from possible external threat or activity; provided further, that such agreements shall establish the responsibilities pertaining to the operation and maintenance of police services including, but not limited to: (a) provisions governing payment to the department for the cost of regular salaries, overtime, retirement, and other employee benefits; and (b) provisions governing payment to the department for the cost of equipment necessary to provide such police services; provided further, that the department may charge any recipients of police services for the cost of such services, as authorized by this item; provided further, that the department may retain the revenue so received and expend such revenue as necessary pursuant to this item to provide the agreed level of services; provided further, that the colonel may expend from this item costs associated with joint federal and state law enforcement activities

from federal reimbursements received therefore; and provided further, that notwithstanding any general or special law to the contrary, for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$3,100,000

8100-0012.. For the department of state police; provided, that the department may expend for the costs of security services provided by state police officers, including overtime and administrative costs, an amount not to exceed \$1,050,000 from fees charged for these services; provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefore as reported in the state accounting system.....\$1,050,000

8100-0020.. For the department of state police, which may expend an amount not to exceed \$35,000 in fees charged for the use of the statewide telecommunications system for the maintenance of the system.....\$35,000

8100-0101.. For the department of state police, which may expend for the Governor's Auto Theft Strike Force an amount not to exceed \$331,200 from fees for services performed through the auto etching program and from assessments upon the insurance industry.....\$331,200

8100-0111.. For a grant program to be known as the Senator Charles E. Shannon, Jr. Community Safety Initiative, to be administered by the executive office of public safety and security, to support regional, multidisciplinary approaches to combat gang violence through coordinated programs for prevention and intervention, coordinated law enforcement, including regional gang task forces and regional crime mapping strategies, focused prosecutions and reintegration strategies for ex-convicts; provided, that the secretary of public safety and security shall distribute grant funds through a competitive grant program that gives preference to applications that: (a) demonstrate high levels of youth violence, gang problems and substance abuse in a region; (b) demonstrate a commitment to regional, multijurisdictional strategies to deal with such community safety issues, including written commitments for municipalities, law enforcement agencies, community-based organizations and government agencies to work together; (c) clearly outline a comprehensive plan for municipalities to work with law enforcement, community-based organizations and government agencies to address gang activity; (d) make a written commitment to match grant funds with a 25 per cent match provided by either municipal or private contributions; and (e) identify a local governmental unit to serve as fiscal agent; provided further, that clusters of municipalities, in partnership with nonprofit organizations and other agencies, including district attorney's offices, may apply for such funds; provided further, that such funds shall be considered one-time grants awarded to public agencies and shall not annualize into fiscal year 2013 or subsequent years; provided further, that administrative costs for successful grant applications shall not exceed 3 per cent of the value of the grant; provided further, that no grants shall be awarded to the department of state police; provided further, that no grant funds shall be expended on food or beverages; provided further, that the executive office of public safety and security shall publish guidelines and an application for the competitive portion of the grant program not later than August 16, 2011; provided further, that awards shall be made to applicants not later than December 15, 2011; and provided further, that the executive office of public safety and security may expend not more than \$100,000 of the sum appropriated in this item for its costs in administering the program, PRIOR appropriation continued \$5,500,000

8100-0515 For the expense of hiring, equipping, and training state police recruits to maintain the strength of the department of state police; provided, that the use of these funds is contingent upon the identification of matching funds as identified by the secretary of public safety and security\$2,000,000

Municipal Police Training Committee.

8200-0200.. For the operation of veteran, reserve, and in-service training programs conducted by the municipal police training committee; provided, that under no circumstances shall any expenditures authorized by this item be charged to item 8200-0222; and provided further, that no expenditures shall be made, on or after the effective date of this act, which would cause the commonwealth's obligation for the purpose of this item to exceed the amount appropriated in this item..... \$2,476,460

8200-0222.. For the municipal police training committee, which may collect and expend an amount not to exceed \$900,000 for the purposes of providing training to new recruits; provided, that the committee shall charge \$2,900 per recruit for the training; provided further, that notwithstanding any general or special law to the contrary, the committee shall charge a fee of \$2,900 per person for training programs operated by the committee for all persons who begin training on or after July 1, 2011; provided further, that the fee shall be retained and expended by the committee; provided further, that the trainee, or, if the trainee is a recruit, the municipality in which the recruit shall serve, shall provide the fee in full to the committee no later than the first day of orientation for the program in which such trainee or recruit has enrolled; provided further, that no recruit or person shall begin training unless the municipality or the person has provided the fee in full to the committee; provided further, that for recruits of municipalities, upon the completion of the program, the municipality shall deduct the fee from the recruit's wages in 23 equal monthly installments, unless otherwise negotiated between the recruit and the municipality in which the recruit shall serve; provided further, that if a recruit withdraws from the training program before graduation, the committee shall refund the municipality in which the recruit was to have served a portion of the fee according to the following schedule: if a recruit withdraws from the program before the start of week 2, 75 per cent of the payment shall be refunded; if a recruit withdraws from the program after the start of week 2 but before the start of week 3, 50 per cent of the fee shall be refunded; if a recruit withdraws from the program after the start of week 3 but before the start of week 4, 25 per cent of the fee shall be refunded; if a recruit withdraws after the start of week 4, the fee shall not be refunded; provided further, that a recruit who withdraws from the program shall pay the municipality in which he was to have served the difference between the fee and the amount forfeited by the municipality according to the schedule; provided further, that the schedule shall also apply to trainees other than recruits who enroll in the program; provided further, that no expenditures shall be charged to this item that are not directly related to new recruit training; provided further, that no expenditures shall be charged to this item that are related to chief, veteran, in-service, or reserve training, or any training not directly related to new recruits; provided further, that the committee shall submit a report on the status of recruit training, including the number of classes, start and end dates of each class, total number of recruits enrolled and graduating in each class, cost per recruit and cost per class for fiscal years 2011 and 2012; provided further, that the report shall be submitted to the house and senate committees on ways and means not later than January 3, 2012; and provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the committee may incur expenses and the comptroller may certify for payments not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system\$900,000

Department of Public Safety.

8311-1000.. For the administration of the department of public safety, including the board of building regulations and standards and the architectural access board; provided, that the department may charge fees for permitting the operation of amusement devices and to support the department's participation in the Council for Amusement and Recreational Equipment Safety; provided further, that the department may charge fees for amusement operator certification; and provided further, that the salaries of the commissioner and the deputy commissioner of the department of public safety shall be paid from this item.....\$1,243,850

8315-1000.. For the administrative costs of the division of inspections; provided, that the expenses of the state boxing commission shall be paid from this item; provided further, that a doctor's certificate from another state shall be accepted as evidence of an eye examination; provided further, that no funds shall be expended from this item for the salaries of the commissioner or deputy commissioner of public safety; provided further, that the department shall employ not less than 42 full-time equivalent elevator inspectors; provided further, that the division shall develop reasonable rules or promulgate regulations for the granting of hardship fee exemptions to certain owners or persons in control of a building or domicile in which an elevator is operated; provided further, that the division shall report to the house and senate committees on ways and means on the elevator inspection backlog not later than October 3, 2011; provided further, that the division shall develop and maintain an electronic database that shall include, but not be limited to, the location and a categorical classification of buildings in which inspections are conducted; and provided further, that the division shall inspect all elevators in the state house and the John W. McCormack State Office Building..... \$3,330,156

8315-1020.. For the department of public safety, which may expend not more than \$5,500,000 in revenues collected from fees for annual elevator and amusement park ride inspections; provided, that funds shall be expended for the operation of the department and for the purposes of addressing the existing elevator inspection backlog; provided further, that funds shall be expended for hiring additional elevator inspectors or engineers; provided further, that the department shall make efforts to employ inspectors that will perform overnight and weekend inspections as their regular work shift; provided further, that the department shall provide a full waiver of the inspection fee for an individual who requires a wheelchair lift as a medical necessity and whose annual income does not exceed the maximum allowable federal SSI benefit, or \$7,236 a year, whichever is greater; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$5,500,000

8315-1022.. For the department of public safety, which may expend an amount not to exceed \$1,200,000 in revenues collected from fees for annual issuance of boiler and pressure vessel certificates and inspections; provided, that funds shall be expended for the operation of the department and for the purposes of addressing the existing boiler and pressure vessels inspection backlog; provided further, that funds shall be expended for hiring additional engineering inspectors or engineers; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$1,200,000

8315-1025.. For the department of public safety, which may collect and expend an amount not to exceed \$90,182 for the purposes of providing state building code training and courses for instruction; provided, that the agency may charge fees for the classes and education materials associated with administering training; and provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... \$90,182

Department of Fire Services.

8324-0000.. For the administration of the department of fire services, including the state fire marshal's office, the hazardous materials emergency response program, the board of fire prevention regulations established in section 4 of chapter 22D of the General Laws, the expenses of the fire safety commission and the Massachusetts firefighting academy, including the Massachusetts fire

training council certification program, municipal and non-municipal fire training and expenses of the council; provided, that the fire training program shall use the split days option; provided further, that the amount allocated for programs providing information about the fire risks caused by smoking, the regional dispatch center, critical incident stress intervention programs and fire department training academies listed in item 8324-0000 of section 2 of chapter 182 of the acts of 2008 shall be allocated to each program in fiscal year 2012; provided further, that the amount allocated for critical incident stress management residential services in item 8000-0000 of said section 2 of said chapter 182 shall be allocated to the program in fiscal year 2012; provided further, that the amount allocated for hazardous material response teams specifically listed item 8324-0000 of said section 2 of said chapter 182 shall be allocated to each program in fiscal year 2012 and shall not be reduced by more than 57 per cent; provided further, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item for the administration of the department of fire services, the state fire marshal's office, critical incident stress programs, the Massachusetts and fire department training academies and the regional dispatch center, shall be assessed upon insurance companies writing fire, homeowners' multiple peril or commercial multiple peril policies on property situated in the commonwealth and paid within 30 days after receipt of notice of such assessment from the commissioner of insurance; provided further, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item for hazardous materials emergency response shall be assessed upon insurance companies writing commercial multiple peril, non-liability portion, policies on property situated in the commonwealth and commercial auto liability policies as referenced in line 5.1 and line 19.4, respectively, in the most recent annual statement on file with the commissioner of insurance; and provided further, that not more than 10 per cent of the amount designated for the arson prevention program shall be expended for the administrative cost of the program..... \$17,384,374

8324-0304.. For the department of fire services; provided, that the department may expend for the purposes of enforcement and training an amount not to exceed \$8,500 from revenue generated under chapter 148A of the General Laws.....\$8,500

Military Division.

8700-0001.. For the operation of the military division, including the offices of the adjutant general and state quartermaster, the operation of the armories, the Camp Curtis Guild rifle range and certain national guard aviation facilities; provided, that notwithstanding chapter 30 of the General Laws, certain military personnel in the military division may be paid salaries according to military pay grades; provided further, that the division may expend funds appropriated in this item for the administration of budgetary, procurement, fiscal, human resources, payroll and other administrative services; and provided further, that the adjutant general shall maintain a roster of Massachusetts veterans as directed by section 15 of chapter 33 of the General Laws\$8,248,007

8700-1140.. For the military division, which may expend for the costs of national guard missions and division operations an amount not to exceed \$1,400,000 from fees charged for the non-military rental or use of armories and from reimbursements generated by national guard missions.....\$1,400,000

8700-1150.. For reimbursement of the costs of the Massachusetts national guard tuition and fee waivers under section 19 of chapter 15A of the General Laws; provided, that no funds shall be distributed from this item prior to certification by the state universities and community colleges and the University of Massachusetts of the actual amount of tuition and fees waived for national guard members attending public institutions of higher education under said section 19 of said chapter 15A that would otherwise have been retained by the campuses, according to procedures and regulations promulgated by the military division of the Massachusetts national guard; provided further, that funds from this item may be expended through August 31, 2012 for the reimbursement of the tuition and fees waived for classes taken during the summer months; provided further, that the military division of the Massachusetts national guard and the board of

higher education shall issue a joint report not later than February 15, 2012 on the implementation of this waiver; provided further, that the report shall be submitted to the secretary of administration and finance, the chairs of the house and senate committees on ways and means, the house and senate chairs of the joint committee on veterans and federal affairs and the house and senate chairs of the joint committee on higher education; and provided further, that the military division may expend funds from this item for administrative services.....\$3,350,000

8700-1160.. For life insurance premiums under section 88B of chapter 33 of the General Laws\$1,040,000

Massachusetts Emergency Management Agency.

8800-0001.. For the operations of the Massachusetts emergency management agency; provided, that expenditures from this item shall be contingent upon the prior approval of the proper federal authorities.....\$1,214,379

8800-0100.. For the nuclear safety preparedness program of the Massachusetts emergency management agency; provided, that the costs of the program, including fringe benefits and indirect costs, shall be assessed upon Nuclear Regulatory Commission licensees operating nuclear power generating facilities in the commonwealth; provided further, that the department of public utilities shall develop an equitable method of apportioning such assessments among such licensees; and provided further, that such assessments shall be paid during the current fiscal year as provided by the department\$429,268

8800-0200.. For the radiological emergency response program; provided, that the cost of the program, including associated fringe benefits and indirect costs, shall be assessed on electric companies in the commonwealth which own, in whole or in part, or purchase power from, nuclear power plants located outside the commonwealth whose nuclear power plant areas, as defined in section 2B of chapter 639 of the acts of 1950, include communities located within the commonwealth and shall be credited to the General Fund; provided further, that the amount allocated to a program or its successor listed in item 8800-0200 of section 2 of chapter 27 of the acts of 2009 may be allocated to the program or its successor again; provided further, that the department of public utilities shall develop an equitable method of apportioning such assessments among the licensees; provided further, that such assessments shall be paid during the current fiscal year as provided by the department; and provided further, that for the purposes of this item, electric companies shall mean all persons, firms, associations and private corporations which own or operate works or a distributing plant for the manufacture and sale or distribution and sale of electricity within the commonwealth, but shall not include municipalities or municipal light plants\$280,753

Department of Correction.

8900-0001.. For the operation of the commonwealth's department of correction; provided, that before closing any correctional facility, the commissioner of correction and the secretary of public safety and security shall report to the house and senate committees on ways and means and the joint committee on public safety and homeland security on the per-inmate cost of incarceration in the closing facility, and the per-inmate cost in the facilities to which inmates will be moved; provided further, the commissioner of correction and the secretary of public safety and security shall report to the house and senate committees on ways and means and public safety and homeland security before January 1 of each year the point score compiled by the department of correction's objective classification system for all prisoners confined in each prison operated by the department; provided further, that the amount allocated for programs for incarcerated mothers in item 8900-0001 of section 2 of chapter 131 of the acts of 2010 shall be allocated to the program in fiscal year 2012; provided further, that funds shall be expended for re-entry programs at the department of correction intended to reduce recidivism rates; provided further, that said programs shall be in addition to those provided in fiscal year 2006; provided further, that the department shall report to the house

and senate committees on ways and means not later than January 20, 2012 on re-entry programming at the department of correction; provided further, that the report shall include information on the type of programs provided and the recidivism rate of the offenders who successfully complete the programs; provided further, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the department shall submit reports, utilizing standardized reporting definitions developed mutually with the Massachusetts Sheriffs Association, on caseload, admissions, classification, releases, and recidivism of all pretrial, sentenced, and federal inmates; provided further, that the department shall submit these reports on a quarterly basis starting July 1, 2011, due no later than 30 days after the last day of each quarter; provided further, that the department may expend \$25,000 on a program for ex-offenders and chronically homeless men to recover from drug and alcohol addiction while learning farm skills; provided further, that the department shall also report, in a format developed jointly by the Massachusetts Sheriffs Association and the department, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the department shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety; and provided further, that the department shall expend not less than \$500,000 for cities and towns hosting facilities, prior appropriation continued; and provided further, that an amount of funding that was allocated to the program for mothers who have been incarcerated in item 8900-0001 of section 2 of chapter 131 of the acts of 2010 shall be consistent with allocations relative to MCI Cedar Junction in item 8900-0001 of section 2 of chapter 61 of the acts of 2007..... \$509,085,246 \$508,585,246

8900-0002.. For the operation of the Massachusetts Alcohol and Substance Abuse Center; provided, that the commissioner of correction and the commissioner of public health, or their designees, shall jointly issue a report to the house and senate committees on ways and means, the joint committee on mental health and substance abuse and the joint committee on public safety and homeland security not later than October 12, 2011 on the feasibility of transferring the operations of the center from the department of correction to the department of public health; provided further, that the report shall include a detailed timeline for transition, costs and savings related to the transition, potential for federal reimbursement under the department of public health, siting and location details, staffing plans, changes to patient care, necessary changes to state statute, oversight and governance, security and comparisons to other state practices; provided further that in writing the report, the department of public health and the department of correction shall consult with the judiciary to ensure that any proposed transfer shall conform with current sentencing and civil commitment guidelines and practices; and provided further, that the report shall include recommendations for the funding and operations of the Massachusetts Alcohol and Substance Abuse Center should the commissioners determine that the transfer to the department of public health is not feasible.....\$5,000,000

8900-0010.. For prison industries and farm services\$1,875,409

8900-0011.. For the prison industries and farm services program, which may expend for the operation of the program an amount not to exceed \$2,600,000 from revenues collected from the sale of products, for materials, supplies, equipment, maintenance of facilities and compensation of employees of the program; provided, that all expenditures from this item shall be subject to chapter 29 of the General Laws and recorded on the Massachusetts management accounting and reporting system.....\$2,600,000

8900-0045.. For the department of correction, which may expend for the operation of the department, including personnel-related expenses, an amount not to exceed \$1,000,000 from revenues received from federal inmate reimbursements; provided, that \$900,000 from these reimbursements shall not be available for expenditure and shall be deposited in the General Fund before the retention by the department of any of these reimbursements; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur

expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$1,000,000

8900-0050.. For the department of correction; provided, that the department may expend not more than \$5,474,200 in revenues collected from the State Criminal Alien Assistance Program; provided further, that the department may expend not more than \$6,514,800 in revenues collected from existing assessments; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenue and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$11,989,000

Parole Board.

8950-0001.. For the operation of the parole board..... \$16,516,292

8950-0002.. For the victim and witness assistance program of the parole board under chapter 258B of the General Laws.....\$210,670

8950-0008.. For the operation of the parole board's sex offender management program and the supervision of high-risk offenders; provided, that the parole board may expend an amount not to exceed \$600,000 from revenues collected from fees charged for parolee supervision; and provided further, that the parole board shall file a report with the house and senate committees on ways and means not later than February 1, 2012, which shall include, but not be limited to, the number of parolees participating in the program and the re-incarceration rate of participating parolees.....\$600,000

SHERIFFS.

Hampden Sheriff's Office.

8910-0102.. For the operation of the Hampden sheriff's office\$64,209,988

8910-1000.. For the Hampden sheriff's office, which may expend for prison industries programs an amount not to exceed \$2,300,000 from revenues collected from the sale of products, for materials, supplies, equipment, maintenance of facilities, reimbursement for community service projects and compensation of employees of the program; provided, that all expenditures from this item shall be subject to chapter 29 of the General Laws and recorded on the Massachusetts management accounting and reporting system..... \$2,300,000

8910-1010 For the operations of a regional behavioral evaluation and stabilization unit to provide forensic mental health services within existing physical facilities for incarcerated persons in the care of correctional facilities in the commonwealth; provided, that the unit shall be located in Hampden county to serve the needs of incarcerated persons in the care of Berkshire, Franklin, Hampden, Hampshire, and Worcester counties; provided further, that the services of the units shall be made available to incarcerated persons in the care of the department of correction; provided further, that the sheriff, in conjunction with the department of correction and the Massachusetts Sheriffs Association, shall prepare a report that shall include, but not be limited to: (a) the number of incarcerated persons in facilities located in counties that were provided services in each unit; (b) the number of incarcerated persons in department of correction facilities that were provided services in each unit; (c) the alleviation in caseload at Bridgewater state hospital associated with fewer incarcerated persons in the care of counties being attended to at the hospital; and (d) the estimated and projected cost-savings in fiscal year 2012 to the sheriff offices and the department of correction associated with the regional units; provided further, that the report shall be submitted to the house and senate committees on ways and means not later than March 15,

2012; and provided further, that the department of mental health shall maintain monitoring and quality review functions of the unit..... \$905,441

8910-2222.. For the Hampden sheriff’s office, which may expend for the operation of the department an amount not to exceed \$1,500,000 from federal inmate reimbursements; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the office may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system\$1,500,000

Worcester Sheriff’s Office.

8910-0105.. For the operation of Worcester sheriff’s office..... \$39,729,986

Middlesex Sheriff’s Office.

8910-0107.. For the operation of the Middlesex sheriff’s office..... \$58,708,427

8910-0160.. For a retained revenue account for the Middlesex sheriff’s office for reimbursements from the federal government for costs associated with the incarceration of federal inmates at the Billerica house of correction; provided, that the office may expend for the operation of the office an amount not to exceed \$850,000 from revenues collected from the incarceration of federal inmates; provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the office may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefore as reported in the state accounting system; and provided further, that all expenditures from this item shall be subject to chapter 29 of the General Laws and recorded on the Massachusetts management accounting and reporting system.....\$850,000

8910-1100.. For the Middlesex sheriff’s office, which may expend for the operation of a prison industries program an amount not to exceed \$100,000 from revenues collected from the sale of products, for materials, supplies, equipment, maintenance of facilities and compensation of employees of the program; provided, that all expenditures from this item shall be subject to chapter 29 of the General Laws and recorded in the Massachusetts management accounting and reporting system..... \$100,000

8910-1101 For the operations of a regional behavioral evaluation and stabilization unit to provide forensic mental health services within existing physical facilities for incarcerated persons in the care of correctional facilities in the commonwealth; provided, that the unit shall be located in Middlesex county to serve the needs of incarcerated persons in the care of Barnstable, Bristol, Dukes, Essex, Nantucket, Middlesex, Norfolk, Plymouth, and Suffolk counties; provided further, that the services of the unit shall be made available to incarcerated persons in the care of the department of correction; provided further, that the sheriff, in conjunction with the department of correction and the Massachusetts Sheriffs Association, shall prepare a report that shall include, but not be limited to: (a) the number of incarcerated persons in facilities located in counties that were provided services in each unit; (b) the number of incarcerated persons in department of correction facilities that were provided services in each unit; (c) the alleviation in caseload at Bridgewater state hospital associated with fewer incarcerated persons in the care of counties being attended to at the hospital; and (d) the estimated and projected cost-savings in fiscal year 2012 to the sheriff offices and the department of correction associated with the regional units; provided further, that the report shall be submitted to the house and senate committees on ways and means not later than March 15, 2012; and provided further, that the

department of mental health shall maintain monitoring and quality review functions of the unit.....\$905,441

Hampshire Sheriff's Office.

8910-0110.. For the operation of the Hampshire sheriff's office.....\$11,559,175

8910-1111.. For the Hampshire sheriff's office, which may expend for the operation of the office an amount not to exceed \$250,000 from revenues received from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$250,000

8910-1112.. For the Hampshire sheriff's office, which may expend for the operation of the Hampshire county regional lockup at the Hampshire county jail an amount not to exceed \$250,000 in revenue; provided, that the sheriff shall enter into agreements to provide detention services to various law enforcement agencies and municipalities and shall determine and collect fees for those detentions from the law enforcement agencies and municipalities..... \$250,000

Berkshire Sheriff's Office.

8910-0145.. For the operation of the Berkshire sheriff's office.....\$14,108,413

8910-0445.. For the Berkshire sheriff's office, which may expend an amount not to exceed \$250,000 from revenues generated from the operation of the Berkshire county communication center's 911 dispatch operations and other law enforcement related activities, including the Berkshire county sheriff prison industries program; provided, that all expenditures from this item shall be subject to chapter 29 of the General Laws and recorded on the Massachusetts management accounting and reporting system.....\$250,000

8910-0446.. For the Berkshire sheriff's office, which may expend an amount not to exceed \$500,000 from revenues collected from Berkshire County public schools; provided, that funds shall be expended for the operation of the Juvenile Resource Center; provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the sheriff's office may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system; and provided further, that expenditures from this item shall be subject to chapter 29 of the General Laws and recorded on the Massachusetts management accounting and reporting system..... \$500,000

Franklin Sheriff's Office.

8910-0108.. For the operation of the Franklin sheriff's office.....\$8,671,430

8910-0188.. For the Franklin sheriff's office, which may expend for the operation of the office an amount not to exceed \$2,500,000 from revenues received from any state or federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the office may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefore as reported in the state accounting system..... \$2,500,000

Essex Sheriff's Office.

8910-0619.. For the operation of the Essex sheriff's office.....\$43,356,922

8910-6619.. For the Essex sheriff's office, which may expend for the operation of the office an amount not to exceed \$2,000,000 from revenues received from federal inmate reimbursements; provided further, that said sheriff may expend from this item costs associated with joint federal and state law enforcement activities from federal reimbursements received; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the office may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$2,000,000

Massachusetts Sheriff's Association.

8910-7100.. For the Massachusetts Sheriffs Association, which may expend for its operation an amount not to exceed \$344,790 in revenue collected from voluntary contributions from all sheriffs; provided, that the sheriffs shall appoint persons to serve as executive director, assistant executive director and research director and other staff positions as necessary for the purpose of coordination and standardization of services and programs, the collection and analysis of data related to incarceration and recidivism and generation of reports, technical assistance and training to ensure standardization in organization, operations, and procedures; provided further, that this staff shall not be subject to section 45 of chapter 30 of the General Laws or chapter 31 of the General Laws and shall serve at the will and pleasure of a majority of sheriffs; provided further, that the association shall post monthly on its website the monthly inmate population by county starting not later than August 1, 2011; provided further, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriffs' offices shall submit reports to the association, utilizing standardized reporting definitions developed mutually with the department of correction on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the office shall submit these reports on a quarterly basis starting July 1, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's office shall also report, in a format developed jointly by the Massachusetts Sheriffs Association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; provided further, that the association shall submit these reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety and homeland security; provided further, that the executive director of the association shall submit a report that shows the amounts of all grants awarded to each sheriff in fiscal year 2011; and provided further, that the report shall be submitted to the house and senate committees on ways and means not later than February 1, 2012.....\$344,790

Barnstable Sheriff's Office.

8910-8200.. For the operation of the Barnstable sheriff's office provided, that funds may be expended for the continued operation of the centralized emergency medical dispatch system..... \$21,617,391

8910-8210.. For the Barnstable sheriff's office, which may expend for the operation of the office an amount not to exceed \$250,000 from revenues received from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the office may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$250,000

Bristol Sheriff's Office.

8910-8300.. For the operation of the Bristol sheriff's office.....\$27,202,704

8910-8310.. For the Bristol sheriff's office, which may expend for the operation of the office an amount not to exceed \$8,460,000 from revenues received from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the office may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$8,460,000

Dukes Sheriff's Office.

8910-8400.. For the operation of the Dukes sheriff's office..... \$2,453,748

Nantucket Sheriff's Office.

8910-8500.. For the operation of the Nantucket sheriff's office..... \$747,844

Norfolk Sheriff's Office.

8910-8600.. For the operation of the Norfolk sheriff's office.....\$23,980,272

8910-8610.. For the Norfolk sheriff's office, which may expend for the operation of the office an amount not to exceed \$2,500,000 from revenues received from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the office may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$2,500,000

Plymouth Sheriff's Office.

8910-8700.. For the operation of the Plymouth sheriff's office provided, that funds may be expended for the continued operation of the Plymouth Bristol emergency alert/notification system \$24,910,825

8910-8710.. For the Plymouth sheriff's office, which may expend for the operation of the office an amount not to exceed \$16,000,000 from revenues received from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the office may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$16,000,000

Suffolk Sheriff's Office.

8910-8800.. For the operation of the Suffolk sheriff's office.....\$88,042,732

8910-8810.. For the Suffolk sheriff's office, which may expend for the operation of the office an amount not to exceed \$8,000,000 from revenues received from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the office may incur expenses and the comptroller may certify for payment amounts not to exceed

the lower of this authorization or the most recent revenue estimate as reported in the state
accounting system.....\$8,000,000

EXECUTIVE OFFICE OF ELDER AFFAIRS.

Office of the Secretary.

9110-0100.. For the operation of the executive office of elder affairs and for the regulation of assisted living facilities.....\$1,994,374

9110-1455.. For the costs of the drug insurance program authorized by section 39 of chapter 19A of the General Laws; provided, that amounts received by the executive office of elder affairs' vendor as premium revenue for this program may be retained and expended by the vendor for the purposes of the program; provided further, that funds shall be expended for the operation of the pharmacy outreach program established in section 4C of said chapter 19A; provided further, that notwithstanding any general or special law to the contrary, unless otherwise prohibited by state or federal law, prescription drug coverage or benefits payable by the executive office of elder affairs and the entities with which it has contracted for administration of the subsidized catastrophic drug insurance program pursuant to said section 39 of said chapter 19A, shall be the payer of last resort for this program for eligible persons with regard to any other third-party prescription coverage or benefits available to such eligible persons; provided further, that the executive office shall notify the house and senate committees on ways and means not less than 90 days in advance of any action to limit or cap the number of enrollees in the program; provided further, that notification shall be given to the house and senate committees on ways and means at least 30 days prior to any coverage or benefits expansions; provided further, that the executive office shall seek to obtain maximum federal funding for discounts on prescription drugs available to the executive office and to prescription advantage enrollees; provided further, that the executive office shall take steps for the coordination of benefits with the Medicare prescription drug benefit created pursuant to the federal Medicare Prescription Drug Improvement and Modernization Act of 2003 to ensure that Massachusetts residents take advantage of this benefit; provided further, that a person shall also be eligible to enroll in the program at any time within a year after reaching age 65; and provided further, that the executive office shall allow those who meet the program eligibility criteria to enroll in the program at any time during the year\$21,602,546

9110-1500.. For the provision of enhanced home care services, including case management to elders who meet the eligibility requirements of the home care program and need services above the level customarily provided under the program to remain safely at home, including elders previously enrolled in the managed care in housing, enhanced community options and chronic care enhanced services programs; provided, that the secretary shall seek to obtain federal financial participation for all services provided to seniors who qualify for Medicaid benefits under the section 1915C waiver; provided further, that the executive office shall collect income data on persons receiving services provided in this item; provided further, that the executive office shall submit a report to the house and senate committees on ways and means detailing the population served by this item delineated by both 2011 federal poverty income levels and 2011 social security income standards; provided further, that the report shall be submitted not later than February 1, 2012; and provided further, that the executive office shall submit a report not later than October 14, 2011, to the house and senate committees on ways and means which shall include the number of individuals on a waiting list for these services on October 1, 2011, compared to the number of individuals on a waiting list on July 1, 2011.....\$45,789,340

9110-1604.. For the operation of the supportive senior housing program at state or federally-assisted housing sites; provided, that funds shall be expended to fully fund existing sites..... \$4,014,802

9110-1630.. For the operation of the elder home care program, including contracts with aging service access points or other qualified entities for the home care program, home care, health aides, home health and respite services, geriatric mental health services and other services provided to the elderly; provided, that sliding-scale fees shall be charged to qualified elders; provided further, that the secretary of elder affairs may waive collection of sliding-scale fees in cases of extreme financial hardship; provided further, that not more than \$11,500,000 in revenues accrued from sliding-scale

fees shall be retained by the individual home care corporations without re-allocation by the executive office of elder affairs and shall be expended for the purposes of the home care program, consistent with guidelines to be issued by the executive office; provided further, that the executive office shall report quarterly to the house and senate committees on ways and means on the receipt and expenditure of revenues accrued from the sliding-scale fees; provided further, that the executive office shall report quarterly to the house and senate committees on ways and means and the executive office for administration and finance on the amount expended from this item for purchase of service expenditures by category of service as set forth in 651 C.M.R. 3.01 and 651 C.M.R. 3.06; provided further, that no rate increase shall be awarded in fiscal year 2012 which would cause a reduction in client services or the number of clients served; provided further, that no funds shall be expended from this item to pay for salary increases for direct service workers who provide state-funded homemaker and home health aide services which would cause a reduction in client services; provided further, that funding shall be expended for provider training and outreach to lesbian, gay, bisexual and transgender elders and caregivers; and provided further, that the secretary of elder affairs may transfer an amount not to exceed 3 per cent of the funds appropriated in this item to item 9110-1633 for case management services and the administration of the home care program.....\$96,780,898

- 9110-1633.. For the operation of the elder home care case management program, including contracts with aging service access points, or other qualified entities for home care case management services and the administration of the home care corporations funded through item 9110-1630 and item 9110-1500; provided, that such contracts shall include the costs of administrative personnel, home care case managers, travel, rent and other costs deemed appropriate by the executive office of elder affairs; provided further, that no funds appropriated in this item shall be expended for the enhancement of management information systems; and provided further, that the secretary of elder affairs may transfer an amount not to exceed 3 per cent of the funds appropriated herein to item 9110-1630.....\$35,000,000

- 9110-1636.. For the elder protective services program, including, but not limited to, protective services case management, guardianship services, the statewide elder abuse hotline, money management services and the elder-at-risk program..... \$16,250,554

- 9110-1660.. For congregate and shared housing services and naturally occurring retirement communities for the elderly; provided, that funds shall be expended for naturally occurring retirement communities funded from item 9110-1660 of chapter 182 of the acts of 2008 at not less than 31 per cent of their appropriations therein..... \$1,717,617

- 9110-1900.. For the elder nutrition program; provided, that funds shall be expended for the senior farm share program\$6,325,328

- 9110-2500.. For the Massachusetts department of elder affairs, which may expend not more than \$750,000 from revenues from federal reimbursements received for the purpose of operating the Veterans Independence Plus initiative, a joint initiative of the United States Department of Veterans' Affairs and the United States Administration on Aging.....\$750,000

- 9110-9002.. For grants to the councils on aging and for grants to or contracts with non-public entities which are consortia or associations of councils on aging; provided, that notwithstanding the foregoing, all monies appropriated in this item shall be expended in accordance with the distribution schedules for formula and incentive grants established by the secretary of elder affairs; provided further, that such distribution schedules shall be submitted to the house and senate committees on ways and means \$8,254,237

LEGISLATURE.

Senate.

9500-0000.. For the operation of the senate.....\$17,350,256

9510-0000.. For expenses incurred by the senate related to the joint committee on redistricting; prior appropriation continued.....\$750,000

House of Representatives.

9600-0000.. For the operation of the house of representatives.....\$34,324,791

9610-0000.. For expenses incurred by the house of representatives related to the joint committee on redistricting; prior appropriation continued.....\$750,000

Joint Legislative Expenses.

9700-0000.. For the joint operations of the legislature.....\$7,733,424

SECTION 2B. Notwithstanding any general or special law to the contrary, the agencies listed in this section may expend the amounts listed in this section for the provision of services to agencies listed in section 2. All expenditures made under this section shall be accompanied by a corresponding transfer of funds from an account listed in section 2 to the Intragovernmental Service Fund, established by section 2Q of chapter 29 of the General Laws. All revenues and other inflows shall be based on rates published by the seller agency that are developed in accordance with cost principles established by the United States Office of Management and Budget Circular A-87, "Cost Principles for State, Local and Indian Tribal Governments." All rates shall be published within 30 days of the enactment of this section. No expenditures shall be made from the Intragovernmental Service Fund which would cause that fund to be in deficit at the close of fiscal year 2012. All authorizations in this section shall be charged to the Intragovernmental Service Fund and shall not be subject to section 5D of chapter 29 of the General Laws. Any balance remaining in that fund at the close of fiscal year 2012 shall be transferred to the General Fund.

OFFICE OF THE SECRETARY OF STATE.

0511-0003.. For the costs of providing electronic and other publications purchased from the state bookstore, for commission fees, notary fees and for direct access to the secretary's computer library.....\$16,000

0511-0235.. For the costs of obsolete records destruction incurred by the office of the secretary of state; provided, that state agencies, including the judicial branch, may be charged for the destruction of their obsolete records by the records center where appropriate; provided further, that the secretary of state may expend revenues not to exceed \$100,000 of the funds received for the costs of the obsolete record destruction; and provided further, that the fees shall be charged on an equitable basis\$100,000

TREASURER AND RECEIVER-GENERAL.

0699-0018.. For the cost of debt service for the fiscal year ending June 30, 2012 for the clean energy investment program and other projects or programs for which an agency has committed to fund the associated debt service; provided, that the treasurer may charge other appropriations and federal grants for the cost of the debt service.....\$6,217,722

OFFICE OF THE STATE COMPTROLLER.

1000-0005.. For the cost of the single state audit for the fiscal year ending June 30, 2012; provided, that the comptroller may charge other appropriations and federal grants for the cost of the audit\$1,000,000

1000-0008.. For the costs of operating and managing the MMARS and New MMARS accounting system for fiscal year 2012; provided, that any unspent balance at the close of fiscal year 2012 in an amount not to

exceed 5 per cent of the amount authorized shall remain in the Intergovernmental Service Fund and is hereby re-authorized for expenditures for such item in fiscal year 2013.....\$2,799,812

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Office of the Secretary.

1100-1701.. For the cost of information technology services provided to agencies of the executive office of administration and finance.....\$40,503,170

Division of Capital Asset Management and Maintenance.

1102-3224.. For the costs for the Leverett Saltonstall State Office Building lease and occupancy payments.....\$11,217,734

Bureau of State Office Buildings.

1102-3333.. For the operation and maintenance of state buildings, including reimbursement for overtime expenses, materials and contract services purchased in performing renovations and related services for agencies occupying state buildings or for services rendered to approved entities using state facilities.....\$165,000

1102-3336.. For the operation and maintenance of the space in the Charles F. Hurley Building occupied by the division of unemployment assistance.....\$3,133,900

Reserves.

1599-2040.. For the payment of prior year deficiencies based upon schedules provided to the house and senate committees on ways and means; provided, that the comptroller may charge departments' current fiscal year appropriations and transfer to such items amounts equivalent to the amounts of any prior year deficiency, subject to the conditions stated in this item; provided further, that the comptroller shall only assess chargebacks to those current fiscal year appropriations when the account to which the chargeback is applied is the same account to which the prior year deficiency pertains or, if there is no such account, to the current fiscal year appropriation for the general administration of the department that administered the account to which the prior year deficiency pertains; provided further, that no chargeback shall be made which would cause a deficiency in any current fiscal year item; provided further, that the comptroller shall report with such schedule a detailed reason for the prior year deficiency on all chargebacks assessed that exceed \$1,000 including the amount of the chargeback, the item and object class charged; and provided further, that the comptroller shall report on a quarterly basis on all chargebacks assessed, including the amount of the chargeback, the item, object class charged and the reason for the prior year deficiency.....\$10,000,000

1599-3100.. For the cost of the commonwealth's employer contributions to the Unemployment Compensation Fund and the Medical Security Trust Fund; provided, that the secretary of administration and finance shall authorize the collection, accounting and payment of such contributions; and provided further, that in executing these responsibilities the comptroller may charge, in addition to individual appropriation accounts, certain non-appropriated funds in amounts that are computed on the same basis as the commonwealth's contributions are determined, including expenses, interest expense or related charges.....\$34,000,000

Division of Human Resources.

1750-0101.. For the cost of goods and services rendered in administering training programs, including the cost of training unit staff; provided, that the division shall charge to other items for the cost of participants enrolled in programs sponsored by the division or to state agencies employing such participants; provided further, that the division may collect from participating state agencies a fee sufficient to

cover administrative costs of the commonwealth's performance recognition programs and to expend such fees for goods and services rendered in the administration of these programs; and provided further, that the division may charge and collect from participating state agencies a fee sufficient to cover administrative costs and expend such fees for goods and services rendered in the administration of information technology services related to the human resources compensation management system program.....\$282,628

1750-0105.. For the cost of workers' compensation paid to public employees; provided, that the secretary of administration and finance shall charge other items or state agencies for costs incurred on behalf of these state agencies; provided further, that the secretary may transfer workers' compensation-related fringe benefit assessments from federal grants and trust accounts to this item; provided further, that no funds shall be expended from this item that would cause the item to be deficient; provided further, that the secretary shall provide projected costs of workers' compensation costs incurred by agencies in fiscal year 2012 to the house and senate committees on ways and means no later than March 2, 2012; provided further, that in accordance with chapter 177 of the acts of 2001, the secretary of administration and finance shall charge state agencies in fiscal year 2012 as provided in this item for workers' compensation costs, including related administrative expenses incurred on behalf of the employees of the agencies; provided further, that administrative expenses shall be allocated; provided further, that the personnel administrator shall administer the charges on behalf of the secretary, and may establish such rules and procedures as deemed necessary to implement this item; provided further, that the personnel administrator shall: (1) notify agencies regarding the chargeback methodology to be used in fiscal year 2012; (2) notify agencies of the amount of their estimated workers compensation charges for the fiscal year; and (3) require agencies to encumber funds in an amount sufficient to meet the estimated charges; provided further, that the estimated charges for each agency in the fiscal year shall be not less than the amount of the actual workers' compensation costs, including related administrative expenses, incurred by each such agency in fiscal year 2012, and may include such additional amounts as the human resources division finds necessary under regulations adopted under this item; provided further, that the division may adopt a program of incentives for agencies to reduce agencies' claims; provided further, that for any agency that fails within 30 days of the effective date of this act to encumber funds sufficient to meet the estimated charges, the comptroller shall so encumber funds on behalf of that agency; provided further, that the personnel administrator shall: (1) determine the amount of the actual workers' compensation costs incurred by each agency in the preceding month, including related administrative expenses; (2) notify each agency of the amounts; and (3) charge the amounts to each agency's accounts as estimates of the costs to be incurred in the current month; provided further, that notwithstanding any general or special law to the contrary, any balance remaining in the Intergovernmental Service Fund, at the close of fiscal year 2012 shall be transferred to the General Fund; provided further, that any unspent balance at the close of fiscal year 2012 in an amount not to exceed 5 per cent of the amount authorized shall remain in the Intergovernmental Service Fund and is hereby re-authorized for expenditures for such item in fiscal year 2013; provided further, that the personnel administrator may expend in fiscal year 2012 for hospital, physician, benefit, and other costs related to workers' compensation for employees of state agencies, including administrative expenses; and provided further, that such expenditures may include payments for medical services provided to claimants in prior fiscal years, as well as compensation benefits and associated costs for prior fiscal years\$57,040,378

1750-0106.. For the workers' compensation litigation unit, including the costs of personnel\$684,091

1750-0600.. For the cost of core human resources administrative processing functions\$2,500,000

1750-0601.. For the human resources division, which may on behalf of the division, the comptroller's office and the information technology division, charge and collect from participating state agencies a fee sufficient to cover administrative costs and expend such fees for goods and services rendered in the administration of the human resources compensation management system program.....\$6,773,950

Operational Services Division.

- 1775-0800.. For the purchase, operation and repair of certain vehicles and for the cost of operating and maintaining all vehicles that are leased by other agencies, including the costs of personnel\$7,600,000
- 1775-1000.. For printing, photocopying, and related graphic art or design work, including all necessary incidental expenses and liabilities; provided, that the secretary for administration and finance shall charge to other items of appropriation within the agencies of the executive branch for such services, including the costs of personnel.....\$1,000,000

Information Technology Division.

- 1790-0200.. For the cost of computer resources and services provided by the information technology division in accordance with the policies, procedures and rates approved by the secretary for administration and finance, including the purchase, lease or rental of telecommunications lines, services and equipment, that are centrally billed to the commonwealth; provided, that the secretary shall charge other items of appropriation for the cost of the resources and services; provided further, that notwithstanding any general or special law to the contrary, charges for the cost of computer resources and services provided by the bureau of computer services for the design, development and production of reports and information related to the analysis, development and production of appropriations bills and other legislation shall not be charged to any item of appropriation of the executive office for administration and finance, the house of representatives, the senate or any joint legislative account in fiscal year 2012; provided further, that the bureau shall submit quarterly reports to the house and senate committees on ways and means summarizing the total charges, payments and services provided for the preceding quarter from each department charged to this item; provided further, that the reports shall include, but not be limited to, a delineation of the rates charged to each department as approved by the secretary of administration and finance for each service performed by the division; provided further, that the secretary of administration and finance shall establish regulations, procedures and a schedule of fees including, but not limited to, the development and distribution of forms and instructions, including the costs of personnel; and provided further, that any unspent balance at the close of fiscal year 2012 in an amount not to exceed 5 per cent of the amount authorized shall remain in the Intergovernmental Service Fund and may be expended for the item in fiscal year 2013\$66,377,703
- 1790-0400.. For the purchase, delivery, handling of and contracting for supplies, postage and related equipment and other incidental expenses provided pursuant to section 51 of chapter 30 of the General Laws.....\$2,363,022

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS.

- 2000-1701.. For the cost of information technology services provided to agencies of the executive office of energy and environmental affairs.....\$4,512,050

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

Office of the Secretary.

- 4000-0102.. For the cost of transportation services for health and human services clients and the operation of the health and human services transportation office.....\$8,086,443
- 4000-0103.. For the costs of core administrative functions performed within the executive office of health and human services; provided, that the secretary of health and human services may, notwithstanding any general or special law to the contrary, identify administrative activities and functions common to the separate agencies, departments, offices, divisions and commissions within the executive office and may designate such functions as core administrative functions in order to improve administrative efficiency and preserve fiscal resources; provided further, that common functions

that may be designated core administrative functions include human resources, financial management and leasing and facility management; provided further, that all employees performing functions so designated may be employed by the executive office and the executive office shall charge the agencies, departments, offices, divisions and commissions for such services; provided further, that upon the designation of a function as a core administrative function, the employees of each agency, department, office or commission who perform such core administrative functions may be transferred to the executive office of health and human services; provided further, that the reorganization shall not impair the civil service status of any such transferred employee who immediately before the effective date of this act either holds a permanent appointment in a position classified under chapter 31 of the General Laws or has tenure in a position by reason of section 9A of chapter 30 of the General Laws; and provided further, that nothing in this item shall impair or change an employee's status, rights, or benefits under chapter 150E of the General Laws.....\$20,003,583

4000-1701.. For the cost of information technology services provided to agencies of the executive office of health and human services.....\$31,441,744

Massachusetts Commission for the Deaf and Hard of Hearing.

4125-0122.. For the costs of interpreter services provided by commission staff; provided, that the costs of personnel may be charged to this item; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the commission may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system\$250,000

Department of Public Health.

4510-0108.. For the costs of pharmaceutical drugs and services provided by the state office of pharmacy services, in this section called SOPS; provided, that SOPS shall notify in writing all agencies listed below of their obligations under this item by July 15, 2011; provided further, that SOPS shall continue to be the sole provider of pharmacy services for the following agencies currently under SOPS: the department of public health, the department of mental health, the department of developmental services, the department of correction, the department of youth services, the sheriff's departments of Bristol, Essex, Franklin, Hampden, Hampshire, and Plymouth, and the Soldiers' Homes in Holyoke and Chelsea; provided further, that SOPS shall become the sole provider of pharmacy services to the following agencies currently not being serviced by SOPS: the sheriff's departments of Worcester, Middlesex, Berkshire, Suffolk, Norfolk, Barnstable and Dukes; provided further, that SOPS shall be the sole provider of pharmacy services for all said agencies and all costs for pharmacy services shall be charged by this item; provided further, that said agencies shall not charge or contract with any other alternative vendor for pharmacy services other than SOPS; provided further, that SOPS shall develop an implementation plan to transition the following agencies within the current fiscal year: the sheriff's departments of Worcester, Middlesex, Berkshire, Suffolk, Norfolk, Barnstable and Dukes; provided further, that SOPS shall validate previously-submitted pharmacy expenditures including HIV Drug Assistance Program drug reimbursements during fiscal year 2012; provided further, that SOPS shall continue to work to reduce medication costs, provide standardized policies and procedures in a clinically responsible manner, provide comprehensive data analysis and improve the quality of clinical services; provided further, that SOPS shall report to the house and senate committees on ways and means not later than April 16, 2012 detailing the projected savings realized by each transitioning agency in comparison to their pharmacy costs in fiscal year 2011 and their projected savings for fiscal year 2013; and provided further, that the report shall also provide recommendations for the inclusion of other entities that may realize cost savings by joining SOPS.....\$47,865,393

4590-0901.. For the costs of medical services provided at public health hospitals pursuant to a schedule of services and fees approved by the commissioner of public health, which may be expended for the purposes of hospital related costs, including, but not limited to, capital repair and the maintenance and

motor vehicle replacement; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenue and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system\$150,000

4590-0903.. For the costs of medical services provided at the department of public health Lemuel Shattuck Hospital to inmates of the county correctional facilities; provided, that the costs shall be charged to items 8910-0102, 8910-0105, 8910-0107, 8910-0108, 8910-0110, 8910-0145, 8910-0619, 8910-8200, 8910-8300, 8910-8400, 8910-8500, 8910-8600, 8910-8700 and 8910-8800 of section 2 pursuant to the provisions thereof; provided further, that expenditures from this item shall be for hospital-related costs including, but not limited to, capital repair and the maintenance and motor vehicle replacement; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenue and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate thereof as reported in the state accounting system.....\$3,800,000

Department of Developmental Services.

5948-0012.. For a program providing alternatives to residential placements for children with intellectual disabilities, including the costs of intensive home-based supports, provided in item 7061-0012 of section 2; provided, that the department of developmental services shall take all steps necessary to maximize federal reimbursement for the cost of services provided through the program, including filing any necessary amendments to existing waivers or filing an application for a new home and community-based services waiver with the Centers for Medicare and Medicaid Services..... \$6,500,000

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT.

Office of the Secretary.

7002-0018.. For the cost of information technology services provided to agencies of the executive office of housing and economic development.....\$3,619,620

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.

Office of the Secretary.

7003-0171.. For the cost of information technology services provided to agencies of the executive office of labor and workforce development.....\$19,041,430

EXECUTIVE OFFICE OF EDUCATION.

Office of the Secretary.

7009-1701.. For the cost of information technology services provided to agencies of the executive office of education.....\$1,837,477

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY.

8000-1701.. For the cost of information technology services provided to agencies of the executive office of public safety and security..... \$11,462,348

State Police.

8100-0002.. For the costs of overtime associated with requested police details; provided, that for the purpose of accommodating discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate thereof as reported in the state accounting system.....\$33,000,000

8100-0003.. For the costs associated with the use of the statewide telecommunications system for the maintenance of the system.....\$156,375

Military Division.

8700-1145.. For the costs of utilities and maintenance and for the implementation of energy conservation measures with regard to the state armories.....\$300,000

Department of Correction.

8900-0021.. For the cost of products produced by the prison industries and farm program and for the cost of services provided by inmates, including the costs of moving, auto repair, culinary and renovation and construction services; provided, that the costs for renovation and construction services shall not exceed the amount established by the operational services division; and provided further, that such revenues may also be expended for materials, supplies, equipment, maintenance of facilities and compensation of employees and for the inmate employment and training program.....\$6,050,000

SECTION 2D. The amounts set forth in this section are hereby appropriated from the General Federal Grants Fund. Federal funds received in excess of the amount appropriated in this section shall be expended only in accordance with section 6B of chapter 29 of the General Laws. The amount of any unexpended balance of federal grant funds received prior to June 30, 2011, and not included as part of an appropriation item in this section, is hereby made available for expenditure during fiscal year 2012, in addition to any amount appropriated in this section.

JUDICIARY.

0320-1700.. For the purposes of a federally funded grant entitled, State Court Improvement Program Basic Grant.....\$240,000

0320-1701.. For the purposes of a federally funded grant entitled, CIP Data Sharing Grant..... \$107,860

0320-1703.. For the purposes of a federally funded grant entitled, CIP Training Grant.....\$198,000

DISTRICT ATTORNEYS.

Northern District Attorney.

8000-4620.. For the purposes of a federally funded grant entitled, Violence Against Women Act.....\$49,538

Eastern District Attorney.

0340-0305..For the purposes of a federally funded grant entitled, Enhanced Youthful Diversion.....\$63,738

0340-0371..For the purposes of a federally funded grant entitled, Enhanced Vertical Prosecution.....\$125,000

Middle District Attorney.

0840-0110.. For the purposes of a federally funded grant entitled, Victims of Crime Act.....\$47,349

8000-4620.. For the purposes of a federally funded grant entitled, Violence Against Women Act.....\$13,420

Hampden District Attorney.

0340-0590..For the purposes of a federally funded grant entitled, Community Oriented Policing Services.....\$229,305

Plymouth District Attorney.

0340-0821.. For the purposes of a federally funded grant entitled, Brockton's Promise- Youth Mentoring.....\$34,621

0340-0823.. For the purposes of a federally funded grant entitled, Child Sexual Predator Program.....\$43,194

0340-0825.. For the purposes of a federally funded grant entitled, ARRA-Justice Assistance Grant Local Solicitation.....\$275,000

Cape and Islands District Attorney.

0340-1013.. For the purposes of a federally funded grant entitled, Federal Forfeiture Trust Account.....\$55,000

Berkshire District Attorney.

8100-2639..For the purposes of a federally funded grant entitled, Internet Crimes Against Children – ARRA.....\$38,626

District Attorneys' Association.

0340-2112..For the purposes of a federally funded grant entitled, Community Oriented Policing Services.....\$25,000

8000-4620..For the purposes of a federally funded grant entitled, Violence Against Women Act.....\$44,150

8000-4804.. For the purposes of a federally funded grant entitled, Highway Safety Division.....\$42,058

SECRETARY OF STATE.

0521-0800.. For the purpose of a federally funded grant entitled, Election Assistance for Disabled Individuals.....\$700,041

0526-0114.. For the purposes of a federally funded grant entitled, Historic Preservation Survey and Planning.....\$908,000

TREASURER AND RECEIVER-GENERAL.

Massachusetts Cultural Council.

0640-9716.. For the purposes of a federally funded grant entitled, Folk and Traditional Arts Initiatives....\$25,000

0640-9717.. For the purposes of a federally funded grant entitled, Basic State Grant.....\$688,500

0640-9718.. For the purposes of a federally funded grant entitled, Artists in Education.....\$62,100

0640-9724.. For the purposes of a federally funded grant entitled, Youth Reach State and Regional Programs.....\$240,500

ATTORNEY GENERAL.

- 0810-0026.. For the purposes of a federally funded grant entitled, Crime Victim Compensation.....\$1,000,000
- 0840-0110.. For the purposes of a federally funded grant entitled, Victims of Crimes Assistance Program\$6,620,936
- Victim and Witness Assistance Board.*
- 0840-0109.. For the purposes of a federally funded grant entitled, Victim of Crimes Assistance Program – ARRA\$310,000
- 0840-0110.. For the purposes of a federally funded grant entitled, Victims of Crime Assistance Programs.....\$7,593,010
- 0840-4611.. For the purposes of a federally funded grant entitled, Byrne Federal Grant\$307,500
- 0840-4620.. For the purposes of a federally funded grant entitled, VAWA Federal Grant\$274,050

MASSACHUSETTS DEVELOPMENTAL DISABILITIES COUNCIL.

- 1100-1703.. For the purposes of a federally funded grant entitled, Implementation of the Federal Developmental Disabilities Act; provided, that in order to qualify for said grant, this account shall be exempt from the first \$290,000 of fringe benefit and indirect cost charges pursuant to section 6B of chapter 29 of the General Laws.....\$1,840,016
- 1100-1704.. For the purposes of a federally funded grant entitled, Further Development of Developmental Disabilities Suite.....\$183,949

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Massachusetts Office on Disability.

- 1107-2450.. For the purposes of a federally funded grant entitled, Client Assistance Program.....\$222,000

Department of Revenue.

- 1201-0109.. For the purposes of a federally funded grant entitled, Access and Visitation - Parent Education Program.....\$222,169
- 1201-0126.. For the purposes of a federally funded grant entitled, Family Centered Services for Unwed Parents in the IVD Caseload.....\$149,511
- 1201-0127.. For the purposes of a federally funded grant entitled, Health Care-Medical Support in Child Support Enforcement.....\$22,834
- 1201-0128.. For the purposes of a federally funded grant entitled, CSE Modification Grant.....\$91,748
- 1201-0412.. For the purposes of federally funded grants entitled, Child Support Enforcement Grants, Child Support IVD Companion account to CSE Demonstration Grants.....\$601,721

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS.

Office of the Secretary.

- 2000-0141.. For the purposes of a federally funded grant entitled, Coastal Zone Management and Development

.....	\$2,535,378
2000-0142.. For the purposes of a federally funded grant entitled, CZ Coastal Hazards	\$113,872
2000-0186.. For the purposes of a federally funded grant entitled, Aquatic Nuisance Species Management Plan	\$68,210
2000-0248.. For the purposes of a federally funded grant entitled, National Estuary Program - Operation	\$800,329
2000-0550.. For the purposes of a federally funded grant entitled, Pollution Prevention.....	\$10,000
2000-9701.. For the purposes of a federally funded grant entitled, Outdoor Recreation Projects - Political Subdivisions	\$3,000,000
2000-9735.. For the purposes of a federally funded grant entitled, Buzzards Bay Estuary Program	\$724,545
2030-0013.. For the purposes of a federally funded grant entitled, Fisheries Enforcement.....	\$910,230
2030-0122.. For the purposes of a federally funded grant entitled, Ready Response Equipment for Ports of New Bedford, Cape Cod & Islands	\$977,201
2030-0124.. For the purposes of a federally funded grant entitled, Ready Response Equipment for the Port of Fall River	\$512,864
2030-9701.. For the purposes of a federally funded grant entitled, Safe Boating Program.....	\$1,795,732

Department of Public Utilities.

7006-9002.. For the purposes of a federally funded grant entitled, Pipeline Security.....	\$816,000
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Department of Environmental Protection.

2200-9706.. For the purposes of a federally funded grant entitled, Water Quality Management Planning.	\$653,422
2200-9712.. For the purposes of a federally funded grant entitled, Cooperative Agreement-Leaking Underground Storage Tanks.....	\$1,032,829
2200-9717.. For the purposes of a federally funded grant entitled, Environment Restoration Program for Department of Defense.....	\$1,494,183
2200-9724.. For the purposes of a federally funded grant entitled, Superfund Block Grant.....	\$924,699
2200-9728.. For the purposes of a federally funded grant entitled, Brownfields Assessment Program - Multi-Site Cooperative Agreement.....	\$225,000
2200-9731.. For the purposes of a federally funded grant entitled, Brownfield Response.....	\$1,379,375
2200-9732.. For the purposes of a federally funded grant entitled, Brownfield Support Team – Statewide.....	\$660,000
2230-9702.. For the purposes of a federally funded grant entitled, Air, Water and Hazardous Waste Management Regulatory Programs.....	\$17,346,657
2230-9711.. For the purposes of a federally funded grant entitled, Environmental Information Exchange Network.....	\$69,992

2230-9712.. For the purposes of a federally funded grant entitled, FY09 Exchange Network – NPDES.....	\$163,058
2230-9713.. For the purposes of a federally funded grant entitled, Exchange Network.....	\$17,000
2230-9714.. For the purposes of a federally funded grant entitled, FY10 Exchange Network.....	\$150,000
2240-9762.. For the purposes of a federally funded grant entitled, Reimbursement to Operators of Small Water Systems for Training and Certification.....	\$164,265
2240-9773.. For the purposes of a federally funded grant entitled, Technical Assistance and Training for Drinking Water.....	\$39,868
2230-9775.. For the purposes of a federally funded grant entitled, Special Set Aside.....	\$96,249
2230-9776.. For the purposes of a federally funded grant entitled, EQE-RP9776-FEM9613491.....	\$22,125
2230-9777.. For the purposes of a federally funded grant entitled, Public Water Supply.....	\$26,000
2250-9712.. For the purposes of a federally funded grant entitled, Clean Air Act-Fine Particulate Matter Air Monitoring.....	\$745,049
2250-9716.. For the purposes of a federally funded grant entitled, Ambient Air Toxics Pilot Project.....	\$455,000
2250-9726.. For the purposes of a federally funded grant entitled, Homeland Security Co-op Agreement.....	\$1,344,877
2230-9730.. For the purposes of a federally funded grant entitled, Air Toxic Spatial Trends.....	\$42,000
2230-9731.. For the purposes of a federally funded grant entitled, Diesel Emissions Reduction Project...	\$352,941
2250-9732.. For the purposes of a federally funded grant entitled, Underground Storage.....	\$697,745
2230-9735.. For the purposes of a federally funded grant entitled, Green House Gas Reporting System...	\$150,000
2290-3000.. For the purposes of a federally funded grant entitled, State Clean Diesel Grant Program.....	\$400,860
2290-3001.. For the purposes of a federally funded grant entitled, Natural Diesel – State Fleet Retrofit...	\$126,000
2290-4000.. For the purposes of a federally funded grant entitled, ARRA LUST Trust Fund Program....	\$782,000

Department of Fish and Game.

2300-0113.. For the purposes of a federally funded grant entitled, Natural Resources Conservation Services Emergency Watershed Protection Program.....	\$25,000
2300-0114.. For the purposes of a federally funded grant entitled, USFWS Partnership Program.....	\$40,770
2300-0115.. For the purposes of a federally funded grant entitled, US Fish and Wildlife Service Eastern Brook Trout Joint Venture.....	\$80,000
2300-0116.. For the purposes of a federally funded grant entitled, Riverways - Natural Resource Conservation Services Wildlife Habitat Incentive Program.....	\$149,832
2300-0117.. For the purposes of a federally funded grant entitled, USFWS – Coastal Program.....	\$40,000
2300-0179.. For the purposes of a federally funded grant entitled, National Coastal Wetland Conservation.....	\$250,000

2310-0115.. For the purposes of a federally funded grant entitled, Land Owner Incentive Program – Tier I.....\$65,000

2310-0116.. For the purposes of a federally funded grant entitled, Land Owner Incentive Program – Tier II.....\$200,000

2310-0117.. For the purposes of a federally funded grant entitled, Chronic Wasting Disease.....\$60,000

2330-9222.. For the purposes of a federally funded grant entitled, Clean Vessel.....\$850,000

2330-9712.. For the purposes of a federally funded grant entitled, Commercial Fisheries Statistics.....\$150,000

2330-9713.. For the purposes of a federally funded grant entitled, Right Whale Conservation.....\$420,000

2330-9714.. For the purposes of a federally funded grant entitled, Commercial Fisheries Extension.....\$4,000

2330-9721.. For the purposes of a federally funded grant entitled, Anadromous Fisheries Management....\$41,000

2330-9725.. For the purposes of a federally funded grant entitled, Boating Infrastructure\$100,000

2330-9730.. For the purposes of a federally funded grant entitled, Interstate Fisheries Management Support \$240,000

2330-9732.. For the purposes of a federally funded grant entitled, ACCSP Implementation Strategic Plan\$125,000

2330-9736.. For the purposes of a federally funded grant entitled, Marine Fisheries Institute\$600,000

2330-9738.. For the purposes of a federally funded grant entitled, Red Tide Economic Relief\$800,000

2330-9739.. For the purposes of a federally funded grant entitled, Turtle Disengagement\$850,000

2330-9742.. For the purposes of a federally funded grant entitled, Age and Growth Segment One\$250,000

Department of Agricultural Resources.

2511-0310.. For the purposes of a federally funded grant entitled, Pesticide Enforcement\$352,200

2511-0400.. For the purposes of a federally funded grant entitled, Cooperative Pest Survey Program\$175,000

2511-0401.. For the purposes of a federally funded grant entitled, Cooperative Pesticide Recordkeeping Program\$10,000

2511-0972.. For the purposes of a federally funded grant entitled, Farmland Protection\$5,955,000

2511-1025.. For the purposes of a federally funded grant entitled, Country of Origin Labeling\$102,000

2515-1002.. For the purposes of a federally funded grant entitled, Animal Disease Surveillance Homeland Security\$24,750

2515-1004.. For the purposes of a federally funded grant entitled, Scrapie Disease Surveillance and Flock Certification\$5,461

2515-1006.. For the purposes of a federally funded grant entitled, National Animal Identification System\$7,294

2515-1008.. For the purposes of a federally funded grant entitled, Highly Pathogenic Avian Influenza\$70,000

2516-9002.. For the purposes of a federally funded grant entitled, Development of Institutional Marketing\$499,000

2516-9003.. For the purposes of a federally funded grant entitled, Farmers' Market Coupon Program\$490,000

2516-9004.. For the purposes of a federally funded grant entitled, Senior Farmers' Market Nutrition Program\$571,000

2516-9007.. For the purposes of a federally funded grant entitled, Organic Certification Cost-Share Program\$60,000

Department of Conservation and Recreation.

2800-9707.. For the purposes of a federally funded grant entitled, National Flood Insurance Program\$184,000

2800-9709.. For the purposes of a federally funded grant entitled, Map Modernization\$110,000

2800-9726.. For the purposes of a federally funded grant entitled, FEMA National Dam Safety Program\$105,959

2800-9729.. For the purposes of a federally funded grant entitled, US Dept of Education Rehabilitation Grant\$168,151

2820-9702.. For the purposes of a federally funded grant entitled, Rural Community Fire Protection\$77,000

2820-9704.. For the purposes of a federally funded grant entitled, NRCS Wildlife Habitat Incentives Program\$19,510

2820-9705.. For the purposes of a federally funded grant entitled, Animal and Plant Health Inspections.....\$6,305,485

2821-9705.. For the purposes of a federally funded grant entitled, Urban and Community Forestry Program\$285,223

2821-9709.. For the purposes of a federally funded grant entitled, Forestry Stewardship, Forest Legacy and Conservation Education.....\$4,605,575

2821-9711.. For the purposes of a federally funded grant entitled, Rural Fire Prevention and Control\$308,124

2821-9713.. For the purposes of a federally funded grant entitled, Wildland Urban Interface Fuels Management\$334,857

2821-9715.. For the purpose of a federally funded grant entitled, Buy Local Model- Forest Stewardship Re-Design

Grant.....	\$247,862
2821-9726.. For the purposes of a federally funded grant entitled, Forest Health Management - US Forest Service	\$112,160
2821-9800.. For the purposes of a federally funded grant entitled, ARRA – USFS Native Species Ecological Restoration	\$122,192
2821-9801.. For the purposes of a federally funded grant entitled, ARRA – USFS Southeast Mass Fuel Mitigation	\$315,979
2821-9802.. For the purposes of a federally funded grant entitled, USFS ALB Area Watershed Flood Control Reservoir Maintenance Funds.....	\$2,191,024
2830-9705.. For the purposes of a federally funded grant entitled, SUASCO Watershed Flood Control Reservoir	\$7,014
2840-9709.. For the purposes of a federally funded grant entitled, Waquoit Bay National Estuarine Research Reserve Consolidated Funding.....	\$716,055
2840-9715.. For the purposes of a federally funded grant entitled, NOAA CECLP Grant.....	\$779,250
2850-9701.. For the purposes of a federally funded grant entitled, Recreational Trails Program	\$1,091,652
2850-9702.. For the purposes of a federally funded grant entitled, Mount Greylock TCSP	\$642,587

Department of Energy Resources.

7006-9300.. For the purposes of a federally funded grant entitled, Mass Save Energy Now.....	\$250,000
7006-9303.. For the purposes of a federally funded grant entitled, State Energy Program Advance Energy Codes.....	\$68,000
7006-9304.. For the purposes of a federally funded grant entitled, Catalyzing the Home Energy Remodeling Market	\$862,659
7006-9720..For the purposes of a federally funded grant entitled, State Heating Oil and Propane Program.....	\$22,228
7006-9730.. For the purposes of a federally funded grant entitled, State Energy Program II.....	\$605,000
7006-9743.. For the purposes of a federally funded grant entitled, State Energy plan	\$100,000
7006-9800.. For the purposes of a federally funded grant entitled, ARRA USDOE State Energy Program Ramp Up.....	\$10,016,055
7006-9801.. For the purposes of a federally funded grant entitled, ARRA Energy Assistance Planning...\$257,480	
7006-9803.. For the purposes of a federally funded grant entitled, ARRA Mass Energy Efficiency and Conservation Block Grant Program.....	\$1,269,469
7006-9804.. For the purposes of a federally funded grant entitled, ARRA Save Energy Now	\$24,431

EXECUTIVE OFFICE OF EDUCATION.

Department of Early Education and Care.

3000-0708.. For the purposes of a federally funded grant entitled, Head Start Collaboration.
.....\$175,000

3000-5050.. For the purposes of a federally funded grant entitled, the State Advisory Council on Early Childhood
Education ARRA Head Start Grant.....\$441,226

3000-9002.. For the purposes of a federally funded grant entitled, Child Abuse Prevention and Treatment
Activities.....\$577,476

Department of Elementary and Secondary Education.

7010-9706.. For the purposes of a federally funded grant entitled, Common Core Data Project.....\$355,000

7032-0217.. For the purposes of a federally funded grant entitled, Robert C. Byrd Honors Scholarship Program —
Distribution.....\$811,500

7035-0210.. For the purposes of a federally funded grant entitled, Advanced Placement Fee Payment
Program.....\$250,000

7038-0107.. For the purposes of a federally funded grant entitled, Adult Basic Education Program.....\$10,122,643

7038-9004.. For the purposes of a federally funded grant entitled, School-Based Programs.....\$396,319

7043-1001.. For the purposes of a federally funded grant entitled, Title I Grants to Local Education
Agencies.....\$224,208,043

7043-1004.. For the purposes of a federally funded grant entitled, Migrant Education.....\$1,673,173

7043-1005.. For the purposes of a federally funded grant entitled, Title I Neglected and Delinquent
Children.....\$1,975,418

7043-1006.. For the purposes of a federally funded grant entitled, School Improvement Grant.....\$8,000,000

7043-2001.. For the purposes of a federally funded grant entitled, Teacher and Principal Training and
Recruiting.....\$49,768,717

7043-2002.. For the purposes of a federally funded grant entitled, Enhancing Education through
Technology.....\$1,413,323

7043-2003.. For the purposes of a federally funded grant entitled, Title I Math and Science
Partnerships.....\$2,128,970

7043-3001.. For the purposes of a federally funded grant entitled, English Language Acquisition.....\$12,776,615

7043-4002.. For the purposes of a federally funded grant entitled, After School Learning Centers.....\$18,776,307

7043-6001.. For the purposes of a federally funded grant entitled, Grants for State Assessments and Related
Activities.....\$7,655,840

7043-6501.. For the purposes of a federally funded grant entitled, Education for Homeless Children and
Youth.....\$970,684

7043-7001.. For the purposes of a federally funded grant entitled, Special Education Grants.....\$281,921,075

7043-7002.. For the purposes of a federally funded grant entitled, Preschool Grants.....\$9,735,461

7043-8001.. For the purposes of a federally funded grant entitled, Vocational Education Basic

Grants.....	\$18,916,840
7043-8002.. For the purposes of a federally funded grant entitled, Technical Preparation Education....	\$1,648,213
7044-0020.. For the purposes of a federally funded grant entitled, Project Focus Academy.....	\$1,160,000
7048-1500.. For the purposes of a federally funded grant entitled, High School Graduation Initiative...	\$3,000,000
7048-2700.. For the purposes of a federally funded grant entitled, Teacher Incentive Grant.....	\$7,678,269
7048-9200.. For the purposes of a federally funded grant entitled, Data Systems Grant Student Connect.....	2,332,414
7053-2008.. For the purposes of a federally funded grant entitled, Nuts, Fresh Fruits and Vegetables.	\$2,081,281
7053-2112.. For the purposes of a federally funded grant entitled, Special Assistance Funds.....	\$155,833,146
7053-2117.. For the purposes of a federally funded grant entitled, Child Care Program.....	\$51,545,189
7053-2126.. For the purposes of a federally funded grant entitled, Temporary Emergency Food Assistance.....	\$690,200
7053-2202.. For the purposes of a federally funded grant entitled, Special Summer Food Service Program for Children.....	\$5,490,849
7062-0008.. For the purposes of a federally funded grant entitled, Office of School Lunch Programs — Child Care Program Administration.....	\$2,520,000

Department of Higher Education.

7066-1574.. For the purposes of a federally funded grant entitled, Improving Teacher Quality Grants..	\$1,600,000
7066-1616... For the purposes of a federally funded grant entitled, College Access Challenge Grant..	\$1,700,000
7066-6033.. For the purposes of a federally funded grant entitled, Gaining Early Awareness and Readiness for Undergraduate Programs.....	\$3,500,000
7070-0017.. For the purposes of a federally funded grant entitled, Leveraging Educational Assistance Program— Department of Higher Education.....	\$966,853
7110-6019.. For the purposes of a federally funded grant entitled, Upward Bound Payroll and Benefits - Fitchburg State College.....	\$365,000
7114-9713.. For the purposes of a federally funded grant entitled, National Science Foundation - Atlantic Partnership.....	\$155,243
7410-3093.. For the purposes of a federally funded grant entitled, Polymer Building Construction - University of Massachusetts Amherst.....	\$2,711,376
7503-6557.. For the purposes of a federally funded grant entitled, Trio Talent Search - Bristol Community College	\$165,124
7503-9711.. For the purposes of a federally funded grant entitled, Special Services for Disadvantaged Students — Bristol Community College.....	\$370,607
7503-9714.. For the purposes of a federally funded grant entitled, Upward Bound Program — Bristol Community College.....	\$259,073

7509-1490..	For the purposes of a federally funded grant entitled, Educational Opportunities Centers Payroll — Mount Wachusett Community College.....	\$235,000
7509-9714..	For the purposes of a federally funded grant entitled, Special Services for Disadvantaged Students — Mount Wachusett Community College.....	\$230,000
7509-9717..	For the purposes of a federally funded grant entitled, Upward Bound Math and Science Program — Mount Wachusett Community College.....	\$123,000
7509-9718..	For the purposes of a federally funded grant entitled, Talent Search — Mount Wachusett Community College.....	\$240,000
7509-9720..	For the purposes of a federally funded grant entitled, Gaining Early Awareness and Readiness for Undergraduate Programs 2011— Mount Wachusett Community College.....	\$530,000
7511-9711..	For the purposes of a federally funded grant entitled, Special Services for Disadvantaged Students — North Shore Community College.....	\$493,000
7511-9740..	For the purposes of a federally funded grant entitled, Upward Bound — North Shore Community College.....	\$380,000
7511-9750..	For the purposes of a federally funded grant entitled, Talent Search— North Shore Community College.....	\$230,000
7518-6127..	For the purposes of a federally funded grant entitled, College Work Study Program - Bunker Hill Community College.....	\$33 1,452

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

Office of the Secretary.

4000-0024..	For the purposes of a federally funded grant entitled, Consumer Assistance Grant.....	\$290,722
4000-0033..	For the purposes of a federally funded grant entitled, State Demonstration to Integrate Care for Dual Eligible Individuals.....	\$833,000
4000-0323..	For the purposes of a federally funded grant entitled, Personal and Home Care Aid State Training Program.....	\$738,993
4000-0544..	For the purposes of a federally funded grant entitled, CHIPRA Quality Demonstration Grant.....	\$2,666,404
4000-7590..	For the purposes of a federally funded grant entitled, Virtual Gateway School Nutrition Grant	\$45,000
4000-0826..	For the purposes of a federally funded grant entitled, Money Follows the Person Demonstration Grant.....	\$13,000,000
4000-9058..	For the purposes of a federally funded grant entitled, My Child.....	\$1,875,000
4000-9401..	For the purposes of a federally funded grant entitled, Community Mental Health Services.....	\$8,050,963

Office for Refugees and Immigrants.

4003-0801..	For the purposes of a federally funded grant entitled, Targeted Assistance Program.....	\$335,000
4003-0803..	For the purposes of a federally funded grant entitled, Refugee School Impact	\$421,375

4003-0804.. For the purposes of a federally funded grant entitled, Refugee Targeted Assistance Grant	\$612,539
4003-0805.. For the purposes of a federally funded grant entitled, Refugee Resettlement Program.....	\$1,452,497
4003-0806.. For the purposes of a federally funded grant entitled, Refugee Cash, Medical, and Administration	\$8,364,672
4003-0811.. For the purposes of a federally funded grant entitled, Massachusetts Refugee Entrepreneurship Program.....	\$250,705
4003-0812.. For the purposes of federally funded grant entitled, Program to Enhance Refugee Elder Services.....	\$215,000
4003-0813.. For the purpose of a federally funded grant entitled, A Cuban-Haitian Initiative for Entry into Viable Employment(ACHIEVE).....	\$195,000
4003-0814.. For the purpose of a federally funded grant entitled, Massachusetts Refugee Preventative Health Project(MRPHP).....	\$200,000
4003-0815..For the purposes of a federally funded grant entitled Massachusetts Wilson/Fish Program(MWFP).....	\$3,465,070

Massachusetts Commission for the Blind.

4110-3020.. For the purposes of a federally funded grant entitled, Vocational Rehabilitation; provided, that no funds shall be deducted for pensions, group health and life insurance or any other such indirect cost of federally reimbursed state employees	\$150,000
4110-3021.. For the purposes of a federally funded grant entitled, Basic Support Grant	\$9,200,000
4110-3023.. For the purposes of a federally funded grant entitled, Independent Living - Adaptive Housing	\$75,550
4110-3026.. For the purposes of a federally funded grant entitled, Independent Living - Services to Older Blind Americans	\$774,609
4110-3027.. For the purposes of a federally funded grant entitled, Rehabilitation Training	\$29,280
4110-3028.. For the purposes of a federally funded grant entitled, Supported Employment for the Blind.....	\$128,100
4110-3030..For the purposes of a federally funded grant entitled, ARRA- Basic Support.....	\$51,418
4110-3032..For the purposes of a federally funded grant entitled, ARRA-Older independent Blind.....	\$5,183

Massachusetts Rehabilitation Commission.

4120-0020.. For the purposes of a federally funded grant entitled, Vocational Rehabilitation; provided, that no funds shall be deducted for pensions, group health and life insurance or any other such indirect cost of federally reimbursed state employees	\$44,148,383
4120-0021.. For the purposes of a federally funded grant entitled, ARRA- Basic Vocational Rehabilitation Support	\$522,825
4120-0040.. For the purposes of a federally funded grant entitled, Vocational Rehabilitation and Comprehensive Systems of Personnel Development Training	\$92,700

4120-0187.. For the purposes of a federally funded grant entitled, Supported Employment Program Federal Funds.....	\$458,611
4120-0191.. For the purposes of a federally funded grant entitled, Informed Members Planning and Assessing Choices Together	\$177,829
4120-0511..For the purposes of a federally funded grant entitled, Disability Services - Determination.	\$45,262,721
4120-0603.. For the purposes of a federally funded grant entitled, Innovation Strategies for Transition Youth with Disabilities.....	\$401,787
4120-0608.. For the purposes of a federally funded grant entitled, Traumatic Brain Injury (TBI) Implementation Grant.....	\$256,304
4120-0760..For the purposes of a federally funded grant entitled, Independent Living Federal Grant.....	\$1,554,180
4120-0761.. For the purposes of a federally funded grant entitled, ARRA - State Independent Living Services.....	\$163,780
4120-0762..For the purposes of a federally funded grant entitled, ARRA- Centers for Independent Living Recovery Act.....	\$794,196
4120-0768..For the purposes of a federally funded grant entitled, Assistive Technology Act.....	\$505,715

Department of Veterans' Services.

1410-0054.. For the purposes of a federally funded grant entitled, Homeless Veterans' Reintegration, Training and Placement.....	\$200,000
1410-0055.. For the purposes of a federally funded grant entitled, Homeless Veterans' Reintegration Program Urban-Worcester.....	\$300,000
1410-0056.. For the purposes of a federally funded grant entitled, Veterans' Workforce Investment.....	\$500,000

Department of Transitional Assistance.

4400-1998.. For the purposes of a federally funded grant entitled, DOD Supplemental Nutrition Assistance Program Administration Funding.....	\$1,000,000
4400-3067.. For the purposes of a federally funded grant entitled, Supplemental Nutrition Assistance Program Administration Funding.....	\$2,100,000
4400-3068.. For the purposes of a federally funded grant entitled, Reaching Underserved Elderly and Working Poor in SNAP.....	\$100,000
4400-3069..For the purposes of a federally funded grant entitled, Full Employment Food Stamp Cash Out.....	\$15,000
4400-3080.. For the purpose of a federally funded grant entitled, Healthy Incentive Pilot (HIP) grant..	\$2,696,698
4400-3064.. For the Purpose of SNAP education.....	\$3,000,000

Department of Public Health.

4500-1000..	For the purposes of a federally funded grant entitled, Preventive Health Services Block Grant.....	\$2,708,393
4500-1030..	For the purposes of a federally funded grant entitled, Strengthening Public Health Infrastructure.....	\$1,960,128
4500-1050..	For the purposes of a federally funded grant entitled, Rape Prevention and Education.....	\$813,484
4500-1051..	For the purposes of a federally funded grant entitled, Sexual Assault Services Program.....	\$198,380
4500-1054..	For the purposes of a federally funded grant entitled, Sexual Assault Services Program.....	\$198,380
4500-1060..	For the purposes of a federally funded grant entitled, Rape Prevention Program Planning and Evaluation Capacity Building.....	\$100,000
4500-1066..	For the purposes of a federally funded grant entitled, 2010 Oil and Hazardous Material State Partnership Grant Program.....	\$140,000
4500-2000..	For the purposes of a federally funded grant entitled, Maternal and Child Health Services Block Grant.....	\$11,921,902
4502-1012..	For the purposes of a federally funded grant entitled, Cooperative Health Statistics System.....	\$490,482
4510-0109..	For the purposes of a federally funded grant entitled, State Loan Repayment Project.....	\$350,000
4510-0113..	For the purposes of a federally funded grant entitled, Office of Rural Health.....	\$188,929
4510-0115..	For the purposes of a federally funded grant entitled, State Primary Care Offices.....	\$42,701
4510-0116..	For the purposes of a federally funded grant entitled, Primary Care Cooperative Agreement.....	\$138,656
4510-0119..	For the purposes of a federally funded grant entitled, Rural Hospital Flexibility Program.....	\$320,300
4510-0219..	For the purposes of a federally funded grant entitled, Small Rural Hospital Improvement Program.....	\$81,000
4510-0221..	For the purposes of a federally funded grant entitled, Targeted Oral Health Services.....	\$160,000
4510-0222..	For the purposes of a federally funded grant entitled, Massachusetts Oral Health Workforce in New Sites II.....	\$411,411
4510-0400..	For the purposes of a federally funded grant entitled, Medicare and Medicaid Survey and Certification.....	\$10,049,537
4510-0404..	For the purposes of a federally funded grant entitled, Bioterrorism Hospital Preparedness.....	\$8,141,118
4510-0406.,	For the purposes of a federally funded grant entitled, Emergency System for Advance Registration of Volunteer Health	\$200,000
4510-0408..	For the purposes of a federally funded grant entitled, Medical Malpractice and Patient Safety.....	\$926,080
4510-0409..	For the purposes of a federally funded grant entitled, Massachusetts System for Advance Registration.....	\$200,000
4510-0500..	For the purposes of a federally funded grant entitled, Clinical Laboratory Improvement Amendments.....	\$310,881

4510-0609.. For the purposes of a federally funded grant entitled, Nuclear Radiation Commission Security Inspections.....\$19,373

4510-0619.. For the purposes of a federally funded grant entitled, Food and Drug Administration Inspection of Food Establishments.....\$340,704

4510-0626.. For the purposes of a federally funded grant entitled, Statewide Surveillance of Health Concerns and Toxic Algae Blooms.....\$149,939

4510-0639.. For the purposes of a federally funded grant entitled, Food Protection Rapid Response Team.....\$494,582

4510-0640.. For the purposes of a federally funded grant entitled, Mass Food Protection Task Force Conference.....\$5,000

4510-0641.. For the purpose of a federally funded grant entitled, Harold Rogers Drug Monitoring Program.....\$52,269

4510-0643.. For the purposes of a federally funded grant entitled, FY10 Harold Rogers Drug Monitoring: Enhancement of Information Tech (E of IT).....\$200,000

4510-9014.. For the purposes of a federally funded grant entitled, Mammography Quality Standards Act Inspections.\$224,394

4510-9048.. For the purposes of a federally funded grant entitled, Indoor Radon Development Program.....\$155,000

4510-9051.. For the purposes of a federally funded grant entitled, ATSDR Appletree.....\$402,895

4510-9053.. For the purposes of a federally funded grant entitled, Beaches Environmental Assessment...\$263,742

4510-9055.. For the purposes of a federally funded grant entitled, Assessment & Planning to Develop Climate Change Programs.....\$120,000

4510-9056.. For the purposes of a federally funded grant entitled, National Environmental Public Health Tracking.\$950,844

4510-9057.. For the purposes of a federally funded grant entitled, CLPPP Healthy Homes.....\$600,000

4512-0102.. For the purposes of a federally funded grant entitled, Sexually Transmitted Disease Control.....\$1,566,298

4512-0178.. For the purposes of a federally funded grant entitled, ARRA - Immunization.....\$5,679,847

4512-0179.. For the purposes of a federally funded grant entitled, Vaccination Assistance Project.....\$1,146,270

4512-0180.. For the purposes of a federally funded grant entitled, Epidemiology and Lab Surveillance.....\$34,836

4512-0181.. For the purposes of a federally funded grant entitled, ARRA - Meningococcal Virus Protection.....\$301,237

4512-0182.. For the purposes of a federally funded grant entitled, ARRA - Preventing Healthcare Associated Infections.....\$301,237

4512-0184.. For the purposes of a federally funded grant entitled, Viral Hepatitis Prevention Services – Integration into Existing Programs.....\$211,202

4512-0185.. For the purposes of a federally funded grant entitled, ARRA – IT-ELC.....	\$211,202
4512-0186.. For the purposes of a federally funded grant entitled, Building and Strengthening Epidemiology, Laboratory and Health Information System Capacity.....	\$838,673
4512-9065.. For the purposes of a federally funded grant entitled, State Outcomes Measurement and Management System.....	\$150,000
4512-9067.. For the purposes of a federally funded grant entitled, Screening and Brief Intervention.....	\$700,000
4512-9068.. For the purposes of a federally funded grant entitled, Collaborative for Action, Leadership, and Learning	\$523,251
4512-9069.. For the purposes of a federally funded grant entitled, Substance Abuse Prevention and Treatment Block Grant.....	\$38,255,001
4512-9070.. For the purposes of a federally funded grant entitled, Promoting Safe and Stable Families.....	\$500,000
4512-9072.. For the purposes of a federally funded grant entitled, Access to Recovery.....	\$3,352,000
4512-9426.. For the purposes of a federally funded grant entitled, Uniform Alcohol and Drug Abuse Data Collection.....	\$82,227
4513-0111.. For the purposes of a federally funded grant entitled, Housing Opportunities - People with AIDS.....	\$146,000
4513-9007.. For the purposes of a federally funded grant entitled, Nutritional Status of Women, Infants, and Children (WIC)	\$90,423,900
4513-9018.. For the purposes of a federally funded grant entitled, Augmentation and Evaluation of Established Health Education - Risk Reduction.....	\$8,805,373
4513-9020.. For the purposes of a federally funded grant entitled, Expanded and Integrated HIV Testing.....	\$929,301
4513-9021.. For the purposes of a federally funded grant entitled, Program for Infants and Toddlers with Handicaps.....	\$8,019,076
4513-9022.. For the purposes of a federally funded grant entitled, Prevention Disability State - Based Project.....	\$279,600
4513-9023.. For the purposes of a federally funded grant entitled, Mass HIV/AIDS National Behavioral Surveillance.....	\$402,617
4513-9024.. For the purposes of a federally funded grant entitled, Expanded & Integrated HIV Testing (Cycle II).....	\$922,802
4513-9027.. For the purposes of a federally funded grant entitled, MassCare - Community AIDS Resource Enhancement.....	\$879,806
4513-9030.. For the purposes of a federally funded grant entitled, Planning a Comprehensive Primary Care System for All MA Children and Youth.....	\$100,000
4513-9037.. For the purposes of a federally funded grant entitled, Ryan White Comprehensive AIDS Resources.....	\$20,481,053
4513-9038.. For the purposes of a federally funded grant entitled, Shelter Plus Care – Worcester.....	\$298,836

4513-9039.. For the purposes of a federally funded grant entitled, HIV/AIDS Surveillance Enhancing Laboratory Reporting.....\$89,628

4513-9040..For the purposes of a federally funded grant entitled, AIDS Surveillance and Seroprevalence.....\$972,637

4513-9046..For the purposes of a federally funded grant entitled, Congenital Anomalies Center of Excellence.....\$900,000

4513-9051.. For the purposes of a federally funded grant entitled, Rural Domestic Violence and Children Victimization Project.....\$164,047

4513-9060.. For the purposes of a federally funded grant entitled, Residential Fire Injury Prevention.....\$7,109

4513-9066.. For the purposes of a federally funded grant entitled, Universal Newborn Hearing Screening - Enhancement Project.....\$300,000

4513-9071.. For the purposes of a federally funded grant entitled, Early Hearing Detection and Intervention - Tracking and Research.....\$175,000

4513-9076.. For the purposes of a federally funded grant program entitled, Early Childhood Comprehensive Systems.....\$140,000

4513-9077.. For the purposes of a federally funded grant entitled, Emergency Medical Services for Children Partnership II.....\$130,000

4513-9083.. For the purposes of a federally funded grant entitled, Massachusetts Youth Suicide Prevention Program.....\$625,000

4513-9085.. For the purposes of a federally funded grant entitled, Massachusetts Pregnancy Risk.....\$160,950

4513-9088.. For the purposes of a federally funded grant entitled, Helping Hands for Infants and their Families.....\$475,000

4513-9091.. For the purposes of a federally funded grant entitled, NHI Health Disparities (READY)\$149,364

4513-9092.. For the purposes of a federally funded grant entitled, Addressing Asthma From a Public Health Perspective.....\$508,880

4513-9093.. For the purposes of a federally funded grant entitled, Massachusetts LAUNCH.....\$850,000

4513-9096.. For the purposes of a federally funded grant entitled, ACA Maternal, Infant & Early Childhood Home Visiting Program.....\$1,776,000

4513-9097.. For the purposes of a federally funded grant entitled, Healthy Homes Tech Studies.....\$333,024

4514-1007.. For the purposes of a federally funded grant entitled, ARWIC/MIS.....\$346,123

4514-1008.. For the purposes of a federally funded grant entitled, WIC Enhanced Referral and Family Support Project.....\$5,000

4515-0115.. For the purposes of a federally funded grant entitled, Tuberculosis Control Project.....\$1,567,826

4515-0121.. For the purposes of a federally funded grant entitled, Tuberculosis Epidemiological Studies Consortium\$265,778

4515-0204..	For the purposes of a federally funded grant entitled, Strengthening Surveillance for Infectious Disease.....	\$420,000
4515-0205..	For the purposes of a federally funded grant entitled, HIV Training through Prevention Training Centers.....	\$524,970
4515-0206..	For the purposes of a federally funded grant entitled, Health Literacy and Oral Health Status of African Refugees.....	\$513,560
4515-0207..	For the purposes of a federally funded grant entitled, Health, Training and Technical Assistance to Refugee Serving Agencies.....	\$374,929
4515-1124..	For the purposes of a federally funded grant entitled, Adult Viral Hepatitis Prevention Coordination.....	\$56,660
4516-1021..	For the purposes of a federally funded grant entitled, Public Health Preparedness and Response for Bioterrorism.....	\$ 14,285,663
4518-0505..	For the purposes of a federally funded grant entitled, Tech Data - Massachusetts Birth/Infant Death File Linkage and Analysis.....	\$52,513
4518-0514..	For the purposes of a federally funded grant entitled, National Violent Death Reporting System.....	\$287,569
4518-0534..	For the purposes of a federally funded grant entitled, Public Health Injury Surveillance and Prevention.....	\$738,946
4518-1000..	For the purposes of a federally funded grant entitled, Procurement of Information for the National Death Index.....	\$27,500
4518-1002..	For the purposes of a federally funded grant entitled, Massachusetts Death File - Social Security Administration.....	\$33,000
4518-1003..	For the purposes of a federally funded grant entitled, Massachusetts Birth Records — Social Security Administration.....	\$212,075
4518-9023..	For the purposes of a federally funded grant entitled, Census of Fatal Occupational Injuries.....	\$47,192
4518-9030..	For the purpose of a federally funded grant entitled, Public Health Injury Surveillance and Prevention Program.....	\$10,378
4518-9033..	For the purposes of a federally funded grant entitled, Teen Dating Violence Prevention.....	\$16,767
4518-9041..	For the purpose of a federally funded grant entitled, Amputation/CTS Project.....	\$145,944
4518-9044..	For the purpose of a federally funded grant entitled, MA Citizen Verification for Federal Employment.....	\$40,000
4518-9045..	For the purpose of a federally funded grant entitled, MA Integration of Chronic Disease-ARRA.....	\$274,233
4570-1509..	For the purposes of a federally funded grant entitled, Massachusetts Cardiovascular Disease Prevention.....	\$1,194,522
4570-1512..	For the purposes of a federally funded grant entitled, National Cancer Prevention Control.....	\$4,979,553

4570-1513.. For the purposes of a federally funded grant entitled, Colorectal Cancer Screening..... \$1,000,000

4570-1514.. For the purposes of a federally funded grant entitled, Wise Woman.....\$900,000

4570-1516..For the purposes of a federally funded grant entitled, Paul Coverdell Acute Stroke Registry..... \$600,000

4570-1517..For the purposes of a federally funded grant entitled, Nutrition Obesity..... \$1,000,152

4570-1520.. For the purposes of a federally funded grant entitled, Massachusetts Integration of Chronic Disease.....\$2,531,966

4570-1521.. For the purpose of a federally funded grant entitled, 901 ARRA Component 1 MA Integration of Chronic Disease \$223,434

4570-1522.. For the purpose of a federally funded grant entitled, 901 ARRA Component 2 MA Integration of Chronic Disease..... \$278,516

4570-1523.. For the purpose of a federally funded grant entitled, 901 ARRA Component 3 MA Integration of Chronic Disease..... \$180,803

4570-1525.. For the purpose of a federally funded grant entitled, FDA – 10 – Tobacco.....\$432,389

4570-1526.. For the purpose of a federally funded grant entitled, Demonstrating Capacity for Cancer Control.....\$175,000

4570-1527.. For the purpose of a federally funded grant entitled, Personal Responsibility Education (PREP).....\$575,610

4570-1529.. For the purpose of a federally funded grant entitled, MA Support for Pregnant Teens and Women.....\$1,648,438

4570-1530.. For the purpose of a federally funded grant entitled, HR-Tobacco Patient Protection and Affordable Care Act.....\$83,924

4570-1531.. For the purpose of a federally funded grant entitled, Behavioral Risk factor Surveillance.\$1,648,438

Department of Children and Families.

4800-0005.. For the purposes of a federally funded grant entitled, Children’s Justice Act.....\$332,603

4800-0007.. For the purposes of a federally funded grant entitled, Family Violence Prevention and Support Services Act.....\$1,868,196

4800-0009.. For the purposes of a federally funded grant entitled, Title IV-E Independent Living.....\$2,996,999

4800-0013.. For the purposes of a federally funded grant entitled, Family Preservation and Support Services.....\$4,428,994

4800-0085.. For the purposes of a federally funded grant entitled, Educational & Training Voucher Program.....\$1,004,749

4899-0001.. For the purposes of a federally funded grant entitled, Title IV-B Child Welfare Services..\$4,423,131

4899-0022.. For the purposes of a federally funded grant entitled, Child Abuse and Neglect Prevention and

Treatment.....\$508,268

Department of Mental Health.

5012-9121.. For the purposes of a federally funded grant entitled, Project for Assistance in Transition from Homelessness.....\$1,768,195

5012-9160.. For the purposes of a federally funded grant entitled, Jail Diversion and Trauma Recovery..\$412,500

5012-9161.. For the purposes of a federally funded grant entitled, Community Re-entry for Women Program.....\$67,227

5012-9163.. For the purposes of a federally funded grant entitled, CCP Crisis Counseling.....\$71,445

5012-9164.. For the purposes of a federally funded grant entitled, DIG 2011.....\$132,937

5046-9102.. For the purposes of a federally funded grant entitled, Shelter Plus Care Program.....\$201,120

5047-9102.. For the purposes of a federally funded grant entitled, Comprehensive Mental Health Services for Children and their Families.....\$392,523

Department of Developmental Services.

5947-0011.. For the purposes of a federally funded grant entitled, Real Choice Systems Change Grant...\$102,632

5947-0012.. For the purposes of a federally funded grant entitled, Life Span Federal Grant.....\$89,903

Board of Library Commissioners.

7000-9702.. For the purposes of a federally funded grant entitled, Library Service Technology Act.....\$3,323,269

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION.

6440-0088.. For the purposes of a federally funded grant entitled, Perform Registry Info Management System\$300,038

6440-0089.. For the purposes of a federally funded grant entitled, Commercial Vehicle Information Systems and Networks.....\$3,280,384

6440-0090.. For the purposes of a federally funded grant entitled, CDL Information System Enhancement\$2,191,049

6440-0097.. For the purposes of a federally funded grant entitled, Commercial Drivers License Information System.....\$135,728

6440-0098.. For the purposes of a federally funded grant entitled, Safety Data Improvement Program\$325,908

6440-0099.. For the purposes of a federally funded grant entitled, Real ID Demonstration Program....\$1,265,208

6642-0018.. For the purposes of a federally funded grant entitled, Section 5311 Non-Urbanized Area Formula Program.....\$3,477,592

6642-0020.. For the purposes of a federally funded grant entitled, Section 5316 Job Access and Reverse Commute.....\$5,907,631

6642-0023.. For the purposes of a federally funded grant entitled, Section 5303 and 5304 Metropolitan Transportation Planning.....\$4,900,710

6642-0026.. For the purposes of a federally funded grant entitled, Section 5317 New Freedom Operating Segment.....	\$2,734,306
6642-0028.. For the purposes of a federally funded grant entitled, Intermodal Transportation Center...	\$5,568,318
6642-0049.. For the purposes of a federally funded grant entitled, Section 56310 Special Needs for Elderly Individuals.....	\$2,866,287
6643-0011.. For the purposes of a federally funded grant entitled, ARRA Fast Track New Bedford...	\$10,000,000
6830-3250.. For the purposes of a federally funded grant entitled, Statewide Airport Systems Plan.....	\$163,429

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.

Office of the Secretary.

7002-1625.. For the purposes of a federally funded grant entitled, Veterans Workforce Investment Program FY12.....	\$757,412
7002-4203.. For the purposes of a federally funded grant entitled, Occupational Substance and Health Administration Statistical Survey.....	\$73,345
7002-4204.. For the purposes of a federally funded grant entitled, Adult Blood Lead Levels Surveillance.....	\$195,000
7002-4212.. For the purposes of a federally funded grant entitled, Asbestos Licensing and Monitoring...	\$108,000
7002-4213.. For the purposes of a federally funded grant entitled, Lead Licensing and Monitoring.....	\$360,000
7002-4215.. For the purposes of a federally funded grant entitled, Occupational Illness and Injury.....	\$86,707
7002-6621.. For the purposes of a federally funded grant entitled, Department of Workforce Development Administrative Services & Technology.....	\$18,170,477
7002-6624.. For the purposes of a federally funded grant entitled, Unemployment Insurance Administration.....	\$79,000,000
7002-6626.. For the purposes of a federally funded grant entitled, Employment Service Programs Administration.....	\$16,269,778
7002-6627.. For the purposes of a federally funded grant entitled, Occupational Substance and Health Administration On-site Consultation Program.....	\$1,413,000
7002-6628.. For the purposes of a federally funded grant entitled, Disabled Veterans Outreach.....	\$1,600,000
7002-6629.. For the purposes of a federally funded grant entitled, Local Veterans Employment Representative.....	\$2,100,000
7002-6646.. For the purposes of a federally funded grant entitled, WIA Recovery Act Employer Services.....	\$4,500,000
7002-9701.. For the purposes of a federally funded grant entitled, Federal Bureau of Labor Statistics Grant.....	\$2,569,258
7003-1010.. For the purposes of a federally funded grant entitled, Trade Expansion Act Program.....	\$18,541,849

7003-1630..	For the purposes of a federally funded grant entitled, Adult Activities – Workforce Investment Act Title I - Adult Activities.....	\$21,077,233
7003-1631..	For the purposes of a federally funded grant entitled, Youth Formula Grants – Workforce Investment Act Title I - Youth Formula Grants.....	\$24,370,973
7003-1632..	For the purposes of a federally funded grant entitled, Dislocated Workers – Workforce Investment Act Title I –Dislocated Workers.....	\$28,612,463
7003-1633..	For the purposes of a federally funded grant entitled, Work Incentive Grant Access to Employment for All.....	\$450,000
7003-1640..	For the purposes of a federally funded grant entitled, WIA Recovery Act Adult Workers	\$4,500,000
7003-1642..	For the purposes of a federally funded grant entitled, WIA Recovery Act Dislocated Workers.....	\$14,000,000
7003-1645..	For the purposes of a federally funded grant entitled, ARRA State Energy Sector Partnership.....	\$2,014,295
7003-1651..	For the purposes of a federally funded grant entitled, WIA Recovery Act Youth Workers.....	\$12,000,000
7003-2013..	For the purposes of a federally funded grant entitled, Mine Safety and Health Training.....	\$65,651

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT.

Department of Housing and Community Development.

4400-0705..	For the purposes of a federally funded grant entitled, McKinney Emergency Shelter Grants.....	\$2,900,000
4400-0707..	For the purposes of a federally funded grant entitled, Continuum of Care.....	\$6,000,000
4400-9404..	For the purposes of a federally funded grant entitled, McKinney Shelter Plus Care – Continuum of Care.....	\$3,400,000
7004-0305..	For the purposes of a federally funded grant entitled, Lead Hazard Control.....	\$469,982
7004-2030..	For the purposes of a federally funded grant entitled, Weatherization Assistance for Low Income Persons; provided, that, consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies.....	\$7,111,922
7004-2031..	For the purposes of a federally funded grant entitled, Weatherization Assistance for Low Income.....	\$10,395,482
7004-2033..	For the purposes of a federally funded grant entitled, Low Income Home Energy Assistance Program; provided, that consistent with applicable federal regulations and the state plan, the department of housing and community development shall provide monthly payments in advance to participating agencies.....	\$210,212,673
7004-2034..	For the purposes of a federally funded grant entitled, Community Services Block Grant; provided, that consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies.....	\$16,486,827

7004-2361..	For the purposes of a federally funded grant entitled, Section 8 Substantial Rehabilitation Administrative Fee.....	\$248,455
7004-2363..	For the purposes of a federally funded grant entitled, Section 8 Administrative Fee Housing Voucher.....	\$3,201,079
7004-2364..	For the purposes of a federally funded grant entitled, Section 8 Administrative Fee Moderate Rehabilitation.....	\$183,097
7004-2365..	For the purposes of a federally funded grant entitled, Section 8 Administrative Fee New Construction.....	\$381,179
7004-3037..	For the purposes of a federally funded grant entitled, Small Cities Community Development Block Grant Program; provided, that consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies.....	\$36,934,589
7004-3038..	For the purposes of a federally funded grant entitled, Neighborhood Stabilization.....	\$9,824,139
7004-3041..	For the purposes of a federally funded grant entitled, Community Development Block Grant – ARRA.....	\$2,000,000
7004-3051..	For the purposes of a federally funded grant entitled, ARRA Homeless Prevention and Rapid Rehousing Program.....	\$5,607,300
7004-9009..	For the purposes of a federally funded grant entitled, Section 8 Substantial Rehabilitation Program; provided, that the department of housing and community development may provide monthly payments in advance to participating agencies.....	\$9,446,234
7004-9014..	For the purposes of a federally funded grant entitled, Federal Housing Voucher Program; provided, that the department of housing and community development may provide monthly payments in advance to participating agencies.....	\$229,653,571
7004-9019..	For the purposes of a federally funded grant entitled, Section 8 Moderate Rehabilitation; provided, that the department of housing and community development may provide monthly payments in advance to participating agencies.....	\$9,460,745
7004-9020..	For the purposes of a federally funded grant entitled, Section 8 New Construction Program; provided, that the department of housing and community development may provide monthly payments in advance to participating agencies.....	\$6,746,500
7004-9028..	For the purposes of a federally funded grant entitled, Home Investment Partnerships; provided, that, consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies.....	\$15,000,000
7004-9039..	For the purposes of a federally funded grant entitled, Home Technical Assistance.....	\$107,298
7004-9051..	For the purposes of a federally funded grant entitled, Shelter Plus Care-Lowell; provided, that, consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies.....	\$79,000
7004-9313..	For the purposes of a federally funded grant entitled, ARRA Tax Credit Exchange Program.....	\$22,928,537
7004-9314..	For the purposes of a federally funded grant entitled, ARRA Tax Credit Assistance	

Program..... \$14,901,408

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY.

Office of the Secretary.

8000-0088.. For the purposes of a federally funded grant entitled, Bulletproof Vest Federal Receipt..... \$300,000

8000-2015.. For the purposes of a federally funded grant entitled, ARRA Justice Assistant Grant..... \$600,000

8000-4603.. For the purposes of a federally funded grant entitled, Juvenile Justice Delinquency and Prevention Act..... \$1,000,000

8000-4608.. For the purposes of a federally funded grant entitled, Drug-Free Schools and Communities Act of 1986..... \$100,000

8000-4610.. For the purposes of a federally funded grant entitled, Statistical Analysis Center..... \$60,000

8000-4611.. For the purposes of a federally funded grant entitled, Byrne Justice Assistance.....\$4,000,000

8000-4619.. For the purposes of a federally funded grant entitled, Title V.....\$75,000

8000-4620.. For the purposes of a federally funded grant entitled, Stop Violence Against Women Formula Grants Program..... \$2,000,000

8000-4623.. For the purposes of a federally funded grant entitled, Criminal History Improvement..... \$200,000

8000-4624.. For the purposes of a federally funded grant entitled, Prisoner Substance Abuse Treatment \$100,000

8000-4639.. For the purposes of a federally funded grant entitled, Justice Loan Repayment Grant.....\$130,000

8000-4640.. For the purposes of a federally funded grant entitled, Hampden Reentry Grant.....\$225,000

8000-4692.. For the purposes of a federally funded grant entitled, State Homeland Security Program..... \$20,000,000

8000-4693.. For the purposes of a federally funded grant entitled, Project Safe Neighborhood. \$200,000

8000-4694.. For the purposes of a federally funded grant entitled, Homeland Urban Areas..... \$7,500,000

8000-4695.. For the purposes of a federally funded grant entitled, Homeland Security Buffer Zone Protection..... \$1,200,000

8000-4696.. For the purposes of a federally funded grant entitled, Transportation Security Grant..... \$10,000,000

8000-4697.. For the purposes of a federally funded grant entitled, Homeland Security Interoperable Communication. \$8,000,000

8000-4699..	For the purposes of a federally funded grant entitled, Homeland Citizen Corp.....	\$295,000
8000-4700..	For the purposes of a federally funded grant entitled, Homeland Medical Response.....	\$400,000
8000-4701..	For the purposes of a federally funded grant entitled, Homeland Port Security.....	\$2,000,000
8000-4702..	For the purposes of a federally funded grant entitled, Homeland Interoperable Communications.....	\$500,000
8000-4703..	For the purposes of a federally funded grant entitled, Homeland Catastrophic Preparation.....	\$2,000,000
8000-4705..	For the purposes of a federally funded grant entitled, Homeland Emergency Management Preparation.....	\$4,000,000
8000-4706..	For the purposes of a federally funded grant entitled, Homeland Emergency Operations Center.....	\$50,000
8000-4804..	For the purposes of a federally funded grant entitled, State Agency Programs.....	\$16,000,000
8000-4840..	For the purposes of a federally funded grant entitled, 2006 Enforcing Underage Drinking Laws.....	\$300,000
8000-4841..	For the purposes of a federally funded grant entitled, Fatality Analysis Reporting.....	\$100,000
8000-4843..	For the purposes of a federally funded grant entitled, Increased Endorsed Motorcyclists.....	\$29,416
8000-4844..	For the purposes of a federally funded grant entitled, Increased Blood Alcohol Reporting.....	\$32,012
8000-6613..	For the purposes of a federally funded grant entitled, Juvenile Accountability II.....	\$700,000

Department of State Police.

8100-0209..	For the purposes of a federally funded grant entitled, Region 1 Training Academy Motor Carrier Safety Assistance.....	\$194,904
8100-0210..	For the purposes of a federally funded grant entitled, MCSAP-CVE New Entrant Audit.....	\$602,422
8100-2010..	For the purposes of a federally funded grant entitled, Federal Motor Carrier Safety.....	\$7,317
8100-2058..	For the purposes of a federally funded grant entitled, New England State Police Administrator's Conference - Regional Investigation.....	\$4,867,198
8100-2639..	For the purposes of a federally funded grant entitled, ARRA ICAC Task Force.....	\$152,200
8100-2640..	For the purposes of a federally funded grant entitled, Internet Crimes Against Children Continuation.....	\$7,000
8100-2641..	For the purposes of a federally funded grant entitled, Internet Crimes Against Children Data System.....	\$460,448

8100-9706.. For the purposes of a federally funded grant entitled, Cannabis Eradication Controlled Substance Prosecution DEA Cooperative Agreement.....\$50,753

8100-9747.. For the purposes of a federally funded grant entitled, Forensic DNA Backlog Reduction Program FY09.....\$479,230

8100-9748..For the purposes of a federally funded grant entitled, FY10 Forensic DNA Backlog Reduction Program.....\$521,383

8100-9749..For the purposes of a federally funded grant entitled, Coverdell Forensics Science Improvement.....\$165,187

Department of Fire Services.

8324-1505.. For the purposes of a federally funded grant entitled, USFA/NFA State Fire Training Program.....\$28,000

Military Division.

8700-0006.. For the purposes of a federally funded grant entitled, Military Construction Costs in Methuen.....\$9,647,217

8700-1001.. For the purposes of a federally funded grant entitled, Army National Guard Facilities Programs Cooperative Agreement.....\$15,872,100

8700-1002.. For the purposes of a federally funded grant entitled, Army National Guard Environmental Programs Cooperative Agreement.....\$3,149,000

8700-1003.. For the purposes of a federally funded grant entitled, Army National Guard Security Cooperative Agreement.....\$1,410,800

8700-1004.. For the purposes of a federally funded grant entitled, Army National Guard Electronic Security Cooperative Agreement.....\$200,000

8700-1005.. For the purposes of a federally funded grant entitled, Army National Guard Communications and Information Management Cooperative Agreement.....\$2,435,400

8700-1007.. For the purposes of a federally funded grant entitled, Army National Guard Sustainable Ranges Cooperative Agreement\$669,000

8700-1010.. For the purposes of a federally funded grant entitled, Army National Guard Antiterrorism Cooperative Agreement.....\$100,000

8700-1021.. For the purposes of a federally funded grant entitled, Air National Guard Facilities Operations and Maintenance Cooperative Agreement.....\$7,717,457

8700-1022.. For the purposes of a federally funded grant entitled, Air National Guard Environment Cooperative Agreement.....\$70,100

8700-1023.. For the purposes of a federally funded grant entitled, Air National Guard Security Cooperative Agreement.....\$1,940,000

8700-1024.. For the purposes of a federally funded grant entitled, Air National Guard Fire Protection Cooperative Agreement.....\$2,101,600

8700-1027.. For the purposes of a federally funded grant entitled, Air National Guard Logistics Cooperative Agreement.....\$130,000

- 8700-1040.. For the purposes of a federally funded grant entitled, Air National Guard Distributed Learning Program Cooperative Agreement.....\$150,000
- 8700-2001.. For the purposes of a federally funded grant entitled, Natick National Guard Readiness Center.....\$9,716,000
- 8700-9021.. For the purposes of a federally funded grant entitled, Army National Guard Energy Reduction Projects ARRA.....\$150,000

Massachusetts Emergency Management Agency.

- 8800-0011.. For the purposes of a federally funded grant entitled, Severe Repetitive Loss Grant.....\$449,568
- 8800-0012.. For the purposes of a federally funded grant entitled, Pre-Disaster Mitigation Competitive Grant.....\$88,417
- 8800-0042.. For the purposes of a federally funded grant entitled, Hazardous Materials Transportation Act.....\$458,003
- 8800-0048.. For the purposes of a federally funded grant entitled, Flood Mitigation Assistance Program.....\$1,331,702
- 8800-0064.. For the purposes of a federally funded grant entitled, Hazard Mitigation 1364.....\$3,081,784
- 8800-1642.. For the purposes of a federally funded grant entitled, May 2006 Floods FEMA.....\$1,796,396
- 8800-1701.. For the purposes of a federally funded grant entitled, April 2007 Storm FEMA..... \$1,875,846
- 8800-1813.. For the purposes of a federally funded grant entitled, December 2008 Ice Storm FEMA...\$4,845,557
- 8800-1895.. For the purposes of a federally funded grant entitled, March 2010 Floods FEMA.....\$14,296,039

Department of Correction.

- 8903-9003.. For the purposes of a federally funded grant entitled, Second Chance Act Family Based Substance Abuse Treatment Grant.....\$140,545
- 8903-9009.. For the purposes of a federally funded grant entitled, Second Chance Act New Clean Green Energy Training Program.....\$382,780
- 8903-9709.. For the purposes of a federally funded grant entitled, Grants to States for Workplace and Community Transition Training for Incarcerated Youth Offenders..... \$153,894

EXECUTIVE OFFICE OF ELDER AFFAIRS.

Office of the Secretary.

- 9110-1074.. For the purposes of a federally funded grant entitled, Older Americans Assistance - Title III and Title VII.....\$9,500,703
- 9110-1077.. For the purposes of a federally funded grant entitled, National Family Caregiver Support Program.....\$2,469,373
- 9110-1095.. For the purposes of a federally funded grant entitled, Health Information Counseling and Assistance\$1,137,421

9110-1150..	For the purposes of a federally funded grant entitled, Empowering Older People.....	\$252,514
9110-1173..	For the purposes of a federally funded grant entitled, Older Americans Act - Title III Nutritional Program.....	\$10,247,829
9110-1174..	For the purposes of a federally funded grant entitled, Nutrition Services Incentive Program.....	\$4,954,850
9110-1175..	For the purposes of a federally funded grant entitled, Medicare Enrollment Assistance Program AAA.....	\$12,683
9110-1176..	For the purposes of a federally funded grant entitled, Medicare Enrollment Assistance Program ADRC.....	\$22,262
9110-1177..	For the purposes of a federally funded grant entitled, Additional Funding Act State Health Insurance.....	\$31,420
9110-1178..	For the purposes of a federally funded grant entitled, Community Service Employment Program	\$2,983,508
9110-1180..	For the purposes of a federally funded grant entitled, 2007 Medicare Improvements for Patients and Providers to LIS/MSP.....	\$15,051
9110-1182..	For the purposes of a federally funded grant entitled, 2008 Medicare Improvements for Patients and Providers.....	\$11,048
9110-3000..	For the purposes of a federally funded grant entitled, Senior Medicare Patrol Integration	\$193,895
9110-3031..	For the purposes of a federally funded grant entitled, ADRC Strategic Planning	\$250,000
9110-3037..	For the purposes of a federally funded grant entitled, Massachusetts Community Living Program	\$500,000
9110-3200..	For the purposes of a federally funded grant entitled, Community Based Alzheimer Care Project	\$250,000
9110-3300..	For the purposes of a federally funded grant entitled, MA Next Generation Performance Outcome Measurement Project.....	\$111,505

SECTION 2E. The sums set forth in this section are hereby appropriated for transfer from the General Fund to the trust funds named within each item unless specifically designated otherwise in this section, for the 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, 2012. Items in this section shall not be subject to allotment under section 9B of chapter 29 of the General Laws or reduction under section 9C of said chapter 29, without express authorization from the general court. Notwithstanding section 19A of said chapter 29, any transfer under this section shall be made by the comptroller in accordance with a transfer schedule to be developed for each item by the comptroller, after consulting with the appropriate agency secretary, the secretary of administration and finance and the state treasurer. The schedule for each appropriation shall provide for transfers in increments considered appropriate to meet the cash flow needs of each fund and all transfers under the schedule shall be completed not later than June 30, 2012. Not later than 7 days after the schedules receive final approval by the comptroller, they shall be reported to the house and senate committees on ways and means.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

1599-6152..	For an operating transfer to the State Retiree Benefits Trust Fund, established pursuant to section 24 of chapter 32A of the General Laws.....	\$414,325,940
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EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

Office of the Secretary of Health and Human Services.

1595-1068.. For an operating transfer to the MassHealth provider payment account in the Medical Assistance Trust Fund established in section 2QQQ of chapter 29 of the General Laws; provided, that these funds shall be expended only for services provided during state or federal fiscal year 2012, and no amounts previously or subsequently transferred into the Medical Assistance Trust Fund shall be expended on payments described in the section 1115 demonstration waiver for services provided during state fiscal year 2012, or payments described in the state plan for services provided during federal fiscal year 2012; provided further, that all payments from the Medical Assistance Trust Fund shall be subject to the availability of federal financial participation, shall be made only in accordance with federally-approved payment methods, shall be consistent with federal funding requirements and all federal payment limits as determined by the secretary of health and human services and shall be subject to the terms and conditions of an agreement with the executive office of health and human services; provided further, that any increase in payment made from the trust fund totaling an amount greater than \$251,000,000 in fiscal year 2012 shall be made only after the secretary of health and human services certifies that any increase in payments from the trust fund shall not exceed the negotiated limit for section 1115 waiver spending; provided further, that the secretary of health and human services shall notify, in writing, the house and senate committees on ways and means and the joint committee on health care financing of any increases in payments within 15 days; and provided further, that the secretary of health and human services shall make a payment of up to \$308,050,000 from the Medical Assistance Trust Fund to the Cambridge Public Health Commission for dates of service in state and federal fiscal year 2012 only after the Cambridge Public Health Commission transfers up to \$154,025,000 of its funds to the Medical Assistance Trust Fund using a federally-permissible source of funds which shall fully satisfy the nonfederal share of such payment.....\$394,025,000

1595-1069.. For the purpose of administering the Medicaid Electronic Health Record Incentive Payment program; provided, that notwithstanding any general or special law to the contrary, the comptroller shall transfer up to \$500,000 from the General Fund to the Health Insurance Technology Trust Fund; and provided further, that all payments from the Health Insurance Technology Trust Fund shall be subject to the availability of federal financial participation.....\$500,000

1595-5819.. For an operating transfer to the Commonwealth Care Trust Fund, established under section 2000 of chapter 29 of the General Laws; provided, that up to \$30,000,000 shall be transferred from the Commonwealth Care Trust Fund to the Health Safety Net Trust Fund, established under section 36 of chapter 118G of the General Laws; provided further, that the hospital fiscal year 2012 payment amount to each hospital shall be funded by the Health Safety Net Trust Fund; provided further, that payments may be made either as safety net care payments under the commonwealth's section 1115 waiver, or as an adjustment to Title XIX service rate payments, or a combination thereof; provided further, that the executive office of health and human services and the health safety net office may use other federally permissible funding mechanisms available for public service hospitals, as defined in 114.1 CMR 36.02, to reimburse up to \$70,000,000 of uncompensated care at the hospitals using sources distinct from the funding made available to the Health Safety Net Trust Fund; provided further, that the secretary of administration and finance, in consultation with the secretary of health and human services and the executive director of the commonwealth health insurance connector authority, shall on a quarterly basis evaluate the revenue needs of the health safety net program funded by the Health Safety Net Trust Fund and the Commonwealth Care subsidized health insurance program funded by the Commonwealth Care Trust Fund, and if necessary, transfer monies between these funds for the purpose of ensuring that sufficient revenues are available to support projected program expenditures; provided further, that the secretary of administration and finance shall report any transfers made between the Health Safety Net Trust Fund and the Commonwealth Care Trust Fund to the house and senate committees on ways and means and the joint committee on healthcare financing within 30 days of the proposed transfer; provided further, that notwithstanding any general or special law to the contrary, if the secretary of administration and finance determines that amounts transferred from the General Fund to the

Commonwealth Care Trust Fund are not needed to support the costs of the commonwealth care and Commonwealth Care Bridge subsidized health insurance programs in fiscal year 2012, the secretary of administration and finance shall notify the comptroller and the house and senate committees on ways and means of this determination and the comptroller shall transfer such amounts from the Commonwealth Care Trust Fund back to the General Fund; and provided further, that up to \$10,000,000 shall be applied for the purpose of providing small business health insurance wellness subsidies pursuant to section 7A of chapter 176Q of the General Laws; provided further, that the commonwealth health insurance connector authority shall conduct a study to determine whether individuals in the Greater Brockton area who are receiving Commonwealth Care subsidized health insurance benefits through a health maintenance organization under contract with the connector authority have adequate access to those health care providers that have historically served those individuals; and provided further, that notwithstanding said section 7A of said chapter 176Q, for fiscal year 2012, the connector shall provide an annual health insurance wellness subsidy not to exceed 15 per cent of eligible employer health care costs as calculated by the employer for credit by the federal government under the federal Patient Protection and Affordable Care Act\$751,511,822

TRANSPORTATION.

Department of Transportation.

1595-6368.. For an operating transfer to the Massachusetts Transportation Trust Fund, established under section 4 of chapter 6C of the General Laws; provided, that the Massachusetts Department of Transportation shall spend not less than \$8,106,972 for the operation of the motor vehicle insurance merit rating board, including the rent, parking and utility expenses of the board; provided further, that the amount expended for the operation of the motor vehicle insurance merit rating board, and the associated fringe benefits, shall be borne by insurance companies doing motor vehicle insurance business within the commonwealth, under section 57A of chapter 6C of the General Laws; provided further, that of the amount expended for the operation of the motor vehicle insurance merit rating board, an amount not less than \$300,000 shall be provided to the executive office of public safety and security for the costs of personnel and services associated with the maintenance and use of registry information technology for criminal justice purposes; and provided further, that notwithstanding any general or special law to the contrary, no safe driver insurance plan shall require the payment of an unsafe driver point surcharge for the first offense for non-criminal motor vehicle traffic violations as described in chapter 90C of the General Laws..... \$203,233,728

Commonwealth Transportation Fund..... 100%

1595-6369.. For an operating transfer to the Massachusetts Bay Transportation Authority pursuant to clause (1) of subsection (d) of section 2ZZZ of chapter 29 of the General Laws.....\$160,000,000

Commonwealth Transportation Fund..... 100%

1595-6370.. For an operating transfer to the regional transit authorities organized under chapter 161B of the General Laws or predecessor statutes pursuant to clause (2) of subsection (d) of section 2ZZZ of chapter 29 of the General Laws.....\$15,000,000

Commonwealth Transportation Fund..... 100%

EXECUTIVE OFFICE OF EDUCATION.

Department of Higher Education.

7066-0035 For the support of the Massachusetts Science, Technology Engineering, and Mathematics Grant Fund established by section 2MMM of chapter 29 of the General Laws \$500,000

SECTION 3. Notwithstanding any general or special law to the contrary, for the fiscal year ending June 30, 2012, the distribution to cities and towns of the balance of the State Lottery Fund, as paid from the General Fund in accordance with clause (c) of the second paragraph of section 35 of chapter 10 of the General Laws, and additional funds from the General Fund shall be \$833,980,293 and shall be apportioned to the cities and towns in accordance with this section.

Notwithstanding section 2 of chapter 70 of the General Laws or any other general or special law to the contrary, except for section 91 of chapter 71 of the General Laws, section 12B of chapter 76 of the General Laws and section 89 of chapter 71 of the General Laws, for fiscal year 2012, the total amounts to be distributed and paid to each city and town from item 7061-0008 of section 2 shall be as set forth in the following lists. The specified amounts to be distributed from said item 7061-0008 of said section 2 shall be in full satisfaction of the amounts due under chapter 70 of the General Laws.

For fiscal year 2012, the foundation budget categories for each district shall be calculated in the same manner as in fiscal year 2011. The target local share shall be calculated using the same methodology used in fiscal year 2011. Preliminary local contribution shall be the municipality's fiscal year 2011 minimum required local contribution, increased or decreased by the municipal revenue growth factor; provided, however, that if a municipality's preliminary contribution as a percentage of its foundation budget is more than 5 percentage points lower than the target local share, the preliminary contribution shall be recalculated using the municipality's revenue growth factor plus 1 percentage point; and provided further, that if a municipality's preliminary contribution as a percentage of its foundation budget is more than 10 percentage points lower than the target local share, the preliminary contribution shall be recalculated using the municipality's revenue growth factor plus 2 percentage points. Minimum required local contribution for fiscal year 2012 shall be, for a municipality with a fiscal year 2012 preliminary contribution greater than its fiscal year 2012 target contribution, the preliminary local contribution reduced by 20 per cent of the gap between the preliminary local contribution and the target local contribution. Required local contribution shall be allocated among the districts to which a municipality belongs in direct proportion to the foundation budgets for the municipality's pupils at each of those districts. For fiscal year 2012, prior year aid shall be the sum of: (a) fiscal year 2011 state-appropriated chapter 70 aid; and (b) state fiscal stabilization fund allocations as distributed by the department of elementary and secondary education. For fiscal year 2012, the foundation aid increment shall be the positive difference between: (a) the difference between a district's foundation budget and its required district contribution; and (b) prior year aid. Chapter 70 aid for fiscal year 2012 shall be the sum of prior year aid plus the foundation aid increment, if any. No nonoperating district shall receive chapter 70 aid in an amount greater than the district's foundation budget. If there is a conflict between any provision of this section and the distribution listed below, the distribution below shall control.

The department of elementary and secondary education shall not consider health care costs for retired teachers to be part of net school spending for any district in which such costs were not considered part of net school spending in fiscal year 1994. No payments to cities, towns or counties maintaining an agricultural school pursuant to this section shall be made after November 30 of the fiscal year until the commissioner of revenue certifies acceptance of the prior fiscal year's annual financial reports submitted pursuant to section 43 of chapter 44 of the General Laws. Advance payments shall be made for some or all of periodic local reimbursement or assistance programs to a city, town, regional school district or independent agricultural and technical school that demonstrates an emergency cash shortfall, as certified by the commissioner of revenue and approved by the secretary of administration and finance, pursuant to guidelines established by the secretary.

Municipality	Chapter 70	Unrestricted General Government Aid
ABINGTON	7,244,034	1,543,567
ACTON	5,188,231	1,097,608
ACUSHNET	6,039,807	1,189,719
ADAMS	0	1,837,004
AGAWAM	17,494,998	2,890,703
ALFORD	0	11,011
AMESBURY	8,422,786	1,526,501
AMHERST	5,813,638	6,605,976
ANDOVER	6,928,057	1,402,081
ARLINGTON	6,880,580	5,952,940
ASHBURNHAM	0	623,876
ASHBY	0	343,578
ASHFIELD	93,413	145,672
ASHLAND	4,877,035	1,061,106
ATHOL	0	2,077,367
ATTLEBORO	28,992,951	4,476,414
AUBURN	6,495,648	1,343,805
AVON	816,707	543,847
AYER	264,744	594,009
BARNSTABLE	7,184,728	1,650,493
BARRE	7,483	705,700
BECKET	76,563	71,258

Municipality	Chapter 70	Unrestricted General Government Aid
BEDFORD	2,806,434	900,733
BELCHERTOWN	13,251,261	1,335,093
BELLINGHAM	8,028,300	1,331,436
BELMONT	5,571,323	1,771,704
BERKLEY	3,805,913	477,426
BERLIN	500,103	158,198
BERNARDSTON	11,308	228,218
BEVERLY	6,730,266	4,582,242
BILLERICA	17,375,576	4,569,149
BLACKSTONE	84,251	1,074,007
BLANDFORD	42,726	99,633
BOLTON	0	154,921
BOSTON	205,414,453	148,660,757

BOURNE	4,684,058	1,150,250
BOXBOROUGH	1,294,018	197,930
BOXFORD	1,534,312	381,442
BOYLSTON	430,543	268,772
BRAINTREE	12,154,000	4,490,072
BREWSTER	887,884	309,819
BRIDGEWATER	36,107	2,857,894
BRIMFIELD	1,175,223	305,924
BROCKTON	139,582,640	16,429,406
BROOKFIELD	1,303,088	387,422
BROOKLINE	6,932,850	4,981,754
BUCKLAND	0	240,260
BURLINGTON	5,124,986	2,054,906
CAMBRIDGE	8,643,123	16,856,874
CANTON	3,838,238	1,682,666
CARLISLE	790,228	172,130
CARVER	9,573,059	1,146,273
CHARLEMONT	61,250	137,157
CHARLTON	21,176	1,136,799
CHATHAM	648,563	118,090
CHELMSFORD	9,880,853	3,982,596
CHELSEA	52,765,195	6,444,403
CHESHIRE	298,092	482,025
CHESTER	125,551	141,268
CHESTERFIELD	121,562	108,334
CHICOPEE	53,628,470	9,035,592

**Unrestricted
General
Government
Aid**

Municipality	Chapter 70	Unrestricted General Government Aid
CHILMARK	0	2,943
CLARKSBURG	1,749,835	285,445
CLINTON	10,497,286	1,847,116
COHASSET	1,659,487	403,698
COLRAIN	0	226,462
CONCORD	1,998,997	910,291
CONWAY	592,554	140,234
CUMMINGTON	73,684	65,458
DALTON	212,902	892,749
DANVERS	4,269,013	2,234,836
DARTMOUTH	8,983,576	1,978,014
DEDHAM	3,651,265	2,565,951
DEERFIELD	1,026,593	376,874

DENNIS	0	427,332
DIGHTON	0	606,730
DOUGLAS	8,368,517	572,620
DOVER	601,536	150,941
DRACUT	17,732,219	2,749,229
DUDLEY	0	1,401,958
DUNSTABLE	4,392	192,992
DUXBURY	4,387,890	695,530
EAST BRIDGEWATER	10,108,452	1,174,518
EAST BROOKFIELD	75,665	227,567
EAST LONGMEADOW	9,130,786	1,135,782
EASTHAM	315,916	116,902
EASTHAMPTON	7,568,672	2,205,513
EASTON	9,192,536	1,718,309
EDGARTOWN	422,688	52,267
EGREMONT	0	49,508
ERVING	408,645	52,739
ESSEX	0	192,114
EVERETT	42,993,143	5,420,954
FAIRHAVEN	7,217,965	1,769,396
FALL RIVER	93,795,275	18,698,842
FALMOUTH	4,846,696	1,087,838
FITCHBURG	40,477,603	6,696,216
FLORIDA	529,427	39,056
FOXBOROUGH	8,348,710	1,168,759
FRAMINGHAM	22,024,861	7,806,597

**Unrestricted
General
Government
Aid**

Municipality	Chapter 70	Aid
FRANKLIN	26,857,636	1,938,859
FREETOWN	353,070	745,088
GARDNER	18,037,844	3,325,039
AQUINNAH	0	1,833
GEORGETOWN	5,095,019	562,104
GILL	0	190,859
GLOUCESTER	5,755,585	3,133,846
GOSHEN	96,111	62,773
GOSNOLD	16,414	1,646
GRAFTON	8,559,644	1,226,876
GRANBY	4,455,570	692,822
GRANVILLE	1,247,466	125,803
GREAT BARRINGTON	0	595,495

GREENFIELD	9,957,403	2,491,144
GROTON	3,201	607,821
GROVELAND	0	571,169
HADLEY	733,207	356,121
HALIFAX	2,645,042	712,283
HAMILTON	0	527,184
HAMPDEN	0	539,848
HANCOCK	190,460	44,301
HANOVER	5,967,516	1,662,196
HANSON	31,588	1,004,818
HARDWICK	0	365,295
HARVARD	1,718,626	1,162,031
HARWICH	1,735,977	337,990
HATFIELD	753,311	244,835
HAVERHILL	35,966,744	7,711,930
HAWLEY	28,250	33,958
HEATH	0	65,651
HINGHAM	5,553,035	1,238,357
HINSDALE	104,683	174,710
HOLBROOK	4,597,787	1,157,772
HOLDEN	0	1,500,208
HOLLAND	890,143	158,375
HOLLISTON	6,546,693	1,215,118
HOLYOKE	67,536,867	7,969,057
HOPEDALE	5,815,295	511,659
HOPKINTON	5,472,035	616,393

**Unrestricted
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Municipality	Chapter 70	Unrestricted General Government Aid
HUBBARDSTON	14,817	353,458
HUDSON	9,208,854	1,564,697
HULL	3,610,471	1,662,898
HUNTINGTON	214,868	270,427
IPSWICH	2,559,500	1,259,557
KINGSTON	4,014,844	753,151
LAKEVILLE	49,190	642,026
LANCASTER	0	750,048
LANESBOROUGH	799,588	270,670
LAWRENCE	145,883,335	15,406,602
LEE	1,918,169	488,670
LEICESTER	9,381,227	1,362,409
LENOX	1,131,215	418,241

LEOMINSTER	41,456,131	4,490,816
LEVERETT	267,006	140,059
LEXINGTON	7,051,517	1,202,550
LEYDEN	0	64,606
LINCOLN	718,511	534,185
LITTLETON	3,503,626	557,764
LONGMEADOW	4,109,266	1,096,268
LOWELL	121,658,718	19,764,069
LUDLOW	13,097,378	2,397,042
LUNENBURG	4,522,545	829,777
LYNN	118,211,280	17,568,191
LYNNFIELD	3,799,686	816,068
MALDEN	44,091,112	9,844,375
MANCHESTER	0	174,499
MANSFIELD	17,873,614	1,750,267
MARBLEHEAD	4,548,961	893,530
MARION	431,669	177,050
MARLBOROUGH	14,405,503	4,271,401
MARSHFIELD	13,567,053	1,699,837
MASHPEE	4,200,511	288,692
MATTAPOISETT	526,956	318,023
MAYNARD	3,534,280	1,232,737
MEDFIELD	5,620,214	1,137,437
MEDFORD	10,836,793	9,517,872
MEDWAY	9,898,504	957,302
MELROSE	7,323,565	4,024,121

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Municipality	Chapter 70	Aid
MENDON	24,883	320,659
MERRIMAC	0	660,204
METHUEN	38,823,822	4,266,346
MIDDLEBOROUGH	17,008,329	1,934,578
MIDDLEFIELD	18,050	41,714
MIDDLETON	1,483,356	429,332
MILFORD	16,702,939	2,396,675
MILLBURY	6,566,950	1,389,477
MILLIS	4,248,061	821,522
MILLVILLE	58,499	319,617
MILTON	5,504,287	2,521,257
MONROE	79,784	14,428
MONSON	7,259,850	1,024,283

MONTAGUE	0	1,124,542
MONTEREY	0	36,279
MONTGOMERY	21,042	68,097
MOUNT WASHINGTON	32,776	23,522
NAHANT	440,741	296,479
NANTUCKET	1,334,173	62,171
NATICK	7,062,013	2,990,066
NEEDHAM	6,991,720	1,369,789
NEW ASHFORD	179,597	15,938
NEW BEDFORD	111,804,538	18,050,411
NEW BRAINTREE	0	103,584
NEW MARLBOROUGH	0	45,953
NEW SALEM	0	81,413
NEWBURY	0	406,371
NEWBURYPORT	3,143,161	2,001,229
NEWTON	13,504,221	4,611,231
NORFOLK	3,234,875	752,484
NORTH ADAMS	13,418,958	3,481,174
NORTH ANDOVER	6,124,740	1,608,071
NORTH ATTLEBOROUGH	19,528,781	2,257,483
NORTH BROOKFIELD	4,129,763	625,244
NORTH READING	6,459,260	1,393,231
NORTHAMPTON	6,843,064	3,448,824
NORTHBOROUGH	3,311,175	875,253
NORTHBRIDGE	14,034,106	1,656,314
NORTHFIELD	0	283,498

**Unrestricted
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Municipality	Chapter 70	Aid
NORTON	12,147,905	1,630,853
NORWELL	3,008,400	841,158
NORWOOD	4,808,800	3,649,810
OAK BLUFFS	613,641	57,066
OAKHAM	0	150,544
ORANGE	5,117,899	1,268,097
ORLEANS	237,642	134,783
OTIS	0	28,541
OXFORD	9,764,153	1,613,477
PALMER	10,519,240	1,573,636
PAXTON	0	424,607
PEABODY	18,663,598	5,664,152
PELHAM	216,311	124,902

PEMBROKE	12,794,990	1,319,012
PEPPERELL	0	1,171,128
PERU	73,500	89,614
PETERSHAM	418,743	89,957
PHILLIPSTON	0	144,740
PITTSFIELD	36,909,419	6,774,785
PLAINFIELD	51,024	39,366
PLAINVILLE	2,519,174	595,290
PLYMOUTH	21,778,007	3,074,658
PLYMPTON	566,871	186,155
PRINCETON	0	232,324
PROVINCETOWN	258,041	108,536
QUINCY	20,959,018	14,983,027
RANDOLPH	11,895,024	4,078,589
RAYNHAM	0	892,264
READING	9,488,181	2,543,818
REHOBOTH	0	817,945
REVERE	40,735,334	8,071,697
RICHMOND	330,519	84,892
ROCHESTER	1,705,807	333,266
ROCKLAND	10,022,160	2,074,337
ROCKPORT	1,271,798	343,349
ROWE	67,651	3,091
ROWLEY	0	423,746
ROYALSTON	0	141,068
RUSSELL	168,465	193,796

**Unrestricted
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Government
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Municipality	Chapter 70	Unrestricted General Government Aid
RUTLAND	0	725,867
SALEM	18,522,267	5,412,881
SALISBURY	0	495,790
SANDSFIELD	0	27,191
SANDWICH	6,376,393	884,410
SAUGUS	3,888,392	2,878,748
SAVOY	499,039	90,917
SCITUATE	4,832,136	1,578,512
SEEKONK	4,272,118	965,577
SHARON	6,562,832	1,098,429
SHEFFIELD	13,886	191,163
SHELBURNE	4,663	205,203
SHERBORN	499,848	169,965

SHIRLEY	0	1,029,497
SHREWSBURY	18,511,623	2,185,815
SHUTESBURY	571,885	133,065
SOMERSET	4,104,261	1,203,502
SOMERVILLE	19,108,128	19,770,620
SOUTH HADLEY	7,546,619	2,049,338
SOUTHAMPTON	2,425,096	499,982
SOUTHBOROUGH	2,654,636	343,199
SOUTHBRIDGE	17,230,163	2,760,518
SOUTHWICK	0	989,791
SPENCER	8,131	1,774,784
SPRINGFIELD	275,403,995	29,705,191
STERLING	0	543,998
STOCKBRIDGE	0	78,217
STONEHAM	3,327,888	2,916,235
STOUGHTON	12,860,747	2,512,733
STOW	0	330,325
STURBRIDGE	2,351,516	607,924
SUDBURY	4,206,945	1,098,406
SUNDERLAND	826,903	396,605
SUTTON	5,102,475	612,529
SWAMPSCOTT	2,564,463	1,015,680
SWANSEA	4,715,991	1,473,767
TAUNTON	45,565,026	6,599,741
TEMPLETON	0	1,094,201
TEWKSBURY	12,317,499	2,183,935

**Unrestricted
General
Government
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Municipality	Chapter 70	Aid
TISBURY	380,594	76,942
TOLLAND	0	14,503
TOPSFIELD	1,025,939	481,291
TOWNSEND	0	1,031,249
TRURO	245,466	23,606
TYNGSBOROUGH	6,960,249	758,313
TYRINGHAM	35,721	9,963
UPTON	12,582	417,765
UXBRIDGE	8,948,989	1,079,683
WAKEFIELD	4,794,886	2,643,470
WALES	725,004	185,338
WALPOLE	7,106,855	1,999,825
WALTHAM	7,068,165	7,535,082

WARE	8,103,542	1,354,696
WAREHAM	12,225,154	1,552,495
WARREN	0	709,926
WARWICK	0	99,794
WASHINGTON	11,237	74,114
WATERTOWN	3,234,244	5,233,952
WAYLAND	3,144,868	709,290
WEBSTER	9,554,369	1,942,812
WELLESLEY	7,202,028	1,016,492
WELLFLEET	146,323	45,864
WENDELL	0	136,751
WENHAM	0	336,112
WEST BOYLSTON	2,804,550	625,194
WEST BRIDGEWATER	2,441,892	513,118
WEST BROOKFIELD	201,348	382,187
WEST NEWBURY	0	232,501
WEST SPRINGFIELD	18,857,776	2,812,239
WEST STOCKBRIDGE	0	76,294
WEST TISBURY	0	145,748
WESTBOROUGH	4,206,047	909,295
WESTFIELD	32,546,677	4,939,735
WESTFORD	15,861,400	1,667,573
WESTHAMPTON	442,420	113,705
WESTMINSTER	0	513,668
WESTON	2,419,859	293,515
WESTPORT	4,154,597	954,650

**Unrestricted
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Municipality	Chapter 70	Aid
WESTWOOD	3,777,085	572,463
WEYMOUTH	25,510,253	6,842,039
WHATELY	236,718	105,305
WHITMAN	112,364	1,900,068
WILBRAHAM	0	1,148,402
WILLIAMSBURG	415,779	237,562
WILLIAMSTOWN	895,366	749,163
WILMINGTON	10,186,107	1,951,163
WINCHENDON	11,115,275	1,320,096
WINCHESTER	6,241,118	1,160,984
WINDSOR	47,361	81,486
WINTHROP	5,157,850	3,307,962
WOBURN	6,256,312	4,697,651

WORCESTER	201,135,279	32,608,533
WORTHINGTON	49,000	98,563
WRENTHAM	3,538,923	731,568
YARMOUTH	4,574	990,716
DEVENS	308,588	0
MUNICIPAL TOTALS:	3,359,222,997	833,980,293

REGIONAL SCHOOL DISTRICT

Chapter 70

NORTHAMPTON SMITH	885,640
ACTON BOXBOROUGH	6,969,133
ADAMS CHESHIRE	9,835,636
AMHERST PELHAM	9,169,067
ASHBURNHAM	
WESTMINSTER	9,935,704
ASSABET VALLEY	3,066,115
ATHOL ROYALSTON	16,971,310
AYER SHIRLEY	7,844,036
BERKSHIRE HILLS	2,657,478
BERLIN BOYLSTON	871,873
BLACKSTONE MILLVILLE	10,511,449
BLACKSTONE VALLEY	7,614,352
BLUE HILLS	3,819,759
BRIDGEWATER RAYNHAM	20,050,371
BRISTOL COUNTY	2,949,242
BRISTOL PLYMOUTH	9,860,864
CAPE COD	2,020,767

REGIONAL SCHOOL DISTRICT

Chapter 70

CENTRAL BERKSHIRE	8,335,894
CHESTERFIELD GOSHEN	716,930
CONCORD CARLISLE	1,786,194
DENNIS YARMOUTH	6,403,644
DIGHTON REHOBOTH	12,192,746
DOVER SHERBORN	1,359,555
DUDLEY CHARLTON	23,487,058
ESSEX COUNTY	4,002,896
FARMINGTON RIVER	384,305
FRANKLIN COUNTY	3,268,850
FREETOWN LAKEVILLE	10,359,748
FRONTIER	2,704,790
GATEWAY	5,553,533
GILL MONTAGUE	5,967,929
GREATER FALL RIVER	13,916,182

GREATER LAWRENCE	19,868,513
GREATER LOWELL	21,736,787
GREATER NEW BEDFORD	22,674,551
GROTON DUNSTABLE	10,278,973
HAMILTON WENHAM	3,252,691
HAMPDEN WILBRAHAM	11,105,799
HAMPSHIRE	3,082,948
HAWLEMONT	603,737
KING PHILIP	7,025,455
LINCOLN SUDBURY	2,513,855
MANCHESTER ESSEX	2,106,931
MARTHAS VINEYARD	2,691,760
MASCONOMET	4,686,999
MENDON UPTON	11,857,016
MINUTEMAN	2,129,172
MOHAWK TRAIL	5,809,394
MONTACHUSETT	12,901,222
MOUNT GREYLOCK	1,648,423
NARRAGANSETT	9,607,394
NASHOBA	6,128,165
NASHOBA VALLEY	3,097,434
NAUSET	3,204,119
NEW SALEM WENDELL	621,347
NORFOLK COUNTY	1,028,147
NORTH MIDDLESEX	19,505,168
NORTH SHORE	1,530,490
REGIONAL SCHOOL DISTRICT	Chapter 70
NORTHBORO SOUTHBORO	2,721,210
NORTHEAST	
METROPOLITAN	7,985,945
NORTHERN BERKSHIRE	4,195,758
OLD COLONY	3,159,799
OLD ROCHESTER	1,959,917
PATHFINDER	4,923,562
PENTUCKET	12,521,127
PIONEER	3,971,891
QUABBIN	16,073,093
QUABOAG	8,393,766
RALPH C MAHAR	5,254,840
SHAWSHEEN VALLEY	5,600,595
SILVER LAKE	6,927,073
SOMERSET BERKLEY	3,120,169
SOUTH MIDDLESEX	2,652,751

SOUTH SHORE	3,614,091
SOUTHEASTERN	12,628,459
SOUTHERN BERKSHIRE	1,798,896
SOUTHERN WORCESTER	9,400,370
SOUTHWICK TOLLAND	8,183,967
SPENCER EAST	
BROOKFIELD	13,236,949
TANTASQUA	7,482,919
TRI COUNTY	5,198,118
TRITON	8,111,651
UPISLAND	781,612
UPPER CAPE COD	2,848,175
WACHUSETT	22,389,331
WHITMAN HANSON	23,464,624
WHITTIER	6,819,485
REGIONAL TOTALS:	631,589,683

1 SECTION 3A. Section 15LLL of chapter 6 of the General Laws, as appearing in the 2008 Official
2 Edition, is hereby amended by striking out the word "October" and inserting in place thereof the following
3 word:- May.

1 SECTION 4. Clause (20) of subsection (a) of section 172 of chapter 6 of the General Laws, as
2 appearing in section 21 of chapter 256 of the acts 2010, is hereby amended by striking out the figure "183"
3 and inserting in place thereof the following words:- 57A of chapter 6C.

1 SECTION 5. Section 183 of said chapter 6 is hereby repealed.

1 SECTION 6. Chapter 6A of the General Laws is hereby amended by inserting after section 16S
2 the following section:-

3 Section 16T. (a) There shall be established a caseload forecasting office, which shall be an
4 independent public entity not subject to the supervision and control of any other executive office,
5 department, commission, board, bureau, agency or political subdivision of the commonwealth. The office
6 shall forecast caseloads for state-subsidized childcare, MassHealth, emergency assistance and housing
7 programs, the group insurance commission and direct benefits provided by the department of transitional
8 assistance, and shall promote accuracy and transparency in all caseload forecasts. For the purposes of this
9 section, "caseload" shall mean the number of persons expected to meet entitlement requirements and
10 require the services of state-subsidized programs.

11 (b) There shall be a board to advise the office and oversee the preparation of and approve the
12 content of caseload forecasts. The board shall consist of 13 members: the assistant secretary of
13 commonwealth performance, accountability and transparency or a designee, who shall serve as
14 chairperson; the secretary of health and human services or a designee; the director of Medicaid or a
15 designee; the commissioner of the department of transitional assistance or a designee; the commissioner of
16 early education and care or a designee; the executive director of the group insurance commission or a
17 designee; the undersecretary of housing and community development or a designee; 2 members to be
18 appointed by the governor, 1 of whom shall be a health economist and 1 of whom shall be an
19 econometrician or statistician; 2 members to be appointed by the senate president, both of whom shall have
20 a background in statistics, economics or forecasting; and 2 members to be appointed by the speaker of the
21 house of representatives, both of whom shall have a background in statistics, economics or forecasting. All
22 appointed members shall serve for terms of 3 years. A person appointed to fill a vacancy in the office of a
23 member of the board shall be appointed in a like manner and shall serve only for the unexpired term. An
24 appointed member of the board shall be eligible for reappointment. The board shall annually elect 1 of its
25 members to serve as vice-chairperson. Seven members of the board shall constitute a quorum and the
26 affirmative vote of 7 members of the board shall be necessary and sufficient for any action taken by the
27 board. No vacancy in the membership of the board shall impair the right of a quorum to exercise all the
28 rights and duties of the office. Members shall serve without pay, but shall be reimbursed for actual
29 expenses necessarily incurred in the performance of their duties. The chairperson of the board shall report
30 to the governor and to the general court not less than twice annually. All meetings of the board shall
31 comply with chapter 30A.

32 (c) The board shall appoint an executive director to oversee the operation and maintenance of the
33 office, supervise the production of caseload forecasts, ensure compliance with the requirements of this
34 section and coordinate work with executive agencies. The board may, subject to appropriation, procure
35 equipment, office space, goods and services and employ such additional staff or consultants as it deems
36 necessary. The executive office health and human services may provide staff and administrative support as
37 requested by the office; provided, however, that all work completed by the executive office of health and
38 human services shall be subject to approval by the executive director.

39 The office shall promulgate rules and regulations necessary for the administration and
40 enforcement of this section.

41 (d) The office shall collect data from state agencies to the extent necessary to forecast caseloads
42 for the state-subsidized services detailed in subsection (a) and agencies shall submit the data to the office
43 upon request. When collecting data, the office shall, to the extent possible, utilize existing data sources and
44 agency processes for data collection, analysis and technical assistance. The office may enter into an
45 interagency service agreement with the division of health care finance and policy for data collection
46 analysis and technical assistance. The office, through its rules and regulations, may determine what type of
47 data may reasonably be required and the format in which it shall be provided.

48 (e) The office shall, in consultation with the board, (i) prepare a caseload forecast for the state-
49 subsidized services detailed in subsection (a) for the current and upcoming state fiscal year; and (ii) prepare
50 other caseload forecasts based on alternative assumptions as the board may determine or as may be
51 requested by the executive office for administration and finance or the senate and house committees on
52 ways and means.

53 (f) The board shall oversee the preparation of and approve, by an affirmative vote of at least 7
54 members, the caseload forecasts prepared by the office. If the board is unable to approve a forecast before
55 a date required for such forecast, the office shall submit the forecast without approval and state that the
56 forecast was not approved by the board. Any 2 board members who do not cast affirmative votes for
57 approval of a caseload forecast may request, and the office shall provide, an alternative forecast based on
58 assumptions specified by the members.

59 (g) The office shall report its forecasts to the executive office for administration and finance and
60 the house and senate committees on ways and means on or before December 1 and March 15 each year
61 unless otherwise provided in the general appropriation act.

1 SECTION 7. Section 18½ of chapter 6A of the General Laws is hereby amended by striking out,
2 in lines 12 and 13, as appearing in the 2008 Official Edition, the words ", the registry of motor vehicles, the
3 merit rating board".

1 SECTION 8. Chapter 6C of the General Laws is hereby amended by inserting after section 57 the
2 following section:-

3 Section 57A. (a) There shall be within the registry of motor vehicles a motor vehicle insurance
4 merit rating board. The board shall consist of the registrar of motor vehicles, who shall serve as chair, the
5 commissioner of insurance and the attorney general or a designee. The board shall appoint a director, who
6 shall not be subject to chapter 31. The board shall formulate and administer a plan for compiling, gathering
7 and disseminating information, operator records and histories and such other data as it deems necessary or
8 appropriate pertaining to motor vehicle accidents, claims under motor vehicle policies and motor vehicle
9 violations in order to facilitate the implementation and operation of the safe driver insurance plan provided
10 in section 113B of chapter 175.

11 (b) The plan shall include a system for gathering and maintaining the information provided for in
12 subsection (a), operator records and histories and other data and for its prompt and efficient dissemination
13 to insurance companies making inquiry with respect to the motor vehicle accident, motor vehicle insurance
14 claim and motor vehicle violation record of any owner or operator insured by or applying for insurance
15 from such insurer.

16 These records and data disseminated by the plan shall be used exclusively for motor vehicle
17 insurance purposes and criminal law enforcement purposes. Whoever disseminates or uses records or data
18 disseminated under the plan in violation of this section shall be punished by a fine of not more than \$1,000
19 for each offense or by imprisonment for not more than 1 year, or both.

20 (c) The board shall have access to criminal offender record information for the purpose of
21 developing the plan. The department of criminal justice information services shall certify the board and
22 each insurance company doing motor vehicle insurance business within the commonwealth for access to
23 criminal offender record information pertaining to violations of chapter 90 by its insureds. The board and
24 each such insurance company shall comply with the regulations of the department of criminal justice
25 information services and shall be subject to sections 172 to 178, inclusive, of chapter 6.

26 (d) The board may expend for expenses and for legal, investigative, clerical and other assistance
27 amounts appropriated for those purposes. All costs of administration and operation of the board shall be
28 borne by insurance companies doing motor vehicle insurance business within the commonwealth. The
29 commissioner of insurance shall apportion estimated costs among all such companies and shall assess those
30 companies for those costs on a fair and reasonable basis. The estimated costs shall be paid to the
31 commissioner within 30 days after the date of the notice from the commissioner of these estimated costs.
32 The commissioner shall subsequently apportion actual costs among all such companies and shall make
33 assessment adjustments for any variation between estimated and actual costs on a fair and reasonable basis.
34 The estimated and actual costs shall include an amount equal to indirect costs as determined by the
35 secretary of administration and finance and shall also include the cost of fringe benefits as established by
36 the secretary of administration and finance.

1 SECTION 9. The first paragraph of section 4A of chapter 7 of the General Laws, as appearing in
2 the 2008 Official Edition, is hereby amended by adding the following sentence:- The executive office shall
3 also include an office of commonwealth performance, accountability and transparency.

1 SECTION 10. Section 4A of chapter 7 of the General Laws is hereby amended by striking out, in
2 line 74, as so appearing, the word "secretary" and inserting in place thereof the following word:- governor.

1 SECTION 11. The first paragraph of paragraph (d) of said section 4A of said chapter 7, as so
2 appearing, is hereby further amended by adding the following 2 sentences:- The division may also offer
3 information technology services to the executive department, municipalities, authorities, constitutional
4 offices, the judiciary, the general court and other political subdivisions of the commonwealth. The
5 information technology division shall consult with the division of local services to identify ways to better
6 assist municipalities and regional entities in procuring and developing information technology services.

1 SECTION 12. Said section 4A of said chapter 7 is hereby further amended by inserting after the
2 second paragraph of paragraph (d), inserted by section 10 of chapter 56 of the acts of 2010, the following
3 paragraph:-

4 (e) The office of commonwealth performance, accountability and transparency shall be headed by
5 an assistant secretary of commonwealth performance, accountability and transparency who shall be
6 appointed by the secretary. The assistant secretary shall have at least 5 years experience in the area of
7 performance management systems.

8 The office shall:

9 (1) execute a performance management program throughout the executive department including,
10 within statutory limits for each agency: defining missions; creating measurable goals; establishing
11 strategies for achieving those goals and relating them to budget development;

12 (2) monitor and review federal grant applications made on behalf of the commonwealth and
13 coordinate efforts to maximize federal revenue opportunities and oversight of compliance with federal
14 reporting requirements;

15 (3) ensure transparency of the commonwealth's administration and finance activities, including the
16 operation of the searchable website required by section 14C;

17 (4) establish and maintain a central intake unit for reports of fraud, waste and abuse;

18 (5) establish and maintain an economic forecasting and analysis unit to coordinate all spending
19 and revenue forecasting by state agencies and coordinate with the caseload forecasting office established in
20 section 16T of chapter 6A;

21 (6) perform the executive office's duties for privatization contracts under section 54;

22 (7) reduce and simplify paperwork of state agencies and departments by adopting uniform forms
23 or federal forms, if possible, when they are shorter than the corresponding state forms;

24 (8) implement and streamline electronic paperwork options to better facilitate public interaction
25 with state agencies;

26 (7) have whatever other duties with respect to state agencies that the governor or secretary may
27 assign; and

28 (8) collaborate with other state agencies, authorities and other entities to carry out these purposes.

1 SECTION 13. The third sentence of the first paragraph of section 4D of said chapter 7 is hereby
2 amended by striking out the figure "4", inserted by section 9 of said chapter 56, and inserting in place
3 thereof the following figure:- 3.

1 SECTION 14. The definition of "Privatization contract" in section 53 of said chapter 7, as
2 appearing in the 2008 Official Edition, is hereby amended by adding the following sentence:- A contract
3 for information technology services is not a privatization contract if an employee organization recognized
4 under chapter 150E as the exclusive representative of an affected employee, as determined by the secretary
5 of administration and finance, agrees to its terms in writing..

1 SECTION 15. Section 58 of said chapter 7, inserted by section 2 of chapter 56 of the acts of 2010,
2 the first time it appears, is hereby amended by striking out the words "59 to 61" and inserting in place
3 thereof the following words:- 59 to 62.

1 SECTION 16. Said section 58 of said chapter 7, as so inserted, is hereby further amended by
2 inserting after the definition of "Director" the following definition:-

3 "Disadvantaged business enterprise", a disadvantaged business enterprise as defined by the United
4 States Department of Transportation in 49 C.F.R. § 26 *et seq.*

1 SECTION 17. Said section 58 of said chapter 7, as so inserted, is hereby further amended by
2 inserting after the definition of "State purchasing agent" the following definition:-

3 "Unified certification program", the program, whereby the supplier diversity office certifies
4 disadvantaged business enterprises, as required by regulations of the United States Department of
5 Transportation in 49 C.F.R. § 26 *et seq.*

1 SECTION 18. Said chapter 7 is hereby further amended by adding the following section:-

2 Section 62. (a) There shall be established a separate account to be known as the Unified
3 Certification Program Trust Fund. The state purchasing agent shall expend funds, without further
4 appropriation, exclusively for the operation of the unified certification program.

5 (b) Funds received from the federal government by the following state and regional authorities and
6 municipal and regional airports, in this section collectively referred to as the participants, and any others
7 that take part in the unified certification program, for the purpose of operating the unified certification
8 program, shall be deposited in the fund: the Massachusetts Department of Transportation, the
9 Massachusetts Bay Transportation Authority, the Massachusetts Port Authority, the Berkshire Regional
10 Transit Authority, the Brockton Area Transit Authority, the Cape Cod Regional Transit Authority, the
11 Greater Attleboro-Taunton Regional Transit Authority, the Lowell Regional Transit Authority, the
12 Merrimack Valley Regional Transit Authority, the Montachusett Regional Transit Authority, the Pioneer
13 Valley Regional Transit Authority, the Southeastern Regional Transit Authority, the Worcester Regional
14 Transit Authority, Barnstable Municipal Airport, Martha's Vineyard Airport, Nantucket Memorial Airport
15 and New Bedford Regional Airport. The methodology used in determining the allocation of payments due
16 from each participant shall be determined pursuant to a formula, subject to modification from time to time,
17 that is established by and between the Massachusetts Department of Transportation, the participants and the
18 United States Department of Transportation, consistent with applicable federal laws and regulations.

1 SECTION 19. Section 9 of chapter 8 of the General Laws, as appearing in the 2008 Official
2 Edition, is hereby amended by striking out, in line 16, the words "the division of urban" and inserting in
3 place thereof the following word:- state.

1 SECTION 20. Chapter 10 of the General Laws is hereby amended by inserting after section
2 35QQ the following 2 sections:-

3 Section 35RR. There shall be established and set up on the books of the commonwealth a separate
4 fund to be known as the Health Information Technology Trust Fund. There shall be credited to the fund
5 revenues from federal reimbursements under the Health Information Technology for Economic and
6 Clinical Health Act, Title XIII of Division A and Title IV of Division B of Pub. L. No. 111-5, and any
7 other federal reimbursements, grants, premiums, gifts or other contributions from any source received for
8 or in support of the health care provider incentive payment program and for the promotion of electronic
9 health record adoption and health information exchange in the commonwealth. The secretary of health and
10 human services shall be the fund's trustee, and shall expend the fund, without further appropriation, for
11 incentive payments to eligible Massachusetts Medicaid health care providers for the adoption,
12 implementation, upgrade or meaningful use of certified electronic health record technology and to support
13 the planning, implementation and operating costs of administering these payments. The secretary may
14 certify for payment amounts in anticipation of federal revenues collected for the corresponding quarter
15 during the previous fiscal year. For the purpose of accommodating timing discrepancies between the receipt
16 of revenues and related expenditures, the secretary may incur expenses, after written approval from the
17 secretary of administration and finance, and the comptroller shall certify for payment, amounts not to
18 exceed the most recent revenue estimate as certified by the MassHealth director, as reported in the state
19 accounting system.

20 Section 35SS. There shall be established and set up on the books of the commonwealth a separate
21 fund to be known as the Build America Bonds Subsidy Trust Fund. There shall be credited to the fund
22 payments received from the United States Treasury for subsidies related to any tax credit bonds issued by
23 the commonwealth for the purpose of paying or reimbursing interest on such bonds. The state treasurer
24 shall be the fund's trustee, may credit any such payments to the appropriate funds or accounts of the
25 commonwealth allocable to the payment of such interest and in accordance with any applicable trust
26 agreements pursuant to which any bonds were issued and shall make expenditures from the fund, without

27 further appropriation, to pay debt service related to such bonds. The comptroller may, without further
28 appropriation, transfer from any available appropriation any amount determined by the comptroller to have
29 been withheld by the federal government from a tax credit bond subsidy payment.

1 SECTION 21. The first paragraph of section 12 of chapter 11 of the General Laws, as appearing in
2 the 2008 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof
3 the following 3 sentences:- The department of the state auditor shall audit the accounts, programs,
4 activities and functions directly related to the aforementioned accounts of all departments, offices,
5 commissions, institutions and activities of the commonwealth, including those of districts and authorities
6 created by the general court and including those of the income tax division of the department of revenue
7 and, for such purposes, the authorized officers and employees of the department of the state auditor shall
8 have access to such accounts at reasonable times and the department may require the production of books,
9 documents, vouchers and other records relating to any matter within the scope of an audit conducted under
10 this section or section 13, except tax returns. In determining the audit frequency of a covered entity, the
11 department shall consider the materiality, risk and complexity of the entity's activities as well as the nature
12 and extent of prior audit findings. Each entity may be audited separately as a part of a larger organizational
13 entity or as a part of an audit covering multiple entities; provided, however, that each entity shall be audited
14 at least once every 3 years and an entity shall be subject to audit as often as the state auditor determines it
15 necessary.

1 SECTION 21A. Chapter 12 of the General Laws is hereby amended by inserting after section 8F
2 the following section:-

3 Section 8F 1/2. (a) For the purposes of this section, the following words shall have the following
4 meanings:

5 "Compensation", anything given or received as an equivalent for services, but shall not include
6 reimbursement for costs and expenses reasonably incurred by the independent officer, director or trustee in
7 the course and support of such service.

8 "Independent officer, director or trustee", an officer, director or trustee of a public charity who is
9 not also serving as an employee, or the equivalent of an employee, of such public charity.

10 "Massachusetts based public charity", a public charity incorporated or otherwise organized in the
11 commonwealth or, if incorporated or organized outside of the commonwealth, that primarily conducts its
12 business in the commonwealth.

13 (b) No Massachusetts based public charity required to be registered under section 8E and to file
14 annual reports under section 8F, shall provide compensation to any independent officer, director or trustee
15 for service as such independent officer, director or trustee except with the approval of the director under
16 this section.

17 Any such public charity intending to provide compensation to any independent officer, director or
18 trustee shall file an application with the division, on such forms and with such supporting information and
19 documentation as the director shall from time to time prescribe, requesting the approval of the director for
20 the public charity to provide compensation.

21 The director may adopt and promulgate guidelines, rules or regulations to carry out this section
22 including, but not limited to, the criteria for granting approval and the time period during which such
23 approval shall be effective. Such criteria shall recognize that service as an independent officer, director or
24 trustee of a public charity is recognized as a voluntary contribution of time and expertise to benefit the
25 community served by the public charity and that any departure from the voluntary nature of such service
26 requires a clear and convincing showing that compensation is necessary to enable the public charity to

27 attract and retain experienced and competent individuals to serve as independent officers, directors or
28 trustees.

29 If the director approves an application for compensation, amounts paid as said compensation shall
30 be limited to the amount the Massachusetts based public charity reasonably determines are necessary to
31 accomplish the purposes for which compensation is paid. The director may rescind the approval for
32 compensation if the director finds that any compensation paid under this section is in excess of that
33 reasonably necessary to accomplish the purposes for which compensation is approved and paid.

1 SECTION 21B. Section 15E of chapter 15A of the General Laws, as amended by section 26 of
2 chapter 189 of the acts of 2010, is hereby amended by striking out the second paragraph and inserting in
3 place thereof the following paragraph:—

4 Subject to appropriation, the commonwealth shall contribute funds to each institution's recognized
5 foundation in an amount necessary to match private contributions in the current fiscal year to the
6 institution's or a foundation's endowment or capital outlay program based on the following matching
7 formula: subject to appropriation, the commonwealth's contribution shall be equal to \$1 for every \$2
8 privately contributed to the university's board of trustees or a foundation; \$1 for every \$2, or \$1 dollar for
9 such greater number of dollars as may be established by the board of higher education, privately
10 contributed to each state university's board of trustees or foundation; and \$1 for every \$2, or \$1 for such
11 greater number of dollars as may be established by the board of higher education, privately contributed to
12 each community college's board of trustees or foundation.

1 SECTION 21C. Said section 15E of said chapter 15A is hereby further amended by striking out
2 the fourth paragraph, as appearing in section 27 of chapter 189 of the acts of 2010.

1 SECTION 21D. Paragraph (b) of subsection (2) of section 40 of chapter 15A of the General Laws,
2 as so appearing, is hereby amended by inserting after the word "writing", in lines 82, 93 and 104, each time
3 it appears, the following words: - , or in another form acceptable to the council,.

1 SECTION 21E. Section 9 of chapter 15A of the General Laws is hereby amended by striking out
2 clause (i), as amended by section 18 of chapter 189 of the acts of 2010, and inserting in place thereof the
3 following clause:- (i) review and approve student charges of the state universities and community colleges,
4 pursuant to section 42.

1 SECTION 21F. Section 22 of said chapter 15A is hereby amended by striking out clause (b), as
2 appearing in the 2008 Official Edition, and inserting in place thereof the following clause:- (b) establish all
3 student charges, under the process set forth in section 42, as applicable; provided, however, that the student
4 charges shall include fines and penalties collected pursuant to the enforcement of traffic and parking rules
5 and regulations; provided further, that the rules and regulations shall be enforced by persons in the employ
6 of the institution who shall have the powers of police officers throughout the property of the institution,
7 except as to the service of civil process; and provided further, that the foregoing shall not authorize any
8 action in contravention of the requirements of Section 1 of Article LXIII of the Amendments to the
9 Constitution;

1 SECTION 21G. Said chapter 15A of the General Laws, is hereby further amended by adding the
2 following section:-

3 Section 42. (a) This section shall apply only to those campuses for which the local board of
4 trustees has approved by majority vote to accept this section.

5 (b) The board of trustees of each state university and community college shall, for each academic
6 year beginning on or after July 1, 2012, fix and establish student charges for each such university or
7 community college, subject to the requirements of this section. In-state student charges shall preserve
8 affordability for residents of the commonwealth. Out-of-state student charges shall appropriately balance

9 the financial needs of the state university or community college with the need to be competitive with peer
10 institutions regionally. In setting student charges each state university and community college shall also
11 consider factors including, but not limited to, the following: actual appropriations received; the Consumer
12 Price Index; the Higher Education Price Index; tuition and fee rates at peer institutions; collective
13 bargaining costs; funding from the commonwealth measured with reference to the funding formula
14 established under section 15B; and making progress towards ensuring that fees constitute no more than 25
15 per cent of student charges. To the extent practicable, final student charges shall be established for each
16 academic year not later than March 1 of the calendar year in which the rates shall take effect.

17 For the purposes of this section, "student charges" shall include tuition and fees that are charged to
18 students generally for attendance at a state university or community college, but shall not include any fee or
19 other charge established by such state university or community college that is specific to a particular
20 course, program or activity, and shall not include any rates, rents, charges or fees set by the Massachusetts
21 State College Building Authority.

22 (c) Beginning with the 2012-2013 academic year, each state university and community college
23 shall submit a 5-year student charges plan to the board of higher education for the board's approval. The
24 plan shall contain the annual student charges the state university or community college expects to approve
25 for the state university's or community college's state-supported programs, under subsection (b), for a
26 period of no fewer than 5 academic years. The plan also shall include but not be limited to budget and
27 enrollment projections for each year, projections for in-state and out-of-state enrollments for each year,
28 consideration of segmental missions, and plans to ensure continuing access to the institution by residents of
29 the commonwealth and to maintain and increase access for underrepresented student groups. The board of
30 higher education, in considering whether to approve a plan, shall consider but not be limited to considering
31 the same factors the campuses must consider in setting student charges under this section. For the first 5
32 years the board may also consider, to the extent practicable, any steps taken in the plan to ensure that fees
33 constitute no more than 25 percent of student charges. For the second 5 years and each plan submitted
34 thereafter, the board shall consider the progress made toward ensuring that fees constitute no more than 25
35 per cent of student charges. Within 120 days of the submission of a plan, the board of higher education
36 shall either approve the plan or return it to the state university or community college with suggested
37 changes. The approval shall require a 2/3 vote of the board of higher education. If the board of higher
38 education does not vote on a plan within 120 days of its submission, the plan shall be considered approved.
39 A copy of the plan shall be provided to the joint committee on higher education and to the house and senate
40 committees on ways and means at the time the plan is submitted to the board of higher education.

41 (d) If, following the approval of a state university's or community college's plan under subsection
42 (c), the board of trustees of such state university or community college approves, for any academic year,
43 student charges that are greater than 105 per cent of the student charges approved in such state university's
44 or community college's plan, the state university or community college shall submit such greater rate to the
45 board of higher education for its approval, as part of an amended student charges plan. The amended plan
46 shall describe in detail the reasons why the state university's or community college's student charges are
47 greater than the expected student charges, and provide revised or updated information on budget and
48 enrollment projections for each year, projections for in-state and out-of-state enrollments for each year,
49 consideration of segmental missions and plans to ensure continuing access to the institution by residents of
50 the commonwealth and to maintain and increase access for underrepresented student groups, as necessary.
51 Within 60 days after the submission of a revised plan, the board of higher education shall either approve the
52 plan or return it to the state university or community college with suggested changes. The approval shall
53 require a 2/3 vote of the board of higher education. If the board of higher education does not vote on a plan
54 within 60 days of its submission, the plan shall be considered approved. A copy of the revised plan shall be
55 provided to the joint committee on higher education and to the house and senate committees on ways and
56 means at the time the plan is submitted to the board of higher education.

57 (e) A state university or community college or the board of higher education may, at its discretion,
58 request that a plan approved under subsections(c) or (d) be re-examined and modified, in accordance with
59 procedures established by the board of higher education. Any resulting modification shall be concurred

60 with by the board of trustees of the affected state university or community college and by a 2/3 vote of the
61 board of higher education.

62 (f) In implementing subsection (c), the board of higher education shall review the plans of each
63 state university and community college for the academic year beginning on or after July 1, 2012. For
64 subsequent academic years, the board shall develop procedures to provide for the review of state university
65 and community college plans on a staggered basis, such that the board may review a smaller number of
66 plans each year. These procedures may include provisions requiring a state university or community
67 college to submit an updated plan before the approval period of such state university's or community
68 college's initial plan has expired, in order to accommodate a staggered schedule.

69 (g) All student charges received by the board of trustees of a state university or community college
70 under this section shall be retained by the board of trustees of that institution in a revolving trust fund or
71 funds and shall be expended as the board of trustees may direct for the operation and support of the
72 institution. Any balance in a trust fund at the end of a fiscal year shall continue to be held in the trust fund,
73 shall remain available for expenditure in subsequent fiscal years and shall not revert to the General Fund.
74 All such trust funds shall be subject to audit by the state auditor.

1 SECTION 22. Chapter 18 of the General Laws is hereby amended by inserting after section 5H
2 the following 2 sections:-

3 Section 5I. No individual or store owner shall accept direct cash assistance funds held on
4 electronic benefit transfer cards for the purchase of alcoholic beverages, lottery tickets or tobacco products.
5 An individual or store owner who knowingly accepts electronic benefit transfer cards in violation of this
6 section shall be punished by a fine of not more than \$500 for a first offense, a fine of not less than \$500 nor
7 more than \$1,000 for a second offense and a fine of not less than \$1,000 for a third or subsequent offense.

8 Section 5J. Whoever embezzles, steals or obtains by fraud any funds, assets or property provided
9 by the department of transitional assistance and whoever receives, conceals or retains such funds, assets or
10 property for his own interest knowing such funds, assets or property have been embezzled, stolen or
11 obtained by fraud shall, if such funds, assets or property are of a value of less than \$100, be punished by a
12 fine of not more than \$1,000 or by imprisonment in a house of correction for not more than 1 year, or both
13 such fine and imprisonment, or if such funds, assets or property are of a value of \$100 or more, by a fine of
14 not more than \$25,000 or by imprisonment in a house of correction for not more than 2 ½ years, or both
15 such fine and imprisonment..

1 SECTION 22A. Section 6 of chapter 18C of the General Laws, as appearing in the 2008 Official
2 Edition, is hereby amended by striking out, in line 4, the words "to all relevant" and inserting in place
3 thereof the following words:- shall have unrestricted access to all electronic information systems.

4

1 SECTION 23. Section 1 of chapter 21 of the General Laws, as appearing in the 2008 Official
2 Edition, is hereby amended by striking out the fourth paragraph and inserting in place thereof the following
3 paragraph:-

4 The department of conservation and recreation shall consist of a division of state parks and
5 recreation and a division of water supply protection. Each division shall be under the administrative
6 supervision of a director and shall be under the supervision and control of the commissioner of the
7 department of conservation and recreation. The division of water supply protection shall have control over
8 the watershed and water supply systems in accordance with chapter 92A½. The division of state parks and
9 recreation shall have control over the state parks, forests, parkways, waterways, rinks, pools, beaches and

10 other recreational lands and facilities outside of the watershed systems as defined in sections 1 and 2 of
11 chapter 92A½.

1 SECTION 24. Section 2F of said chapter 21, as so appearing, is hereby amended by striking out,
2 in lines 1 and 2, the words “directors of the divisions of state parks and recreation and urban ” and inserting
3 in place thereof the following words:- director of state.

1 SECTION 25. Section 3 of said chapter 21, as so appearing, is hereby amended by striking out, in
2 line 8, the words “urban parks and recreation,”.

1 SECTION 26. Section 8 of chapter 21A of the General Laws, as so appearing, is hereby amended
2 by striking out, in line 44, the words "urban parks and recreation, a division of".

1 SECTION 26A. Paragraph (1) of subsection (c) of section 22 of chapter 21A of the General
2 Laws, as so appearing, is hereby amended by striking out clause (i) and inserting in place thereof the
3 following clause:-

4 (i) to reimburse a municipality in which the property tax receipts from an electric generating
5 station including, for the purposes of this clause, payments in lieu of taxes and other compensation
6 specified in an agreement between a municipality and an affected property owner, are reduced due to full or
7 partial decommissioning of the facility or other change in operating status of the facility if such action also
8 reduces the commonwealth’s greenhouse gas emissions from the electric generator sector under the goals
9 established under chapter 21N; provided, however that the amount of such reimbursement shall be
10 determined by calculating the difference between the amount of the tax receipts, including payments in lieu
11 of taxes or other compensation paid by the electric generating station in the current tax year and the amount
12 of the tax receipts, including payments in lieu of taxes or other compensation paid by the electric
13 generating station in the year prior to the full or partial decommissioning or other change in operating status
14 of the facility; provided further, that no reimbursement shall be made if, in a tax year, the aggregate amount
15 paid to a municipality by the owner of an electric generating station including, but not limited to, payments
16 in lieu of taxes and other compensation, exceeds the aggregate amount paid to that municipality by that
17 owner in the year prior to the full or partial decommissioning or other change in operating status of the
18 facility. After full or partial decommissioning or other change in operating status of the facility, the electric
19 generation facility’s tax obligation shall be based, on an annual basis, on tax receipts, including payments
20 in lieu of taxes or other compensation that have been negotiated in good faith by the electric generation
21 facility and municipality on or before January 30 of the current tax year; provided however, that if the
22 electric generation facility and municipality have not negotiated in good faith payments in lieu of taxes and
23 other compensation in the nature of property tax payments by said January 30, then said facility’s tax
24 obligation shall be determined by an independent third party assessor paid by said facility, but selected
25 jointly by the municipality and the facility, or if they are unable to arrive at a joint selection, by the
26 department of revenue. The municipality shall be entitled to reimbursement for the difference between the
27 amount called for in such assessment and the amount of the tax receipts, including payments in lieu of taxes
28 or other compensation paid in the year prior to the full or partial decommissioning or other change in
29 operating status of the facility, provided that such independent assessment is filed with any request for
30 funds under this clause. Payments from the fund shall be prioritized so that the first payments from the
31 fund shall be made to municipalities under this clause.

1 SECTION 27. Subsection (o) of section 3A of chapter 21E of the General Laws, as so appearing,
2 is hereby amended by striking out the second and third sentences and inserting in place thereof the
3 following 4 sentences:- In each year the department shall, at a minimum, audit a statistically significant

4 number, as determined by the department, of all sites for which annual compliance assurance fees are
5 required to be paid under section 3B. In determining the statistically significant number, the department
6 shall take into account the need for audits to ensure a high level of compliance with this chapter and the
7 Massachusetts Contingency Plan and the need to target audit resources in the most efficient and effective
8 manner. The department may establish additional audit targets for categories of persons or response
9 actions or sites, as defined under subsection (d) of section 3, based on the level of department oversight
10 provided to each category. The department shall report annually to the joint committee on environment,
11 natural resources and agriculture and the house and senate committees on ways and means detailing the
12 number of audits conducted under this section.

1 SECTION 28. Chapter 22 of the General Laws is hereby amended by adding the following
2 section:-

3 Section 21. (a) The commissioner or his designee and such other person as may be specifically
4 authorized may issue a written notice of violation, which shall be a written warning or a citation to assess
5 civil monetary fines of not more than \$5,000, for a violation of the following laws or of regulations adopted
6 thereunder:

7 (1) section 13A; provided, however, that an inspector assigned to the building division or a
8 designee of the architectural access board may also issue a warning or citation under this section;

9 (2) sections 1, 2 and 64 of chapter 105;

10 (3) section 205A of chapter 140; provided, however, that an inspector assigned to the building
11 division or the engineering division of the department may also issue a warning or citation under this
12 section;

13 (4) sections 3V, 9 and 50 of chapter 143; provided, however, that an inspector assigned to the
14 building division of the department may also issue a warning or citation under these sections;

15 (5) sections 65,71 and 71D of chapter 143; provided, however, that an inspector assigned to the
16 elevator division of the department may also issue a warning or citation under this section;

17 (6) sections 71K and 71N of chapter 143; provided, however, that a designee of the recreational
18 tramway board may also issue a warning or citation under these sections;

19 (7) sections 5 to 41, inclusive, sections 53 to 54A, inclusive, sections 70 to 80, inclusive, or
20 section 89 of chapter 146; provided, however, that an inspector assigned to the engineering division of the
21 department may also issue a warning or citation under these sections;

22 (8) the regulations of the state building code governing licensing of construction supervisors under
23 section 94 of chapter 143; provided, however, that an inspector assigned to the building division of the
24 department may also issue a warning or citation under such regulations; and

25 (9) sections 57 and 60 of chapter 147.

26 (b) The commissioner may adopt regulations for the administration and enforcement of this
27 section.

28 (c) The individual issuing the written notice of violation shall indicate on the notice that it is for:
29 (i) a written warning or a citation; and (ii) a violation of the specific law or regulation referenced in
30 subsection (a).

31 (d) A person, firm or corporation who is issued a citation in a written notice of violation may
32 appeal to a hearing officer designated by the secretary of public safety and security within 30 days after
33 receipt of the notice. All appeal hearings shall be held in accordance with the standard rules governing
34 informal adjudicatory proceedings adopted under section 9 of chapter 30A.

35 (e) A person, firm or corporation who is issued a citation in a written notice of a violation and who
36 fails to: (i) pay the fines assessed within 30 days after receipt of the notice; (ii) appeal within the 30 days;
37 or (iii) appear at a scheduled appeal hearing, shall be deemed responsible for the violation as stated in the
38 notice. The finding of responsibility shall be admissible as prima facie evidence of responsibility for the
39 violation in any civil proceeding regarding the violation, in any proceeding to suspend or revoke a license,
40 permit or certificate and in any criminal proceeding.

1 SECTION 29. Section 4 of chapter 23E of the General Laws, as appearing in the 2008 Official
2 Edition, is hereby amended by striking out, in line 3, the word "twenty-one", and inserting in place thereof
3 the following words:- not more than 21.

1 SECTION 30. The first paragraph of said section 4 of said chapter 23E, as so appearing, is hereby
2 further amended by adding the following sentence:- Notwithstanding any general or special law to the
3 contrary, upon the expiration of a term, a member shall not continue to serve unless reappointed but, in the
4 discretion of the commissioner, that member may serve not more than 90 additional days to complete work
5 on pending cases.

1 SECTION 31. Section 5 of said chapter 23E, as so appearing, is hereby amended by striking out,
2 in line 4, the word "six" and inserting in place thereof the following words:- not more than 6.

1 SECTION 32. The first paragraph of said section 5 of said chapter 23E, as so appearing, is hereby
2 further amended by adding the following sentence:- Notwithstanding any general or special law to the
3 contrary, upon the expiration of a term, a member shall not continue to serve unless reappointed but, in the
4 discretion of the commissioner, that member may serve not more than 90 additional days to complete work
5 on pending cases.

1 SECTION 32A. Section 42 of chapter 23G of the General Laws, as so appearing, is hereby
2 amended by inserting after the word "facility", in line 27, the following words:- unless such municipally
3 owned building: is located in a cultural district; is 125 years old or older: and is significant in the history,
4 archeology, architecture or culture of the nation, the commonwealth or the community wherein it is located,
5 in which case it may be of any size.

1 SECTION 32B. Section 5 of chapter 23I of the General Laws, as so appearing, is hereby amended
2 by inserting after subsection (c) the following subsection:-

3 (d) There shall be established a life sciences tax incentive program. The center, in consultation
4 with the department, may annually authorize incentives, including incentives carried forward or refunded
5 pursuant to subsections (m), (n) and (r) of section 6 of chapter 62, paragraph 17 of section 30 of chapter 63,
6 the second time it appears, section 31M of said chapter 63, the second time it appears, paragraph 6 of
7 subsection (f) of section 38 of said chapter 63, subsection (j) of section 38M of said chapter 63, section 38U
8 of said chapter 63, section 38V of said chapter 63, section 38W of said chapter 63, section 38CC of said
9 chapter 63, the second paragraph of subsection (c) of section 42B of said chapter 63 and subsection (xx) of
10 section 6 of chapter 64H in a cumulative amount, including the current year cost of incentives allowed in

11 previous years, that shall not exceed \$25,000,000 annually. The center may, in consultation with the
12 department, limit any incentive to a specific dollar amount or time duration or in any other manner deemed
13 appropriate by the department; provided, however, that the department shall only allocate any such
14 incentives among commonwealth certified life sciences companies pursuant to subsection (b) and shall
15 award such tax incentives pursuant to subsection (c).

16 The center shall provide an estimate to the secretary of administration and finance of the tax cost
17 of extending benefits to a proposed project before certification, as approved by the commissioner of
18 revenue, based on reasonable projections of project activities and costs. Tax incentives shall not be
19 available to a certified life sciences company unless expressly granted by the secretary of administration
20 and finance in writing.

1 SECTION 33. Section 2RR of chapter 29 of the General Laws, as so appearing, is hereby
2 amended by inserting after the word "Training", in line 3, the following word:- Trust.

1 SECTION 34. Said section 2RR of said chapter 29, as so appearing, is hereby further amended by
2 striking out, in lines 6 and 7, the words "Subject to appropriation, the commissioner, which in this section
3 shall have the meaning assigned by section 1 of chapter 151A" and inserting in place thereof the following
4 words:- The commissioner, which in this section shall have the meaning assigned by section 1 of chapter
5 151A, shall be the trustee of the fund and, without further appropriation,.

1 SECTION 35. Said chapter 29 of the General Laws is hereby further amended by inserting after
2 section 2BBBB the following section:-

3 Section 2CCCC. There shall be established and set up on the books of the commonwealth a
4 separate fund to be known as the Public Safety Training Fund. The fund shall be used for the instruction of
5 public safety personnel including, but not limited to, the recruitment of additional state police classes and
6 for the municipal police training committee under section 116 of chapter 6, as necessary, to preserve and
7 promote the public safety. The fund shall be credited with all revenues collected from the surcharge
8 imposed by section 12 of chapter 89 and the seventh paragraph of section 20 of chapter 90. The fund shall
9 not be subject to section 5C of chapter 29 and shall be subject to appropriation.

1 SECTION 36. Said chapter 29 is hereby further amended by inserting after section 29J the
2 following section:-

3 Section 29K. (a) Each state authority that receives a total amount of appropriations from the
4 commonwealth equal to or in excess of \$500,000 in any fiscal year shall, on an annual basis, conduct an
5 audit of those funds. Each such audit shall be conducted by an independent auditor and shall be filed with
6 the state auditor for examination, review and comment.

7 (b) Each state authority shall:

8 (1) establish an audit committee that shall meet independently of management at least once per
9 calendar year, retain an independent auditor and hear the results of the annual audit; provided, however,
10 that a state authority may rely upon an audit required by any other general or special law in meeting the
11 requirements of this section;

12 (2) establish a compensation committee that shall: (i) meet independently of management at least
13 once per calendar year and shall evaluate and establish executive compensation including, but not limited to
14 to, base salary, bonuses, severance, retirement or deferred compensation packages and policies relative to

15 the accrual and payment of sick and vacation time, including payouts for unused sick and vacation time;
16 and (ii) analyze and assess comparable compensation for positions with similar functions and
17 responsibilities at state agencies and authorities, as well as for-profit and nonprofit private-sector
18 employers; and

19 (3) prepare an annual financial report which shall disclose operating revenues and expenses,
20 including the salaries and compensation of its executive director, officers, board members and senior
21 management, and other highly-compensated employees, exclusive of the executive director, officers, board
22 members and senior management.

23 (c) No executive of a state authority shall be compensated for sick, vacation or other leave time to
24 an extent greater than the leave time granted to a state employee.

25 (d) No executive of a state authority shall be granted severance pay after removal for cause and no
26 executive shall be granted severance pay in excess of 3 months' salary if removed other than for cause.

27 (e) The commonwealth shall not subsidize the health insurance, pension and other post-
28 employment benefits of state authority employees and retirees. Each state authority and independent entity
29 shall be charged the full actuarial value of its liabilities by the public employee retirement administration
30 commission and the group insurance commission.

31 (f) The secretary of administration and finance shall adopt regulations to carry out this section.
32 Audits and financial reports shall be based on generally accepted accounting principles or generally
33 accepted government auditing standards and shall be considered a public record under clause Twenty-sixth
34 of section 7 of chapter 4.

35 (g) Nothing in this section shall be construed to limit the authority of the attorney general,
36 inspector general, state auditor or other state agency.

1 SECTION 37. Section 49 of said chapter 29, as appearing in the 2008 Official Edition, is hereby
2 amended by adding the following paragraph:-

3 If bonds are issued subject to a requirement under federal tax law that the proceeds from any
4 investment of the proceeds from the sale of the bonds shall be used for capital expenditures including,
5 without limitation, section 54AA(g)(2) of the Internal Revenue Code of 1986, as amended, the state
6 treasurer may, without further appropriation or allotment, apply investment earnings allocable to the
7 proceeds of such bonds to the payment or reimbursement of capital expenditures for which bonds have
8 been authorized but not yet issued, and the amount of bonds authorized to be issued for any such
9 expenditures shall be reduced by the amount of investment earnings so applied.

1 SECTION 37A. Section 45 of chapter 30 of the General Laws, as so appearing, is hereby
2 amended by inserting after the word "branches, in line 8, the following words:-", in the state ethics
3 commission.

1

1 SECTION 37B. The General Laws are hereby amended by inserting after chapter 30B the
2 following chapter:-

3 Chapter 30C. PUBLIC CONTRACT INTEGRITY

4 Section 1. For the purposes of this chapter, the following terms shall have the following meanings
5 unless the context clearly requires otherwise:

6 “Public employer”, a department, agency or public instrumentality of the commonwealth or a
7 person, corporation, partnership, sole proprietorship, joint venture or other business entity providing goods
8 or services to a department, agency or public instrumentality of the commonwealth including, but not
9 limited to, the Massachusetts Department of Transportation, the Massachusetts Water Resources Authority,
10 the Massachusetts Port Authority and the Massachusetts Bay Transportation Authority.

11 “Work authorization program”, an electronic verification of work authorization program or an
12 equivalent work authorization program operated by the United States Department of Homeland Security,
13 the United States Department of Labor, the Social Security Administration, other federal agency or by a
14 private verification system authorized by the director of labor to verify information of newly hired
15 employees, pursuant to the Immigration Reform and Control Act of 1986 and its successor acts.

16 Section 2. No public employer shall enter into a contract for the provision of goods or services
17 within the commonwealth unless the contractor registers and participates in a work authorization program
18 to verify information on all new employees and certifies to that effect in writing to the director of labor.

19 Section 3. No contractor or subcontractor who enters a contract with a public employer shall enter
20 into a contract or subcontract in connection with the provision of goods or services in the commonwealth
21 unless the contractor or subcontractor registers and participates in a work authorization program to verify
22 information on all employees and certifies to that effect in writing to the director of labor.

23 Section 4. This chapter shall be enforced without regard to race, religion, gender, ethnicity or
24 national origin.

25 Section 5. Except as may be otherwise provided in this chapter, the director of labor shall
26 prescribe forms and promulgate rules and regulations necessary to implement and administer this chapter.

27 Section 6. The inspector general shall develop and promulgate regulations to ensure that a person
28 receiving funds pursuant to a contract awarded pursuant to chapter 30B and section 44A of chapter 149 is
29 in compliance with federal laws pertaining to immigration and citizenship including, but not limited to 42
30 U.S.C. section 1436(a). Such regulations shall include, but not be limited to, ascertaining and verifying
31 immigration and citizenship status through a work authorization program .

32 Section 7. No contract shall be awarded by or to a public employer and no public funds shall be
33 expended under any such contract unless the public employer complies with the regulations prescribed in
34 this chapter.

1 SECTION 37C. The third paragraph of the definition of “Regular compensation” in section 1 of
2 chapter 32 of the General Laws, as inserted by section 23 of chapter 131 of the acts of 2010, is hereby
3 amended by striking out the second sentence and inserting in place thereof the following sentence:- After
4 September 1, 2011, faculty, librarians and administrators in public higher education who are eligible for the
5 state employees’ retirement system shall not be prohibited from participating in the optional retirement
6 program under section 40 of chapter 15A.

1 SECTION 38. Section 22C of chapter 32 of the General Laws is hereby amended by striking out,
2 in line 29, as so appearing, the words "on June 30, 2025" and inserting in place thereof the following
3 words:- by June 30, 2040.

Pension Funding Schedule 2

1 SECTION 39. Subdivision (1) of said section 22C of said chapter 32 is hereby amended by
2 striking out the last paragraph, as appearing in section 23 of chapter 27 of the acts of 2009, and inserting in
3 place thereof the following paragraph:-

4 Notwithstanding any general or special law to the contrary, appropriations or transfers made to the
5 Commonwealth's Pension Liability Fund in fiscal years 2012 to 2017, inclusive, shall be made in
6 accordance with the following funding schedule: \$1,478,000,000 in fiscal year 2012, \$1,552,000,000 in
7 fiscal year 2013, \$1,630,000,000 in fiscal year 2014, \$1,727,000,000 in fiscal year 2015, \$1,831,000,000 in
8 fiscal year 2016 and \$1,941,000,000 in fiscal year 2017. Notwithstanding any provision of this subdivision
9 to the contrary, any adjustments to these amounts based on the next triennial funding schedule shall be
10 limited to increases in the schedule amounts for each of the specified years.

1 SECTION 40. Section 8 of chapter 32A of the General Laws, as appearing in the 2008 Official
2 Edition, is hereby amended by striking out the first and second paragraphs and inserting in place thereof the
3 following 2 paragraphs:-

4 For policies of group life insurance and accidental death and dismemberment insurance, and group
5 health insurance purchased by the commission under sections 4, 5 and 10C, and for self-insured health
6 coverage provided by the commission under section 4A, the commonwealth, on behalf of active and retired
7 employees and their dependents, shall contribute not less than 75 per cent of the total monthly premium or
8 rate applicable to said coverages, and the active and retired employees on behalf of themselves or
9 themselves and their dependents shall contribute the remaining 25 per cent of the total monthly premium or
10 rate, except, that upon approval by way of an annual appropriation act, the commonwealth may contribute
11 more than 75 per cent but less than the entire total monthly premium or rate. The annual appropriation act
12 shall provide the necessary annual sum to be funded by the commonwealth based upon the estimated
13 monthly cost as required by sections 4 and 4A and the estimated monthly cost for coverages contained in
14 other sections of this chapter and shall describe the ratio of contribution to be paid by the commonwealth
15 and by the active and retired employees insured under other sections of this chapter. Regarding active and
16 retired employees and their dependents, including municipal subscribers, the commission shall not alter the
17 coverage and benefits provided, or contribution ratios established, in the annual appropriation act, or the
18 schedule of co-pays and deductibles and other terms upon which the total premium cost of each plan and
19 the contribution ratios established in the annual appropriation act were based; provided, however, that if the
20 governor reduces the appropriation under section 9C of chapter 29, the commission may make any
21 necessary adjustments to account for the reduction, but the commission shall not alter the contribution
22 ratios provided in the most recent applicable appropriation act.

23 With respect to any period of insurance authorized by this chapter which is in effect for an active
24 employee and dependent, there shall be withheld from each payment of salary or wages not more than 25
25 per cent of the total monthly premium or rate or a lesser amount as provided in the annual appropriation
26 act. With respect to any period of insurance authorized by this chapter which is in effect for a retired
27 employee and dependent, there shall be withheld from each payment of pension or retirement allowance
28 not more than 25 per cent of the total monthly premium or a lesser amount as provided in the annual
29 appropriation act. The commonwealth shall contribute a share of any additional premium which may be
30 required for coverage of an employee's dependent child who is 19 years of age or over and mentally or
31 physically incapable of earning such child's own living, such share equaling the same ratio as that paid on
32 behalf of an active or retired employee and dependent.

1 SECTION 41. Section 19 of said chapter 32A, as so appearing, is hereby amended by inserting
2 after the word "Effective", in line 1, the following words:- January 1 and.

1 SECTION 42. Said section 19 of said chapter 32A, as so appearing, is hereby further amended by
2 inserting after the word "rate", in line 10, the following words:- in effect.

1 SECTION 43. Section 24 of said chapter 32A is hereby amended by inserting after the word
2 “system”, in line 16, as so appearing, the following words:- and for depositing, investing and disbursing
3 amounts transferred to it under subsection (d).

1 SECTION 44. Said section 24 of said chapter 32A is hereby further amended by striking out
2 subsection (d), as so appearing, and inserting in place thereof the following subsection:-

3 (d) Upon authorization by the board, any political subdivision, municipality, county or agency or
4 authority of the commonwealth may participate in the fund using procedures and criteria to be adopted by
5 the board.

1 SECTION 45. Chapter 32B of the General Laws is hereby amended by striking out section 2, as so
2 appearing, and inserting in place thereof the following section:-

3 Section 2. As used in this chapter the following words shall, unless the context clearly requires
4 otherwise, have the following meanings:-

5 “Appropriate public authority”, as to a county, except Worcester county, the county
6 commissioners; as to a city, the mayor; as to a town, the selectmen; as to a district, the governing board of
7 the district and for the purposes of this chapter if a collective bargaining agreement is in place, as to a
8 commonwealth charter school as defined by section 89 of chapter 71, the board of trustees; and as to an
9 education collaborative, as defined by section 4E of chapter 40, the board of directions.

10 “Commission”, the group insurance commission established by section 3 of chapter 32A.

11 “Dependent”, an employee’s spouse, an employee’s unmarried children under 19 years of age and
12 any child 19 years of age or over who is mentally or physically incapable of earning the child’s own living;
13 provided, however, that any additional premium which may be required shall be paid for the coverage of
14 such child 19 years of age or over; provided further, that “dependent” shall also include an unmarried child
15 19 years of age or over who is a full-time student in an educational or vocational institution and whose
16 program of education has not been substantially interrupted by full-time gainful employment, excluding
17 service in the armed forces; provided further, that any additional premium which may be required for the
18 coverage of such student shall be paid in full by the employee. The standards for such full-time instruction
19 and the time required to complete such a program of education shall be determined by the appropriate
20 public authority.

21 “District”, any water, sewer, light, fire, veterans’ services or other improvement district or public
22 unit created within 1 or more political subdivisions of the commonwealth to provide public services or
23 conveniences.

24 “Employee”, any person in the service of a governmental unit or whose services are divided
25 between 2 or more governmental units or between a governmental unit and the commonwealth, and who
26 receives compensation for any such service, whether such person is employed, appointed or elected by
27 popular vote, and any employee of a free public library maintained in a city or town to the support of which
28 that city or town annually contributes not less than one-half of the cost; provided, however, that the duties
29 of such person require not less than 20 hours, regularly, in the service of the governmental unit during the
30 regular work week of permanent or temporary employment; provided further, that no seasonal employee or
31 emergency employees shall be included, except that persons elected by popular vote may be considered
32 eligible employees during the entire term for which they are elected regardless of the number of hours
33 devoted to the service of the governmental unit. A member of a call fire department or other volunteer
34 emergency service agency serving a municipality shall be considered an employee, if approved by vote of
35 the municipal legislative body, and the municipality shall charge such individual 100 per cent of the
36 premium. If an employee’s services are divided between governmental units, the employee shall, for the

37 purposes of this chapter, be considered an employee of the governmental unit which pays more than 50 per
38 cent of the employee's salary. But, if no one governmental units pays more than 50 per cent of that
39 employee's salary, the governmental unit paying the largest share of the salary shall consider the employee
40 as its own for membership purposes, and that governmental unit shall contribute 50 per cent of the cost of
41 the premium. If the payment of an employee's salary is equally divided between governmental units, the
42 governmental unit having the largest population shall contribute 50 per cent of the cost of the premium. If
43 an employee's salary is divided in any manner between a governmental unit and the commonwealth, the
44 governmental unit shall contribute 50 per cent of the cost of the premium. An employee eligible for
45 coverage under this chapter shall not be eligible for coverage as an employee under chapter 32A. Teachers
46 and all other public school employees shall be deemed to be employees during the months of July and
47 August under this chapter; provided, however, that employee contributions for such health insurance for
48 those 2 months are deducted from the compensation paid for services rendered during the previous school
49 year. A determination by the appropriate public authority that a person is eligible for participation in the
50 plan of insurance shall be final. Nothing in this paragraph shall apply to Worcester county or its employees.

51 "Employer", the governmental unit.

52 "Governmental unit", any political subdivision of the commonwealth.

53 "Health care flexible spending account", a federally-recognized tax-exempt health benefit program
54 that allows an employee to set aside a portion of earnings to pay for qualified expenses as established in an
55 employer's benefit plan.

56 "Health care organization", an organization for the group practice of medicine, with or without
57 hospital or other medical institutional affiliations, which furnishes to the patient a specified or unlimited
58 range of medical, surgical, dental, hospital and other types of health care services.

59 "Health reimbursement arrangement", a federally-recognized tax-exempt health benefit program
60 funded solely by an employer to reimburse subscribers for qualified medical expenses.

61 "Optional medicare extension", a program of hospital, surgical, medical, dental and other health
62 insurance for such active employees and their dependents and such retired employees and their dependents,
63 except elderly governmental retirees insured under section 11B, as are eligible or insured under the federal
64 health insurance for the aged act, as may be amended from time to time.

65 "Political subdivision", any county, except Worcester county, city, town or district.

66 "Subscribers", employees, retirees, surviving spouses and dependents of the political subdivision
67 and may include employees, retirees, surviving spouses and dependents of a district who previously
68 received health insurance benefits through the political subdivision.

1 SECTION 46. Section 18 of said chapter 32B is hereby repealed.

1 SECTION 47. Said chapter 32B is hereby amended by striking out section 18A, as appearing in
2 the 2008 Official Edition, and inserting in place thereof the following section:-

3 Section 18B. (a) A retiree, spouse or dependent insured or eligible to be insured under this chapter,
4 if enrolled in Medicare Part A at no cost to the retiree, spouse or dependent or eligible for coverage under
5 Medicare Part A at no cost to the retiree, spouse or dependent, shall be required to transfer to a Medicare
6 health plan offered by the governmental unit under section 11C or section 16, if the benefits under the plan
7 and Medicare Part A and Part B together shall be of comparable actuarial value to those under the retiree's
8 existing coverage, but a retiree or spouse who has a dependent who is not enrolled or eligible to be enrolled
9 in Medicare Part A at no cost shall not be required to transfer to a Medicare health plan if a transfer

10 requires the retiree or spouse to continue the existing family coverage for the dependent in a plan other than
11 a Medicare health plan offered by the governmental unit.

12 (b) Each retiree shall provide the governmental unit, in such form as the governmental unit shall
13 prescribe, such information as is necessary to transfer to a Medicare health plan. If a retiree does not submit
14 the information required, the retiree shall no longer be eligible for the retiree's existing health coverage.
15 The governmental unit may, from time to time, request from a retiree, a retiree's spouse or a retiree's
16 dependent, proof certified by the federal government, of eligibility or ineligibility for Medicare Part A and
17 Part B coverage.

18 (c) The governmental unit shall pay any Medicare Part B premium penalty assessed by the federal
19 government on the retiree, spouse or dependent as a result of enrollment in Medicare Part B at the time of
20 transfer.

1 SECTION 48. Section 19 of said chapter 32B, as so appearing, is hereby amended by striking out,
2 in line 58, the words "70 per cent" and inserting in place thereof the following words: - a majority.

1 SECTION 49. The fifth paragraph of subsection (a) of said section 19 of said chapter 32B, as so
2 appearing, is hereby amended by striking out the fourth sentence and inserting in place thereof the
3 following 2 sentences:- Either the public employee committee or the appropriate public authority may
4 convene the initial meeting of the committee at any time upon 7 days notice. Either the public employee
5 committee or the appropriate public authority may convene any subsequent meeting with notice of not less
6 than 3 business days.

1 SECTION 50. Said chapter 32B is hereby further amended by striking out section 20, as so
2 appearing, and inserting in place thereof the following section:-

3 Section 20. (a) A city, town, district, county or municipal lighting plant that accepts this section
4 may establish an Other Post-Employment Benefits Liability Trust Fund, and may appropriate amounts to be
5 credited to the fund. Any interest or other income generated by the fund shall be added to and become part
6 of the fund. Amounts that a governmental unit receives as a sponsor of a qualified retiree prescription drug
7 plan under 42 U.S.C. section 1395w-132 may be added to and become part of the fund. All monies held in
8 the fund shall be segregated from other funds and shall not be subject to the claims of any general creditor
9 of the city, town, district, county or municipal lighting plant.

10 (b) The custodian of the fund shall be (i) a designee appointed by the board of a municipal lighting
11 plant; (ii) the treasurer of any other governmental unit; or (iii) if designated by the city, town, district,
12 county or municipal lighting plant in the same manner as acceptance prescribed in this section, the Health
13 Care Security Trust board of trustees established in section 4 of chapter 29D, provided that the board of
14 trustees accepts the designation. The custodian may employ an outside custodial service to hold the monies
15 in the fund. Monies in the fund shall be invested and reinvested by the custodian consistent with the
16 prudent investor rule established in chapter 203C and may, with the approval of the Health Care Security
17 Trust board of trustees, be invested in the State Retiree Benefits Trust Fund established in section 24 of
18 chapter 32A.

19 (c) This section may be accepted in a city having a Plan D or Plan E charter, by vote of the city
20 council; in any other city, by vote of the city council and approval of the mayor; in a town, by vote of the
21 town at a town meeting; in a district, by vote of the governing board; in a municipal lighting plant, by vote
22 of the board; and in a county, by vote of the county commissioners.

23 (d) Every city, town, district, county and municipal lighting plant shall annually submit to the
24 public employee retirement administration commission, on or before December 31, a summary of its other

25 post-employment benefits cost and obligations and all related information required under Government
26 Accounting Standards Board standard 45, in this subsection called "GASB 45", covering the last fiscal or
27 calendar year for which this information is available. On or before June 30 of the following year, the public
28 employee retirement administration commission shall notify any entity submitting this summary of any
29 concerns that the commission may have or any areas in which the summary does not conform to the
30 requirements of GASB 45 or other standards that the commission may establish. The public employee
31 retirement administration commission shall file a summary report of the information received under this
32 subsection with the chairs of the house and senate committees on ways and means, the secretary of
33 administration and finance and the board of trustees of the Health Care Security Trust.

1 SECTION 51. Said chapter 32B is hereby further amended by adding the following 10 sections:-

2 Section 21. As used in this section and sections 22 to 24, inclusive, the word "savings" shall,
3 unless the context clearly requires otherwise, mean the difference between the total projected premium
4 costs for health insurance benefits provided by a political subdivision with changes to health insurance
5 benefits that may be authorized under sections 22 or 23 for the first 12 months of such changes and the total
6 projected premium costs for health insurance benefits provided by a political subdivision for the same 12
7 months without such changes.

8 (a) Any political subdivision electing to change health insurance benefits under sections 22 or 23
9 shall, each time the political subdivision elects to make changes under sections 22 or 23, do so in the
10 following manner: in a county, except Worcester county, by a vote of the county commissioners; in a city
11 having a Plan D or a Plan E charter, by majority vote of the city council and approval by the manager; in
12 any other city, by majority vote of the city council and approval by the mayor; in a town, by vote of the
13 board of selectmen; in a regional school district, by vote of the regional district school committee; and in all
14 other districts, by vote of the registered voters of the district at a district meeting.

15 (b) Prior to implementing any changes authorized under sections 22 or 23, the appropriate public
16 authority shall give notice to its public employee committee of its intention to enter into negotiations to
17 implement changes to its health insurance benefits under this section. If a public employee committee has
18 not been established under section 19, a public employee committee shall be established exclusively to
19 negotiate changes under this section, section 22 and section 23, and shall be established in the same form
20 and with the same per cent votes as prescribed in the fifth paragraph of subsection (a) of said section 19.
21 Any community which has previously established a public employee committee under section 19 may
22 choose to apply this section and sections 22 and 23 when implementing changes to its health insurance
23 benefits.

24 The notice shall detail the proposed changes, the appropriate public authority's analysis and
25 estimate of its anticipated savings of such changes and a proposal to mitigate, moderate or cap the impact
26 of these changes for subscribers, including retirees, low-income subscribers and subscribers with high out-
27 of-pocket health care costs, who would otherwise be disproportionately affected. If the public authority is
28 proposing changes under section 23 by transferring subscribers to the commission, the public authority
29 shall also submit an analysis that demonstrates that the anticipated savings under this change would be at
30 least 10 per cent greater than the maximum possible savings under section 22.

31 (c) The negotiations shall be conducted in good faith and may include all aspects of the public
32 authority's proposal. The negotiations shall be completed not later than 30 days from the point at which the
33 public employee committee receives the notice as provided in subsection (b). If after 30 days the
34 appropriate public authority and public employee committee are unable to enter into a written agreement to
35 implement changes under section 22 or 23, the matter shall be submitted to a municipal health insurance
36 review panel. The panel shall be comprised of 3 members, 1 of whom shall be appointed by the public
37 employee committee, 1 of whom shall be appointed by the public authority and 1 of whom shall be selected
38 through the secretary of administration and finance who shall forward to the appropriate public authority
39 and the public employee committee a list of 3 impartial potential members, each of whom shall have
40 professional experience in dispute mediation and municipal finance or municipal health benefits, from

41 which the appropriate public authority and the public employee committee may jointly select the third
42 member; provided, however, that if the appropriate public authority and the public employee committee
43 cannot agree within 3 business days upon which person to select as the third member of the panel, the
44 secretary of administration and finance shall select the final member of the panel. Any fee or compensation
45 provided to a member for service on the panel shall be shared equally between the public employee
46 committee and the appropriate public authority.

47 (d) The municipal health insurance review panel shall approve the appropriate public authority's
48 immediate implementation of the proposed changes under section 22; provided, that any increased dollar
49 amounts for co-payments, deductibles and tiered provider network co-payments proposed for a non-
50 medicare plan under section 22 do not exceed the dollar amounts of the median plan design features offered
51 by the commission for a non-medicare plan under section 4 of chapter 32A; and provided further, that any
52 increased dollar amounts for co-payments, deductibles and tiered provider network co-payments proposed
53 for a medicare-extension plan under section 22 do not exceed the dollar amounts of the median plan design
54 features offered by the commission for a medicare-extension plan under section 10C and section 14 of
55 chapter 32A.

56 (e) The municipal health insurance review panel shall approve the appropriate public authority's
57 immediate implementation of the proposed changes under section 23; provided, that the panel confirms that
58 the anticipated savings under those changes would be at least 10 per cent greater than the maximum
59 possible savings under section 22.

60 (f) If the panel does not approve implementation for reasons stated under subsections (d) or (e),
61 the public authority may submit a new proposal to the public employee committee for consideration and
62 confirmation under this section.

63 (g) Within 10 days of receiving proposed changes under sections 22 or 23, the municipal health
64 insurance review panel shall:

65 (1) confirm, and revise if necessary, the appropriate public authority's estimated monetary savings
66 due to proposed changes under section 22 or 23; and

67 (2) review the proposal to mitigate, moderate or cap the impact of these changes for subscribers,
68 including retirees, low-income subscribers and subscribers with high out-of-pocket health care costs, who
69 would otherwise be disproportionately affected.

70 The municipal health insurance review panel may determine the proposal to be insufficient and
71 may require additional savings to be shared with subscribers in the form of premium reductions, health
72 reimbursement arrangements, wellness programs, health care trust funds for emergency medical care or
73 inpatient hospital care, out-of-pocket caps, Medicare Part B reimbursements or reimbursements for other
74 qualified medical expenses, as determined by the panel. In no case shall the municipal health insurance
75 review panel designate more than 33 per cent of the savings to subscribers. In reaching a decision on the
76 proposal under this subsection, the municipal health insurance review panel may consider an alternative
77 proposal from the public employee committee to mitigate, moderate or cap the impact of these changes for
78 subscribers, the political subdivision's ability to pay, existing premium contribution ratios between the
79 appropriate authority and the subscribers, intended use of savings by the political subdivision, any
80 historical negotiations or concessions by retirees on benefits and the historical negotiations on benefits and
81 salary including total compensation and all other evidence.

82 The municipal health insurance review panel's decision shall be binding upon the parties.

83 (h) The secretary of administration and finance, in consultation with the secretary of labor and
84 workforce development, shall adopt regulations to carry out this section.

85 Section 22. (a) Upon meeting the requirements of section 21, an appropriate public authority of a
86 political subdivision which has undertaken to provide health insurance coverage to its subscribers by
87 acceptance of any other section of this chapter may increase, as part of the non-medicare health plans that it
88 offers to its subscribers, co-payments, deductibles and tiered provider network co-payments to a level no
89 greater in dollar amount than the median co-payments, deductibles and tiered provider network co-
90 payments of non-medicare plans offered by the commission under section 4 of chapter 32A; and may
91 increase, as part of the medicare-extension health plans that it offers to its subscribers, co-payments,
92 deductibles and tiered provider network co-payments to a level no greater in dollar amount than the median
93 co-payments, deductibles and tiered provider network co-payments of medicare-extension plans offered by
94 the commission under section 10C of chapter 32A . A public authority shall meet the requirements of
95 section 21 each time an increase is made to co-payments, deductibles or tiered provider network co-
96 payments under this section.

97 (b) Nothing in this section shall prohibit an appropriate public authority from including in the
98 political subdivision's health plans higher co-payments, deductibles or tiered provider network co-
99 payments or other plan design features than those authorized by subsection (a); provided, however, that
100 such higher co-payments, deductibles, tiered provider network co-payments and other plan design features
101 may be included only after the political subdivision has satisfied any bargaining obligations under chapter
102 150E or under section 19.

103 (c) Except as provided for in subsection (b), the decision to implement changes under this section
104 shall not be subject to bargaining under chapter 150E or section 19.

105 (d) Nothing in this section shall relieve a political subdivision from providing health insurance
106 coverage to a subscriber to whom it has an obligation to provide coverage under this chapter.

107 (e) The percentage contributed by retirees, surviving spouses and their dependents shall be no
108 more than the average percentage contributed by other subscribers to the most expensive and least
109 expensive non-Medicare plans offered by the public authority.

110 Section 23. (a) Upon meeting the requirements of section 21, an appropriate public authority of a
111 political subdivision which has undertaken to provide health insurance coverage to its subscribers may elect
112 to provide health insurance coverage to its subscribers by transferring its subscribers to the commission.
113 The commission shall issue rules and regulations consistent with this section related to the process by
114 which subscribers shall be transferred to the commission. Nothing in this section shall be construed to
115 change eligibility standards for health insurance under the definition of "employee" in section 2. Nothing in
116 this section shall be construed to preclude an appropriate public authority from reaching an agreement
117 under subsection (e) of section 19.

118 (b) The decision to accept this section shall not be subject to bargaining under section 19 or
119 chapter 150E.

120 (c) Nothing in this section shall relieve a political subdivision from providing health insurance
121 coverage to a subscriber to whom it has an obligation to provide coverage under this chapter.

122 (d) An appropriate public authority, which has elected to transfer its subscribers under this section
123 to the commission, shall notify the commission of such transfer. The notice shall be provided to the
124 commission by the appropriate public authority on or before December 1 and the transfer of subscribers to
125 the commission shall take effect on the following July 1. On the effective date of the transfer, the health
126 insurance of all subscribers, including elderly governmental retirees previously governed by section 10B of
127 chapter 32A and retired municipal teachers previously governed by section 12 of chapter 32A, shall be
128 provided through the commission for all purposes and governed under this section. As of the effective date
129 and for the duration of this transfer, subscribers transferred to the commission's health insurance coverage
130 shall receive group health insurance benefits determined exclusively by the commission and the coverage
131 shall not be subject to collective bargaining, except for contribution ratios.

132 Subscribers transferred to the commission who are eligible or become eligible for Medicare
133 coverage shall transfer to Medicare coverage, as prescribed by the commission; provided, however, that the
134 benefits under the plan and Medicare Part A and Part B together shall be of comparable actuarial value to
135 those under the retiree's existing coverage, but a retiree or spouse who has a dependent who is not enrolled
136 or eligible to be enrolled in Medicare Part A at no cost shall not be required to transfer to a Medicare health
137 plan if a transfer requires the retiree or spouse to continue the existing family coverage for the dependent in
138 a plan other than a Medicare health plan offered by the governmental unit. In the event of transfer to
139 Medicare, the political subdivision shall pay any Medicare Part B premium penalty assessed by the federal
140 government on retirees, spouses and dependents as a result of enrollment in Medicare Part B at the time of
141 transfer into the Medicare health benefits supplement plan. For each subscriber's premium and the political
142 subdivision's share of that premium, the subscriber and the appropriate public authority shall furnish to the
143 commission, in such form and content as the commission shall prescribe, all information the commission
144 deems necessary to maintain subscribers' and covered dependents' health insurance coverage. The
145 appropriate public authority of the political subdivision shall perform such administrative functions and
146 process such information as the commission deems necessary to maintain those subscribers' health
147 insurance coverage including, but not limited to, family and personnel status changes and shall report all
148 changes to the commission. In the event that a political subdivision transfers subscribers to the commission
149 under this section, subscribers may be withdrawn from commission coverage at 3 or 6 year intervals from
150 the date of transfer of subscribers to the commission, subject to terms governing the withdrawal interval
151 and withdrawal procedures in a written agreement between the appropriate public authority and the
152 collective bargaining units under this chapter and chapter 150E.

153 The appropriate public authority shall decide and provide notice to the commission of any
154 withdrawal by October 1 of the year prior to the effective date of withdrawal. All withdrawals shall be
155 effective on July 1 following the political subdivision's notice to the commission. Except as otherwise
156 provided in a written agreement between the appropriate public authority and the public employee
157 committee, withdrawal from commission coverage shall revoke acceptance of this section and any written
158 agreements related to the implementation of this section as of the effective date of withdrawal.

159 The political subdivision shall abide by all commission requirements for effectuating such
160 withdrawal, including the notice requirements in this subsection. In the event a political subdivision
161 withdraws from commission coverage under this section, such withdrawal shall be binding on all
162 subscribers, including those subscribers who, prior to the transfer to the commission, received coverage
163 from the commission under sections 10B and 12 of chapter 32A and, after withdrawal from the
164 commission, those subscribers who received coverage from the commission under said sections 10B and 12
165 of said chapter 32A shall not pay more than 25 per cent of the cost of their health insurance premiums. In
166 the event of withdrawal from the commission, the political subdivision and public employee unions shall
167 return to governance of negotiations of health insurance under chapter 150E and this chapter.

168 (e) To the extent authorized under chapter 32A, the commission shall provide group coverage of
169 subscribers' health claims incurred after transfer to the commission. The claim experience of those
170 subscribers shall be maintained by the commission in a single pool and combined with the claim experience
171 of all covered state employees and retirees and their covered dependents, including those subscribers who
172 previously received coverage under sections 10B and 12 of chapter 32A.

173 A political subdivision that self-insures its group health insurance plan under section 3A and has a
174 deficit in its claims trust fund at the time of transferring its subscribers to the commission and the deficit is
175 attributable to a failure to accrue claims which had been incurred but not paid may capitalize the deficit and
176 amortize the amount over 10 fiscal years in 10 equal amounts or on a schedule providing for a more rapid
177 amortization. Except as otherwise provided in this section, subscribers eligible for health insurance
178 coverage under this section shall be subject to all of the commission regulations, terms, conditions,
179 schedule of benefits and health insurance carriers as employees and dependents. The commission shall,
180 exclusively and not subject to collective bargaining under chapter 150E, determine all matters relating to
181 subscribers' group health insurance rights, responsibilities, costs and payments, including, but not limited to,
182 the manner and method of payment, schedule of benefits, eligibility requirements and choice of health
183 insurance carriers, but shall not determine contribution ratios and obligations. The commission may issue

184 rules and regulations consistent with this section and shall provide public notice of any proposed rules and
185 regulations; provided, however, that if an interested party requests the opportunity to comment, such party
186 shall be given an opportunity to review those rules and regulations and comment, in writing, and at a public
187 hearing; provided, further that for the purposes of this section the commission shall not be subject to
188 chapter 30A. The commission shall negotiate and purchase health insurance coverage for subscribers
189 transferred under this section and shall promulgate regulations, policies and procedures for coverage of the
190 transferred subscribers. The schedule of benefits available to transferred subscribers shall be determined by
191 the commission under chapter 32A. The commission shall offer those subscribers the same choice as to
192 health insurance carriers and benefits as those provided to state employees and retirees. The political
193 subdivision's contribution to the cost of health insurance coverage for transferred subscribers shall be as
194 determined under this section, and shall not be subject to the provisions on contributions in said chapter
195 32A; provided, however, that the percentage contributed by retirees, surviving spouses and their
196 dependents shall be no more than the average percentage contributed by other subscribers to the most
197 expensive and least expensive non-Medicare plans offered by the commission. Any change to the premium
198 contribution ratios shall become effective on July 1 of each year, with notice to the commission of such
199 change not later than January 15 of the same year.

200 A political subdivision that transfers subscribers to the commission shall pay the commission for
201 all costs of its subscribers' coverage, including administrative expenses and the governmental unit's cost of
202 subscribers' premium. The commission shall determine on a periodic basis the amount of premium which
203 the political subdivision shall pay to the commission. If the political subdivision unit fails to pay all or a
204 portion of these costs according to the timetable determined by the commission, the commission may
205 inform the state treasurer who shall issue a warrant in the manner provided by section 20 of chapter 59
206 requiring the respective political subdivision to pay into the treasury of the commonwealth as prescribed by
207 the commission the amount of the premium and administrative expenses attributable to the political
208 subdivision. The state treasurer shall recoup any past due costs from the political subdivision's cherry sheet
209 under section 20A of chapter 58 and transfer that money to the commission. If a governmental unit fails to
210 pay to the commission the costs of coverage for more than 90 days and the cherry sheet provides an
211 inadequate source of payment, the commission may, at its discretion, cancel the coverage of subscribers of
212 the political subdivision. If the cancellation of coverage is for nonpayment, the political subdivision shall
213 provide all subscribers health insurance coverage under plans which are the actuarial equivalent of plans
214 offered by the commission in the preceding year until there is an agreement with the public employee
215 committee providing for replacement coverage.

216 The commission may charge the political subdivision an administrative fee, which shall not be
217 more than 1 per cent of the cost of total premiums for the political subdivision, to be determined by the
218 commission which shall be considered as part of the cost of coverage to determine the contributions of the
219 political subdivision and its employees to the cost of health insurance coverage by the commission.

220 (f) If there is a withdrawal from the commission under this section, all retirees, their spouses and
221 dependents insured or eligible to be insured by the political subdivision, if enrolled in Medicare Part A at
222 no cost to the retiree, spouse or dependents, shall be required to be insured by a Medicare extension plan
223 offered by the political subdivision under section 11C or section 16. A retiree shall provide the political
224 subdivision, in such form as the political subdivision shall prescribe, such information as is necessary to
225 transfer to a Medicare extension plan. If a retiree does not submit the information required, the retiree shall
226 no longer be eligible for the retiree's existing health insurance coverage. The political subdivision may
227 from time to time request from a retiree, a retiree's spouse and dependents, proof certified by the federal
228 government of the retiree's eligibility or ineligibility for Medicare Part A and Part B coverage. The political
229 subdivision shall pay the Medicare Part B premium penalty assessed by the federal government on those
230 retirees, spouses and dependents as a result of enrollment in Medicare part B at the time of transfer into the
231 Medicare health benefits supplement plan.

232 Section 24. Notwithstanding any other section this chapter, the appropriate public authority of a
233 political subdivision which has undertaken to provide health insurance coverage to its subscribers by
234 acceptance of section 22 or section 23 shall provide health care flexible spending accounts to allow certain
235 subscribers, as determined by the appropriate public authority, to set aside a portion of earnings to pay for

236 qualified expenses. Qualified medical expenses may include, but shall not be limited to, out-of-pocket costs
237 such as inpatient and outpatient co-payments, calendar year deductibles, office visit co-payments and
238 prescription drug co-payments.

239 Section 25. Notwithstanding any other general law or regulations to the contrary, the appropriate
240 public authority of a political subdivision which has undertaken to provide health insurance coverage to its
241 subscribers under this chapter or transfer its subscribers to the commission under this chapter may provide
242 health reimbursement arrangements to reimburse subscribers for qualified medical expenses. Qualified
243 medical expenses may include, but shall not be limited to, out-of-pocket costs such as inpatient and
244 outpatient co-payments, calendar year deductibles, office visit co-payments and prescription drug co-
245 payments.

246 Section 26. An appropriate public authority of a political subdivision which has undertaken to
247 provide health insurance coverage to its subscribers under this chapter shall conduct an enrollment audit not
248 less than once every 2 years. The audit shall be completed in order to ensure that members are
249 appropriately eligible for coverage.

250 Section 27. An insurance carrier, third party purchasing group or administrator or the commission
251 in the case of a governmental unit, which has undertaken to provide health insurance coverage to its
252 subscribers by acceptance of sections 19 or 23, shall, upon written request, provide the governmental unit
253 or public employee committee with its historical claims data within 45 days of such request; provided, that
254 all personally identifying information within such claims shall be redacted and released in a form and
255 manner compliant with all applicable state and federal privacy statutes and regulations including, but not
256 limited to, the federal Health Insurance Portability and Accountability Act of 1996.

257 Section 28. Each fiscal year, the commission shall prepare and place on its website a report
258 delineating in dollar amounts the median co-payments, deductibles and tiered provider network co-
259 payments features offered by the commission in non-medicare plans under section 4 of chapter 32A and
260 median co-payments, deductibles and tiered provider network co-payments offered by the commission in
261 medicare-extension plans under section 10C and section 14 of chapter 32A.

262 Section 29. Any governmental unit which has undertaken to provide health insurance coverage to
263 its subscribers through a joint purchase agreement under section 12, and seeking to make changes to health
264 insurance benefits under section 22, shall, in first proposing changes to the public employee committee
265 under subsection (b) of section 21, ensure that the proposed changes are in accordance with any standards
266 or regulations set by the board of the joint purchase group.

267 Section 30. Nothing in section 21, 22, or 23 shall be construed to prevent 2 or more governmental
268 units under a joint purchase or trust agreement from jointly negotiating and purchasing coverage as
269 authorized in section 12.”

270 .

1 SECTION 51A. Paragraph (a) of Part B of section 3 of chapter 62 of the General Laws, as
2 appearing in the 2008 Official Edition, is hereby amended by inserting the following subparagraph:-

3 (16) In the case of an individual who donates an organ to another human being for human organ
4 transplantation, the individual may claim an amount equal to the following expenses that are incurred by
5 the individual and related to the individual’s organ donation: (i) travel expenses; (ii) lodging expenses; and
6 (iii) lost wages not to exceed \$10,000. For the purposes of this subparagraph, “human organ” shall mean all
7 or part of human bone marrow, liver, pancreas, kidney, intestine or lung. An individual who is a
8 nonresident for all or part of the taxable year shall not be eligible to claim this deduction.

1 SECTION 51B. Section 6 of chapter 62 of the General Laws is hereby amended by striking out,
2 in line 495, as appearing in the 2008 Official Edition”, the words “in subsection (n)” and inserting in place
3 thereof the following words:- subsections (n) and (r).

4 SECTION 52. Clause (2) of subsection (o) of section 6 of chapter 62 of the General Laws, as
5 appearing in the 2008 Official Edition, is hereby amended by adding the following sentence:- Said
6 regulations shall provide that when the board of food and agriculture, established pursuant to section 1 of
7 chapter 20, determines that an error has been made in calculating the trigger price or in reporting or
8 collecting data used in the calculation of the trigger price or the tax credit, the commissioner shall
9 recalculate, with or without amendments, the trigger price or tax credit.

1 SECTION 52A. Said section 6 of said chapter 62, as most recently amended by section 37 of
2 chapter 454 of the acts of 2010, is hereby further amended by adding the following subsection:-

3 (r)(1) A taxpayer, to the extent authorized by the life sciences tax incentive program established in
4 section 5 of chapter 23I, may be allowed a refundable jobs credit against the tax liability imposed under this
5 chapter in an amount determined by the Massachusetts Life Sciences Center in consultation with the
6 department.

7 (2) A taxpayer taking a credit under this subsection shall commit to the creation of a minimum of
8 50 net new permanent full-time jobs in the commonwealth.

9 (3) A credit allowed under this subsection shall reduce the liability of the taxpayer under this
10 chapter for the taxable year. If a credit claimed under this subsection by a taxpayer exceeds the taxpayer’s
11 liability as otherwise determined under this chapter for the taxable year, 90 per cent of such excess credit,
12 to the extent authorized by the life sciences tax incentive program shall be refundable to the taxpayer.
13 Excess credit amounts shall not be carried forward to other taxable years.

14 (4) The department shall issue the refundable portion of the jobs credit without further
15 appropriation and in accordance with the cumulative amount, including the current year costs of incentives
16 allowed in previous years, that shall not exceed \$25,000,000 annually as set forth in subsection (d) of said
17 section 5 of said chapter 23I.

1 SECTION 53. Subsection (b) of section 38Z of chapter 63 of the General Laws, as so appearing, is
2 hereby amended by adding the following sentence:- Said regulations shall provide that when the board of
3 food and agriculture, established pursuant to section 1 of chapter 20, determines that an error has been
4 made in calculating the trigger price or in reporting or collecting data used in the calculation of the trigger
5 price or the tax credit, the commissioner shall recalculate, with or without amendments, the trigger price or
6 tax credit.

1 SECTION 53A. Said chapter 63 is hereby further amended by inserting after section 38BB the
2 following section:-

3 Section 38CC. (a) A taxpayer, to the extent authorized by the life sciences tax incentive program
4 established in section 5 of chapter 23I, may be allowed a refundable jobs credit against the tax liability
5 imposed under this chapter in an amount determined by the Massachusetts Life Sciences Center in
6 consultation with the department.

7 (b) A taxpayer taking a credit under this subsection shall commit to the creation of a minimum of
8 50 net new permanent full-time jobs in the commonwealth.

9 (c) A credit allowed under this section shall reduce the liability of the taxpayer under this chapter
10 for the taxable year. If a credit claimed under this section by a taxpayer exceeds the taxpayer’s liability as

11 otherwise determined under this chapter for the taxable year, 90 per cent of such excess credit, to the extent
12 authorized pursuant to the life sciences tax incentive program established in section 5 of chapter 23I, shall
13 be refundable to the taxpayer. Excess credit amounts shall not be carried forward to other taxable years.

14 (d) The department shall issue the refundable portion of the jobs credit without further
15 appropriation and in accordance with the cumulative amount, including the current year costs of incentives
16 allowed in previous years, that shall not exceed \$25,000,000 annually as set forth in subsection (d) of said
17 section 5 of said chapter 23I.

18

1 SECTION 53B. Section 30 of chapter 64C of the General Laws, as so appearing, is hereby
2 amended by striking out the fourth paragraph and inserting in place thereof the following paragraph:-

3 A stamper who has complied with his chapter and, to the extent applicable, section 3A of chapter
4 64H and chapter 94F, including the rules and regulations promulgated thereunder, may withhold and retain
5 from each payment to be made by him for such stamps as compensation for service rendered in compliance
6 with this chapter and, to the extent applicable, said section 3A of said chapter 64H and said chapter 94F the
7 following amounts:(1) in the case of encrypted cigarette excise stamps purchased and not returned for an
8 abatement, with respect to a roll of 1,200 encrypted stamps, \$12 per roll; and (2) in every annual 12-month
9 period beginning July 1 with respect to a roll of 30,000 encrypted stamps, \$600 per roll for the first 50 rolls
10 purchased by a stamper and \$200 per roll for each additional roll; and (3) in the case of non-encrypted
11 cigarette excise adhesive stamps purchased and not returned for an abatement, \$1.85 for each 600 and a
12 proportionate amount for any fraction thereof.

1 SECTION 53C. Section 91 of chapter 71 of the General Laws, as amended by section 52 of
2 chapter 131 of the acts of 2010, is hereby further amended by adding the following subsection:-

3 (e) Failure by a school district to transfer funds to a Recovery High School as required in
4 subsection (b) shall result in a deduction of the amount therein from the home school district's chapter 70
5 per pupil allotment for the following fiscal year.

1 SECTION 53D. Section 92 of chapter 71 of the General Laws, inserted by section 8 of chapter 12
2 of the acts of 2010, is hereby amended by adding the following subsection:-

3 (q) Failure by a school district to transfer funds to an innovation school as required in subsection
4 (b) shall result in a deduction of the amount therein from the home school district's chapter 70 per pupil
5 allotment for the following fiscal year.

1 SECTION 53E. Section 19C of chapter 78 of the General Laws, as so appearing, is hereby
2 amended by striking out, in lines 34 and 35, the words "last recourse for reference and research services
3 for the commonwealth" and inserting in place thereof the following words:- the commonwealth for
4 reference and research services.

1 SECTION 54. Chapter 89 of the General Laws is hereby amended by adding the following
2 section:-

3 Section 12. There shall be a surcharge of \$5 on a fine assessed against a person convicted of or
4 found responsible for a motor vehicle violation under this chapter or a violation of a special regulation
5 lawfully made under the authority of this chapter. The surcharge shall be transferred by the registrar of
6 motor vehicles to the state treasurer for deposit into the Public Safety Training Fund established in section
7 2CCCC of chapter 29.

1 SECTION 54A. The first paragraph of section 2 of chapter 90 of the General Laws, as appearing
2 in the 2008 Official Edition, is hereby amended by striking out the second and third sentences and inserting

3 in place thereof the following 4 sentences:- If the owner is a corporation or business entity, the application
4 shall contain the name of the corporation or business entity, the full address, including the street, city or
5 town, state and zip code, the federal tax identification number if a corporation and the social security
6 number if the business entity is a sole proprietorship and does not have a federal tax identification number.
7 If an applicant is a natural person, the application shall contain his name, full residential address, date of
8 birth, license number or identification card number issued by the registrar and such other particulars as the
9 registrar may require. Except as otherwise provided in this chapter or in regulations adopted by the
10 registrar, no registration shall be issued for a motor vehicle or trailer owned or leased by a natural person
11 unless 1 of its registering owners or lessees holds a valid license or identification card issued by the
12 registrar. The registrar shall provide by regulation for exemptions for out-of-state students, military
13 personnel, senior citizens and disabled persons.

1 SECTION 54B. Said section 2 of said chapter 90 is hereby further amended by inserting after the
2 word "statement", in line 13, as so appearing, the following word:- signed.

1 SECTION 54C. Said section 2 of said chapter 90 is hereby further amended by striking out, in
2 lines 21 to 23, inclusive, as so appearing, the words "register in a book or upon suitable index cards to be
3 kept for the purpose the motor vehicle or trailer described in the application, giving to the vehicle" and
4 inserting in place thereof the following words:- "keep a record of motor vehicles and trailers that satisfy the
5 application requirements, assign to each motor vehicle and trailer."

1 SECTION 54D. Section 20 of said chapter 90 is hereby amended by striking out, in lines 10 to 11,
2 as so appearing, the words "of not less than \$100 nor more than \$1000" and inserting in place thereof the
3 following words:- of not more than \$500 for a first offense, by a fine of not less than \$500 nor more than
4 \$1000 for a second offense, by a fine of not less than \$1,000 nor more than \$2,000 or by imprisonment for
5 not more than 30 days, or both such fine and imprisonment, for a third or subsequent offense.

1 SECTION 55. Section 20 of chapter 90 of the General Laws, as appearing in the 2008 Official
2 Edition, is hereby amended by adding the following paragraph:-

3 There shall be a surcharge of \$5 on a fine assessed against a person convicted of or found
4 responsible for a motor vehicle violation under this chapter or a violation of a special regulation lawfully
5 made under the authority of this chapter. The surcharge shall be transferred by the registrar of motor
6 vehicles to the state treasurer for deposit into the Public Safety Training Fund established in section
7 2CCCC of chapter 29.

1 SECTION 55A. Section 24B of said chapter 90, as so appearing, is hereby amended by inserting
2 after the first paragraph the following paragraph:-

3 Whoever falsely makes, steals, alters, forges or counterfeits a learner's permit, a license to operate
4 motor vehicles or an identification card issued under section 8E with the intent to distribute such learner's
5 permit, license to operate motor vehicles or identification card or knowingly assists another to do so, shall
6 be punished as follows: (i) for acts involving 1 to 5 documents, by a fine of not more than \$500 dollars or
7 by imprisonment in the house of correction for not more than 1 year; (ii) for acts involving 6 to 10
8 documents, by a fine of not more than \$1,000 dollars or by imprisonment in the state prison for not more
9 than 5 years or in jail or house of correction for not more than 2 1/2 years; for acts involving more than 10
10 documents, by a fine of not more than \$10,000 dollars or by imprisonment in the state prison for not more
11 than 15 years.

1 SECTION 56. Section 34O of said chapter 90, as so appearing, is hereby amended by striking out,
2 in line 120, the words "one hundred and eighty-three of chapter six" and inserting in place thereof the
3 following words:- 57A of chapter 6C.

1 SECTION 57. Paragraph (4) of subsection (A) of section 3 of chapter 90C of the General Laws, as
2 most recently amended by section 16 of chapter 359 of the acts of 2010, is hereby further amended by
3 adding the following paragraph:-

4 If a violator is found not responsible after a noncriminal hearing for all civil motor vehicle
5 infractions, the violator shall be entitled to a return of the \$25 court filing fee. The trial court department
6 shall, in accordance with guidelines promulgated by the chief justice of the trial court, return the full
7 amount of the fee to the violator within 30 days of entering a finding of not responsible.

1 SECTION 58. Chapter 91 of the General Laws is hereby amended by inserting after section 18B
2 the following section:-

3 Section 18C. (a) Notwithstanding any general or special law to the contrary, the department may
4 issue a general license authorizing noncommercial small-scale docks, piers and similar structures that are
5 accessory to a residential use, but not marinas or large-scale docks, piers or similar structures, in tidelands,
6 great ponds, rivers and streams, otherwise subject to individual licensing under sections 12, 12A, 13, 14, 18
7 and 19. Projects that extend beyond harbor lines or are within areas of critical environmental concern to the
8 commonwealth shall not be eligible for a general license pursuant to this section. The department may
9 consider the cumulative impacts of docks, piers and similar structures in a geographic area in determining
10 whether a project is appropriate for coverage under a general license. The licensee shall comply with all
11 general license performance standards to be issued as regulations by the department and any additional
12 concerns specified by the department pursuant to the general license. A proponent of a project eligible for a
13 general license under this section shall certify compliance with its terms and conditions to the department
14 and shall pay all applicable fees required by this chapter before beginning construction. The department
15 shall perform annual audits to monitor compliance with the general license requirements of this section.

16 (b) The first 2 paragraphs of section 18 shall not apply to projects subject to a general license;
17 provided, however, that upon or prior to applying for a license pursuant to this section, the project
18 proponent shall submit to the planning board of the city or town where the work is to be performed the
19 proposed use, the location, dimensions and limits and mode of work to be performed. The planning board
20 may, within 45 days after receipt of such documentation, submit a written opinion to the department that
21 the project does not comply with the general license standards set forth in this section and recommend that
22 the project be subject to individual licensing, as applicable, under said sections 12, 12A, 13, 14, 18 and 19.
23 The department shall not issue a general license pursuant to this section if a planning board recommends
24 that the project be subject to individual licensing. The department may issue a general license after the
25 expiration of 45 days without local planning board comment or upon receiving notification from the local
26 planning board that it does not oppose the project's eligibility for a general license.

27 (b) The first sentence of the third paragraph of section 18 shall not apply to projects subject to a
28 general license; provided, however, that the project proponent shall specify by metes, bounds and otherwise
29 the location, dimensions and limits and mode of performing the work in its certification to the department.

30 (c) The second sentence of the third paragraph of section 18 shall not apply to a project subject to
31 a general license; provided, however, that any changes in use or structural alteration of a licensed structure
32 or fill, whether the structure or fill first was licensed before, on or after the effective date of this section,
33 shall require a new certification to the department and submission to the planning board in accordance with
34 subsection (b) for projects eligible for a general license, or a license for structures which are ineligible for
35 the general license, in accordance with the provisions and procedures established in this chapter and the
36 general license.

37 (d) The sixth paragraph of section 18 shall not apply to a project subject to a general license;
38 provided, however, that upon or prior to applying for a license pursuant to this section, the project
39 proponent shall give notice to the selectmen of the town or the mayor of the city and the conservation
40 commission of the town or city where the work is to be performed and shall publish such notice at the same

41 time in a newspaper or newspapers having a circulation in the area affected by the project, at the expense of
42 the proponent.

43 (e) The seventh and eighth paragraphs of section 18, regarding public and adjudicatory hearings,
44 shall not apply to a project subject to a general license.

45 (f) The ninth paragraph of section 18 regarding recordation shall not apply to a project subject to a
46 general license; provided, however, that the project proponent shall submit a plan of the work or structure
47 to the department in its certification. The general license for these projects shall be void unless, within 60
48 days after certification, the certification and the accompanying plan are recorded in the registry of deeds for
49 the county or district wherein the work is to be performed. Work or change in use shall not commence until
50 the certification is recorded and the department has received notification of the recordation.

51 (g) The tenth paragraph of section 18 regarding zoning approval shall not apply to a project
52 subject to a general license; provided, however, that the project proponent shall submit a certification by
53 the clerk of the affected cities or towns that the work to be performed or changed in use is not in violation
54 of local zoning ordinances and by-laws, in its certification to the department.

55 (h) The eleventh paragraph of section 18, regarding assessments for tidewater displacement and
56 occupation of commonwealth tidelands, shall not apply to projects subject to a general license; provided,
57 however, that these assessments shall be paid by the project proponent in its certification to the department.

58 (i) Section 20 shall not apply to projects subject to a general license; provided, however, that the
59 project proponent shall submit to the department plans of any proposed work to be performed and a copy of
60 any legislative grant in its certification to the department.

61 The department shall adopt regulations to implement this section. The regulations shall protect and
62 preserve any rights held by the commonwealth in trust for the public to use tidelands, great ponds and other
63 waterways for lawful purposes and public rights of access on private tidelands, great ponds and other
64 waterways for any lawful use.

1 SECTION 59. Sections 1A and 1B of chapter 92 of the General Laws are hereby repealed.

1 SECTION 60. Section 33 of said chapter 92, as appearing in the 2008 Official Edition, is hereby
2 amended by striking out, in line 1, the word "urban" and inserting in place thereof the following word: -
3 state.

1 SECTION 61. Section 34 of said chapter 92, as so appearing, is hereby amended by striking out,
2 in line 8, the words "Urban Parks" and inserting in place thereof the following words: - State Parks and
3 Recreation.

1 SECTION 61A. Section 150A of chapter 111 of the General Laws, as amended by chapter 131 of
2 the acts of 2010, is hereby amended by inserting after the fourth paragraph the following paragraph: -

3 Within 60 days of receipt of said application, the department shall issue a report stating whether
4 the proposed site meets the criteria established under section 150A1/2 for the protection of the public health
5 and safety and the environment. Any such reports shall be made available to the public in a timely manner
6 prior to any public hearing concerning the site application.

1 SECTION 61B. Said section 150A of said chapter 111 is hereby further amended by striking out
2 the words "60 days of receipt of said application", inserted by section 64 of chapter 131 of the acts of 2010,
3 and inserting in place thereof the following words: - 30 days of the receipt of the department's report.

1 SECTION 61C. Said section 150A of said chapter 111 is hereby further amended by striking out
2 the words “local board of health”, inserted by section 65 of said chapter 131, and inserting in place thereof
3 the following words:- department’s report.

1 SECTION 61D. Said section 150A of said chapter 111 is hereby amended by striking out the
2 ninth and tenth paragraphs, inserted by section 66 of said chapter 131, and inserting in place thereof the
3 following 2 paragraphs:-

4 No facility shall be established, constructed, expanded, maintained, operated or devoted to any
5 past closure as defined by regulation unless detailed operating plans, specifications, any public health
6 report and necessary environmental reports have been submitted to the department, the department has
7 granted a permit for the facility and notice of such permit is recorded in the registry of deeds, or if the land
8 affected thereby is registered land in the registry section of the land court for the district wherein the land
9 lies. Within 120 days after the department is satisfied that the operating plans, specifications and reports are
10 complete, the department shall make a decision granting or refusing to grant such permit. The permit may
11 limit or prohibit the disposal of particular types of solid waste at a facility in order to protect the public
12 health, promote reuse, waste reduction and recycling, extend the useful life of the facility or reduce its
13 environmental impact.

14 Every decision by the department granting or refusing to grant any such permit shall be in writing
15 and shall contain findings with regard to criteria established by the department. Any person aggrieved by
16 the action of the department in granting or refusing to grant any such permit may appeal that decision under
17 section 14 of chapter 30A. For the limited purposes of any such appeal, the department action shall be
18 deemed to be a final decision in an adjudicatory proceeding.

1 SECTION 61E. Section 222 of chapter 111 of the General Laws, as appearing in the 2008 Official
2 Edition, is hereby amended by inserting at the end thereof the following sentence:- The provisions of
3 subsections (a) and (b) shall become effective 60 days after the promulgation of regulations by the
4 department of public health.

1 SECTION 61F. Paragraph (3) of subsection (e) of section 9D of chapter 118E of the General
2 Laws, as so appearing, is hereby amended by adding the following paragraph:-

3 Notwithstanding any general or special law to the contrary, MassHealth shall provide to each
4 beneficiary age 65 and over an annual notice of options available for enrollment in voluntary programs
5 including Program of All Inclusive Care for the Elderly plans, MassHealth Senior Care Options, Frail Elder
6 Home and Community Based Waiver Program and any other voluntary elected benefit to which such
7 beneficiary is entitled to supplement or replace such beneficiary’s MassHealth benefits. Upon approval
8 from the Centers for Medicare and Medicaid Services, MassHealth shall include in such annual notice the
9 names and contact information for the program providers, general contact information for MassHealth and
10 a general description of the benefits of joining particular programs. The notice shall be written in clear and
11 simple language and shall include instructions for requesting a copy of such notice in a language other than
12 English. The notice shall include a method for the beneficiary to request from MassHealth additional
13 information on any program described in the notice. Before the content and format of the annual notice is
14 finalized, the proposed draft thereof shall be forwarded to the providers under contract with MassHealth to
15 provide the programs described the proposed annual notice for review and comment prior to the printing
16 and dissemination of the annual notice. MassHealth will work with the program providers and other
17 appropriate stakeholders to assess whether and to what extent barriers to program enrollment shall be
18 alleviated through modifications to the program and or the enrollment process. MassHealth may charge the
19 providers of these benefits for the costs associated with provision of the annual notice if such provider’s
20 program is described therein.

1 SECTION 62. Section 25 of chapter 118E of the General Laws, as appearing in the 2008 Official
2 Edition, is hereby amended by striking out, in lines 73, 75 and 79, the figure “\$3”, and inserting in place
3 thereof, in each instance, the following figure:- \$5.

1 SECTION 62A. Section 36 of said chapter 118E, as so appearing, is hereby amended by inserting
2 after the last paragraph the following paragraph:-

3 The MassHealth program is hereby directed to immediately promulgate regulations to allow single
4 specialty ambulatory surgery centers, which are licensed by the department of public health as clinics to
5 provide ophthalmic procedures, to enroll in MassHealth as Medicaid providers.

1 SECTION 63. Section 36 of chapter 118G of the General Laws is hereby amended by inserting
2 after the word “that”, in line 27, as so appearing, the following words:- not more than.

1 SECTION 64. Subsection (b) of section 6 of chapter 118H of the General Laws, as so appearing,
2 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:-
3 Enrollees with a household income that does not exceed 100 per cent of the federal poverty level shall only
4 be responsible for copayments equal to those required of enrollees in the MassHealth program.

1 SECTION 64A. Section 23 of chapter 119 of the General Laws, as most recently amended by
2 section 19 of chapter 359 of the acts of 2010, is hereby further amended by adding the following
3 subsection:-

4 (j) Upon request by the department, the commissioner of probation shall provide to the department
5 a copy of a person’s indigency intake form, final assessment of financial circumstances and any report
6 certifying that such person either continues to meet or no longer meets the definition of indigency prepared
7 by the chief probation officer under section 2 ½ of chapter 211D. The department shall use such forms or
8 reports only for the purpose of completing eligibility determinations under Title IV-E of the Social Security
9 Act. The commissioner of probation and the commissioner of the department of children and families shall
10 jointly determine the process by which the department of children and families shall obtain and maintain
11 such forms and reports. The department of children and families shall not make, and shall prohibit, any
12 dissemination of such information, for any purpose other than the purposes of this subsection.

1 SECTION 64B. Section 32 of chapter 121B of the General Laws, as so appearing, is hereby
2 amended by adding the following paragraph:-

3 Notwithstanding any general or special law or rule or regulation to the contrary, an applicant for
4 assisted housing under this chapter who is not eligible for federal assisted housing under 42 U.S.C. section
5 1436a or who is not a person residing in the United States under color of law as provided in section 16D of
6 chapter 118E shall not be given priority over or otherwise displace an applicant who has such status.

1 SECTION 64C. Section 2 of chapter 128 of the General Laws, as so appearing, is hereby
2 amended by adding the following new clause:-

3 (k) maintain exclusive authority to regulate and enforce the registration and application of plant
4 nutrients put on or in soil to improve the quality or quantity of plant growth including, but not limited to,
5 fertilizer, manure and micronutrients and any rule, regulation, ordinance or by-law of a city or town which
6 is inconsistent with or contrary to the provisions of this chapter or regulations promulgated hereunder shall
7 be void; provided however, that the department shall work in conjunction with the University of
8 Massachusetts Amherst Extension to ensure any such regulations of the department are consistent with the
9 program’s published information, educational materials and other public outreach programs relative to
10 nutrient management and fertilizer guidelines; provided further, that subject to appropriation, the
11 department may establish regulations pursuant to this clause which shall be developed in consultation with
12 the University of Massachusetts Amherst Extension.

1 SECTION 65. Section 11 of chapter 131 of the General Laws is hereby further amended by
2 inserting after the word “blind”, in line 38, as so appearing, the following words:- , under the age of 18.

1 SECTION 66. Section 129B of chapter 140 of the General Laws is hereby amended by inserting
2 after clause (9B), as so appearing, the following clause:-

3 (9C) Except as provided in clause (9B), the fee for an application for a firearm identification card
4 for any person under the age of 18 shall be \$25, which shall be payable to the licensing authority and shall
5 not be prorated or refunded in the case of revocation or denial. The licensing authority shall retain 50 per
6 cent of the fee and the remaining portion shall be deposited into the General Fund. Notwithstanding any
7 general or special law to the contrary, licensing authorities shall deposit quarterly that portion of the firearm
8 identification card application fee which is to be deposited into the General Fund, not later than January 1,
9 April 1, July 1 and October 1 of each year.

1 SECTION 66A. Section 64 of chapter 143 of the General Laws, as so appearing, is hereby
2 amended by striking out the third sentence.

1 SECTION 66B. Section 65 of said chapter 143, as so appearing, is hereby amended by adding the
2 following 2 paragraphs:-

3 No elevator licensed under this chapter shall be operated without a valid inspection certificate. If
4 a certificate of inspection has expired, no new certificate shall be issued until a new inspection has been
5 completed and no elevator shall be operated until a new certificate of inspection has been issued by a
6 qualified state inspector. The owner or operator of an elevator who fails to comply with this section shall
7 be punished by a fine of \$1,000 for each day that an elevator is in operation without a valid certificate of
8 inspection. The commissioner or the commissioner's designee, and such other person as may be
9 specifically authorized, may issue a written notice of violation under section 21 of chapter 22 for a
10 violation of this section.

11 An owner or operator of an elevator shall not be assessed a fine for having violated this section if:
12 (i) 30 days prior to the expiration of a certificate, the owner or operator has, in writing or in any manner
13 prescribed by the department, requested an inspection of such elevator by the department and an inspection
14 was not completed within such 30-day period; and (ii) such elevator was not determined to be unsafe at any
15 time during such 30-day period, notwithstanding that the results of an inspection was rendered beyond such
16 30-day period.

1 SECTION 67. Section 1 of chapter 146 of the General Laws, as so appearing, is hereby amended
2 by inserting after the definition of "Department" the following definition:-
3 "District engineering inspector", an inspector of the division.

1 SECTION 68. Section 18 of said chapter 146, as so appearing, is hereby amended by striking out,
2 in line 3, the words "on blanks approved by the chief" and inserting in place thereof the following words:-
3 in a standard format that has been authorized and approved by the department.

1 SECTION 69. Said chapter 146 is hereby further amended by striking out section 23, as so
2 appearing, and inserting in place thereof the following section:-

3 Section 23. If upon inspection the district engineering inspector finds the boiler to be in safe
4 working order with the fittings necessary to safety and properly set up and the boiler and its appurtenances
5 conform to the rules of the board, the department shall issue to the owner or user thereof a certificate of
6 inspection stating the maximum pressure at which the boiler may be operated, as ascertained by the rules of
7 the board, and thereupon such owner or user may operate the boiler mentioned in the certificate. If the
8 district engineering inspector finds otherwise, the department shall withhold the certificate until the boiler
9 and its fittings are put in a condition to ensure safety of operation and to ensure that the boiler and its
10 appurtenances conform to the rules of the board and the owner or user shall not operate such boiler, or
11 cause it to be operated, until such certificate has been granted.

1 SECTION 70. Said chapter 146 is hereby further amended by striking out section 25, as so
2 appearing, and inserting in place thereof the following section:-

3 Section 25. Insurance companies shall, after each internal and external inspection, if the boiler and
4 its appurtenances conform to the rules of the board and if they deem the boiler to be in safe working
5 condition otherwise, submit such information to the department. The department shall, upon receipt of the
6 required fee, issue a certificate of inspection stating the maximum pressure at which the boiler may be
7 operated as ascertained by the rules of the board.

1 SECTION 71. Section 34 of said chapter 146, as so appearing, is hereby amended by striking out
2 the first sentence and inserting in place thereof the following sentence:- No person shall install or use, or
3 cause to be installed or used, any tank or other receptacle for the storing of compressed air at any pressure
4 exceeding 50 pounds per square inch, except when attached to locomotives or street or railway cars or
5 trackless trolley vehicles, or to motor vehicles for use in operating such vehicles or their brakes or body-
6 lifting apparatus unless the owner or user of such tank or other receptacle holds a certificate of inspection
7 issued by the department, certifying that the tank or other receptacle has been duly inspected within the
8 preceding 2 years, or unless the owner or user holds a policy of insurance upon the tank or other receptacle
9 issued by an insurance company authorized to insure air tanks within the commonwealth, together with a
10 certificate of inspection from the department.

1 SECTION 72. Section 71 of said chapter 146, as so appearing, is hereby amended by striking out
2 the second paragraph, and inserting in place thereof the following paragraph:-

3 When the inspection of a boiler covered by section 70 is completed and the district engineering
4 inspector finds the boiler to be in safe working order, with the fittings necessary to safety and properly set
5 up and the boiler and any appurtenances conform to the rules of the board and sections 1, 4 or 8 of the
6 ASME Code, the department shall issue to the owner or user thereof a certificate of inspection. The
7 certificate shall state the maximum pressure at which the boiler may be operated and thereupon the owner
8 or user of the boiler may operate the boiler as stated in the certificate. If the district engineering inspector
9 finds otherwise, the department shall withhold the certificate until the boiler and its appurtenances are put
10 in a condition to ensure safety of operation and to ensure that the boiler conforms to the rules of the board
11 and said sections 1, 4 or 8 of the ASME Code. If the insurance inspector finds the boiler or pressure vessel
12 to be in safe working order, as above, the insurance inspector shall submit such information to the
13 department and the department shall, upon receipt of the required fee, issue a certificate of inspection. If
14 the insurance inspector finds otherwise, the insurance inspector shall submit such information and report
15 such findings to the department on the approved format. The department shall withhold a certificate until
16 the boiler or pressure vessel passes inspection. The owner of any such boiler shall not operate nor cause to
17 be operated any such boiler until a certificate has been issued.

1 SECTION 73. Said chapter 146 is hereby further amended by striking out section 76, as so
2 appearing, and inserting in place thereof the following section:-

3 Section 76. No person shall act as an inspector of boilers for an insurance company unless such
4 person holds a certificate of competency under section 62.

1 SECTION 74. Section 79 of said chapter 146, as so appearing, is hereby amended by striking out
2 the first sentence and inserting in place thereof the following 2 sentences:- The certificate of inspection
3 issued by the department shall state the name of the owner and that of the user, if different from the owner,
4 the location of the boiler, the number of the boiler, the date of inspection, the maximum pressure at which

5 the boiler may be operated and the signature of the inspector who made the inspection. The certificate shall
6 also contain such extracts from the General Laws as shall be deemed necessary by the board.

1 SECTION 75. Said chapter 146 is hereby further amended by adding the following section:-

2 Section 90. The owner or user of a boiler or air tank inspected by an inspector shall pay a fee to be
3 determined annually by the commissioner of administration pursuant to section 3B of chapter 7 for the
4 issuance of a certificate of inspection by the department.

1 SECTION 75A. Section 2 of chapter 149 of the General Laws, as appearing in the 2008 Official
2 Edition, is hereby amended by adding the following paragraph:-

3 The attorney general shall continue to be available to receive reports of suspected violations of this
4 chapter, including sections 19C and 26 relative to immigration status and wage laws and for violations of 8
5 U.S.C. section 1324a relative to the employment of individuals in violation of federal immigration laws.
6 All complaints, whether received in writing, electronically or in any other form shall be documented and
7 may be investigated as appropriate by the attorney general to the extent permitted by federal law. The
8 attorney general shall promptly refer any substantiated violations of federal immigration law to
9 Immigration and Customs Enforcement. The attorney general shall annually prepare a report detailing all
10 reported violations of said sections 19C and 26 and reported violations of 8 U.S.C. sections 1324a, the
11 nature of the violations, the date on which each complaint was received and documented, any enforcement
12 action taken against an employer who knowingly employs illegal aliens and any violations of federal law
13 forwarded to United States Immigration and Customs Enforcement. The report shall be submitted annually
14 to the chairs of the house and senate committees on ways and means and to the chairs of the joint
15 committee on labor and workforce development not later than February 1.

1 SECTION 75B. Section 19C of said chapter 149, as so appearing, is hereby amended by striking
2 out the third paragraph and inserting in place thereof the following paragraph:-

3 Any person who violates this section or who knowingly utilizes a false identification document for
4 the purposes of soliciting, securing or maintaining employment from a public employer shall be punished
5 by a fine of not more than \$500 nor less than \$200 or by imprisonment in the jail or house of correction for
6 not more than 1 year.

7
1 SECTION 76. Chapter 149 of the General Laws is hereby amended by inserting after section 33E
2 the following section:-

3 Section 33F. An employee of the commonwealth or of a county, a city or town that accepts this
4 section, may take a leave of absence, without loss of pay, of not more than 5 days for the purpose of
5 undergoing the medical procedure and associated physical recovery time due to participation in a bone
6 marrow donor program.

7 SECTION 76A. Chapter 164 of the General Laws, is hereby amended by striking out section 96, as
8 appearing in the 2008 Official Edition, and inserting in place thereof the following section:-

9 Section 96. (a) For purposes of this section, the following words shall, unless the context clearly
10 requires otherwise, have the following meanings:

11 "Control," the possession of the power, through direct or indirect ownership of a majority of the
12 voting securities of a gas or electric company or a holding company, to direct or cause the direction of the
13 management and policies of a gas or electric company or a holding company or the ability to effect a
14 change in the composition of its board of directors or otherwise; provided, however, that control shall not
15 be deemed to arise solely from a revocable proxy or consent given to a person in response to a public proxy

16 or consent solicitation made under the applicable rules and regulations of the Securities Exchange Act of
17 1934 unless a participant in said solicitation has announced an intention to effect a merger or consolidation
18 with, reorganization or other business combination or extraordinary transaction involving the gas or electric
19 company or the holding company.

20 "Foreign electric company," an electric company with a domicile, principal place of business,
21 headquarters or place of incorporation located outside of the borders of the commonwealth.

22 "Foreign gas company," a gas company with a domicile, principal place of business, headquarters
23 or place of incorporation located outside of the borders of the commonwealth.

24 "Holding company," any corporation, association, partnership, trust or similar organization or
25 person which, regardless of the location of the domicile, principal place of business, headquarters or place
26 of incorporation of such entity, either alone or in conjunction and under an arrangement or understanding
27 with 1 or more other corporations, associations, partnerships, trusts or similar organizations or persons,
28 directly or indirectly, controls or seeks to acquire control over, a gas or electric company."

29 (b) Notwithstanding any other provisions of this chapter or any general or special law to the
30 contrary, companies, except steam distribution companies, subject to this chapter, or holding companies
31 may, consolidate or merge with one another or may sell and convey their properties to another of such
32 companies or to a wholesale generation company and such companies, holding companies or wholesale
33 generation companies may purchase such properties if such purchase, sale, consolidation or merger and the
34 terms thereof, have been approved, at meetings called therefor, by vote of the holders of at least two-thirds
35 of each class of stock outstanding and entitled to vote on the question of each of the contracting companies,
36 and that the department, after notice and a public hearing, has determined that such purchase and sale or
37 consolidation or merger, and the terms thereof, are consistent with the public interest; provided, however,
38 that in making such a determination the department shall at a minimum consider: potential rate changes, if
39 any; the long term strategies that will assure a reliable, cost effective energy delivery system; any
40 anticipated interruptions in service; or other factors which may negatively impact customer service; and
41 provided further, that the purchase or sale of properties by, or the consolidation or merger of, wholesale
42 generation companies shall not require departmental approval except as otherwise provided in this section.

43 (c) No gas, electric, or holding company, subject to this chapter, shall enter into any transaction or
44 otherwise take any action which would result in a change of its control over any gas, electric or holding
45 company or foreign gas or electric company unless the terms of that transaction have been approved, at
46 meetings called for that purpose, by vote of the holders of at least two-thirds of each class of stock
47 outstanding and entitled to vote on the question of each of the contracting companies and the department,
48 after notice and a public hearing, has determined that such transaction or action, and the terms of that
49 transaction, are consistent with the public interest; provided, however, that in making such a determination
50 the department shall at a minimum consider: potential rate changes, if any; the long term strategies that will
51 assure a reliable, cost effective energy delivery system; any anticipated interruptions in service; or other
52 factors which may negatively impact customer service.

1 SECTION 77. Section 113B of chapter 175 of the General Laws is hereby amended by striking
2 out, in lines 160 and 178, as appearing in the 2008 Official Edition, the words "183 of chapter 6" and
3 inserting in place thereof, in each instance, the following words:- 57A of chapter 6C.

1 SECTION 78. Said chapter 175 of the General Laws is hereby further amended by striking out
2 section 168, as most recently amended by section 154 of chapter 240 of the acts of 2010, and inserting in
3 place thereof the following section:-

4 Section 168. (a) As used in this section the following words shall, unless the context clearly
5 requires otherwise, have the following meanings:-

6 “Home state”, relative to an insured: (1) the state in which an insured maintains its principal place
7 of business or, in the case of an individual, the individual’s principal residence; or (2) if 100 per cent of the
8 risk is located out of the state referred to in clause (1), the state to which the greatest percentage of the
9 insured’s taxable premium for that insurance contract is allocated.

10 “State”, any state of the United States, the District of Columbia, the commonwealth of Puerto
11 Rico, Guam, the Northern Mariana Islands, the Virgin Islands and American Samoa.

12 “Unauthorized company”, an insurer not licensed to engage in the business of insurance in the
13 commonwealth.

14 “Unauthorized insurance”, any property and casualty insurance permitted to be placed with an
15 unauthorized company eligible to accept such insurance.

16 (b) The commissioner may, upon the payment of the fee prescribed by section 14, issue to any
17 suitable person aged 18 or older, a license to act as a special insurance broker to negotiate, continue or
18 renew contracts of insurance against any of the hazards specified in section 47 except as specified in clause
19 Fifteenth thereof, and except accident and health, workers' compensation, compulsory motor vehicle
20 liability and life insurance on property or interests in the commonwealth with an unauthorized company
21 upon the following conditions:

22 (i) The applicant for the license shall file with the commissioner a written application as
23 prescribed by section 162L which shall be executed on oath by the applicant and kept on file by the
24 commissioner. If the commissioner is satisfied that the applicant is trustworthy and competent, he shall
25 issue the license, subject to suspension or revocation at the pleasure of the commissioner. The license shall
26 expire 1 year from the date of issuance, unless sooner suspended or revoked.

27 (ii) The commissioner may, in the commissioner’s discretion, renew the license for each
28 succeeding year, upon the payment of the fee prescribed by section 14, without requiring the detailed
29 information specified by section 162L.

30 (iii) Whenever the person named in such license shall procure any insurance in an unauthorized
31 company for an insured whose home state is the commonwealth, he shall execute, and within 20 days
32 thereafter, file with the commissioner an affidavit stating that the full amount of insurance required to
33 protect the subject property or interest of said insured is not procurable, after a diligent effort has been
34 made to do so, from among companies admitted to transact insurance in the commonwealth against the
35 hazard or hazards involved, and that the amount of insurance procured in such unauthorized company is
36 only the excess over the amount so procurable from such admitted companies. Said affidavit shall have
37 force and effect for 1 year from the date of issuance or expiration of the policy, whichever comes later.

38 (iv) Clause (iii) shall not apply to the procurement of a contract of insurance for an exempt
39 commercial risk or policyholder as described in section 224, if the commercial risk or policyholder
40 acknowledges in writing its understanding, that: (1) the company from which insurance is procured is not
41 admitted to transact insurance in the commonwealth; and (2) in the event of the insolvency of the company,
42 a loss shall not be paid by the Massachusetts Insurers Insolvency Fund under chapter 175D.

43 (c) Any insurance policy procured under this section shall contain the following disclosure notice
44 to the policyholder: This policy is insured by a company which is not admitted to transact insurance in the
45 commonwealth, is not supervised by the commissioner of insurance and, in the event of an insolvency of
46 such company, a loss shall not be paid by the Massachusetts Insurers Insolvency Fund under chapter 175D.
47 The commissioner may, by regulation, amend the foregoing disclosure notice. Each licensed special
48 insurance broker shall maintain a copy of the acknowledgement for inspection by the commissioner with
49 respect to all policies of insurance so procured by the licensee for exempt commercial risks or
50 policyholders. Such licensed person shall not be required to file such affidavit if such an affidavit relative
51 to the same property or interests has been filed within the preceding 12 months by any broker licensed

52 under this section, nor to offer any portion of such insurance to any company not possessed of net cash
53 assets of at least \$200,000, nor to one which has within the preceding 12 months been in an impaired
54 condition, nor shall such licensed person procure any such insurance on said property or interests from any
55 unauthorized company unless:

56 (i)(A) such company is possessed of net cash assets of at least \$300,000 computed on the basis
57 fixed by sections 10 to 12, inclusive, and on the form prescribed by section 25; (B) such company has
58 satisfied the commissioner that its officers and directors are of good repute and competent to manage an
59 insurance company; (C) that the management of the company is carrying out its insurance contracts in good
60 faith; (D) such company has filed with the commissioner an examination report of the affairs of the
61 company completed within the previous 3 years and made by the proper supervisory official of its home
62 state; and (E) such company has made a deposit of not less than \$400,000 with the state treasurer or with
63 the proper board or officer of some other state of the United States in accordance with the terms and
64 conditions hereinafter specified;

65 (ii) such company has filed a financial statement on a form satisfactory to the commissioner and
66 conforms to and maintains the financial requirements specified in subparagraph (i) of paragraph (D) of
67 subsection (1) of section 20A; or

68 (iii) such company is an eligible alien unauthorized insurer, as defined in section 168A; provided,
69 however, that such deposit shall be made in exclusive trust for the benefit and security of all its
70 policyholders in the United States, including obligees of bonds executed by such company as surety, and
71 when made with the state treasurer may be made in the securities and subject to the limitations specified in
72 sections 63 and 66, or in cash or in such other securities as the commissioner may approve; provided
73 further, that bonds need not be accepted by the state treasurer unless in registered form and of
74 denominations satisfactory to him, and shall not be returned to the company until it has ceased to transact
75 business in the commonwealth, or until the commissioner is satisfied that the company is under no
76 obligation to such policyholders or obligees in the United States for whose benefit such deposit was made,
77 or until the treasurer has given his written consent to such return; provided further, that the commissioner
78 may, in any case, authorize in writing the return to the company of any excess of any deposit made under
79 this section over the amount required thereby, if he is satisfied that such return shall not be prejudicial to
80 the interests of such policyholders or obligees.

81 (d) Each person so licensed shall keep a separate account of the business done under the license, a
82 certified copy of which account he shall forthwith file with the commissioner, showing the exact amount of
83 such insurance placed for each person whose home state is the commonwealth, the gross premium charged
84 thereon, the companies in which the same is placed, the date of the policies and the term thereof, and a
85 report in the same detail of all such policies cancelled, with the gross return premiums thereon. Each person
86 so licensed shall file a sworn statement with the state treasurer every January providing the gross premiums
87 charged for insurance procured or placed and the gross return premiums on such insurance cancelled under
88 such license during the year ending on December 31 last preceding. At the time of filing such statement,
89 each person licensed as a special insurance broker shall pay to the commonwealth a fee, less such return
90 premiums so reported, as follows:

91 (1) if the insurance covers properties, risks or exposures located or to be performed in the
92 commonwealth and not in any other state, an amount equal to 4 per cent of such gross premiums;

93 (2) if the insurance covers properties, risks or exposures located or to be performed both in and
94 outside of the commonwealth: (i) an amount equal to 4 per cent of such gross premiums allocated to the
95 commonwealth; plus (ii) an amount equal to the portion of the premiums allocated to other states or
96 territories on the basis of the tax rates and fees applicable to properties, risks or exposures located or to be
97 performed outside of the commonwealth; and

98 (3) to the extent that other states where portions of the insured properties, risks or exposures are
99 located have failed to enter into a compact or reciprocal allocation procedure with the commonwealth, the
100 net premium tax collected shall be retained by the commonwealth.

101 (e) Notwithstanding subsections (b) and (c), the commissioner may enter into a cooperative
102 agreement, reciprocal agreement or compact with another state or states in order to: facilitate the collection,
103 allocation and disbursement of insurance premium fees and taxes attributable to the placement of
104 unauthorized insurance; provide for uniform methods of allocation and reporting among unauthorized
105 insurance risk classifications; and share information among states related to unauthorized insurance
106 premium fees and taxes. The commissioner may also enter into other cooperative agreements with surplus
107 lines stamping offices and other similar entities located in other states related to the capturing and
108 processing of insurance premium and tax data. The commissioner may participate in any clearinghouse
109 established pursuant to any such agreement or agreements for the purpose of collecting and disbursing to
110 reciprocal states any funds collected pursuant to clause (3) of subsection (c) applicable to properties, risks
111 or exposures located or to be performed outside of the commonwealth.

112 (f) A person licensed under this section who negotiates, continues or renews any such contracts of
113 insurance in any unauthorized foreign company and who neglects to make and file the affidavit and
114 statements required by this section, or who willfully makes a false affidavit or statement, or who negotiates,
115 continues or renews any such contracts of insurance after the revocation or during the suspension of his
116 license, shall forfeit his license if not previously revoked and be punished by a fine of not less than \$100
117 nor more than \$500 or by imprisonment in the house of correction for not more than 1 year, or by both such
118 fine and imprisonment.

119 (g) Nothing in this section shall be deemed to amend or modify any of the provisions of, or any of
120 the exemptions specified in, section 160.

121 (h) A license to act as a special insurance broker may, upon the payment of the fees prescribed by
122 section 14, be issued to any association, as defined in section 1 of chapter 182, for the purpose of acting as
123 a special insurance broker, subject to the conditions specified in section 172A. The commissioner may,
124 upon the payment of the fees prescribed by section 14, issue to a partnership, a license to act as a special
125 insurance broker subject to the conditions specified in section 173. A license to act as a special insurance
126 broker may, upon the payment of the fees prescribed by section 14, be issued to any corporation, subject to
127 the conditions specified in section 174.

128 (i) The commissioner may promulgate regulations as necessary to implement this section.

1 SECTION 78A. Section 6 of chapter 176J of the General Laws is hereby amended by striking
2 subsection (c), as most recently amended by section 31A of chapter 359 of the acts of 2010, and inserting in
3 place thereof the following subsection:-

4 (c) Notwithstanding any general or special law to the contrary, the commissioner may require
5 carriers offering small group health insurance plans, including carriers licensed under chapters 175, 176A,
6 176B or 176G, to file all changes to small group product base rates and to small group rating factors at least
7 90 days before their proposed effective date. The commissioner shall disapprove any proposed changes to
8 base rates that are excessive, inadequate or unreasonable in relation to the benefits charged. The
9 commissioner shall disapprove any change to small group rating factors that is discriminatory or not
10 actuarially sound. The determination of the commissioner shall be supported by sound actuarial
11 assumptions and methods, which shall be provided in writing to the carrier. Rate filing materials submitted
12 for review by the division shall be deemed confidential and exempt from the definition of public records in
13 clause Twenty-sixth of section 7 of chapter 4. The commissioner shall adopt regulations to carry out this
14 section.

1 SECTION 78B. Said section 6 of said chapter 176J is hereby further amended by striking out
2 subsection (f), as appearing in section 29 of chapter 288 of the acts of 2010, and inserting in place thereof
3 the following subsection:-

4 (f) If the commissioner disapproves the rate submitted by a carrier, the commissioner shall notify
5 the carrier in writing not later than 60 days prior to the proposed effective date of the carrier's rate. If the
6 carrier's proposed rate has been disapproved, the carrier may submit a request for a hearing with the

7 division of insurance within 10 days after such notice of disapproval. The division shall schedule a hearing
8 within 10 days after receipt of such request. The commissioner shall issue a written decision within 30 days
9 after the conclusion of that hearing.

1 SECTION 78C. Section 3 of chapter 175H of the General Laws, as appearing in the 2008 Official
2 Edition, is hereby amended by inserting before the word “Any”, in line 1, the following word:-- (a).

1 SECTION 78D. Said Section 3 of said chapter 175H, as so appearing, is hereby further amended
2 by inserting after the word “rebate”, in line 7, the following words:-- , except as provided in subsection (b).

1 SECTION 78E. Said section 3 of said chapter 175H, as so appearing, is hereby further amended
2 by adding the following 3 subsections:--

3 (b)(1) This section shall not apply to any discount or free product vouchers that a retail pharmacy
4 provides to a consumer in connection with a pharmacy service, item or prescription transfer offer or to any
5 discount, rebate, product voucher or other reduction in an individual’s out-of-pocket expenses, including
6 co-payments and deductibles, on a prescription drug, biologic or vaccine, for which there does not exist a
7 clinically proven generic equivalent, provided by a pharmaceutical manufacturing company, as defined in
8 section 1 of chapter 111N, that is made available to an individual if the discount, rebate, product voucher or
9 other reduction is provided directly or electronically to the individual or through a point of sale or mail-in-
10 rebate, or through similar means; provided, however, that a pharmaceutical manufacturing company shall
11 not exclude nor favor any pharmacy in the redemption of such discount, rebate, product voucher or other
12 expense reduction offer to a consumer.

13 (2) If a discount, rebate, product voucher or other reduction in an individual’s out-of-pocket
14 expenses is applied to a consumer’s prescription, the discount, rebate, product voucher or other cost
15 reduction shall be made available for all renewals thereof. Any consumer alleging a violation of this clause
16 shall contact the department of public health or the office of consumer affairs and business regulation to
17 report the violation. If a violation of this clause is found to have occurred, the pharmaceutical manufacturer
18 or any intermediary which interfered with the availability of the discount, rebate, product voucher or other
19 cost reduction shall make the discount, rebate, product voucher or other cost reduction available to the
20 consumer for the life of the prescription and pay a fine of not more than \$1,000 to the department of public
21 health.

22 (c) Subsection (b) shall not restrict: (i) a pharmaceutical manufacturing company relative to how
23 such company distributes a prescription drug, biologic or vaccine; or (ii) a carrier or a health maintenance
24 organization, as defined in section 1 of chapter 118G, relative to how such carrier or health maintenance
25 organization elects its plan design to treat such discounts, rebates, product voucher or other reduction in
26 out-of-pocket expenses.

27 (d) For purposes of the federal Health Insurance Portability and Accountability Act of 1996,
28 hereinafter referred to as HIPAA, and regulations promulgated under HIPAA, nothing in this section shall
29 be deemed to require or allow the use or disclosure of health information in any manner that does not
30 otherwise comply with HIPAA or regulations promulgated under HIPAA.

1 SECTION 78F. Subsection (f) of said section 6 of said chapter 176J, as appearing in section 78B,
2 is hereby repealed.

1 SECTION 79. Chapter 211D of the General Laws is hereby amended by striking out sections 1 to
2 2½, inclusive, as appearing in the 2008 Official Edition, and inserting in place thereof the following 3
3 sections:-

4 Section 1. There shall be a committee for public counsel services, hereinafter referred to as the
5 committee, to plan, oversee and coordinate the delivery of criminal and certain noncriminal legal services
6 by all salaried public counsel, bar advocate and other assigned counsel programs and private attorneys
7 serving on a per case basis. The committee shall operate as an independent entity and shall be part of the
8 judiciary for administrative purposes only. All members of the committee shall serve independently and
9 bear no obligation to their appointing authority. The committee shall consist of 11 members: 2 of whom
10 shall be appointed by the governor, 1 of whom shall be appointed by the speaker of the house and 1 of
11 whom shall be appointed by the senate president to be selected from recommendations provided by the
12 Massachusetts Bar Association, county bar associations, the Boston Bar Association and other appropriate
13 bar groups including, but not limited to, the Massachusetts Black Lawyers' Association, the Women's Bar
14 Association and the Massachusetts Association of Women Lawyers; and 7 of whom shall be appointed by
15 the justices of the supreme judicial court, 1 of whom shall have experience as a public defender, 1 of whom
16 shall have experience as a private bar advocate, 1 of whom shall have criminal appellate experience, 1 of
17 whom shall have a background in public administration and public finance and 1 of whom shall be a
18 current or former dean or faculty member of a law school located in the commonwealth.

19 All members of the committee shall have a strong commitment to quality representation in
20 indigent defense matters or have significant experience with issues related to indigent defense. The
21 committee shall not include active judges, elected state, county or local officials, district attorneys, state or
22 local law enforcement officials, public defenders employed by the commonwealth or private bar advocates.
23 The term of office of each member of the committee shall be 4 years; provided, however, that of the
24 members initially appointed, 2 shall be appointed by the governor for terms of 1 year, 1 shall be appointed
25 by the speaker for a term of 2 years, 1 shall be appointed by the senate president for a term of 2 years and 5
26 shall be appointed by the justices of the supreme judicial court for terms of 4 years. Members of the
27 committee shall only be removed for cause. Removal of a member of the committee shall be approved by
28 not less than 3 of the appointing authorities. Any vacancies shall be filled by the original appointing
29 authority within 60 days of the occurrence of such vacancy. Any appointee shall continue in office beyond
30 the expiration date of his term until a successor in office has been appointed and qualified. Vacancies shall
31 be filled by the appointing authority that made the initial appointment to the unexpired term. Members of
32 the committee may be removed for cause by the corresponding appointing authority. While serving on the
33 committee, no member shall be assigned or appointed to represent indigent defendants before any court of
34 the commonwealth. No member shall receive any compensation for service on the committee, but each
35 member shall be reimbursed for actual expenses incurred in attending the committee meetings.

36 Chapter 268A shall apply to all members, officers and employees of the committee, except that the
37 committee may provide representation or enter into a contract pursuant to section 3 or section 6, although a
38 member of the committee may have an interest or involvement in any such matter if such interest and
39 involvement is disclosed in advance to the other members of the committee and recorded in the minutes of
40 the committee; provided, however, that no member having an interest or involvement in any contract under
41 section 3 may participate in any particular matter, as defined in section 1 of chapter 268A, relating to such
42 contract.

43 Section 2. The committee shall establish a definition of "indigency" for the purposes of this chapter
44 and uniform standards and procedures for the determination by the courts of the commonwealth that: (1) a
45 person is indigent and is unable to obtain counsel; or (2) said indigent person has the ability to pay a
46 reduced fee for the appointment of counsel. The definition and standards, and any amendments thereto,
47 shall be subject to the approval of the supreme judicial court and shall be used by the courts of the
48 commonwealth in determining assignment of cases to the committee pursuant to section 5.

49 In the formulation of the definition, standards and procedures, the committee shall consider the
50 potential applicability of the following to the provision of legal services for indigent defendants: (1) the
51 reporting system operated by the commissioner of transitional assistance for the purpose of verifying
52 financial eligibility of participants in state or federally funded programs; (2) the accessibility of income
53 data available from the department of revenue; and (3) verifying material assets through the registry of
54 motor vehicles.

55 Section 2½. (a) Notwithstanding any general or special law to the contrary, a person claiming
56 indigency under section 2 shall execute a waiver authorizing the court's chief probation officer, or the
57 officer's designee, to obtain the person's wage, tax and asset information from the department of revenue,
58 department of transitional assistance and the registry of motor vehicles that the court may find useful in
59 verifying the person's claim of indigency. The waiver shall authorize the chief probation officer, or the
60 officer's designee, to conduct any further re-assessment required by this section.

61 (b) It shall be the responsibility of the chief probation officer assigned to each court to ensure that a
62 person claiming to be indigent meets the definition of indigency under section 2. A person seeking the
63 appointment of counsel shall be interviewed by the chief probation officer or the officer's designee prior to
64 the appointment of counsel. The person conducting the interview shall explain to the person seeking
65 appointment of counsel: (1) the definition of indigency; (2) the process used to verify the person's
66 information with other state agencies; and (3) the penalties for misrepresenting financial information in
67 applying for the appointment of counsel. The officer or the officer's designee conducting the interview
68 shall prepare a written indigency intake report that shall record the results of the interview and a
69 recommendation on whether or not the person seeking appointment of counsel is indigent. The person
70 seeking appointment of counsel and the officer or the officer's designee conducting the interview shall sign
71 the indigency intake report. In signing the report, the person seeking appointment of counsel shall certify
72 under the pains and penalties of perjury that the information contained therein is true and that the person
73 has not concealed any information relevant to the person's financial status. All statements contained in the
74 report shall be deemed material statements. The completed report shall be presented to a judge who may
75 adopt or reject the recommendations in the report, either in whole or in part.

76 (c) Appointment of counsel by a court shall, at all times, be subject to verification of indigency by
77 the chief probation officer assigned to each court. The chief probation officer or the officer's designee
78 shall, within 7 business days of appointment of counsel, complete a final report of the financial
79 circumstances of the person for whom counsel was appointed, containing wage, tax and asset information.
80 In preparing this final report the chief probation officer or the officer's designee may access, through
81 electronic sharing of information pursuant to a memorandum of understanding established pursuant to
82 subsection (j), wage, tax and asset information in the possession of the department of revenue and the
83 department of transitional assistance, and any other information relevant to the verification of indigency in
84 the possession of the registry of motor vehicles. Said departments shall provide such information to the
85 chief probation officer or the officer's designee upon request. The chief probation officer shall sign the
86 final report, certifying that the person for whom counsel was appointed either continues to meet or no
87 longer meets the definition of indigency. Thereafter, the report shall be filed with the case papers and shall
88 be presented to the judge presiding at the person's next court appearance; provided, however, that if a
89 person for whom counsel was appointed is found to not meet the definition of indigency, a court
90 appearance shall be scheduled as soon as feasible prior to the person's next court appearance if said
91 appearance is more than 2 weeks from the date the final report is completed. If, upon receipt of the report,
92 a judge finds that the person for whom counsel was appointed no longer meets the definition of indigency,
93 the judge shall revoke the appointment of counsel and allow such person a reasonable continuance to obtain
94 new counsel.

95 Not later than 6 months after the appointment of counsel, and every 6 months thereafter, the chief
96 probation officer or the officer's designee shall conduct a further re-assessment of the financial
97 circumstances of the person for whom counsel was appointed to ensure that the person continues to meet
98 the definition of indigency. The chief probation officer or the officer's designee shall prepare, sign and file
99 a written report certifying that the person either continues to meet, or no longer meets, the definition of
100 indigency.

101 (d) If a criminal defendant is charged with a second or further offense while continuing to be
102 represented by court-appointed counsel for a previously charged offense, the court in its discretion shall
103 determine whether any further determination of indigency, other than the bi-annual re-assessments required
104 by the defendant's representation for the first offense, need be undertaken. Upon completion of a re-
105 assessment, the chief probation officer shall prepare a written report of the officer's findings. The chief

106 probation officer shall sign the report, certifying that the defendant either continues to meet or no longer
107 meets the definition of indigency. The report shall be filed with the case papers and shall be presented to
108 the judge presiding at the defendant's next court appearance. If, upon receipt of the report, a judge finds
109 that the defendant no longer meets the definition of indigency, the judge shall revoke the appointment of
110 counsel and allow the defendant a reasonable continuance to obtain new counsel.

111 (e) If the court finds that a person has materially misrepresented or omitted information
112 concerning the person's property or assets for purposes of determining indigency and that the person does
113 not meet the definition of indigency, the court shall immediately terminate any assignment or appointment
114 of counsel made under this chapter and shall assess costs of not less than \$500 against such person.

115 (f) A person provided counsel under this chapter shall be assessed a counsel fee of \$200, which the
116 court may waive only upon a determination from officer's data verification process that the person is
117 unable to pay such \$200 within 180 days. If, upon the bi-annual re-assessment of the person's indigency,
118 the court concludes that the person is able to pay the \$200 counsel fee of which the person obtained a
119 waiver, the court shall revoke the waiver and re-impose the \$200 counsel fee. The fee shall be in addition to
120 any reduced fee required pursuant to section 2 and shall be collected in accordance with said section.

121 (g) The court may authorize a person for whom counsel was appointed to perform community
122 service in lieu of payment of the counsel fee. A person seeking to work off a counsel fee in community
123 service shall perform 10 hours of community service, in a community service program administered by the
124 administrative office of the trial court, for each \$100 owed in legal counsel fees. Notwithstanding any
125 general or special law, rule or regulation to the contrary, a court proceeding shall not be terminated and the
126 person shall not be discharged if the person owes any portion of the legal counsel fee imposed by this
127 section. The clerk shall not release any bail posted on such court proceeding until the legal counsel fee is
128 satisfied in accordance with this chapter.

129 (h) The clerk of the court shall, within 60 days of appointment of counsel, report to the department
130 of revenue, the department of transitional assistance and the registry of motor vehicles the amount of any
131 legal counsel fee owed by the person for whom counsel was appointed under this chapter. The department
132 of revenue shall intercept payment of such fee from tax refunds due to persons who owe all or a portion of
133 such fee. The department of transitional assistance may deduct the fee in weekly or monthly increments
134 from persons who have not paid the fee or a portion of the fee. The registry of motor vehicles shall not
135 issue or renew a person's driver's license or motor vehicle registration for any vehicle subsequently
136 purchased by such person until it receives notification from the clerk of the court that the fee has been
137 collected or worked off in community service.

138 (i) The office of the commissioner of probation shall submit quarterly reports to the house and
139 senate committees on ways and means that shall include, but not be limited to: (a) the number of
140 individuals claiming indigency who are determined to be indigent; (b) the number of individuals claiming
141 indigency who are determined not to be indigent; (c) the number of individuals found to have
142 misrepresented wage, tax or asset information; (d) the number of individuals found to no longer qualify for
143 appointment of counsel upon any re-assessment of indigency required by this section; (e) the total number
144 of times an indigent misrepresentation fee was collected and the aggregate amount of indigent
145 misrepresentation fees collected; (f) the total number of times indigent counsel fees were collected and
146 waived and the aggregate amount of indigent counsel fees collected and waived; (g) the average indigent
147 counsel fee that each court division collects; (h) the total number of times an indigent but able to contribute
148 fee was collected and waived and the aggregate amount of indigent but able to contribute fees collected and
149 waived; (i) the highest and lowest indigent but able to contribute fee collected in each court division; (j) the
150 number of cases in which community service in lieu of indigent counsel fees was performed; and (k) other
151 pertinent information to ascertain the effectiveness of indigency verification procedures. The information
152 within such reports shall be delineated by court division, and delineated further by month.

153 (j) The office of the commissioner of probation, department of revenue and the department of
154 transitional assistance shall enter into a memorandum of understanding, which may be amended from time

155 to time, establishing an electronic verification system, capable of verifying, within 7 business days of
156 appointment of counsel, a person's claim of indigency, based on wage, tax and asset information. A copy of
157 the memorandum of understanding shall be submitted to the clerks of the house of representatives and
158 senate not later than October 31, 2011.

1 SECTION 80. Section 2A of said chapter 211D, as so appearing, is hereby amended by striking
2 out the second to fourth paragraphs, inclusive.

1 SECTION 81. Said chapter 211D is hereby amended by striking out sections 6 and 6A, as so
2 appearing, and inserting in place thereof the following 2 sections:-

3 Section 6. (a) In carrying out its duties as prescribed in section 5, the committee shall utilize its
4 staff of attorneys, which shall be known hereafter as the public defender division. The division shall
5 include a unit to be known as the Roxbury defenders unit, which shall represent clients as assigned
6 pursuant to this chapter in the Roxbury division of the district court department. The public defender
7 division shall be assigned to represent indigent defendants in all criminal cases, except that:

8 (i) the public defender division shall not be assigned to represent more than 1 defendant in any
9 matter before any court on the same case or arising out of the same incident;

10 (ii) the public defender division shall not be assigned to represent a defendant in any case in which
11 there is a conflict of interest with any of its clients;

12 (iii) notwithstanding any special or general law to the contrary, the public defender division shall
13 be assigned in any civil or criminal matter described in subsection (b) if the chief counsel determines in
14 writing that insufficient numbers of qualified attorneys are available for assignment by the private counsel
15 division.

16 (b) In carrying out its duties as prescribed in section 5, the committee shall establish, supervise
17 and maintain a system for the appointment of private counsel, hereafter called the private counsel division
18 which shall include a children and family law program and a mental health unit. The committee shall enter
19 into contractual agreements with any state, county or local bar association or voluntary charitable group,
20 corporation or association, including bar advocate groups, for the purpose of providing such counsel. The
21 committee may also contract with such other organized groups of attorneys as may be formed to afford
22 representation to indigent defendants and may appoint and compensate private attorneys, on a case-by-case
23 basis, as counsel for indigents entitled to representation. No individual, member or participant in a group,
24 corporation or association with whom the committee may contract under this paragraph shall be considered
25 to be or have any rights as a state employee.

26 The private counsel division shall be assigned for all persons accused of crimes entitled to counsel
27 who, through their inability to pay for counsel, shall have counsel appointed to them, but who, pursuant to
28 subsection (a) shall not be represented by the public counsel division.

29 The private counsel division shall also be assigned to represent persons in such other proceedings
30 as the chief counsel shall determine to be necessary.

31 Section 6A. In carrying out its duties as prescribed in sections 5 and 6, the committee shall
32 establish a children and family law program which shall, upon the court's appointment, provide
33 representation to indigent persons in children and family law cases. Nothing herein shall be construed to
34 limit the system as established in sections 5 and 6, whereby the court appoints certified private counsel to
35 represent children and parents in the majority of children and family law cases.

1 SECTION 82. Section 7 of said chapter 211D is hereby repealed.

1

1 SECTION 84. Said chapter 211D of the General Laws is hereby amended by striking out section
2 12, as appearing in section 161 of chapter 27 of the acts of 2009, and inserting in place thereof the
3 following section:-

4 Section 12. (a) The committee shall establish policies and procedures to provide fair compensation
5 to private counsel and vendors, which shall include a remedy for an attorney aggrieved by the amount of
6 payment. The committee shall also establish an audit and oversight department to monitor billing and
7 private attorney and vendor compensation. All private attorney invoices shall be processed for payment
8 within 30 days of receipt by the chief counsel, excluding any bills held for review or audit. Bills shall be
9 submitted to the committee within 60 days of the conclusion of a case or, if the case is pending at the end of
10 the fiscal year, within 30 days after the end of such fiscal year. The amount of payment for invoices
11 received by the chief counsel more than 60 days but less than 90 days after the final disposition of the case
12 or more than 30 days but less than 60 days after the end of the fiscal year shall be reduced by 10 per cent.
13 Bills submitted after such date need not be processed for payment within 30 days. For all bills not
14 submitted to the committee within 90 days after the conclusion of a case or, if the case is pending at the end
15 of the fiscal year, within 60 days after the end of the fiscal year, those bills so submitted after such date
16 shall not be processed for payment; provided, however, that the chief counsel may authorize the payment of
17 such bills, either in whole or in part, upon a determination that the delay was due to extraordinary
18 circumstances beyond the control of the attorney.

19 (b) Bills shall be submitted to the committee for services provided under sections 27A to 27G,
20 inclusive, of chapter 261 within 60 days of the last date of service or, if the case is pending at the end of the
21 fiscal year, within 30 days after the end of such fiscal year. The amount of payment for invoices received
22 by the chief counsel more than 60 days but less than 90 days after the last date of service or more than 30
23 days but less than 60 days after the end of the fiscal year shall be reduced by 10 per cent. For all bills not
24 submitted to the committee within 90 days after the last date of service or, if the case is pending at the end
25 of the fiscal year, within 60 days after the end of the fiscal year, those bills so submitted after such date
26 shall not be processed for payment; provided, however, that the chief counsel may authorize the payment of
27 such bills either in whole or in part upon a determination that the delay was due to extraordinary
28 circumstances beyond the control of the vendor.

29 (c) The committee may further prescribe such policies and procedures for payment as it deems
30 appropriate; provided, however, that the committee may impose interest and penalties, where appropriate,
31 upon overpayment of the private attorney bills recovered from private attorneys and upon overpayment of
32 vendor bills recovered from vendors.

1 SECTION 85. Section 14 of said chapter 211D is hereby repealed.

1 SECTION 86. Section 34E of chapter 221 of the General Laws is hereby amended by striking out
2 the last paragraph, as appearing in the 2008 Official Edition, and inserting in place thereof the following
3 paragraph:-

4 The committee shall be eligible for federal funds and may accept gifts, donations, grants,
5 contributions or appropriations, which may be received from any source, public or private, to be held, used
6 or expended for any purpose related to the duties of the committee and, in the case of a grant, in accordance
7 with the terms and conditions of such grant. The committee may enter into contracts to provide or receive
8 services with any federal or state entity, with any group or individual, whether for profit or non-profit, or
9 with any voluntary or charitable group, association or organization including any bar association or
10 foundation. Any such donations, funds, contributions or grants shall be deposited in the Mental Health
11 Legal Advisors Committee Trust.

1 SECTION 87. Said chapter 221 is hereby further amended by striking out section 88, as most
2 recent amended by section 96 of chapter 27 of the acts of 2009, and inserting in place thereof the following
3 section:-

4 Section 88. Upon request of the presiding justice or any party, the stenographer shall furnish a
5 transcript of his notes, or any part thereof, taken at a trial or hearing, for which he shall be paid by the party
6 requesting it at the rate of \$3 per page for the original and \$1 per page for each additional copy ordered at
7 the same time. If requested by a party, the stenographer shall furnish an electronic reproduction at an
8 amount not to exceed \$5 for each electronic reproduction requested. All electronic reproductions shall be in
9 an open source format as specified by the office of transcription services. Additional paper copies, if so
10 requested by an indigent person or counsel for an indigent person, shall be paid at \$.10 per page. In the
11 event that daily copy is ordered by the presiding justice or any party, the rate shall be \$4.50 per page for the
12 original copy and \$1.50 per page for each additional copy; provided that, if requested by a party, the
13 stenographer shall furnish an electronic reproduction at an amount not to exceed \$5 for each electronic
14 reproduction; and provided further, that additional paper copies, if so requested by an indigent person or
15 counsel for an indigent person, shall be paid at \$.10 per page. If a transcript is ordered by the presiding
16 justice or, in a criminal case, by the district attorney, payment therefor shall be made at the same rate by the
17 administrative office of the trial court upon a voucher approved by the presiding justice and, in a criminal
18 case, the charges for transcripts furnished to a justice and to the district attorney shall be taxed like other
19 expenses. If the presiding justice orders that a statement given to the police be transcribed, all parties shall
20 receive a copy and payment therefor shall be made at the same rate by the administrative office of the trial
21 court upon a voucher approved by the presiding justice.

1 SECTION 88. Section 1 of chapter 703 of the acts of 1963 is hereby amended by striking out
2 paragraph (h), as appearing in section 78 of chapter 189 of the acts of 2010, and inserting in place thereof
3 the following paragraph:-

4 (h) "State college", any of the public institutions of higher education in the state university
5 segment or the community college segment established in section 5 of chapter 15A of the General Laws.

1 SECTION 89. The first sentence of section 3 of said chapter 703, as appearing in section 2 of
2 chapter 290 of the acts of 1998, is hereby amended by adding the following words:- ; provided, however,
3 that the Authority shall not provide housing facilities at community colleges unless the board of higher
4 education authorizes the action.

1 SECTION 90. The fourth sentence of section 6 of said chapter 703, as appearing in section 24 of
2 chapter 120 of the acts of 2009, is hereby amended by striking out the words "any applicable state college"
3 and inserting in place thereof the following words:- 1 or more state colleges, as appropriate,.

1 SECTION 91. The first sentence of the first paragraph of section 18A of said chapter 703, as most
2 recently amended by section 25 of said chapter 120, is hereby further amended by striking out the words “,
3 and amounts described in clause (ii) shall be used only to prevent a default by the Authority in connection
4 with indebtedness incurred by the Authority on behalf of the applicable state college”.

1 SECTION 92. Section 44 of chapter 85 of the acts of 1994 is hereby amended by inserting after
2 the words "Horseneck Beach State Reservation", inserted by section 2 of chapter 164 of the acts of 2009,
3 the following words:- Officers' Quarters at Fort Revere in the town of Hull, Gatekeeper's House at
4 Maudslay State Park, Gates House at Wachusett Mountain State Reservation, Blue Farmhouse and garage
5 and associated barns 3, 4 and 5 at 215 Cold Spring road and Red Farmhouse and shed at 220 Cold Spring
6 road at Spectacle Pond in the town of Sandisfield, the McKay House at Willowdale State Forest, 57
7 Dedham street in the Hyde Park section of the city of Boston, Speedway Administration Building located in
8 the Brighton section of the city of Boston, the Police Substation on Furnace Brook Parkway in the city of
9 Quincy, the Compressor Building at Quincy Quarries in the Blue Hills Reservation, any of the cottages on
10 Peddock's Island in the Boston Harbor Islands National Park Area, 3 Wompatuck Cottages in Wompatuck
11 State Park, Stress House 1 at Neponset River Reservation and, notwithstanding any general or special law
12 to the contrary, the Schooner Ernestina and a portion of the New Bedford state pier, to provide sufficient
13 berthing space; provided, however, that any lease of the Schooner Ernestina entered into by the department
14 shall require that the lessee consult with the Cape Verdean Association in New Bedford in order to provide
15 historic and cultural education programs at said Schooner.

1 SECTION 93. Chapter 47 of the acts of 1997 is hereby amended by striking out section 22, as
2 most recently amended by section 35 of chapter 61 of the acts of 2007, and inserting in place thereof the
3 following section:-

4 Section 22. Notwithstanding any general or special law to the contrary, in fiscal years 2012 to
5 2016, inclusive, the division of health care finance and policy shall allocate \$1,000,000 annually for a
6 Fishing Partnership Health Plan Corporation project that shall provide services to fishermen and fishing
7 families; provided, that such services shall include, but not be limited to, assisting fishermen and fishing
8 families in obtaining health insurance coverage.

1 SECTION 93A. Paragraph (d) of section 15 of chapter 152 of the acts of 1997, as appearing in
2 section 5 of chapter 256 of the acts of 2006, is hereby amended by striking out, in line 3, the
3 figure“250,000 gross square feet or more of the center's exhibition space” and inserting in place thereof the
4 following words:- 160,000 gross square feet or more of the center's exhibition space; provided, however,
5 that the Massachusetts Convention Center Authority shall conduct a traffic study associated with increased
6 gate show activity and its effect on the South Boston section in the city of Boston.

1 SECTION 94. Sections 3A, 20A and 25 of chapter 175 of the acts of 1998 are hereby repealed.

1 SECTION 95. Section 43 of chapter 206 of the acts of 1998 is hereby amended by striking out the
2 first sentence and inserting in place thereof the following 3 sentences:- The department of environmental
3 protection shall perform a targeted audit of a statistically significant number, as determined by the
4 department, of sites at which an activity and use limitation has been implemented in order to ensure that
5 response actions not overseen or conducted by the department are performed in compliance with chapter
6 21E of the General Laws and regulations adopted thereunder. In determining the statistically significant
7 number, the department shall take into account the need for audits to ensure a high level of compliance with
8 said chapter 21E and the Massachusetts Contingency Plan and the need to target audit resources in the most

9 efficient and effective manner. The department shall report annually to the joint committee on
10 environment, natural resources and agriculture and the house and senate committees on ways and means
11 detailing the number of audits conducted pursuant to this section.

1 SECTION 95A. Chapter 137 of the acts of 2003 is hereby amended by striking out section 21, as
2 appearing in section 77 of chapter 182 of the acts of 2008, and inserting in place thereof the following
3 section

4 Section 21. Section 1 shall expire on September 11, 2014. Sections 2 and 3 shall expire on
5 September 11, 2005.

1 SECTION 95B. Section 1 of chapter 158 of the acts of 2004 is hereby amended by striking out, in
2 line 6, the words as a community youth facility”.

3

1 SECTION 95C. Item 6033-0417 of section 2A of chapter 291 of the acts of 2004, as most
2 recently amended by section 84 of chapter 139 of the acts of 2006, is hereby further amended by striking
3 out the words “relocation of the Amesbury department of public works barn in the town of Amesbury to the
4 site formerly known as Microfab” and inserting in place thereof the following words:- “redevelopment and
5 revitalization of the Lower Mill yard in the town of Amesbury.

1 SECTION 96. Section 113 of chapter 58 of the acts of 2006 is hereby amended by inserting after
2 the word “measurements”, in line 22, the following words:- ; provided, however, that substance abuse
3 benefits shall instead obtain the approval of the commissioner of public health.

1 SECTION 97. Chapter 122 of the acts of 2006 is hereby amended by striking out section 130 and
2 inserting in place thereof the following section:-

3 Section 130. Notwithstanding any general or special law or regulation to the contrary, the state
4 comptroller shall grant a permanent waiver or exemption from all applicable charges or assessments made
5 against the Water Supply Protection Trust by the office of the comptroller pursuant to its authority under
6 sections 5D and 6B of chapter 29 of the General Laws; provided, however, that beginning in fiscal year
7 2012, the Water Supply Protection Trust shall be liable to pay those charges that represent the fringe
8 benefits for department of conservation and recreation personnel that either dedicate their full time and
9 attention to watershed protection activities or spend some portion of their time indirectly supporting the
10 department’s watershed protection activities.

1 SECTION 98. Section 144 of chapter 122 of the acts of 2006 is hereby amended by striking out, in
2 lines 4 to 6, inclusive, the words “; provided, however, that no waiver or exemption shall be granted
3 without the written approval of the secretary of administration and finance”.

1 SECTION 98A. Section 114 of chapter 169 of the acts of 2008 is hereby amended by striking out
2 the figure “2011” and inserting in place thereof the following figure:-2021.

1 SECTION 99. Subsection (2) of section 95 of chapter 173 of the acts of 2008 is hereby amended
2 by striking out, in line 2, the figure "2012" and inserting in place thereof the following figure:- 2013.

1 SECTION 100. Section 103 of chapter 182 of the acts of 2008 is hereby amended by striking out,
2 in line 15, the figure “180” and inserting in place thereof the following figure:- 120.

1 SECTION 101. Subsection (b) of said section 103 of said chapter 182 is hereby amended by
2 striking out the first paragraph and inserting in place thereof the following paragraph:-

3 If no lease agreement is reached with the town of Canton under subsection (a) before April 1,
4 2012, the division of capital asset management and maintenance, in consultation with and on behalf of the
5 department of conservation and recreation, shall solicit proposals through a request for proposals which
6 shall include key contractual terms and conditions to be incorporated into the contract including, but not
7 limited to: (1) a comprehensive list of all recreational facilities operated by the responsive bidder or offeror
8 in the last 4 years; (2) other facilities management or experience of the responsive bidder or offeror; (3) a
9 senior citizens' and children's discount program; (4) reservation policies; (5) proposed reasonable rates that
10 ensure continued public access; (6) required financial audits; (7) policies to encourage use of the golf
11 course by persons of all races and nationalities; (8) safety and security plans; (9) seasonal opening and
12 closing dates; (10) hours of operation; (11) holiday recognition; (12) grievance processes; (13) clubhouse
13 license; (14) a provision that the facility shall be maintained as a 36-hole public golf course; (15) a
14 provision that the lessee shall not construct facilities on the grounds of the golf course or any property
15 appurtenant thereto; provided, however, that the lessee may construct facilities with the written approval of
16 the commissioner of conservation and recreation and the majority vote of the board of selectmen in the
17 town of Canton; and (16) a host community agreement between the designated operator and the town of
18 Canton. Any increase in fees, including fees for season passes and club memberships, and any increase in
19 charges for greens' fees or golf cart or club rentals shall be approved in writing by the commissioner of
20 conservation and recreation; provided, however, that in considering any request for an increase in fees, the
21 commissioner shall consider, without limitation: (i) any capital investment made by the contractor or
22 lessee; (ii) the fees and charges at other public golf courses within reasonable proximity; and (iii) the length
23 of time since the last fee increase.

1 SECTION 101A. Notwithstanding any special or general law to the contrary, the special
2 commission on civic engagement and learning, established under section 106 of chapter 182 of the acts of
3 2008, is hereby revived and continued; provided, however, that the commission shall report to the general
4 court the results of its investigation and study and its recommendations, if any, together with drafts of
5 legislation necessary to carry out its recommendations, by filing the same with the clerks of the senate and
6 the house and the joint committee on education on or before December 31, 2012.

1 SECTION 101B. Item 6035-0817 of section 2A of chapter 303 of the acts of 2008, as amended by
2 section 30 of chapter 26 of the acts of 2009, is hereby further amended by striking out the words "\$350,000
3 shall be expended for lighting improvements to the new Parker river bridge or the North and South
4 approaches to the bridge on route 1A in the town of Newbury" and inserting in place thereof the following
5 "\$250,000 may be expended for the town's rehabilitation of a portion of River road in the town of
6 Merrimac; provided further, that \$50,000 may be expended for the improvement of the DPW garage,
7 located at 197 High road in the town of Newbury; provided further, that such sum shall be placed into the
8 town of Newbury's chapter 90 account in the event that improvements are made prior to the release of
9 funds in this item.

1 SECTION 102. Section 23 of chapter 5 of the acts of 2009 is hereby amended by striking out the
2 figure "2011", inserted by section 115 of chapter 131 of the acts of 2010, and inserting in place thereof the
3 following figure:- 2012.

1 SECTION 103. Section 152 of chapter 25 of the acts of 2009 is hereby amended by striking out
2 the figure "2011" and inserting in place thereof the following figure:- 2013.

1 SECTION 103A. The third paragraph of section 22 of chapter 61 of the acts of 2009 is hereby
2 amended by adding the following sentence:- For the purpose of conducting its investigation and study, the
3 commission may contract with an independent, outside organization, at a cost not to exceed \$50,000, to

4 conduct a fiscal analysis of the potential cost savings and other efficiencies that may be achieved by
5 reorganization, consolidation, elimination or realignment of sheriffs' offices.

1 SECTION 103B. Section 128 of chapter 27 of the acts of 2009 is hereby amended by striking out
2 subsection (a) and inserting in place thereof the following subsection:-

3 (a) Notwithstanding any general or special law to the contrary, a successor agreement to the
4 current collective bargaining agreement for employees of the state police executed by the ommonwealth,
5 acting by and through the secretary of administration and finance, and the State Police Association of
6 Massachusetts shall not include benefits for any regular full-time member of the state police hired on or
7 after July 1, 2009 pursuant to the career incentive pay program established pursuant to section 108L of
8 chapter 41 of the General Laws. Nothing in this section shall preclude regular full-time members of the
9 state police otherwise eligible for participation in the career incentive pay program established pursuant to
10 said section 108L of said chapter 41 from participating in the program.

1 SECTION 103C. Item 4000-0640 of section 2 of chapter 131 of the acts of 2010 is hereby
2 amended by striking out the words "notwithstanding any general or special law to the contrary, contingent
3 upon receipt of not less than \$27,200,000 in TANF contingency funds authorized by Title IV, section
4 403(b) of the Social Security Act, the division shall establish nursing facility supplemental Medicaid rates
5 and that a sum of \$27,200,000 shall be distributed as supplemental nursing facility Medicaid rates for fiscal
6 year 2011", inserted by section 51A of chapter 359 of the acts of 2010, and inserting in place thereof the
7 following words:- the division shall establish additional nursing facility supplemental Medicaid rates that
8 cumulatively total \$27,000,000 which shall be distributed as supplemental nursing facility Medicaid rates;
9 provided further, that not less than \$2,800,000 shall be expended as incentive payments to nursing facilities
10 meeting the criteria determined by the MassHealth Nursing Facility Pay for Performance (P4P) Program in
11 114.2 CMR 6.07 and that have established and participated in a cooperative effort in each qualifying
12 nursing facility between representatives of employees and management that is focused on implementing
13 that criteria and improving the quality of services available to MassHealth members; and provided further,
14 that any unexpended funds in this item shall not revert but shall be made available for the purposes of this
15 item until June 30, 2012."

1 SECTION 103D. Said item 4000-0640 of said section 2 of chapter 131, as most recently amended
2 by said section 51A of said chapter 359, is hereby further amended by striking out the figure \$288,500,000
3 and inserting in place thereof the following figure:- \$318,300,000.

1 SECTION 104. Section 195 of chapter 131 of the acts of 2010 is hereby amended by striking out
2 the figure "2011" and inserting in place thereof the following figure:- 2012.

1 SECTION 105. Section 124 of chapter 359 of the acts of 2010 is hereby amended by striking out
2 the words "and June 30, 2011" and inserting in place thereof the following words:- , June 30, 2011 and
3 June 30, 2012.

1 SECTION 105A. Section 183 of chapter 131 of the Acts of 2010 is hereby amended by striking out
2 subsection (a) and inserting in place thereof the following subsection:-

3 (a) Notwithstanding any general or special law to the contrary, the MassHealth program within the
4 department of health and human services shall register for the federal Systematic Alien Verification for
5 Entitlements or SAVE system by January 1, 2012, and shall use that system to verify whether applicants
6 whose documentation is not available or is questionable are qualified aliens for benefit eligibility purposes.
7 The department shall be exempt from this requirement if it has reported before January 1, 2012, to the
8 senate and house committees on ways and means and the executive office for administration and finance a
9 report detailing the specific steps it has undertaken to implement SAVE, the other departments it worked
10 with to implement such steps, and the specific reason or reasons it was unable to implement the program
11 before December 31, 2011. Should the department find that it is not able to implement the SAVE system
12 prior to January 1, 2012, it shall continue to undertake all reasonable, cost-effective measures to verify the

13 eligibility of applicants, including ensuring eligibility on the basis of citizenship, during all times it is not
14 implementing the SAVE system and shall begin implementing a cost effective system that utilizes SAVE.

1 SECTION 105B. Section 184 of Chapter 131 of the Acts of 2010 is hereby amended by striking
2 out clause (5).

1 SECTION 106. Whenever the secretary of administration and finance determines that procurement
2 reforms or initiatives have resulted in cost savings for an agency of the executive department during fiscal
3 year 2012, the secretary may reduce allotments under section 9B of chapter 29 of the General Laws to
4 reflect some or all of the amounts saved, and within 15 days shall notify in writing the house and senate
5 committees on ways and means. The total amount of such allotment reductions shall not exceed
6 \$30,000,000 in fiscal year 2012.

1 SECTION 107. Nothing in sections 29 to 32, inclusive, shall be construed to authorize the
2 governor to remove a sitting member of the industrial accident board or the industrial accident reviewing
3 board on the effective date of this act, whose term has not expired, to reduce the number of members of
4 either board.

1 SECTION 108. (a) Notwithstanding any general or special law to the contrary, the comptroller
2 shall, on or before June 30, 2012, transfer \$200,000,000 to the General Fund from the Commonwealth
3 Stabilization Fund, but the comptroller shall instead transfer a lesser amount if the secretary of
4 administration and finance so requests in writing. The comptroller, in consultation with the secretary of
5 administration and finance, may take the overall cash flow needs of the commonwealth into consideration
6 in determining the timing of any transfer of funds. The comptroller shall provide a schedule of transfers to
7 the secretary of administration and finance and to the house and senate committees on ways and means.

8 (b) Notwithstanding any general or special law to the contrary, during fiscal year 2012 the
9 comptroller shall not transfer 0.5 per cent of the total revenue from taxes in the preceding fiscal year to the
10 Commonwealth Stabilization Fund, established in section 2H of chapter 29 of the General Laws, as
11 otherwise required pursuant to clause (a) of section 5C of said chapter 29.

12 (c) Notwithstanding any general or special law to the contrary, the comptroller shall, not later than
13 June 30, 2012, transfer the interest earned from the Commonwealth Stabilization Fund during fiscal year
14 2012 to the General Fund.

1 SECTION 109. Notwithstanding any general or special law to the contrary, changes made to
2 health insurance benefits under section 22 or 23 of chapter 32B of the General Laws which are inconsistent
3 with specific dollar amount limits on co-payments, deductibles or other health care plan design features that
4 are included in a collective bargaining agreement in effect on July 1, 2011 or an agreement under section
5 19 of said chapter 32B between an appropriate public authority and a public employee committee in effect
6 on July 1, 2011 shall not take effect until the expiration of the initial term of such agreement.

1 SECTION 110. Notwithstanding subsection (e) of section 19 of the General Laws and subsection
2 (d) of section 23 of said chapter 32B or any general or special law to the contrary, the commission shall
3 prescribe rolling admissions procedures to permit a political subdivision that transfers its subscribers to the
4 group insurance commission under said section 19 or 23 of said chapter 32B to transfer all subscribers for

5 whom it provides health insurance coverage to the commission as expeditiously as possible during fiscal
6 year 2012.

1 SECTION 111. (a) Notwithstanding any general or special law to the contrary and except as
2 provided in subsection (b), an eligible individual pursuant to section 3 of chapter 118H of the General Laws
3 shall not include a person who is not eligible to receive federally-funded benefits under sections 401, 402
4 or 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-
5 193, as amended, for fiscal year 2012.

6 (b) Notwithstanding any general or special law to the contrary, the secretary of administration and finance,
7 the secretary of health and human services and the executive director of the commonwealth health
8 insurance connector authority may, in their discretion and subject only to the terms and conditions in this
9 subsection, establish or designate a health insurance plan in which a person who is not eligible to receive
10 federally-funded benefits under said sections 401, 402 or 403 of the Personal Responsibility and Work
11 Opportunity Reconciliation Act of 1996, Public Law 104-193, as amended, but who is an eligible
12 individual pursuant to said section 3 of said chapter 118H may enroll for the period including July 1, 2011
13 to June 30, 2012, inclusive. The plan may be contracted for selectively from the health plans that contracted
14 in fiscal year 2011 to provide insurance coverage to commonwealth care or MassHealth enrollees. Total
15 state appropriation to support coverage to all such persons shall not exceed \$42,000,000 for fiscal year
16 2012. To the extent that additional federal financial participation becomes available for paying the costs of
17 such coverage, the secretary of administration and finance may direct the comptroller to make such
18 amounts available from the General Fund for the purpose of paying for the costs of such coverage. If the
19 secretary of administration and finance, the secretary of health and human services and the executive
20 director of the commonwealth health insurance connector authority determine that the projected costs of
21 enrolling eligible individuals in such coverage in fiscal year 2012 will exceed available funding, they may
22 limit enrollment in such coverage. If the secretary of administration and finance, the secretary of health and
23 human services and the executive director of the commonwealth health insurance connector authority are
24 unable to establish or designate a health insurance plan under this section, the secretary of administration
25 and finance may direct the comptroller to transfer up to \$42,000,000 from the Commonwealth Care Trust
26 Fund to the Health Safety Net Trust Fund for the cost of health safety net claims for these individuals.

1 SECTION 112. Notwithstanding section 53 of chapter 118E of the General Laws or any other
2 general or special law to the contrary, the secretary of health and human services may manage the
3 MassHealth program within the appropriated levels in items 4000-0430, 4000-0500, 4000-0600, 4000-
4 0700, 4000-0870, 4000-0875, 4000-0880, 4000-0890, 4000-0895, 4000-0950, 4000-0990, 4000-1400 and
5 4000-1405 by restructuring benefits to the extent permitted by federal law; provided, however, that
6 notwithstanding any general or special law to the contrary, at least 90 days before restructuring any
7 MassHealth benefits, the secretary shall file a report with the executive office for administration and
8 finance and the house and senate committees on ways and means detailing the proposed changes and the
9 anticipated fiscal impact of those changes.

1 SECTION 113. Notwithstanding any general or special law to the contrary, the secretary of health
2 and human services may make expenditures for which federal reimbursement is unavailable for: (1) the
3 equivalent of MassHealth Standard benefits for children under age 21 who are in the care or custody of the
4 department of youth services or the department of children and families, and (2) dental benefits provided to
5 clients of the department of developmental services who are age 21 or over.

1 SECTION 114. (a) Notwithstanding section 53 of chapter 118E of the General Laws, for fiscal
2 year 2012, the executive office of health and human services may determine the extent to which to include
3 within its covered services for adults the federally-optional dental services that were included in its state
4 plan or demonstration program in effect on January 1, 2002 and the dental services that were covered for
5 adults in the MassHealth basic program as of January 1, 2002; provided, that notwithstanding any general
6 or special law to the contrary, at least 90 days before restructuring any MassHealth dental benefits, the
7 executive office shall file a report with the executive office for administration and finance and the house
8 and senate committees on ways and means detailing the proposed changes and the anticipated fiscal impact
9 of such changes.

10 (b) Notwithstanding subsection (a) of section 6 of chapter 118H of the General Laws, for fiscal
11 year 2012, medically necessary dental services covered through health insurance plans procured by the
12 board of the Commonwealth Health Insurance Connector Authority for any resident with a household
13 income that does not exceed 100 per cent of the federal poverty level shall include preventative procedures
14 but shall exclude those categories of services that are not provided through MassHealth.

1 SECTION 115. Notwithstanding any general or special law to the contrary, the executive office of
2 health and human services, acting in its capacity as the single state agency under Title XIX of the Social
3 Security Act and as the principal agency for all of the agencies within the executive office and other
4 federally-assisted programs administered by the executive office, may enter into interdepartmental services
5 agreements with the University of Massachusetts medical school to perform activities that the secretary of
6 health and human services, in consultation with the comptroller, determines appropriate and within the
7 scope of the proper administration of said Title XIX and other federal funding provisions to support the
8 programs and activities of the executive office. The activities may include: (1) providing administrative
9 services including, but not limited to, providing the medical expertise to support or administer utilization
10 management activities, determining eligibility based on disability, supporting case management activities
11 and similar initiatives; (2) providing consulting services related to quality assurance, program evaluation
12 and development, integrity and soundness and project management; and (3) providing activities and
13 services for the purpose of pursuing federal reimbursement or avoiding costs, third-party liability and
14 recouping payments to third parties. Federal reimbursement for any expenditures made by the University of
15 Massachusetts medical school relative to federally-reimbursable services the university provides under
16 these interdepartmental service agreements or other contracts with the executive office shall be distributed
17 to the university and recorded distinctly in the state accounting system. The secretary may negotiate
18 contingency fees for activities and services related to pursuing federal reimbursement or avoiding costs and
19 the comptroller shall certify these fees and pay them upon the receipt of this revenue, reimbursement or
20 demonstration of costs avoided. Contracts for contingency fees shall not exceed 3 years and shall not be
21 renewed without prior review and approval by the executive office for administration and finance. The
22 secretary shall not pay contingency fees in excess of \$40,000,000 for state fiscal year 2012; but
23 contingency fees paid to the University of Massachusetts medical school under an interagency service
24 agreement for recoveries related to the special disability workload projects shall be excluded from that
25 \$40,000,000 limit for fiscal year 2012. The secretary of health and human services shall submit to the
26 secretary of administration and finance and the senate and house committees on ways and means a
27 quarterly report detailing the amounts of the agreements, the ongoing and new projects undertaken by the
28 university, the amounts expended on personnel and the amount of federal reimbursement and recoupment
29 payments that the university collected.

1 SECTION 116. Notwithstanding any general or special law to the contrary, on or before October
2 3, 2011 and without further appropriation, the comptroller shall transfer from the General Fund to the
3 Health Safety Net Trust Fund established pursuant to section 36 of chapter 118G of the General Laws, in
4 this section called the fund, the greater of \$45,000,000 or one-twelfth of the total expenditures to hospitals
5 and community health centers required pursuant to this act, for the purposes of making initial gross
6 payments to qualifying acute care hospitals for the hospital fiscal year beginning October 1, 2011. These
7 payments shall be made to hospitals before, and in anticipation of, the payment by hospitals of their gross
8 liability to the fund. The comptroller shall transfer from the fund to the General Fund, not later than June

9 30, 2012, the amount of the transfer authorized by this section and any allocation of that amount as certified
10 by the director of the health safety net office.

1 SECTION 117. Notwithstanding any general or special law to the contrary, nursing facility and
2 resident care facility rates effective July 1, 2011 under section 7 of chapter 118G of the General Laws may
3 be developed using the costs of calendar year 2005.

1 SECTION 118. Notwithstanding any general or special law to the contrary, the nursing home
2 assessment established by subsection (b) of section 25 of chapter 118G of the General Laws shall be
3 sufficient in the aggregate to generate \$220,000,000 in fiscal year 2012.

1 SECTION 119. Notwithstanding any general or special law to the contrary, in hospital fiscal year
2 2012, the office of the inspector general may continue to expend funds from the Health Safety Net Trust
3 Fund, established by section 36 of chapter 118G of the General Laws, for the costs associated with
4 maintaining a pool audit unit within the office. The unit shall continue to oversee and examine the practices
5 in all hospitals including, but not limited to, the care of the uninsured and the resulting free care charges.
6 The inspector general shall submit a report to the house and senate committees on ways and means on the
7 results of the audits and any other completed analyses not later than March 1, 2012. For the purposes of
8 these audits, allowable free care services shall be defined pursuant to said chapter 118G and any regulations
9 adopted thereunder.

1 SECTION 119A. Notwithstanding any general or special law to the contrary, the state
2 comptroller shall grant a 1-time waiver or exemption from applicable charges or assessments made against
3 grants disbursed from the Enhanced 911 Fund to the Berkshire sheriff's department regional 911
4 communications center pursuant to its authority under sections 5D and 6B of chapter 29 of the General
5 Laws; provided, however, that a waiver or exemption shall not be granted without the written approval of
6 the secretary of administration and finance.

7
1 SECTION 120. The inspector general shall expend funds from the Health Safety Net Trust Fund,
2 established in section 36 of chapter 118G of the General Laws, to conduct a study and review of the
3 Massachusetts Medicaid program. The study shall include, but not be limited to, a review of the program's
4 eligibility requirements, utilization, claims administration and compliance with federal mandates. The
5 inspector general shall report any preliminary findings to the secretary of health and human services and
6 the house and senate committees on ways and means not later than October 3, 2011 and issue a final report
7 not later than December 1, 2011.

1 SECTION 121. The following agencies or authorities shall contribute the amounts below for
2 programs or services in fiscal year 2012:

3 (a) the Massachusetts Housing Finance Authority, \$8,400,000 for the Massachusetts rental
4 voucher program;

5 (b) the Massachusetts Development Finance Authority, \$3,000,000 for the Massachusetts cultural
6 council grant program;

7 (c) the Massachusetts Educational Finance Authority, \$1,000,000 for the no interest loan and
8 scholarship programs;

9 (d) the Massachusetts Housing Partnership, \$2,000,000 for the soft second mortgage program;

10 (e) the Massachusetts Convention Center Authority, \$5,000,000 for the office of travel and
11 tourism marketing program;

12 (f) the Massachusetts Technology Collaborative, \$275,000 for the department of housing and
13 community development's broadband initiative;

14 (g) the Massachusetts Growth Capital Corporation, \$500,000 for the small business development
15 center, \$700,000 for the office of small business and \$335,000 for the state permitting office;

16 (h) the commonwealth health insurance connector authority, \$2,500,000 for wellness promotion;

17 (g) the Massachusetts Clean Energy Center, \$1,000,000 to support the operations of the executive
18 office of energy and environmental affairs;

19 (k) the Massachusetts Technology Collaborative and the Massachusetts Port Authority, \$600,000
20 for the international trade and investment program; and

21 (l) the Massachusetts Life Sciences Center, \$210,000 for the Tufts University veterinary school.

1 SECTION 122. Notwithstanding any general or special law to the contrary, the comptroller shall,
2 in consultation with the commissioner of mental health, transfer \$10,000,000 from trust funds established
3 pursuant to section 16 of chapter 19 of the General Laws to the General Fund within 30 days from the
4 effective date of this act.

1 SECTION 123. Notwithstanding any general or special law to the contrary, the funds and
2 associated interest transferred to the former Massachusetts Turnpike Authority in item 1599-1975 of
3 section 2 of chapter 192 of the acts of 2006 shall be transferred to the General Fund by the Massachusetts
4 Department of Transportation; provided, however, that any transfer under this section shall be made by the
5 comptroller in accordance with a transfer schedule to be developed by the comptroller, after consulting
6 with the secretary of transportation, the secretary of administration and finance and the state treasurer. All
7 transfers under the schedule shall be completed not later than September 30, 2011.

1 SECTION 124. (a) Notwithstanding any general or special law to the contrary, the department of
2 environmental protection shall transfer \$3,000,000 of funds previously appropriated or loans repaid as a
3 result of item 1231-1020 of section 2 of chapter 151 of the acts of 1996 to the General Fund on account of
4 fiscal year 2012.

5 (b) Notwithstanding any general or special law to the contrary, the Massachusetts Housing
6 Finance Agency shall, on or before June 30, 2012, transfer not more than \$5,400,000 of loan repayment
7 proceeds received under section 27 of chapter 23B of the General Laws to the comptroller to be credited to
8 the General Fund on account of fiscal year 2012.

1 SECTION 125. Notwithstanding any general or special law to the contrary, upon receiving a
2 written request from the secretary of administration and finance, the comptroller shall transfer to the
3 General Fund the unexpended balance of a fund, trust fund or other separate account, in existence on April
4 1, 2011, whether established administratively or by law, including a separate account established under
5 section 6 of chapter 6A of the General Laws or section 4F of chapter 7 of the General Laws; provided,
6 however, that the secretary and comptroller shall report to the house and senate committees on ways and
7 means 45 days prior to any such transfer. The request shall certify that the secretary, in consultation with

8 the comptroller, has determined this balance not to be necessary for the purposes for which it was made
9 available.

1 SECTION 126. Notwithstanding section 1 of chapter 29D of the General Laws or any other
2 general or special law to the contrary, all payments received by the commonwealth in fiscal year 2012
3 pursuant to the master settlement agreement in Commonwealth of Massachusetts v. Philip Morris, Inc. et.
4 al., Middlesex Superior Court, No. 95-7378, shall be deposited in the General Fund. Notwithstanding
5 section 3 of said chapter 29D to the contrary, the comptroller shall transfer 100 per cent of the earnings
6 generated in fiscal year 2012 from the Health Care Security Trust, as certified under paragraph (f) of said
7 section 3 of said chapter 29D, to the General Fund.

1 SECTION 127. (a) Notwithstanding any general or special law to the contrary, the Massachusetts
2 Department of Transportation may incur liabilities and make expenditures in fiscal year 2012 in excess of
3 funds available to the department for snow and ice removal; provided, however, that such expenditures
4 shall be approved by the secretary of transportation in consultation with the secretary of administration and
5 finance; provided further, that no expenses shall be made in excess of funds available until \$50,000,000 has
6 been expended for snow and ice removal in fiscal year 2012; provided further, that the negative balance of
7 funds available for snow and ice removal shall not exceed \$30,000,000 at any time; and provided further,
8 that the state comptroller may certify for payment invoices in excess of funds available to the department.

9 (b) The department shall, on or before May 1, 2012, report to the executive office for
10 administration and finance and the house and senate committees on ways and means the total amounts
11 budgeted and expended for snow and ice removal; provided, however, that the department shall seek
12 appropriations, as required, to cure deficiencies resulting from the removal of snow and ice for the fiscal
13 year ending June 30, 2012.

1 SECTION 128. Notwithstanding any general or special law to the contrary, the formula for
2 application of funds provided in section 35J of chapter 10 of the General Laws shall not apply in fiscal year
3 2012.

1 SECTION 129. Notwithstanding any general or special law to the contrary, after complying with
2 clause (a) of section 5C of chapter 29 of the General Laws, the comptroller shall dispose of the
3 consolidated net surplus in the budgetary funds for fiscal year 2011 as follows: (i) the comptroller shall
4 transfer \$10,000,000 from the General Fund to the Massachusetts Life Sciences Investment Fund
5 established by section 6 of chapter 23I of the General Laws; and (ii) the remaining balance shall be
6 transferred from the General Fund to the Commonwealth Stabilization Fund.

1 SECTION 130. Notwithstanding any general or special law to the contrary, the operational
2 services division, which, under section 22N of chapter 7 of the General Laws, is responsible for
3 determining prices for programs under chapter 71B of the General Laws, shall set those prices in fiscal year
4 2012 at the same level calculated for fiscal year 2011, except the prices for those programs for
5 extraordinary relief, as defined by the division's regulations; provided, however, that upon the request of a
6 program, the division shall determine the minimum price for out-of-state purchasers by identifying the most
7 recent price calculated for the program and applying the estimated rate of inflation, which is established by
8 October 1 of each year pursuant to said section 22N of said chapter 7, in a compounded manner for each

9 fiscal year following the most recent calculated price. The division shall accept and process applications
10 for program reconstruction for fiscal year 2012 to be considered for rate adjustment in fiscal year 2013.
11 Programs for which prices in fiscal year 2011 were lower than the full amount permitted by the operational
12 services division may charge in fiscal year 2012 the full prices calculated for fiscal year 2011.

1 SECTION 130A. Notwithstanding any general or special law or rule or regulation to the contrary,
2 the department of developmental services shall review 115 CMR 5:14 governing behavior modification and
3 adopt amendment thereto, pursuant to its authority under section 2 of chapter 123B. The new regulation
4 shall include, but not be limited to, prohibiting the use of Level III Aversive Interventions, as defined by
5 the 115 CMR 5:14(3); provided, however, that the department may grant a 1-year, individual-specific
6 exemption to an individual who, as of September 1, 2011, is subject to a pre-existing court-approved
7 treatment plan which includes the use of Level III Aversive Interventions to reduce or modify behavior;
8 provided further, that such exception may not be renewed if such individual is no longer subject to a court-
9 approved treatment plan or if such individual's court-approved treatment plan no longer authorizes the use
10 of Level III Aversive Interventions.

1 SECTION 131. (a) Notwithstanding any general or special law to the contrary, upon the request of
2 the board of selectmen in a town, the city council in a city with a plan E form of government or the mayor
3 in any other city, the department of revenue may recalculate the minimum required local contribution, as
4 defined in section 2 of chapter 70 of the General Laws, in the fiscal year ending June 30, 2012. Based on
5 the criteria established in this section, the department shall recalculate the minimum required local
6 contribution for a municipality's local and regional schools and shall certify the amounts calculated to the
7 department of elementary and secondary education.

8 (b) A city or town that used qualifying revenue amounts in a fiscal year which are not available for
9 use in the next fiscal year or that shall be required to use revenues for extraordinary non school-related
10 expenses for which it did not have to use revenues in the preceding fiscal year or that has an excessive
11 certified municipal revenue growth factor which is also greater than or equal to 1.5 times the state average
12 municipal revenue growth factor may appeal to the department of revenue not later than October 1, 2011,
13 for an adjustment of its minimum required local contribution and net school spending.

14 (c) If an appeal is determined to be valid, the department of revenue may reduce proportionately
15 the minimum required local contribution amount based on the amount of shortfall in revenue or based on
16 the amount of increase in extraordinary expenditures in the current fiscal year, but no adjustment to the
17 minimum required local contribution on account of an extraordinary expense in the budget for the fiscal
18 year ending June 30, 2012, shall affect the calculation of the minimum required local contribution in
19 subsequent fiscal years. Qualifying revenue amounts shall include, but not be limited to, extraordinary
20 amounts of free cash, overlay surplus and other available funds.

21 (d) If upon submission of adequate documentation, the department of revenue determines that the
22 municipality's appeal regarding an excessive municipal revenue growth factor is valid, the department shall
23 recalculate the municipal revenue growth factor and the department of elementary and secondary education
24 shall use the revised growth factor to calculate the preliminary local contribution, the minimum required
25 local contribution and any other factor that directly or indirectly uses the municipal revenue growth factor.
26 Any relief granted as a result of an excessive municipal revenue growth factor shall be a permanent
27 reduction in the minimum required local contribution.

28 (e) The board of selectmen in a town, the city council in a city with a plan E form of government,
29 the mayor in any other city or a majority of the member municipalities of a regional school district which
30 used qualifying revenue amounts in a fiscal year that are not available for use in the next fiscal year may
31 appeal to the department of revenue not later than October 1, 2011, for an adjustment to its net school
32 spending requirement. If an appeal is determined to be valid, the department of revenue shall reduce the net
33 school spending requirement based on the amount of the shortfall in revenue and reduce the minimum
34 required local contribution of member municipalities accordingly. Qualifying revenue amounts shall

35 include, but not be limited to, extraordinary amounts of excess and deficiency, surplus and uncommitted
36 reserves.

37 (f) If the regional school budget has already been adopted by two-thirds of the member
38 municipalities then, upon a majority vote of the member municipalities, the regional school committee shall
39 adjust the assessments of the member municipalities in accordance with the reduction in minimum required
40 local contributions approved by the department of revenue or the department of elementary and secondary
41 education in accordance with this section.

42 (g) Notwithstanding clause (14) of section 3 of chapter 214 of the General Laws or any other
43 general or special law to the contrary, the amounts determined pursuant to this section shall be the
44 minimum required local contribution described in chapter 70 of the General Laws. The department of
45 revenue and the department of elementary and secondary education shall notify the house and senate
46 committees on ways and means and the joint committee on education of the amount of any reduction in the
47 minimum required local contribution amount.

48 (h) If a city or town has an approved budget that exceeds the recalculated minimum required local
49 contribution and net school spending amounts for its local school system or its recalculated minimum
50 required local contribution to its regional school districts as provided in this section, the local appropriating
51 authority shall determine the extent to which the community shall avail itself of any relief authorized by
52 this section.

53 (i) The amount of financial assistance due from the commonwealth in fiscal year 2012 pursuant to
54 chapter 70 of the General Laws or any other law shall not be changed on account of any redetermination of
55 the minimum required local contribution pursuant to this section.

56 (j) The department of revenue and the department of elementary and secondary education shall
57 issue guidelines for their respective duties pursuant to this section.

1 SECTION 132. (a) The University of Massachusetts at Boston, through its office of dispute
2 resolution, shall conduct a study of the effectiveness of community mediation to broaden public access to
3 dispute resolution. The study shall inform state-level planning and decision-making to support and build
4 upon existing infrastructure and enable investment in sustainable community mediation programming
5 within the commonwealth in the coming years. For purposes of this study, "community mediation" shall
6 mean mediation service programs of a private non-profit or public agency that: (i) use trained community
7 volunteers and serve the public regardless of ability to pay; (ii) promote collaborative community
8 relationships and public awareness; and (iii) provide a dispute resolution forum and alternative to the
9 judicial system at any stage of a conflict.

10 (b) The study shall include, but not be limited to:

11 (i) a review of community mediation research, studies and data within the commonwealth and
12 other states and countries in order to identify cost savings and economic, social, health and environmental
13 benefits from community mediation, in some or all of the following areas: civil small claims and consumer
14 disputes; family, divorce, child custody and visitation disputes; permanency and open adoption cases;
15 landlord-tenant disputes and housing foreclosure cases; neighborhood conflicts around noise and property
16 boundaries; school-related disputes; minor criminal and victim-offender restorative justice cases;
17 interpersonal workplace disputes; and large-group disputes around public policy, environmental and
18 community issues;

19 (ii) a review and assessment of the historic and current legislative and public funding structures for
20 community mediation within the commonwealth;

21 (iii) a review of successful models for public funding of community mediation in other states and
22 recommendations for potential applicability to the commonwealth;

23 (iv) preliminary design of a state-of-the-art performance-based community mediation funding
24 framework within the commonwealth for state appropriations, government grants and private foundation
25 awards that support programming where there is an identifiable public nexus;

26 (v) recommendations for the infrastructure and resources needed to oversee and administer such a
27 funding framework and recommendations for implementation steps and timeframes; and

28 (vi) recommendations for the establishment of an inter-governmental and cross-sector advisory
29 committee to oversee implementation and administration of community mediation funding and
30 programming.

31 (c) The study shall be completed and submitted to the chairs of the house and senate committees
32 on ways and means and the secretary of administration and finance not later than January 1, 2012.

1 SECTION 132A. (a) There shall be a special commission to identify and evaluate potential sites
2 suitable for the location of a replacement jail facility in Middlesex county, consistent with chapter 304 of
3 the acts of 2008. The commission shall establish whether such sites are appropriate to adjoin facilities to
4 house related criminal justice functions, including courts, pre-arraignment lockup facilities and special
5 population facilities.

6 (b) The special commission shall also identify and evaluate potential sites in Middlesex county
7 suitable for the placement of a correctional facility to house female pretrial detainees and female offenders
8 sentenced to incarceration in the house of correction for 2½ years or less. The commission shall document
9 the needs of the communities in the vicinity of such sites and of the individuals in those communities, and
10 make recommendations relative to the most efficient and effective investment of public resources to meet
11 all of those needs.

12 (c) The commission shall include the following officers or their designees: the secretary of public
13 safety and security, who shall chair the commission; the secretary of administration and finance; the
14 Middlesex sheriff, the administrative office of the trial court; the Middlesex superior court clerk; the
15 commissioner of capital asset management and maintenance; the Middlesex district attorney; chief counsel
16 of the committee for public counsel services; 1 member of the senate appointed by the president; and 1
17 member of the house of representatives appointed by the speaker. Members not otherwise subject to
18 chapter 268A of the General Laws by virtue of their public positions shall not be considered to be special
19 state employees for purposes of said chapter 268A on account of their service on the commission.

20 (d) The commission shall report its findings and recommendations to the governor and the clerks
21 of the house of representatives and the senate not later than November 1, 2011.

1 SECTION 133. Notwithstanding clause (xxiii) of the third paragraph of section 9 of chapter 211B
2 of the General Laws or any other general or special law to the contrary, the chief justice for administration
3 and management may, from the effective date of this act through April 27, 2012, transfer funds from any
4 item of appropriation within the trial court to any other item of appropriation within the trial court. These
5 transfers shall be made in accordance with schedules submitted to the house and senate committees on
6 ways and means. The schedules shall include: (i) the amount of money transferred from any item of
7 appropriation to any other item of appropriation; (ii) the reason for the necessity of the transfer; and (iii) the
8 date on which the transfer shall be completed. A transfer under this section shall not occur until 10 days
9 after the revised funding schedules have been submitted in written form to the house and senate committees
10 on ways and means.

1 SECTION 134. Notwithstanding any general or special law to the contrary, the amounts
2 transferred pursuant to subdivision (1) of section 22C of chapter 32 of the General Laws shall be made
3 available for the Commonwealth's Pension Liability Fund established in section 22 of said chapter 32. The
4 amounts transferred pursuant to said subdivision (1) of said section 22C of said chapter 32 shall meet the
5 commonwealth's obligations pursuant to said section 22C of said chapter 32, including retirement benefits
6 payable by the state employees' and the state teachers' retirement systems, for the costs associated with a 3
7 per cent cost-of-living adjustment pursuant to section 102 of said chapter 32, for the reimbursement of local
8 retirement systems for previously authorized cost-of-living adjustments pursuant to said section 102 of said
9 chapter 32 and for the costs of increased survivor benefits pursuant to chapter 389 of the acts of 1984. The
10 state board of retirement and each city, town, county and district shall verify these costs, subject to the rules
11 adopted by the state treasurer. The state treasurer may make payments upon a transfer of funds to reimburse
12 certain cities and towns for pensions to retired teachers, including any other obligations which the
13 commonwealth has assumed on behalf of any retirement system other than the state employees' or state
14 teachers' retirement systems and also including the commonwealth's share of the amounts to be transferred
15 pursuant to section 22B of said chapter 32 and the amounts to be transferred pursuant to clause (a) of the
16 last paragraph of section 21 of chapter 138 of the General Laws. All payments for the purposes described in
17 this section shall be made only pursuant to distribution of monies from the fund, and any distribution and
18 the payments for which distributions are required shall be detailed in a written report filed quarterly by the
19 secretary of administration and finance with the house and senate committees on ways and means and the
20 joint committee on public service in advance of this distribution. Distributions shall not be made in advance
21 of the date on which a payment is actually to be made. The state board of retirement may expend an amount
22 for the purposes of the board of higher education's optional retirement program pursuant to section 40 of
23 chapter 15A of the General Laws. To the extent that the amount transferred pursuant to said subdivision (1)
24 of said section 22C of said chapter 32 exceeds the amount necessary to adequately fund the annual pension
25 obligations, the excess amount shall be credited to the Pension Reserves Investment Trust Fund, established
26 by subdivision (8) of said section 22 of said chapter 32, for the purpose of reducing the unfunded pension
27 liability of the commonwealth.

1 SECTION 135. Notwithstanding section 41C of chapter 7 of the General Laws or any other
2 general or special law to the contrary, the commissioner of capital asset management and maintenance, in
3 consultation with the committee for public counsel services, may enter into new leases and amend existing
4 leases in order to provide additional facilities for committee personnel. Nothing in this section shall limit
5 the commissioner's authority to terminate or renegotiate leases as authorized by sections 102 and 104 of
6 this act.

1 SECTION 136. (a) Notwithstanding section 54 of chapter 7 of the General Laws, the division of
2 capital asset management and maintenance, on behalf of and in consultation with the department of
3 conservation and recreation, may, notwithstanding sections 40E to 40I, inclusive, of said chapter 7 and
4 using a competitive proposal process that the commissioner of capital asset management and maintenance
5 considers necessary or appropriate, lease and enter into other agreements, for terms not to exceed 20 years,
6 to or with 1 or more offerors who participate in that process, for 1 or more skating rinks, so as to provide
7 for the continued use, operation, maintenance, repair and improvement of the following state-owned
8 buildings and facilities together with the land and appurtenances associated with those buildings and
9 facilities, comprising the following ice skating rinks and facilities of the department: Bajko Memorial Rink
10 in the Hyde Park section of the city of Boston; Connell Memorial Rink in the town of Weymouth; Emmons
11 Horrigan O'Neill Memorial Rink in the Charlestown section of the city of Boston; Reilly Memorial Rink
12 Brighton section of the city of Boston; Shea Memorial Rink in the city of Quincy; Steriti Memorial Rink in
13 the North End section of the city of Boston; and Veterans Memorial Rink in the city of Somerville.

14 There shall be an option for a one-time renewal of a lease or extension for operations and
15 maintenance services not exceeding an additional 5 years. A renewal or extension shall be at the discretion
16 of the division in accordance with the original contract terms and conditions or with contract terms and
17 conditions more favorable to the commonwealth. All leases shall contain a provision that requires the
18 lessee to carry comprehensive general liability insurance with the commonwealth named as a co-insured,

19 protecting the commonwealth against all personal injury or property damage within the rink and on the
20 associated land during the term of the lease.

21 The leases and other agreements shall be on terms acceptable to the commissioner of capital asset
22 management and maintenance, after consultation with the commissioner of conservation and recreation,
23 and notwithstanding any general or special law to the contrary, shall provide for the lessees to manage,
24 operate, improve, repair and maintain the properties. Any such leases or other arrangements requiring
25 capital improvements to be made to any buildings or surface areas shall include a description of the
26 required capital improvements and, at minimum, performance specifications. The division, in consultation
27 with the department, shall structure each lease or other agreement to minimize disturbance of the current
28 rights of any tenants who may currently use any part of the rink or adjoining facilities, whether under a
29 written lease or other arrangement. All consideration received from the leases or other agreements shall be
30 payable to the department for deposit in the General Fund. The lessees of the properties shall bear all costs
31 deemed necessary or appropriate by the commissioner of capital asset management and maintenance for the
32 transaction including, without limitation, all costs for legal work, surveys, title and the preparation of plans
33 and specifications.

34 (b) The division, in consultation with and on behalf of the department, shall solicit proposals
35 through a request for proposals, which shall, at a minimum, require each responsive bidder or offeror to
36 provide the following: (i) a comprehensive list of all rinks operated by that bidder in the last 4 years; (ii)
37 other facilities management or experience; (iii) other skating or hockey management experience; and (iv)
38 required financial audits.

39 (c) The request for proposals shall include contractual provisions that provide that any benefits to
40 the commonwealth and the costs of improvements and repairs made to the properties provided by the
41 tenants or the recipients of the properties shall be taken into account as part of the consideration for such
42 leases or other agreements and shall also include, at a minimum, the following terms and conditions to be
43 incorporated into the contract: (i) a residential discount program; (ii) reservation policies; (iii) proposed
44 reasonable rates that shall ensure continued public access; (iv) policies to encourage use of the rink by
45 persons of all races and nationalities; (v) safety and security plans; (vi) seasonal opening and closing dates;
46 (vii) hours of operation; and (viii) for the purpose of maintaining stable and productive labor relations, to
47 avoid interruption of the operation of the rinks and to preserve the safety and environmental conditions of
48 the rinks, provisions that all employees currently working on the operation and maintenance of the rinks,
49 pools or wading and spray pools shall be offered employment by any party entering into a contract pursuant
50 to this section. The request for proposals shall also include a contractual provision governing ice time
51 allocation guidelines to the effect that ice time at rinks under the jurisdiction of the division of state parks
52 and recreation shall be allocated to user groups in the following order of priority: general public skating;
53 nonprofit youth groups; school hockey; youth groups other than nonprofit youth groups; and adult
54 organizations or informal groups. Ice time may be allocated at the discretion of the operator; provided,
55 however, that general public skating shall be booked at a minimum of 12 hours per week, with a range of
56 times and days which reasonably allow for public skaters of all ages to participate in some public skating
57 sessions.

58 Every effort shall be made to balance the ice allocation needs of long-established youth
59 organizations and newly-formed youth organizations in a manner that provides equal opportunity and equal
60 access for youths of each gender.

61 Upon the execution of an agreement authorized by this section, the department shall reassign or
62 relocate those employees who do not accept employment with the lessee to comparable positions within the
63 department subject to applicable collective bargaining agreements.

64 The inspector general shall review and approve any request for proposals to be issued by the
65 division before issuance.

66 (d) Before the division, in consultation with the department, issues any request for proposals under
67 this section, the division shall hold open a prequalification period of at least 1 month for cities and towns,

68 or a partnership of cities and towns which share geographic boundaries as long as a subject rink is located
69 within the geographic area of the municipalities comprising the partnership, that desire to bid on rinks that
70 are listed in this section and are located within the city or town. Any city, town or partnership of
71 municipalities that desires to lease a rink under this section may submit materials for prequalification. This
72 prequalification may include, but shall not be limited to, the city's, town's or partnership's ability to finance
73 the capital improvements determined by the division to be necessary at each rink listed in this section and
74 to manage, operate and maintain the properties. The division, in consultation with the department, shall
75 determine whether a city, town or partnership is prequalified within 15 days after the end of the
76 prequalification period. If a city, town or partnership is determined to be prequalified, that city, town or
77 partnership shall be awarded the lease for that rink under the terms and conditions set forth in subsection
78 (a) and the first paragraph of subsection (c). If a city, town or partnership is determined to be prequalified,
79 the city, town or partnership shall pay nominal consideration for a lease subject to the required capital
80 improvements, performance specifications and other prequalification requirements and terms of the
81 division and the submitted proposal. The length of the lease shall be determined between the division and
82 the city, town or partnership but any existing municipal operator of a rink selected by a prior open and
83 competitive procurement process shall be deemed to be prequalified under this section.

84 The failure of a city, town or partnership to apply for prequalification under this subsection shall
85 not prohibit that city, town or partnership from bidding under this section.

86 (e) Notwithstanding sections 40E to 40I, inclusive, and section 54 of chapter 7 of the General
87 Laws, the division, on behalf of and in consultation with the department, and using a competitive proposal
88 process that the commissioner of capital asset management and maintenance considers necessary or
89 appropriate, may lease and enter into other agreements, for terms not to exceed 20 years, to or with 1 or
90 more offerors who participate in that process, for 1 or more swimming pools or wading or spray pools so as
91 to provide for the continued use, operation, maintenance, repair and improvement of the following state-
92 owned buildings and facilities together with the land and appurtenances associated with those buildings and
93 facilities comprising the following swimming or wading or spray pools of the department: Artesani
94 Playground Wading Pool in the Brighton section of the city of Boston; Reilly Memorial Swimming Pool in
95 said Brighton section of the city of Boston; Vietnam Veterans Memorial Swimming Pool in the city of
96 Chelsea; Neponset Landing II Spray Deck in the Hyde Park section of the city of Boston; Olsen Swimming
97 and Wading Pool in the Hyde Park section of the city of Boston; Johnson Playground Spray Deck in the
98 Jamaica Plain section of the city of Boston; Stony Brook Spray Deck in the Jamaica Plain section of the
99 city of Boston; Cass Memorial Swimming Pool in the Roxbury section of the city of Boston; Mission Hill
100 Spray Deck in the Roxbury section of the city of Boston; Lee Memorial Wading Pool in the West End
101 section of the city of Boston; McCrehan Memorial Swimming and Wading Pool in the city of Cambridge;
102 Veterans Memorial Swimming and Wading Pool, Magazine Beach, in the city of Cambridge; Gerald J.
103 Mason Memorial Swimming Pool in the city known as the town of Agawam; Sara Jane Sherman Memorial
104 Swimming Pool in the city of Chicopee; Philip Weihn Memorial Swimming Pool in the town of Clinton;
105 Allied Veterans Memorial Swimming and Wading Pool in the city of Everett, Veterans Memorial
106 Swimming Pool in the city of Fall River; Gustave Johnson Memorial Swimming Pool in the city of
107 Fitchburg; Freetown State Forest Wading Pool in the towns of Freetown and Assonet; Geisler Memorial
108 Swimming Pool in the city of Lawrence; Lt. Colonel Edward J. Higgins Swimming Pool in the city of
109 Lawrence; Leominster State Swimming Pool in the city of Leominster; Raymond Lord Memorial
110 Swimming Pool in the city of Lowell; Thompson Memorial Pool in the town of Ludlow; Holland Memorial
111 Swimming and Wading Pool in the city of Malden; Lloyd Memorial Swimming Pool in the city of Melrose;
112 Senator P. Eugene Casey Memorial Swimming Pool in the town of Milford; Dilboy Memorial Swimming
113 and Wading Pool in the city of Somerville; Latta Brothers Memorial Swimming and Wading Pool in said
114 city of Somerville; Andrew J. Petro Swimming Pool in the town of Southbridge; John H. Thomas
115 Memorial Swimming Pool in the city of Springfield; Hall Memorial Swimming and Wading Pool in the
116 town of Stoneham; Bradley Palmer Wading Pool in the town of Topsfield; Dealtry Memorial Swimming
117 and Wading Pool in the city known as the town of Watertown; Bennett Field Swimming Pool in the city of
118 Worcester; Dennis F. Shine Memorial Swimming Pool in said city of Worcester; Connell Memorial
119 Swimming Pool in the city known as the town of Weymouth; and Connors Memorial Pool in the city of
120 Waltham.

121 There shall be an option for a 1-time renewal of the lease or extension for operations and
122 maintenance services not exceeding an additional 5 years. This renewal or extension shall be at the
123 discretion of the division in accordance with the original contract terms and conditions or contract terms
124 and conditions more favorable to the commonwealth. All leases shall contain a provision that requires the
125 lessee to carry comprehensive general liability insurance with the commonwealth named as a co-insured,
126 protecting the commonwealth against all personal injury or property damage within swimming pools or
127 wading or spray pools and on the associated land during the term of the lease.

128 The leases and other agreements shall be on terms acceptable to the commissioner of capital asset
129 management and maintenance, after consultation with the commissioner of conservation and recreation
130 and, notwithstanding any general or special law to the contrary, shall provide for the lessees to manage,
131 operate, improve, repair and maintain the properties. Any such leases or other arrangements requiring
132 capital improvements to be made to any buildings or surface areas shall include a description of the
133 required capital improvements and, at minimum, performance specifications. The division, in consultation
134 with the department, shall structure each lease or other agreement to minimize disturbance of the current
135 rights of any tenants who may currently use any part of the swimming pools or wading or spray pools or
136 adjoining facilities, whether under a written lease or other arrangement. All consideration received from the
137 leases or other agreements shall be payable to the department for deposit in the General Fund.

138 The lessees of the properties shall bear all costs considered necessary or appropriate by the
139 commissioner of capital asset management and maintenance for the transaction, including without
140 limitation, all costs for legal work, surveys, title and the preparation of plans and specifications.

141 (f) The division, in consultation with and on behalf of the department, shall solicit proposals
142 through a request for proposals, which shall at a minimum require each responsive bidder or offeror to
143 provide the following: (i) a comprehensive list of all swimming pools or wading or spray pools operated by
144 that bidder in the last 4 years; (ii) other facilities management or experience; (iii) other swimming, facility
145 maintenance and water recreation management experience; and (iv) required financial audits.

146 (g) The request for proposals shall include contractual provisions that provide that any benefits to
147 the commonwealth and the costs of improvements and repairs made to the properties provided by the
148 tenants or the recipients of the properties shall be taken into account as part of the consideration for such
149 leases or other agreements; and shall also include, at a minimum, the following contractual terms and
150 conditions to be incorporated into the contract: (i) a residential discount program; (ii) reservation policies;
151 (iii) proposed reasonable rates that shall ensure continued public access; (iv) policies to encourage use of
152 the swimming pools and wading and spray pools by persons of all races and nationalities; (v) safety and
153 security plans; (vi) seasonal opening and closing dates; (vii) hours of operation; and (viii) for the purpose of
154 maintaining stable and productive labor relations and to avoid interruption of the operation of the pools and
155 to preserve the safety and environmental conditions of those pools, provisions that all employees currently
156 working on the operation and maintenance of the swimming pools or wading or spray pools be offered
157 employment by any party entering into a contract under this section.

158 The request for proposals shall also include a contractual provision as pertains to the balance the
159 pool allocation needs of long-established youth organizations and newly-formed youth organizations in a
160 manner that provides equal opportunity and equal access for youths of each gender.

161 (h) With respect to the Cass Memorial Swimming Pool in the Roxbury section of the city of
162 Boston and the Connell Memorial Swimming Pool in the city known as the town of Weymouth, both of
163 which are maintained and operated in the same buildings as the associated public skating rink, preference
164 shall be given to any proponent that agrees and offers to operate both public programs and any lease for
165 that facility shall provide that the lessee may sublease the operation of the public swimming program, but
166 the sublessee shall maintain the operation of the swimming pool as a public swimming pool consistent with
167 the request for proposals.

168 (i) Upon the execution of an agreement authorized by this section, the department shall reassign or
169 relocate those employees who do not accept employment with the lessee to comparable positions within the
170 department subject to applicable collective bargaining agreements.

171 The inspector general shall review and approve any request for proposals to be issued by the
172 division before issuance.

173 (j) Before the division, in consultation with the department, issues any request for proposals under
174 this section, the division shall hold open a prequalification period of at least 1 month for cities and towns,
175 or a partnership of municipalities which share geographic boundaries as long as a subject swimming pool
176 or wading or spray pool is located within the geographic area of the municipalities comprising the
177 partnership, that desire to bid on swimming pools or wading or spray pools that are listed in this section and
178 are located within the city or town. Any city, town or partnership of municipalities that desires to lease a
179 swimming pools or wading or spray pools under this section may submit materials for prequalification.
180 This prequalification may include, but shall not be limited to, the city's, town's or partnership's ability to
181 finance the capital improvements determined by the division to be necessary at each swimming pool or
182 wading or spray pool listed in this section and to manage, operate and maintain the properties. The division,
183 in consultation with the department, shall determine whether a city, town or partnership is prequalified
184 within 15 days of the end of the prequalification period. If a city, town or partnership is determined to be
185 prequalified, that city, town or partnership shall be awarded the lease for that swimming pool or wading or
186 spray pool under the terms and conditions set forth in subsection (e) and the first paragraph of subsection
187 (g). If a city, town or partnership is determined to be prequalified, the city, town or partnership shall pay
188 nominal consideration for a lease subject to the required capital improvements, performance specifications,
189 and other prequalification requirements and terms of the division and the submitted proposal. The length of
190 the lease shall be determined between the division and the city, town or partnership; however any existing
191 municipal operator of a swimming pool or wading or spray pool selected by a prior open and competitive
192 procurement process shall be considered to be prequalified under this subsection.

193 The failure of a city, town or partnership to apply for prequalification under this subsection shall
194 not prohibit that city, town or partnership from bidding under this section.

195 (k) The provisions of any general or special law or rule or regulation relating to the advertising,
196 bidding or award of contracts, to the procurement of services or to the construction and design of
197 improvements shall not apply to a selected offeror that is awarded a contract under this section, except any
198 selected offeror that is a municipality or a partnership of or with one or more municipalities, or except as
199 provided in this section.

1 SECTION 137. (a) Notwithstanding sections 40E to 40I, inclusive, of chapter 7 of the General
2 Laws or any other general or special law to the contrary and, in order to facilitate the reuse of the properties
3 identified in subsection (b) and to generate non-tax revenues for the commonwealth, the commissioner of
4 capital asset management and maintenance may sell, lease for terms up to 99 years, including all renewals
5 and extensions, or otherwise grant, convey or transfer to purchasers or lessees an interest in any of those
6 properties, or portions thereof, subject to this section and on the terms and conditions that the commissioner
7 considers appropriate. The commissioner shall dispose of each property, or portion thereof, using
8 appropriate competitive bidding processes and procedures. At least 30 days before the date on which bids,
9 proposals or other offers to purchase or lease a property, or any portion thereof, are due, the commissioner
10 shall place a notice in the central register published by the state secretary under section 20A of chapter 9 of
11 the General Laws stating the availability of the property, the nature of the competitive bidding process and
12 other information that he considers relevant, including the time, place and manner for the submission of
13 bids and proposals and the opening of the bids or proposals.

14 (b) This section shall apply to the following properties:-

15 (1) Those certain parcels of land located in the town of Belchertown at 47 State street, or
16 portions thereof, containing approximately 5.4 acres, together with any buildings or structures thereon,
17 known as the John Patrick center.

18 (3) That certain parcel of land located in the city of New Bedford at 593 Kempton street,
19 together with any buildings and structures thereon, formerly known as the Bristol county jail, described in
20 book 2659, page 15 recorded with the Bristol county registry of deeds, and further shown on New Bedford
21 assessors map 57, lot 201.

22 (4) That certain parcel of land located in the city of New Bedford at 5 Sycamore street,
23 together with any buildings and structures thereon, formerly known as the New Bedford armory.

24 (6) Those certain parcels of land located in the town of Oak Bluffs between the northeasterly
25 side of Eastville avenue and the southeasterly side of Temahigan avenue, or portions thereof, containing
26 approximately 1.7 acres, together with any buildings and structures thereon, used as a mental health center,
27 described in book 303, page 516 recorded with the Dukes county registry of deeds and shown on the Oak
28 Bluffs assessors map 4, lot 151; provided, however, that notwithstanding sections 40F to 40J, inclusive, of
29 chapter 7 of the General Laws, or any other general or special law to the contrary, the commissioner of
30 capital asset management and maintenance may transfer care, custody and control of said parcel from the
31 department of mental health to the department of state police.

32

33 (c) The exact boundaries of the parcels described in subsection (b) shall be determined by the
34 commissioner of capital asset management and maintenance after completion of a survey.

35 (d) Notwithstanding any general or special law to the contrary, the grantee or lessee of a property
36 identified in subsection (b) shall be responsible for all costs and expenses including, but not limited to,
37 costs associated with any engineering, surveys, appraisals and deed preparation related to the conveyances
38 and transfers authorized in this section as such costs may be determined by the commissioner of capital
39 asset management and maintenance.

40 (e) The commissioner may retain or grant rights of way or easements for access, egress, utilities
41 and drainage across any of the parcels and across other commonwealth property contiguous to any of the
42 parcels, and the commonwealth may accept from a developer such rights of way or easements in roadways
43 or across any of the parcels to be conveyed or transferred for access, egress, drainage and utilities as the
44 commissioner considers necessary and appropriate to carry out this section.

45 (f) No agreement for the sale, lease, transfer or other disposition of the properties listed in
46 subsection (b), and no deed executed by or on behalf of the commonwealth, shall be valid unless the
47 agreement or deed contains the following certification, signed by the commissioner:

48 "I, the undersigned commissioner of capital asset management and maintenance, hereby certify
49 under penalties of perjury that I have fully complied with the relevant provisions of the general
50 appropriation act for fiscal year 2012 in connection with the property described in this document."

51 (g) Each parcel described in subsections (b) and (i) shall be conveyed or leased without warranties
52 or representations by the commonwealth. Notwithstanding any general or special law to the contrary, the
53 proceeds of all conveyances and transfers under this section shall be deposited in the General Fund.

54 (h) Notwithstanding sections 40E to 40I, inclusive, of chapter 7 of the General Laws or any other
55 general or special law to the contrary, the commissioner of capital asset management and maintenance may
56 sell, lease for a term up to 99 years, including all renewals and extensions, or otherwise grant, convey or
57 transfer to the town of Belchertown, for nominal consideration, a parcel of land containing approximately
58 2.2 acres located adjacent to the John Patrick center at 47 State street. The exact boundaries of the parcel

59 shall be determined by the commissioner of capital asset management and maintenance after completion of
60 a survey. The parcel shall be used by the town of Belchertown for recreational activities and facilities.

61 (i) If for any reason the parcel described in subsection (h) ceases to be used solely for the purposes
62 described in subsection (h), the commissioner of capital asset management and maintenance may, after
63 giving notice and an opportunity to the town of Belchertown, cause title to the parcel to revert to the
64 commonwealth.

65 (j) The town of Belchertown shall be responsible for all costs and expenses including, but not
66 limited to, costs associated with any engineering, surveys, appraisals and deed preparation related to the
67 conveyance authorized in subsection (h) as such costs may be determined by the commissioner of capital
68 asset management and maintenance.

69 (k) The commissioner may retain or grant rights of way or easements for access, egress, utilities
70 and drainage across any of the parcels in this section and across other commonwealth property contiguous
71 to any of the parcels, and the commonwealth may accept from the town such rights of way or easements in
72 roadways or across the parcel to be conveyed or transferred for access, egress, drainage and utilities as the
73 commissioner considers necessary and appropriate to carry out this section.

74 (l) Notwithstanding sections 40E to 40I, inclusive, of chapter 7 of the General Laws or any other
75 general or special law to the contrary, the commissioner of capital asset management and maintenance may
76 sell, lease for a term up to 99 years, including all renewals and extensions, or otherwise grant, convey or
77 transfer to the city of Northampton, for nominal consideration, those certain parcels of land located in said
78 city behind the property used as a department of mental health center for children and families at 78
79 Pomeroy terrace, or portions thereof, containing approximately 6 acres, together with any buildings and
80 structures thereon, used as a department of mental health center for children and families. The city of
81 Northampton shall be responsible for all costs and expenses including, but not limited to, costs associated
82 with any engineering, surveys, appraisals and deed preparation related to the conveyance authorized in this
83 subsection as such costs may be determined by the commissioner of capital asset management and
84 maintenance.

1 SECTION 138. Notwithstanding any general or special law to the contrary, subject to
2 appropriation, the Cape Cod Commission or its designee, with assistance from the Cape Cod public water
3 purveyors and local assessors, shall compile relevant land use data in each town and water usage in Cape
4 Cod area water districts.

5 This information shall be used by the Cape Cod Commission or its designee to conduct a build-out
6 analysis for Cape Cod for the purposes of, but not limited to: (i) identifying opportunities to save an
7 estimated \$2,000,000,000 to provide wastewater treatment for existing development by pursuing regional
8 wastewater treatment solutions; (ii) identifying high density development in nitrogen-sensitive watersheds
9 that cross town boundaries to provide an opportunity to develop multi-town infrastructure resulting in
10 savings to taxpayers to be in compliance with the United States Environmental Protection Agency; and (iii)
11 identifying the costs of providing wastewater treatment for new growth, under different growth scenarios,
12 and provide decision makers with the tools to make informed decisions about the cost of promoting new
13 growth in various locations. Such analysis shall be eligible to receive funds from the commonwealth
14 provided any such funds are matched with local funds.

15 Results of the analysis shall be made public and shall provide a model for communities to pursue
16 regional wastewater options that satisfy environmental regulatory requirements in the most efficient and
17 cost effective manner.

1 SECTION 138A. The division of health care finance and policy, in consultation with the
2 department of public health, shall conduct an analysis of the impact of the use of discounts, rebates, product

3 vouchers or other reductions for prescription drugs on health care costs. The report shall include, but not
4 be limited to, an analysis of the impact on commercial health insurance premiums and on premiums
5 associated with the group insurance commission, and a comparison of any change in utilization of generic
6 versus brand name prescription drugs. The division shall file a report of its findings with the clerks of the
7 senate and house of representatives, the house and senate committees on ways and means and the joint
8 committee on health care financing not later than November 1, 2012.

1 SECTION 139. Not later than January 1, 2012, each sheriff shall, in consultation with the
2 comptroller, report to the house and senate committees on ways and means and the secretary of
3 administration and finance all funding sources, excluding state appropriations, for fiscal year 2011. The
4 report shall include, but not be limited to, all monies from: (1) gifts, grants and donations from public or
5 private sources; (2) federal reimbursements and grants; (3) interest earned on accounts; (4) sales of surplus
6 real or personal property; (5) revenues generated by commissary accounts used for the sale or purchase of
7 goods or services to persons in correctional facilities; (6) gifts, grants, donations, reimbursements or other
8 revenues carried over from prior fiscal years; (7) revenues derived from the service of process and
9 enforcement of court judgments under chapter 37 of the General Laws and chapter 224 of the General
10 Laws; and (8) revenues derived from contracts or other agreements with public or private entities, including
11 contracts with the office of probation pursuant to chapter 211F of the General Laws. The report shall detail
12 the amount of funds collected and expended, and shall include the criteria used to expend the funds.

1 SECTION 140. There shall be a special commission to study the commonwealth's criminal justice
2 system, to consist of: the secretary of public safety and security, who shall serve as the chair; the attorney
3 general or a designee; the chief justice of the supreme judicial court or a designee; the president of the
4 Massachusetts Sheriffs Association or a designee; the president of the Massachusetts District Attorneys
5 Association or a designee; the chief counsel of the committee for public counsel services or a designee; a
6 representative from the Massachusetts Bar Association; a representative from the Boston Bar Association; a
7 representative from the Massachusetts Association of Criminal Defense Lawyers; 3 members of the house
8 of representatives, 1 of whom shall be appointed by the minority leader; 3 members of the senate, 1 of
9 whom shall be appointed by the minority leader; and 3 persons to be appointed by the governor, 1 of whom
10 shall have experience in mental health and substance abuse and addiction treatment, 1 of whom shall have
11 experience in providing services or supervision for offenders, and 1 of whom shall have experience in
12 juvenile justice.

13 In reviewing the commonwealth's criminal justice system, the commission shall examine a variety
14 of areas including, but not limited to: the prisoner classification systems, mandatory minimum sentences,
15 sentencing guidelines, the provision of cost-effective corrections' healthcare, the probation system, the
16 parole system, the operations of the sheriffs' offices, overcrowding in prisons and houses of correction,
17 recidivism rates, the treatment of juveniles within the criminal justice system, the role that mental health
18 and substance abuse issues play, and best practices for reintegrating prisoners into the community.

19 The commission shall investigate the feasibility of developing an application for technical
20 assistance from nationally recognized criminal justice reform programs with a data driven approach in
21 order to develop bipartisan legislation that would reduce corrections spending and utilize the savings to
22 reduce crime, strengthen public safety and fund other budget priorities; provided, however, that the
23 commission shall give priority in applying for technical assistance to that which comes at no cost to the
24 commonwealth.

25 The commission shall have access to information related to both adults and juveniles including,
26 but not limited to, crime, arrest, conviction, jail, prison and probation and parole supervision data provided
27 by state and local agencies. As necessary, the commission shall: (i) meet with other affected stakeholders;
28 (ii) partner with nongovernmental organizations that have expertise that can benefit the commission; and
29 (iii) create advisory subgroups that include affected stakeholders as necessary.

30 The commission shall convene its first official meeting not later than September 1, 2011. The
31 commission shall submit to the house and senate committees on ways and means, the joint committee on

32 the judiciary, the joint committee on public safety and homeland security and the secretary of
33 administration and finance quarterly reports that include the dates of its meetings, meeting participants not
34 named to the commission and whether it has identified, applied for or been selected for any federal or other
35 funds.

36 The commission shall issue a report not later than March 31, 2012, which shall include
37 recommendations for legislation to reduce recidivism, improve overall public safety outcomes, provide
38 alternatives for drug addicted and mentally ill defendants, increase communication and cooperation among
39 public safety entities, reduce overcrowding of facilities, increase reliance upon evidence-based criminal
40 justice methods, improve the collection and reporting of data on adults and juveniles, contain correction
41 costs and otherwise increase efficiencies within the state's public safety entities.

1 SECTION 140A. There shall be established a commission to study the economic impact on the
2 business communities of the commonwealth by any proposal to change the existing percentage of private
3 attorneys and public salaried staff utilized by the committee for public counsel services to deliver
4 constitutionally mandated legal services.

5 The commission shall be composed of 9 persons, 2 of whom shall be appointed by the governor, 1
6 of whom shall be appointed by the senate president and 1 of whom shall be appointed by the speaker of the
7 house of representatives. The remaining members shall be appointed as follows: 1 member shall be a
8 representative of local government appointed by the Massachusetts Municipal Association; 1 member shall
9 be a representative appointed by the Massachusetts Bar Association; 1 member shall be a representative
10 appointed by the Massachusetts Association of Court Appointed Attorneys; 1 member shall be the chief
11 counsel of the committee for public counsel services; and 1 member shall be a faculty member of the
12 University of Massachusetts with an expertise in economic development to be selected by the president of
13 said university.

14 The commission shall take into consideration the effect any such proposal may have on business
15 districts within each county, and the fiscal health and stabilization of such business districts, if private firms
16 providing these services were no longer utilized. The commission shall also review vacancy rates and loss
17 of revenues to other non-legal businesses.

18 The commission shall report its findings to the clerks of the house of representatives and senate,
19 the house and senate committees on ways and means, the joint committee on revenue, the joint committee
20 on municipalities and regional government and the joint committee on the judiciary not later than May 1,
21 2012.

1 SECTION 140B. (a) There shall be a special commission to investigate and study the need to
2 incentivize the commonwealth's college scholarship system. The commission shall consist of: the speaker
3 of the house of representatives, or a designee thereof; the president of the senate, or a designee thereof; the
4 minority leader of the house of representative, or a designee thereof; the minority leader of the senate, or a
5 designee thereof; the house chair of the joint committee on higher education, or a designee thereof; the
6 senate chair of the joint committee on higher education, or a designee thereof; the secretary of education, or
7 a designee thereof; the commissioner of higher education, or a designee thereof; the executive director of
8 the Massachusetts Educational Financing Authority, or a designee thereof; and 6 persons appointed by the
9 governor: 1 of whom shall be a representative from the University of Massachusetts; 1 of whom shall be a
10 representative from the commonwealth's universities; 1 of whom shall be a representative from the
11 commonwealth's community colleges; 1 of whom shall be a representative from the Association of
12 Independent Colleges and Universities in Massachusetts; 1 of whom shall be a representative from the
13 Massachusetts Bankers Association; and 1 of whom shall be a representative from Families United in
14 Educational Leadership.

15 (b) The special commission shall make an investigation and study of the scholarship programs that
16 provide financial assistance to Massachusetts students enrolled in, or pursuing, a program of higher
17 education at any approved public or independent college, university, school of nursing or any other
18 approved institution furnishing a program of higher education and shall focus on students with little or no

19 family history of college attendance. The study shall examine methods that have been used in the
20 commonwealth and other states to better prepare such students for college. The study shall include, but not
21 be limited to: the examination of voluntary college savings programs focused on the needs of such families;
22 the possible use of federally matched independent development accounts; the impact of committing
23 scholarship funds to students prior to the twelfth grade; the need for a pilot program for ninth, tenth,
24 eleventh and twelfth grade students in up to 5 public school districts to encourage family engagement and
25 student academic achievement through the use of scholarships, in conjunction with family savings for
26 college; and potential additional funding sources for a college savings matching program with priority
27 placed on financial matches that have no additional cost to the commonwealth.

28 (c) The commission shall submit the results of its investigation and study and its
29 recommendations, if any, with the clerks of the senate and house of representatives who shall forward the
30 same to the joint committee on higher education and the senate and house committees on ways and means
31 not later than December 31, 2012.

32

1 SECTION 141. The chief justice for administration and management may execute a memorandum
2 of understanding with any interested sheriff's office or the department of correction to initiate or expand
3 the use of video conferencing technology to conduct various court proceedings for the purposes of
4 improving courtroom efficiency and decreasing inmate transportation costs. The terms of the agreement
5 shall specify the types of court appearances that can be conducted by video.

6 In counties where there is inadequate technology to conduct appearances through video
7 conferencing technology, the chief justice for administration and management and the applicable sheriff's
8 office or the department of correction shall jointly file a proposal with the house and senate committees on
9 ways and means detailing the technological upgrades required, the amount of funding needed to allow for
10 the use of video conferencing technology and the availability of federal or private grants for such purposes.

11 The chief justice for administration and management and the Massachusetts Sheriffs' Association
12 shall, not later than February 15, 2012, file a joint report with the house and senate committees on ways and
13 means and the joint committee on the judiciary detailing the number and locations of facilities and
14 courthouses where video conferencing technology is being utilized, the types of appearances being
15 conducted through the use of the technology, the approximate number of inmate transportation trips to and
16 from court that have been eliminated through the use of the technology, the savings associated with the
17 elimination of trips and plans to expand the use of the technology into either additional facilities and
18 courthouses or additional types of appearances.

1 SECTION 142. Notwithstanding any general or special law to the contrary, the department of
2 correction shall conduct a study on the feasibility of re-procuring inmate medical services contracts,
3 including mental health services, for the purpose of lowering the per-inmate cost of these services without
4 lowering the quality of care. The study shall include, but not be limited to: (i) the per-inmate costs of
5 providing these services under the existing contracts; (ii) the length and expiration date of the existing
6 contracts; (iii) any concessions that have been made by the providers in the last 3 fiscal years to lower the
7 terms of the existing contracts; (iv) the types of services provided under the current contracts; (v) the
8 potential savings from re-procuring these contracts; (vi) whether or not services would need to be
9 eliminated or standards of care lowered to produce savings; (vii) the timeframe needed to re-procure the
10 contracts; (viii) the potential to receive any federal reimbursements for inmate medical services; (ix) the
11 potential of utilizing statewide contracts and including the sheriffs' offices for the provision of these
12 services; and (x) a recommendation as to whether or not the department intends to re-procure these
13 contracts. The department may contract with a consultant who has expertise in the field of inmate medical
14 services contract procurement. The department shall file a report on the results of the study with the
15 secretary of administration and finance, the joint committee on healthcare financing, the joint committee on

16 mental health and substance abuse, the joint committee on public safety and security and the senate and
17 house committees on ways and means not later than February 1, 2012.

1 SECTION 143. The secretary of public safety and security shall conduct a cost-benefit analysis of
2 merging the Massachusetts Bay Transportation Authority police force and the office of environmental law
3 enforcement into the department of state police. The study shall include, but not be limited to: (i) the
4 impact of a transfer on the safety of the Massachusetts Bay Transportation Authority transit system; (ii) the
5 one-time and ongoing costs of such a merger; (iii) a proposal setting forth the new command structure; and
6 (iv) the timeframe for implementing a merger. In determining the cost of a merger, the study shall
7 consider, but not be limited to, the impact of a merger on: (i) the salary differential between the
8 Massachusetts Bay Transportation Authority police force and the office of environmental law enforcement
9 and the state police; (ii) employee benefits including health insurance, pension and career incentive
10 payment programs; (iii) equipment, capital, vehicle, information technology and barracks needs; (iii)
11 federal funding; (iv) future trooper staffing levels; (v) the types of positions that would be eliminated; and
12 (vi) realizing additional savings.

13 The secretary shall consult with and receive information as needed from the Massachusetts
14 Department of Transportation, the office of environmental law enforcement and the executive office of
15 energy and environmental affairs. A report on the results of the study shall be filed not later than January
16 10, 2012 with the secretary of administration and finance, the joint committee on transportation, the joint
17 committee on public safety and security and the senate and house committees on ways and means.

1 SECTION 143A. Notwithstanding any general or special law, rule or regulation or performance
2 standard to the contrary and in order to promote the protection of shorelines, coastal banks and beaches and
3 coastal properties from the growing dangers of coastal erosion and to further gain experience necessary for
4 the evaluation of innovative coastal protection technologies that have not previously been used in the
5 commonwealth, the department of environmental protection may issue required permits, certifications or
6 approvals for a pilot project to deploy a coastal bank and beach protection technology; provided, however,
7 that such pilot project shall be required to seek and obtain all permits, certifications or approvals otherwise
8 required by law, subject to the modifications authorized by this act; and provided further, that the pilot
9 project shall be required to comply with existing laws, rules and regulations, performance standards and
10 requirements to the maximum extent feasible. In issuing such permits, certifications or approvals, the
11 department of environmental protection may issue reasonable permit conditions to minimize adverse
12 impacts from the construction and operation of the pilot project and to protect down-drift properties and
13 property owners including, but not limited to, conditions requiring the pilot project's owners and operators
14 to indemnify others for any property damage caused by the pilot project or requiring the establishment of a
15 financial assurance mechanism to provide funds for the costs of decommissioning the pilot project or for
16 repairing any property damage caused by the pilot project. The department of environmental protection, in
17 conjunction with the office of coastal zone management in the executive office of energy and
18 environmental affairs, shall monitor the success of the pilot project undertaken pursuant to this section and
19 shall report its findings and recommendations for further regulatory or statutory changes to promote the use
20 of innovative coastal protection technologies to the joint committee on environment, natural resources and
21 agriculture not later than 2 years after the deployment of the pilot project.

1 SECTION 144. Notwithstanding any general or special law to the contrary, all secretariats,
2 departments and agencies required to report under this act shall file their reports by the dates required in
3 this act via electronic means to the chairs of any committees named as recipients as well as with the clerks
4 of the senate and house committees on ways and means; provided, however, that the house and senate
5 clerks shall develop procedures and requirements for secretariats, departments and agencies for the
6 preparation of the reports to facilitate their collection and storage and such reports shall be made available
7 to the public via the general court's website.

1 SECTION 145. Notwithstanding any general or special law or rule or regulation to the contrary,
2 all branches of government, and all agencies, departments, quasi-state agencies or entities of the
3 commonwealth required by law to file annual, semiannual, quarterly or financial reports shall make any
4 such report available online in searchable format and shall provide an electronic copy of the report to the
5 clerks of the senate and house of representatives. All reports shall be conspicuous and accessible online in
6 searchable format through the general court's website and there shall be an archive of all reports available
7 online in searchable format. An entity that is required by law to receive such report shall be notified by
8 written hard copy format from the reporting entity of the availability of such report online in searchable
9 format and the means of accessing the report. An agency, department, quasi-state agency or any other entity
10 of the commonwealth shall provide a copy in hard copy format of any report upon request. Compliance
11 with this section shall fulfill any filing requirements established by any general or special law.

1 SECTION 145A. There shall be a special commission to identify women who have made an
2 extraordinary contribution to the commonwealth and offer recommendations on providing appropriate
3 recognition for these women in the State House. The commission shall consist of: 3 members of the house
4 of representatives, 1 of whom shall be appointed by the minority leader; 3 members of the senate, 1 of
5 whom shall be appointed by the minority leader; and 2 persons to be appointed by the governor. The
6 commission shall issue a report of its findings to the clerks of the house and senate by December 31, 2011.

1
1 SECTION 145B. The inspector general in consultation with the attorney general may enter into a
2 contract with a third party to audit all affordable housing projects' cost certifications submitted after
3 January 1, 2004 that were built through the comprehensive permit process as outlined in sections 20 to 23,
4 inclusive, of chapter 40B of the General Laws and received a determination of project eligibility after July
5 30, 2002. The third party shall be hired through a competitive bidding process and be a certified public
6 accountant licensed and in good standing with the commonwealth and meet minimum professional
7 qualifications as determined by the inspector general.

8 All audits performed through this section shall be conducted in accordance with the American
9 Institute of Certified Public Accountants auditing standards; provided, however, in the event of any conflict
10 between the American Institute of Certified Public Accountants standards and housing policy guidance or
11 regulation issued by the department of housing and community development or any subsidizing agency on
12 or after November 30, 2006 such policy guidance or regulation shall control. The audits performed under
13 this section may include, but not be limited to, a review of the submitted cost certification, agreements
14 between the developer and the municipality, purchase and sales agreements, any and all documentation
15 relating to the real estate appraisal of the relevant property or properties in accordance with the applicable
16 rules that were in place at the time that the cost certification occurred, all reported expenses and revenues
17 and all public documentation relating to the purchase, sale or lease of all constructed units.

18 At the request of the third party, the inspector general may summons the production of all records,
19 reports, audits, reviews, papers, books, documents, recommendations, correspondence and any other data
20 and material relevant to any matter under audit or investigation, under section 9 of chapter 12A of the
21 General Laws.

22 The findings of every audit, including any evidence of illegal or fraudulent activities, or cases
23 where the actual realized profit of an individual project exceeds 20 per cent, shall be presented immediately
24 upon completion to the inspector general, the attorney general and the department of housing and
25 community development for review. The inspector general may take whatever further action the inspector
26 general deems necessary, under section 10 of said chapter 12A.

27 It shall be the responsibility of the attorney general to recover all monies owed to the host
28 communities. The third party hired to conduct the initial audit may receive a pre-determined percentage of
29 all recovered monies, not to exceed 5 per cent, with the balance being returned to the host community.

1 SECTION 145C. Notwithstanding any general or special law to the contrary, the department of
2 public health shall, in collaboration with the department of correction and the Massachusetts Sheriffs'
3 Association, investigate and make recommendations regarding the use of an FDA-approved, non-narcotic,
4 opioid antagonist therapy for opioid-dependent offenders leaving correctional facilities and transitioning to
5 community based treatment programs. The department shall report its recommendations to the joint
6 committee on mental health and substance abuse and the house and senate committees on ways and means
7 not later than January 2, 2012.

8 If the department determines that use of an FDA-approved, non-narcotic, opioid antagonist
9 therapy for opioid-dependent offenders leaving correctional facilities and transitioning to community based
10 treatment programs is likely to be effective in improving treatment outcomes and reducing recidivism, the
11 department may enter into pilot programs to provide voluntary treatment for opioid-dependent offenders
12 with select sheriff's offices that choose to participate.

1 SECTION 145D. (a) Notwithstanding sections 40E to 40K, inclusive, and sections 52 to 55,
2 inclusive, of chapter 7 of the General Laws, the division of capital asset management and maintenance,
3 using those competitive proposal processes as the division considers necessary or appropriate, in
4 consultation with the department of conservation and recreation, may lease and enter into other agreements
5 with 1 or more persons or entities, for terms not to exceed 25 years, for the continued use, operation,
6 maintenance, repair and improvement of the Max Ulin Memorial Rink, together with the land and
7 appurtenances associated therewith.

8 (b) The failure of a city or town to apply for prequalification under subsection (c) shall not
9 prohibit that city or town from bidding under this section.

10 (c) Before the division, in consultation with the department, sends out a request for proposals
11 under this section, the division shall hold open a prequalification period of 30 days for the town of Milton
12 and any nonprofit organization located within the town of Milton that desires to bid on the rink, or for a
13 partnership of municipalities which share geographic boundaries as long as the subject rink is located
14 within the geographic area of the municipalities comprising the partnership. The town, a nonprofit
15 organization or a partnership of municipalities that desires to lease the rink under this section may submit
16 materials for prequalification. The prequalification determination may consider, but need not be limited to,
17 the town's, nonprofit organization's or partnership's ability to finance the capital improvements determined
18 to be necessary at the rink by the division and to manage, operate and maintain the property. The division,
19 in consultation with the department, shall determine whether the town, a nonprofit or a partnership is
20 prequalified within 15 days of the expiration of the prequalification period. If the town or nonprofit
21 organization is determined to be prequalified, then the town or non-profit organization shall be awarded the
22 lease for the Max Ulin Skating Rink under the terms and conditions set forth in this act; provided, however,
23 that only 1 lease shall be awarded based on preference as described in subsection (d).

24 (d) (1) Preference shall be given to the town of Milton.

25 (2) If the town and a nonprofit organization are determined to be prequalified, the town shall be
26 awarded the lease.

27 (3) If more than 1 nonprofit organization is determined to be prequalified, the department may
28 choose to which nonprofit the lease for the rink shall be awarded.

29 (4) The town or a nonprofit organization awarded the lease under this act shall pay the sum of
30 \$1.00 as consideration for the lease, subject to the required capital improvements, performance
31 specifications and other prequalification requirements and terms of the division and submitted proposal.
32 The length of the lease shall be determined between the division and the town or nonprofit organization.

33 (e) The lease and other agreements shall be on terms acceptable to the commissioner of capital
34 asset management and maintenance, after consultation with the commissioner of conservation and

35 recreation and, notwithstanding any general or special law to the contrary, shall provide for the lessees to
36 operate, manage, improve, repair and maintain the property and to undertake initial capital improvements
37 that commissioner determines are necessary due to the structural condition of the property. Leases or other
38 arrangements requiring improvements to be made on the property may include a description of the initially
39 required improvements and performance specifications.

40 (f) Ice time at the rink shall be allocated to user groups in the following order of priority: general
41 public skating; non-profit youth groups; high school hockey, not for profit schools or colleges; for-profit
42 youth groups and adult organizations or informal groups. Ice time may be allocated at the discretion of the
43 operator, but general public skating shall be booked, in 2-hour contiguous blocks at a minimum of 12 hours
44 per week, with a range of times and days which reasonably allow for public skaters of all ages to participate
45 in some public skating sessions. Every effort shall be made to balance the ice allocation needs of long-
46 established youth organizations and newly-formed youth organizations in a manner that provides equal
47 opportunity and equal access for youths of each gender.

48 (g) The leases and other agreements authorized in this section shall provide that any benefits to the
49 community and the costs of improvements and repairs made to the property provided by the lessees or the
50 recipients of the property shall be taken into account as part of the consideration for such leases or other
51 agreements. Consideration received from the leases or other agreements for the rink shall be payable to the
52 department of conservation and recreation for deposit into the General Fund. The lessees or the recipients
53 of the property shall bear the costs considered necessary or appropriate by the commissioner of
54 conservation and recreation for the transactions including, without limitation, costs for legal work, survey,
55 title and the preparation of plans and specifications.

56 (h) The name of the Max Ulin Memorial rink shall not be altered or changed under any lease or
57 agreement entered into under this section.

1 SECTION 145E. Notwithstanding any general or special law to the contrary, the department of
2 higher education, the department of labor and workforce development, and the department of elementary
3 and secondary education shall meet and confer concerning the United States Department of Labor Trade
4 Adjustment Assistance Community College and Career Training Grant (Massachusetts Community College
5 Consortium Proposal) and file a report and recommendations for sustainability of funding for the program
6 by the commonwealth with the house and senate committees on ways and means not later than October 1,
7 2011.

1 SECTION 145F.(a) There is hereby established a charter school working group to study issues
2 regarding charter schools including, but not limited to, the equity in funding, caps imposed upon and
3 innovations promoted by charter schools authorized under section 89 of chapter 71 of the General Laws.
4 The first meeting of the working group shall take place within 30 days after the effective date of this act.

5 (b) The working group shall consist of the speaker of the house of representatives, or the
6 speaker's designee, who shall serve as co-chair, the president of the senate, or the president's designee,
7 who shall serve as co-chair; the minority leaders of the house and senate, or their designees; the house and
8 senate chairs of the joint committee on education; the chairs of the house and senate committees on ways
9 and means; the secretary of administration and finance, or the secretary's designee; the secretary of
10 education or the secretary's designee; the commissioner of elementary and secondary education, or the
11 commissioner's designee; and 2 additional members to be appointed by the governor.

12 (c) The working group shall solicit advice from such persons and entities as it deems necessary.

13 (d) The working group shall file a report containing its findings and recommendations, including
14 legislation and regulations necessary to carry out its recommendations, with the joint committee on
15 education and the clerks of the house and senate not later than 9 months following the first meeting of the
16 working group.

1 SECTION 145G. Notwithstanding any general or special law to the contrary, the comptroller
2 shall transfer \$750,000 from the General Fund to the Head Injury Treatment Services Trust Fund
3 established in section 59 of chapter 10 of the General Laws.

1 SECTION 145H. Notwithstanding any general or special law to the contrary the department of
2 conservation and recreation shall return the westbound striping on Storrow drive, in the city of Boston
3 surrounding the Bowker overpass to the condition it was on January 1, 2008.

1 SECTION 145I. There shall be a special commission for the purpose of conducting an
2 investigating and study of the incidence and impacts in the commonwealth of Lyme disease and other tick-
3 borne diseases, including but not limited to anaplasmosis, babesiosis, bartonellosis, and ehrlichiosis.

4 The commission shall consist of: 3 members of the senate, 1 of whom shall be appointed by the
5 senate minority leader; 3 members of the house of representatives, 1 of whom shall be appointed by the
6 house minority leader; the commissioner of the department of public health, or a designee; the
7 commissioner of the division of health care finance and policy, or a designee, 3 members of local boards of
8 health from different Lyme endemic areas of the state; the director of the state laboratory institute, or a
9 designee; the state epidemiologist, or a designee; and 6 members to be appointed by the governor, 1 of
10 whom shall be a physician specialized in infectious disease, 1 of whom shall be a professional member of
11 the International Lyme and Associated Diseases Society, 2 of whom shall be considered experts in the
12 treatment or research of Lyme disease, and 2 of whom shall be members of Lyme & other tick-borne
13 diseases organizations representing diverse regions of the commonwealth; and 2 public members who shall
14 be patients or family members of patients, 1 of whom shall be appointed by the senate and 1 of whom shall
15 be appointed by the house of representatives.

16 The study shall include, but not be limited to, a cost-benefit analysis of: (i) conducting a Lyme
17 disease public health clinical screening study in high risk regions; (ii) developing education materials and
18 training resources for detecting signs and symptoms of tick-borne illnesses in school-aged populations, to
19 be used by clinical providers and school health personnel (iii) statewide surveillance and testing for tick-
20 borne diseases in both Ixodes scapularis (black-legged deer tick) and Amblyomma americanum (Lone Star)
21 ticks, and (iv) educating the medical community about research on all aspects of Lyme, both acute and
22 chronic. The commission shall also investigate the availability of grants and federal funds for the study of
23 Lyme disease and other tick-borne diseases to determine if future action is feasible and warranted to
24 support Lyme and tick-borne diseases research in the commonwealth. (v) The Commission shall review
25 mandatory reporting procedures to promote improved compliance both for CDC-positive and clinically
26 diagnosed cases of Lyme disease and associated tick-borne co-infections.

27 The commission shall report the results of its investigation and study, together with drafts of
28 legislation, if any, necessary to carry its recommendations into effect, by filing the same with the clerks of
29 the senate and house of representatives, who shall forward the same to the joint committee on public health
30 and the house and senate committees on ways and means by April 1, 2012.

1 SECTION 145J. The secretary of administration and finance and the secretary of health and
2 human services shall evaluate the feasibility of contracting for recycling durable medical equipment
3 purchased and issued by the commonwealth through its medical assistance programs.

1 The evaluation shall include, but not be limited to, a request for qualifications or proposals for
2 entities capable of developing, implementing and operating a system of recycling whereby an inventory of
3 such equipment is developed and managed so as to maximize the quality of service delivery to equipment
4 recipients and to minimize costs and losses attributable to waste, fraud and abuse.

5 The secretary of administration and finance shall report the findings of the evaluation, together
6 with cost estimates for the operation of a recycling program, estimates of the savings it would generate, and
7 legislative recommendations, not later than October 31, 2011.

1 SECTION 145K. A local board of health in a city or town with a population of more than 150,000
2 residents may not prohibit the operation of smoking bars licensed to operate as of January 1, 2011, as long
3 as they continue to comply with applicable state and local laws in effect as of January 1, 2011.

1 SECTION 145L. Notwithstanding any general or special law to the contrary, there shall be a
2 special commission to consist of the secretary of health and human services or a designee, the
3 commissioner of children and families or a designee, the commissioner of public health or a designee, the
4 commissioner of mental health or a designee, the commissioner of youth services or a designee, the
5 commissioner of elementary and secondary education or a designee, the commissioner of the early
6 education and care or a designee, the undersecretary of housing and community development or a designee,
7 2 members of the senate, 2 members of the house of representatives, 3 youths who have experienced
8 homelessness, a representative from each of the following organizations: the Massachusetts Coalition for
9 the Homeless, the Children's League of Massachusetts, the Task Force on Youth Aging Out of Department
10 of Children and Families' Care, the Massachusetts Appleseed Center for Law and Justice, the the
11 commission on gay and lesbian youth and the Massachusetts Housing and Shelter Alliance, and 7 persons
12 to be appointed by the governor, 5 of whom shall be unaccompanied youth service providers, to study the
13 adequacy and limitations of current services to meet the safety, support, housing, health, education and
14 quality of life needs of unaccompanied homeless or unstably housed youths as defined under the
15 McKinney-Vento Homeless Assistance Act, 42 U.S.C. §§ 11431-11435 (2002). The commission shall
16 identify and address barriers to housing, services and education for unaccompanied youths experiencing
17 homelessness. Two working groups shall be established within the commission to ensure a full and
18 comprehensive report addressing the needs of all subpopulations of unaccompanied homeless youths, 1 of
19 which shall focus on the specific needs of youths under 18 years of age and 1 of which shall focus on the
20 needs of youth 18 to 22 years of age. The commission's report shall include recommendations for
21 addressing the needs of non-system involved youths and unstably housed youths, with the goal of ensuring
22 a comprehensive and effective response to the unique needs of this population. The commission, in
23 formulating its recommendations, shall take into account the best policies and practices in other states and
24 jurisdictions.

25 The commission shall submit its initial report to the governor, the speaker of the house of
26 representative, the president of the senate and the joint committee on children, families and persons with
27 disabilities not later than 9 months after the effective date of this act, setting forth the commission's
28 conclusions on how to improve access to services for unaccompanied homeless or unstably housed youths,
29 together with any recommendations for regulatory or legislative action with a timeline for implementation,
30 cost estimates and finance mechanisms. Thereafter, the commission shall submit its annual report not later
31 than December 31 to the governor, the speaker of the house of representatives, the president of the senate
32 and the joint committee on children, families and persons with disabilities detailing the extent of
33 homelessness among unaccompanied youths within the commonwealth and the progress made toward
34 implementing the commission's recommendations, along with other efforts to address the needs of this
35 population.

1 SECTION 145M. (a) It is hereby found and declared that the North Shore Community College is a
2 critical element of the commonwealth's higher education system and fulfilling the mission of North Shore
3 Community College to provide educational resources to the citizens of the commonwealth is essential to
4 providing students with skills and opportunities necessary to a full and productive life. It is further
5 declared that providing physical and financial resources necessary to meet the needs of the North Shore
6 Community College now and in the future is critical to the ability of North Shore Community College to
7 fulfill its mission including providing the workforce with skills necessary to allow for the maintenance and
8 expansion of the business, industrial, technological and manufacturing sectors of the commonwealth's
9 economy. It is further found and declared that creation of a nonprofit assistance corporation with certain
10 statutory authority will provide a vehicle with the necessary flexibility to prudently pursue opportunities for
11 the benefit of North Shore Community College, its present and future students and the commonwealth. It
12 is therefore expressly declared that the provisions of this section constitute a needed program in the public
13 interest in furtherance of an essential governmental function and serve a necessary and valid public purpose
14 for which public money may be expended or invested

15 (b) As used in this section, the following terms shall have the following meanings unless the
16 context clearly requires otherwise:

17 “Board of directors”, the board of directors of the North Shore Community Assistance
18 Corporation created by this section

19 ; “Board of higher education”, the board of higher education established pursuant to section 4 of
20 chapter 15A of the General Laws.

21 “Board of trustees”, the board of trustees of the North Shore Community College.

22 “College”, the North Shore Community College or, if the North Shore Community College shall
23 be dissolved or fails to qualify either as a political subdivision of the commonwealth or an educational
24 institution exempt from federal income tax under Section 501(c)(3) of the Code, then such other
25 educational institution of higher learning established and operating in the commonwealth as shall be
26 designated by the board of higher education, which is either such a political subdivision or such an exempt
27 organization.

28 “Code”, the Internal Revenue Code of 1986, as may be amended, from time to time.

29 “Corporation”, the North Shore Community College Assistance Corporation established in
30 subsection (c).

31 “Educational institution”, an educational organization within the meaning of section 170(b) (I
32)(A)(ii) of the Code.

33 (c) There shall be a body politic and corporate to be known as the North Shore Community
34 College Assistance Corporation. The corporation shall not be a public agency or state agency as those
35 terms are described in chapter 7 of the General Laws. The corporation shall be governed by a board of
36 directors consisting of: the chairman of the board of trustees of the college, the president of the college,
37 the mayor of the city of Lynn, the president of the Lynn city council, the director of the Lynn Economic
38 Development Industrial Corporation, or a successor thereto, 3 members to be appointed by the governor, at
39 least 1 of whom shall be experienced in the financial aspects of real estate development and management
40 and at least 1 of whom shall be experienced in planning, 1 member to be appointed by the Lynn Chamber
41 of Commerce, or a successor thereto, and 6 members appointed by the president of the college, at least 2 of
42 whom shall be experienced in higher education administration.

43 (b) The appointed members of the board of directors shall serve 3-year terms. Of those initially
44 appointed by the governor, 1 shall be appointed for 1 year, 1 for 2 years and 1 for 3 years. Of those
45 initially appointed by the president of the college, 2 shall be appointed for 1 year, 2 shall be appointed for 2
46 years and 3 shall be appointed for 3 years. The individual initially appointed by the Lynn Chamber of
47 Commerce shall be appointed for 2 years. Vacancies arising from other than the expiration of the term
48 shall be filled by the person designated as the appointing authority for the initial appointment. Directors
49 shall serve without compensation but may be reimbursed for expenses necessarily incurred in the
50 performance of their duties.

51 (c) The board of directors from time to time shall elect from among themselves a chairman, a vice
52 chairman and a secretary. The secretary shall be the custodian of all books, documents and papers of the
53 corporation and its minute book and seal. Unless otherwise provided in by-laws adopted by the board of
54 directors, the number of directors required to constitute a quorum shall be a majority of the directors then in
55 office. If a quorum is present, a majority of the directors may take any action on behalf of the board of
56 directors except to the extent that a larger number is required by this section, or other applicable laws or by-
57 laws adopted by the board of directors.

58 (d) The purposes of the corporation shall be to: (i) promote the orderly growth and development
59 of the college; and (ii) to assist the college in securing physical and financial resources necessary for the
60 acquisition and development of sites for use by the college. In furtherance of such purpose, the
61 corporation shall, subject only to the restrictions and limitations hereinafter provided, have the following
62 powers:

63 (1) to make and execute contracts and any other instruments necessary or convenient
64 for the exercise of its powers or the discharge of its duties and incur liabilities for any other purposes of the
65 corporation;

66 (2) to have a corporate seal which it may alter at its pleasure;

67 (3) to adopt by-laws for the regulation of its affairs;

68 (4) to accept, acquire, receive, take and hold by bequest, devise, grant, gift, purchase,
69 exchange, lease, transfer, judicial order or decree or otherwise, for any of its objects and purposes, any
70 property both real and personal, reasonably related to the acquisition and development of sites for use by
71 the college and to develop such sites including, but not limited to, the construction, renovation, operation
72 and maintenance of buildings thereon;

73 (5) to sue or be sued; provided, however, that a director or officer of the corporation
74 shall not be liable for the performance of his duties if he acts in compliance with section 6C of chapter 180
75 of the General Laws;

76 (6) to sell, convey, mortgage, lease, transfer, exchange or otherwise dispose of any
77 such property, both real and personal, as the objects and purposes of the corporation may require;

78 (7) to borrow money and, from time to time, to make, accept, endorse, execute and
79 issue promissory notes, bills of exchange and other obligations of the corporation for monies borrowed or
80 in payment for property acquired or for any of the other purposes of the corporation and to secure the
81 payment of any such obligation by mortgage, pledge, deed, agreement or other instrument of trust or other
82 lien upon, assignment of or agreement in regard to all or any part of the property rights or privileges of the
83 corporation, whether now owned or hereafter to be acquired;

84 (8) to receive stocks, bonds, donations and gifts and to otherwise raise money for the
85 corporation's purposes;

86 (9) to elect, appoint and employ officers, agents and employees, to fix their
87 compensation and define their duties and obligations and to indemnify corporate personnel;

88 (10) to enter into agreements for other transactions with any person including,
89 without limitation, any governmental instrumentalities or agencies in connection with any of its powers or
90 duties and any governmental agency may enter into such agreements or transactions with the corporation;
91 and

92 (11) to do all acts and things necessary or convenient to the exercise of any power or
93 the discharge of any duty provided for in this subsection.

94 (e) The corporation shall be an institution for higher education solely for the purposes such term
95 is used in chapter 614 of the acts of 1968. Any acquisition of property by purchase, lease or otherwise by
96 the corporation shall be deemed a project as such term is used in said chapter 614. The corporation shall
97 be fully eligible to receive any assistance from the Massachusetts Health and Education Facilities Authority
98 established in said chapter 614 in the same manner as any other institution for higher education.

99 (f)(1) The corporation shall assess the space needs of the college on a regular basis and may
100 acquire sites for use by the college. The corporation may lease or rent land or space in any facility under
101 the control of the corporation to any entities other than the college only after making a determination that
102 the college does not have a foreseeable need for such space or land for the term of the lease or rental
103 agreement.

104 (2) The corporation shall not sell, convey, transfer, exchange or otherwise dispose of any
105 real property without notifying, in writing and consulting with, the board of trustees and the board of higher
106 education and, after such consultation, making a determination that such sale, conveyance, transfer or
107 exchange is in the best interests of the college. Any such sale, conveyance, transfer or exchange shall
108 require a vote of two-thirds of the members of the board of directors.

109 (g) The college or any state agency or entity acting on the college's behalf may enter into an
110 agreement to rent, lease or otherwise utilize any facility owned by or under the control of the corporation.
111 The corporation shall be paid rent and costs for such facilities at a rate agreed to by the corporation and
112 college or state agency or entity entering into an agreement on the college's behalf; provided, however, that
113 such amount shall not exceed the fair market value for the use of such facilities at the time the agreement is
114 made. Subject to such limitation, the college's determination to rent, lease or otherwise utilize any facility
115 owned or under the control of the corporation and any agreement related thereto shall not be subject to
116 chapter 7 of the General Laws.

117 (h)(1) The corporation shall not engage in any activities which are not in furtherance of its
118 corporate purposes or to support or benefit any organization other than the college and all of the powers
119 granted under this section to the corporation shall be exercised in a manner consistent therewith.

120 (2) Notwithstanding any other provision of this section, neither the directors and officers
121 of the corporation nor the corporation shall participate in any prohibited transaction within the meaning of
122 Section 503 of the Code, nor shall the corporation be operated at any time for the primary purpose of
123 carrying on a trade or business for profit.

124 (i) Subject to this section, the corporation shall use or distribute all property from time to time
125 held by the corporation solely in the furtherance of its corporate purposes in such manner as the board of
126 directors shall determine. No part of the assets or net earnings, if any, of the corporation shall inure to the
127 benefit of, or be distributable to, its directors or officers or private individuals, except that the corporation
128 may pay reasonable compensation for services rendered and make payments and distributions in
129 furtherance of its corporate purposes. The corporation shall not directly or indirectly participate in or
130 intervene in, including the publishing or distributing of statements, any political campaign on behalf of or
131 in opposition to any candidate for public office. No substantial part of the activities of the corporation
132 shall be for the carrying on of propaganda or otherwise attempting to influence legislation, except to the
133 extent the corporation makes expenditures for purposes of influencing legislation in conformity with the
134 requirements of Section 501(h) of the Code. If the corporation is deemed to be a private foundation as
135 defined in Section 509 of the Code, chapter 68A of the General Laws shall apply to it.

136 (j)(1) The operation and maintenance of projects by the corporation shall constitute the
137 performance of an essential governmental function and the corporation shall not be required to pay any
138 taxes or special, betterment or other assessments within the commonwealth including, without limitation,
139 taxes on real or personal property and any ad valorem taxes, upon any property owned, constructed,
140 acquired, leased or used by it under this section. The corporation shall not be subject to any taxes based
141 upon or measured by income which may be enacted by the commonwealth. Obligations issued by the
142 corporation under this section and any income derived therefrom, including any sale, exchange or transfer
143 of such obligation, shall be free from taxation within the commonwealth.

144 (2) Land, buildings and tangible personal property of the corporation if leased to the
145 extent permitted under this section for any activity or transaction entered into by the lessee for financial
146 profit or gain shall be taxed or assessed by the city or town in which such land, buildings and tangible
147 personal property is situated to the lessees thereof respectively in the same manner as such land, buildings

148 and tangible personal property would be taxed or assessed to such lessees if they were owners thereof,
149 except as follows:

150 (A) the payment of the tax or assessment shall not be enforced by any lien upon
151 or sale of such land or buildings, but for the purpose of enforcing the payment of such taxes or assessments
152 by such lessees to the city or town in which such land or buildings are situated, a sale of the leasehold
153 interest in therein may be made by the collection of the city or town in the manner provided by law for
154 selling real estate for the nonpayment of real estate taxes;

155 (B) such land, buildings and tangible personal property leased to any political
156 subdivision of the commonwealth or to any public charity described in section 8 of chapter 12 of the
157 General Laws for its charitable purposes shall not be taxed or assessed to any such lessees;

158 (C) in lieu of taxes and any betterment or special assessments, the city of Lynn
159 may determine a sum to be paid to it annually in any year or period or years, such sum to be in any year
160 equal to or less than the amount that would be levied at the then current tax rate upon the then current
161 assessed value of such real estate, including buildings and other structures, the valuation for each year
162 being reduced by all abatements thereon; provided, however, that no amount shall be due prior to the first
163 year in which the corporation has leased some portion of the real property to a third party and has received
164 rental payments for fees in return therefor and any amount so due shall be prorated based upon the
165 percentage of the property for which rental payments or fees have been received;

166 (D) if any such lessee is subject to the excise levied under sections 30 to 42B,
167 inclusive, of chapter 63 of the General Laws, such tangible personal property shall be treated as though it
168 were owned by such lessee for the purposes of such excise and it shall be valued at 8 times its annual rental
169 rate, unless and to the extent that such property is treated by the lessee as owned by it for federal income
170 tax purposes, in which case, its value shall be its adjusted basis, as defined in the applicable provisions of
171 the Code; and

172 (E) all tangible property, real or personal, so leased shall be considered tangible
173 property owned or rented and used in the commonwealth by such lessee for the purposes of section 38 of
174 chapter 63 of the General Laws.

175 (k)(1) The corporation shall not exercise any of the following powers, duties, actions,
176 responsibilities or authorities in the absence of review and comment by the inspector general and such
177 review and comment shall be provided within 2 weeks after submission by the corporation of a plan setting
178 forth the power, duty, action, responsibility or authority proposed to be taken:

179 (A) entering into a contract requiring an annual expenditure in excess of
180 \$100,000 by the corporation; provided, however, that the corporation may enter into those contracts
181 necessary to acquire sites, without further review by the inspector general, but pursuant to a memorandum
182 of understanding with the secretary of administration and finance with respect to the acquisition,
183 renovation, operation and potential disposition of sites;

184 (B) borrowing monies such that the outstanding amount of monies borrowed
185 by the corporation exceeds \$100,000;

186 (C) entering into a contract requiring the sale of an asset of the corporation
187 purchased with monies appropriated by the commonwealth; and

188 (D) entering into a contract requiring the sale of all or substantially all of the
189 assets of the corporation.

190 (2) In carrying out this section, the inspector general shall have access to all the
191 corporation's records, reports, audits, reviews, papers, books, documents, recommendations,

192 correspondence, including information relative to the purchase of services or anticipated purchase of
193 services from any contractor by the corporation, and any other data and material that is maintained by or
194 available to the corporation which in any way relates to the programs and operations with respect to which
195 the inspector general has duties and responsibilities under this section, except any record to which section
196 18 of chapter 66 of the General Laws applies.

197 (3) The inspector general may request such information, cooperation and assistance from
198 the corporation as may be necessary for carrying out his duties and responsibilities under this section.
199 Upon receipt of such request, the person in charge of the corporation's governing body shall furnish to the
200 inspector general or his authorized agent or representative such information, cooperation and assistance,
201 including information relative to the purchase of services or anticipated purchase of services from any
202 contractor by the corporation except any record to which said section 18 of said chapter 66 applies. The
203 inspector general may make such investigation, audits and reports relating to the administration of the
204 programs and operations of the corporation as are in the judgment of the inspector general necessary and
205 may conduct an examination of any documents of the corporation to prevent or detect fraud, waste and
206 abuse in the expenditure of public funds. The inspector general shall have direct and prompt access to the
207 head of the corporation when necessary for any purpose pertaining to the performance of his duties and
208 responsibilities under this section. The inspector general may request the production, on a voluntary basis,
209 of testimony or documents from any individual firm or nongovernmental entity which relate to his duties
210 and responsibilities under this section.

211 (4) The inspector general may require, by summons, the production of all records,
212 reports, audits, reviews, papers, books, documents, recommendations, correspondence and any other data
213 and material relevant to any matter under audit or investigation pursuant to the this section, except records
214 to which said section 18 of said chapter 66 apply. Such summons shall be served in the same manner as a
215 summons for the production of documents in civil cases issued on behalf of the commonwealth and all law
216 relative to the issuance of summonses shall apply to a summons issued pursuant to this section. Any
217 justice of the superior court department of the trial court may, upon application by the inspector general,
218 issue an order to compel the production of records, reports, audits, reviews, papers, books, documents,
219 recommendations, correspondence and any other data and material as aforesaid. Any failure to obey such
220 order may be punished by said court as contempt. Any summons issued pursuant to this section shall not
221 be made public by the inspector general or any officer or employee of his department and no documents
222 provided pursuant to this section shall be made public until such time as it is necessary for the inspector
223 general to do so in the performance of his duties under this section. The production of such books and
224 papers pursuant to a summons issued under this subsection shall be governed by the same provisions with
225 reference to secrecy which govern proceedings of a grand jury. Disclosure of such production, attendance
226 and testimony may be made to such members of the staff of the inspector general as is deemed necessary
227 by the inspector general to assist him in the performance of his duties and responsibilities under this section
228 and such members of the staff may be present at the production of records.

229 (5) The corporation shall submit annually an audited financial statement to the house and
230 senate committees on ways and means and the joint committee on higher education.

231 (l) Upon dissolution of the corporation after payment of all of the liabilities of the corporation or
232 due provision therefor, all of the assets of the corporation shall be distributed to the board of higher
233 education, to be held in trust for the benefit and purposes of the college, and shall not inure to the benefit of
234 or be distributed to any private individual..

1 SECTION145N. Notwithstanding any general or special law to the contrary, the executive office
2 of health and human services shall request a written opinion from the federal Centers for Medicare and
3 Medicaid Services regarding the availability of a waiver to allow individuals qualifying for Medicaid and
4 entering a nursing home to provide a living allowance and an asset waiver for dependent adult children
5 when there is no living community spouse as defined under 42 U.S.C. section 1396r-5. The executive
6 office shall report to the house and senate committees on ways and means not later than February 1, 2012
7 on the availability of a waiver and, if applicable, the estimated net state cost of a waiver that would allow

8 individuals qualifying for Medicaid and entering a nursing home to provide a living allowance and asset
9 waiver for dependent adult children when there is no living community spouse.

10 SECTION 145O. Notwithstanding any general or special law to the contrary, the commonwealth
11 health insurance connector authority shall conduct a procurement in fiscal year 2012 for personnel,
12 including direct care workers, earning less than \$40,000 in annual compensation who are employed by
13 private human service providers that deliver human and social services under contracts with departments
14 within the executive office of health and human services and the executive office of elder affairs. The
15 procurement shall be released not later than January 1, 2012 for coverage effective in fiscal year 2012. In
16 developing regulations as necessary for the procurement, bid, the administration of and the procedures of
17 this section the connector shall consult with the Massachusetts Council of Human Service Providers. Any
18 purchaser of health insurance coverage under this section shall pay the commonwealth health insurance
19 connector authority for 100 per cent of the costs of such coverage, including reasonable administrative
20 expenses.

1 SECTION 145P. (a) Notwithstanding sections 40E to 40K, inclusive, and sections 52 to 55,
2 inclusive, of chapter 7 of the General Laws or any other general or special law to the contrary, the division
3 of capital asset management and maintenance, in consultation with the department of conservation and
4 recreation, may lease and enter into an agreement for nominal consideration, for a term not to exceed 25
5 years, with the town of Randolph for the property currently under the care and control of the department,
6 adjacent to the existing North Randolph Little League field off of High street near the former Nike missile
7 site in the town of Randolph, for use as a dog park.

8 (b) The town of Randolph shall be responsible for all costs and expenses including, but not limited
9 to, costs associated with engineering, surveys, appraisals and deed preparation related to the conveyance
10 authorized in subsection (a) as such costs may be determined by the commissioner of capital asset
11 management and maintenance, and costs, fees and expenses relating to the care and maintenance for the
12 property. The proceeds of all conveyances and transfers under this section shall be deposited in the General
13 Fund.

1 SECTION 145Q. Notwithstanding any general or special law to the contrary the attorney general
2 may review the compensation of any officer, director or senior manager acting in an executive capacity for
3 a public charity, required to be registered under section 8E of chapter 12 and to file annual reports under
4 section 8F of chapter 12, to consider the appropriate compensation levels given the nature and mission of
5 the public charity. In so doing, the attorney general may examine the compensation standards of not-for-
6 profit public charities, both within the commonwealth and nationwide. For the purposes of this section,
7 compensation shall include salary, bonus payments, incentive payments, deferred compensation, severance
8 payments, below market rate loans, and the lease or rental of real estate, personal property or any vehicle.
9 The attorney general shall report the findings of this review, which may include recommendations about
10 excessive compensation, to the clerks of the senate and the house of representatives by December 31, 2011.

1 SECTION 145R. Notwithstanding any general or special law to the contrary, public employers,
2 contractors, or subcontractors, as defined in section 1 of chapter 30C of the General Laws, with not more
3 than 500 employees shall not be subject to sections 2 and 3 of said chapter 30C.

1 SECTION 145S. Notwithstanding any general or special law to the contrary, public employers,
2 contractors, or subcontractors, as defined in section 1 of chapter 30C of the General Laws, with not more
3 than 100 employees shall not be subject to sections 2 and 3 of said chapter 30C.

4 SECTION 145T. Section 145R is hereby repealed.

1 SECTION 145U. Section 145S is hereby repealed.

1 SECTION 145V. Section 145T shall take effect on September 1, 2012.

1 SECTION 145W. Section 145U shall take effect on September 1, 2013.

1 SECTION 145X. Sections 2 and 3 of chapter 30C of the General Laws, inserted by section 37B,
2 and sections 145R and 145S shall take effect on September 1, 2011.

1 SECTION 145Y. Notwithstanding any general or special law to the contrary, by December 31,
2 2011, the Governor shall issue a report to the clerks of the house of representatives and the senate on the
3 progress made in securing an agreement relative to and programs pursuant to the United States Immigration
4 and Customs Enforcement Secure Communities program.

1 SECTION 146. Subsection (b) of section 75 of chapter 303 of the acts of 2008 shall not apply in
2 fiscal year 2012.

1 SECTION 146A. The executive office of health and human services shall adopt regulations to
2 implement section 61F not later than December 31, 2011.

1 SECTION 147. Nothing in section 20 of chapter 32B of the General Laws shall affect the validity
2 of any action taken before July 1, 2011 by a city or town that authorizes the contributory retirement system
3 of which the employees of that city or town are members to be the custodian of an Other Post-Employment
4 Benefits Liability Trust Fund.

1 SECTION 148. Nothing in this act shall be construed to alter, amend or affect chapter 36 of the
2 acts of 1998, chapter 423 of the acts of 2002, chapter 27 of the acts of 2003 or chapter 247 of the acts of
3 2004.

1 SECTION 149. Section 4 shall take effect on May 4, 2012.

1 SECTION 150. Section 21A shall take effect 6 months after the effective date of this act.

1 SECTION 151. Section 32B shall take effect as of January 1, 2009

1 SECTION 152. Sections 35, 54 and 55 shall take effect on December 1, 2011.

1 SECTION 153. Section 53B shall apply to stamps purchased on or after January 1, 2012.

1 SECTION 154. Section 51A shall be effective for taxable years beginning on or after January 1,
2 2012

1 SECTION 155. Sections 51B, 52A and 53A shall be effective for tax years beginning on or after
2 January 1, 2011.

1 SECTION 156. Sections 66A and 66B shall take effect 180 days after the effective date of this
2 act.

1 SECTION 157. Section 78E shall take effect on October 1, 2012.

1 SECTION 158. Section 135 shall expire on July 1, 2013.

1 SECTION 159. Except as otherwise specified, this act shall take effect on July 1, 2011.

