SENATE . . . . . No. 2275

Senate, Friday, May 25, 2012– Text of the Senate amendments to the House Bill making appropriations for the fiscal year 2013 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. 4101).

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

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, 2013. 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, 2013 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 12 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.

Source	**All Budgeted Funds***	**General Fund**	**Commonwealth Transportation Fund**	**Massachusetts Tourism**	**Other****
Alcohol. Bev.	$77.1	$77.1	$0.0	$0.0	$0.0
Cigarettes	$454.4	$454.4	$0.0	$0.0	$0.0
Corporations	$1,836.5	$1,836.5	$0.0	$0.0	$0.0
Deeds	$141.1	$141.1	$0.0	$0.0	$0.0
Estate Inheritance	$246.5	$246.5	$0.0	$0.0	$0.0
Financial Institutions	$112.7	$112.7	$0.0	$0.0	$0.0
Income	$12,731.8	$12,731.8	$0.0	$0.0	$0.0
Insurance	$335.4	$335.4	$0.0	$0.0	$0.0
Motor Fuels	$678.7	$0.0	$677.8	$0.0	$0.9
Public Utilities	-$32.3	-$32.3	$0.0	$0.0	$0.0
Room Occupancy	$127.7	$83.0	$0.0	$44.7	$0.0
Sales-Regular	$3,625.6	$3,402.3	$223.3	$0.0	$0.0
Sales-Meals	$894.6	$839.5	$55.1	$0.0	$0.0
Sales-Motor Vehicles	$683.2	$641.1	$42.1	$0.0	$0.0
Miscellaneous	$16.8	$16.8	$0.0	$0.0	$0.0
UI Surcharges	$20.2	$0.0	$0.0	$0.0	$20.2
Total Consensus Tax Revenues:	**$21,950.0**	**$20,885.9**	**$998.3**	**$44.7**	**$21.1**
Transfer to School Modernization and Reconstruction Trust (SMART) Fund	-$689.4	-$689.4			
Transfer to MBTA State and Local Contribution Fund	-$786.8	-$786.8			
Transfer to Pension Reserves Investment Trust Fund	-$1,552.0	-$1,552.0			
Transfer to workforce Training Fund	-$20.2				-$20.2
Total Consensus Tax Revenue for Budget:	**$18,901.6**	**$17,857.7**	**$998.3**	**$44.7**	**$0.9**

Revenue Changes

Delay of FAS 109	$45.9	$45.9	$0.0	$0.0	$0.0
Tax Settlement Revenue	$32.0	$32.0	$0.0	$0.0	$0.0
Tax Revenue Enhancements	$36.3	$36.3	$0.0	$0.0	$0.0
Total Taxes Available for Budget:	**$19,015.8**	**$17,971.9**	**$998.3**	**$44.7**	**$0.9**
Non-Tax Revenue					
Federal Reimbursements	$8,215.3	$8,209.8	$0.0	$0.0	$5.5
Departmental Revenue	$2,979.9	$2,423.0	$536.7	$0.0	$20.2
Consolidated Transfers	$1,770.6	$1,980.3	$0.0	-$0.4	-$209.3
GRAND TOTAL	**$31,981.6**	**$30,585.0**	**$1,535.0**	**$44.3**	**-$182.7**

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

Revenue Source		Unrestricted	Restricted	Total
Judiciary				
Supreme Judicial Court		$2,782,961	$0	$2,782,961
Committee for Public Counsel		$10,000	$8,900,000	$8,910,000
Appeals Court		$442,737	$0	$442,737
Trial Court		$58,490,500	$45,500,000	$103,990,500
	TOTAL:	**$61,726,198**	**$54,400,000**	**$116,126,198**
District Attorneys				
District Attorney Norfolk		$1,250	$0	$1,250
	TOTAL:	**$1,250**	**$0**	**$1,250**
Secretary of the Commonwealth				
Secretary of the Commonwealth		$213,031,107	$15,000	$213,046,107
	TOTAL:	**$213,031,107**	**$15,000**	**$213,046,107**
Treasurer and Receiver-General				
Office of the Treasurer		$274,048,392	$32,708,862	$306,757,254
State Lottery Commission		$184,877,473	$830,160,170	$1,015,037,643
	TOTAL:	**$458,925,865**	**$862,869,032**	**$1,321,794,897**
Attorney General				
Office of the Attorney General		$42,960,434	$775,000	$43,735,434
	TOTAL:	**$42,960,434**	**$775,000**	**$43,735,434**

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		$72,750	$0	$72,750
	TOTAL:	**$72,750**	**$0**	**$72,750**
Massachusetts Commission Against Discrimination				
Massachusetts Commission Against Discrimination		$145,589	$2,188,911	$2,334,500
	TOTAL:	**$145,589**	**$2,188,911**	**$2,334,500**
State Ethics Commission				
State Ethics Commission		$63,260	$0	$63,260
	TOTAL:	**$63,260**	**$0**	**$63,260**
Office of the State Comptroller				
Office of the State Comptroller		$342,942,762	$0	$342,942,762
	TOTAL:	**$342,942,762**	**$0**	**$342,942,762**
Executive Office for Administration and Finance				
Secretary of Administration and Finance		$5,312,614	$12,500,000	$17,812,614
Division of Capital Asset Management & Maintenance		$6,524,642	$16,550,000	$23,074,642
Bureau of State Office Buildings		$187,145	$0	$187,145
Civil Service Commission		$20,000	$0	$20,000
Group Insurance Commission		$776,771,038	$2,017,862	$778,788,900
Division of Administrative Law Appeals		$45,000	$0	$45,000
Department of Revenue		$174,016,150	$6,547,280	$180,563,430
Appellate Tax Board		$2,133,838	$400,000	$2,533,838
Human Resources Division		$10,000	$2,700,000	$2,710,000
Operational Services Division		$8,084,956	$4,858,000	$12,942,956
Information Technology Division		$0	$564,730	$564,730
	TOTAL:	**$973,105,384**	**$46,137,872**	**$1,019,243,256**
Executive Office of Energy & Environmental Affairs				
Executive Office of Energy & Environmental Affairs		$4,207,450	$385,000	$4,592,450
Department of Environmental Protection		$29,992,437	$6,271,045	$36,263,482
Department of Fish and Game		$15,354,330	$317,989	$15,672,319
Department of Agricultural Resources		$5,703,920	$0	$5,703,920
Department of Conservation and Recreation		$10,037,385	$14,141,673	$24,179,058
Department of Public Utilities		$13,892,194	$2,350,000	$16,242,194
Department of Energy Resources		$4,575,132	$0	$4,575,132
	TOTAL:	**$83,762,848**	**$23,465,707**	**$107,228,555**
Executive Office of Health and Human Services				
Department of Veterans' Services		$15,000	$565,000	$580,000
Secretary of Health and Human Services		$5,045,978,853	$225,000,000	$5,270,978,853
Division of Health Care Finance and Policy		$309,272,156	$6,100,000	$315,372,156
Mass Commission for the Blind		$2,995,763	$0	$2,995,763
Massachusetts Rehabilitation Commission		$4,142,780	$0	$4,142,780
Mass Commission for the Deaf		$113,385	$0	$113,385
Chelsea Soldiers' Home		$13,015,183	$435,480	$13,450,663

Holyoke Soldiers' Home		$14,233,589	$1,118,334	$15,351,923
Department of Youth Services		$2,369,507	$0	$2,369,507
Department of Transitional Assistance		$456,998,437	$0	$456,998,437
Department of Public Health		$92,134,010	$71,283,491	$163,417,501
Department of Children and Families		$184,120,479	$4,077,119	$188,197,598
Department of Mental Health		$106,488,597	$125,000	$106,613,597
Department of Developmental Services		$515,717,660	$150,000	$515,867,660
Department of Elder Affairs		$1,519,778,264	$750,000	$1,520,528,264
	TOTAL:	**$8,267,373,664**	**$309,604,424**	**$8,576,978,088**
Massachusetts Department of Transportation				
Massachusetts Department of Transportation		$535,750,000	$0	$535,750,000
	TOTAL:	**$535,750,000**	**$0**	**$535,750,000**
Board of Library Commissioners				
Board of Library Commissioners		$2,040	$0	$2,040
	TOTAL:	**$2,040**	**$0**	**$2,040**
Executive Office of Housing & Economic Development				
Department of Housing & Community Development		$2,799,068	$2,535,003	$5,334,071
Office of Consumer Affairs and Business Regulation		$563,710	$500,000	$1,063,710
Division of Banks		$21,220,074	$2,650,000	$23,870,074
Division of Insurance		$86,153,310	$0	$86,153,310
Division of Professional Licensure		$11,751,994	$540,123	$12,292,117
Division of Standards		$2,256,599	$418,751	$2,675,350
Department of Telecommunications and Cable		$5,197,022	$0	$5,197,022
	TOTAL:	**$129,941,777**	**$6,643,877**	**$136,585,654**
Executive Office of Labor & Workforce Development				
Department of Labor Standards		$2,032,778	$452,850	$2,485,628
Department of Industrial Accidents		$23,131,211	$0	$23,131,211
Department of Labor Relations		$101,000	$100,000	$201,000
	TOTAL:	**$25,264,989**	**$552,850**	**$25,817,839**
Executive Office of Education				
Executive Office of Education		$1,000,000	$0	$1,000,000
Department of Early Education and Care		$199,472,074	$0	$199,472,074
Department of Elementary and Secondary Education		$5,717,694	$1,405,317	$7,123,011
University of Massachusetts		$133,433,873	$0	$133,433,873
Bridgewater State College		$1,647,636	$0	$1,647,636
Fitchburg State College		$1,863,464	$0	$1,863,464
Framingham State College		$1,485,840	$0	$1,485,840
Massachusetts College of Liberal Arts		$261,333	$0	$261,333
Salem State College		$815,494	$0	$815,494
Westfield State College		$601,452	$0	$601,452
Worcester State College		$989,382	$0	$989,382
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		$3,273,504	$0	$3,273,504
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:	**$358,455,870**	**$1,935,160**	**$360,391,030**
Executive Office of Public Safety and Security				
Executive Office of Public Safety and Security		$43,000	$0	$43,000
Office of the Chief Medical Examiner		$700	$2,250,000	$2,250,700
Criminal History Systems Board		$8,344,500	$3,000,000	$11,344,500
Criminal Justice Training Council		$2,000	$900,000	$902,000
Department of State Police		$419,400	$33,194,501	$33,613,901
Department of Public Safety		$22,558,500	$7,291,753	$29,850,253
Department of Fire Services		$21,665,498	$8,500	$21,673,998
Military Division		$0	$1,400,000	$1,400,000
Emergency Management Agency		$736,407	$0	$736,407
Department of Corrections		$900,000	$14,600,000	$15,500,000
Parole Board		$200,000	$600,000	$800,000
	TOTAL:	**$54,870,005**	**$63,244,754**	**$118,114,759**
Sheriffs				
Sheriff's Department Hampden		$410,000	$2,896,673	$3,306,673
Sheriff's Department Worcester		$167,480	$0	$167,480
Sheriff's Department Middlesex		$174,000	$925,000	$1,099,000
Sheriff's Department Franklin		$47,800	$2,450,000	$2,497,800
Sheriff's Department Hampshire		$42,000	$408,248	$450,248
Sheriff's Department Essex		$415,219	$2,000,000	$2,415,219
Sheriff's Department Berkshire		$39,500	$750,000	$789,500
Sheriff's Department Association		$344,790	$0	$344,790
Sheriff's Department Barnstable		$75,000	$250,000	$325,000
Sheriff's Department Bristol		$0	$8,460,000	$8,460,000
Sheriff's Department Nantucket		$0	$1,116,000	$1,116,000
Sheriff's Department Plymouth		$0	$16,000,000	$16,000,000
Sheriff's Department Suffolk		$0	$8,000,000	$8,000,000
	TOTAL:	**$1,715,789**	**$43,255,921**	**$44,971,710**
Total Non-Tax Revenue :		**$11,550,111,580**	**$1,415,688,508**	**$12,965,800,088**

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 $7,906,476

0320-0010 For the operation of the clerk's office of the supreme judicial court for Suffolk county .. $1,301,283

0321-0001 For the operation of the commission on judicial conduct $592,597

0321-0100 For the services of the board of bar examiners $1,062,289

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 maintain a system in which not less than 25 per cent of indigent defendants shall be represented by public defenders; provided further, that to the extent feasible, the committee shall assign public defenders to district and superior courts; provided further, that the committee shall submit quarterly reports to the house and senate committees on ways and means starting on October 3, 2012 that shall include, but not be limited to: (i) the expected surplus or deficiency for fiscal year 2013 of items 0321-1500, 0321-1510 and 0321-1520; (ii) the number of clients assisted by the committee, delineated by public defender and private bar advocate representation, and further delineated by type of case and courthouse; (iii) the average cost for public defender services rendered per client, delineated by type of case and courthouse; (iv) the average cost for private bar advocate services rendered per client, delineated by type of case and courthouse; (v) the average number of hours spent per case by public defenders, delineated by type of case and courthouse; (vi) the average number of hours billed by private bar advocates, delineated by type of case and courthouse; (vii) the billable hours of private bar advocates broken down by travel time, time spent in court and courthouse, including wait time and trial preparation time, including interview time, investigating time and research time; (viii) the total amount of counsel fees paid to the committee by clients for services rendered, delineated by type of case and courthouse; (ix) the total amount of indigent but able to contribute fees paid to the committee by clients for services rendered, delineated by type of case and courthouse; (x) the number and cost of private investigators used, delineated by firm; and (xi) by private bar advocate, the number, cost and cost per hour of psychologists and psychiatrists used, delineated by firm; provided further, that this data shall be provided in a cumulative manner and compared with data from the current quarter to the previous 3 quarters; provided further, that the committee shall provide a report to the house and senate committees on ways and means, not later than October 1, 2012, detailing the current status of the plan for public defenders to represent 25 per cent of all indigent defendants, that shall include, but not be limited to: (a) the current percentage of indigent defendants represented by public defenders by division and courthouse; (b) the number of public defenders hired since the start of fiscal year 2012 by division and courthouse; (c) the current number of public defenders and private bar advocates assigned to each courthouse; (d) the number of former private bar advocates that have been hired as public defenders; (e) the total number of cases that have been assigned to all new public defenders, delineated by type of case, division and courthouse; (f) the number of cases that have been assigned to private bar advocates, delineated by type of case, division and courthouse; (g) the total number of support staff, investigators, attorneys in charge and management personnel that have been hired; (h) the caseload of attorneys in charge compared to the caseload of public defender staff attorneys; and (i) the number of public defenders hired over the previous 15 months that have not been assigned to district or superior court and the reason for their division assignments; provided further, that the committee, in conjunction with the division of capital asset

management and maintenance, shall provide a report to the house and senate committees on ways and means on November 1, 2012 that shall include but not be limited to: (1) the office spaces leased for committee staff and for use by public defenders on June 30, 2011 by address, square footage, cost per square foot and the number of full-time employees; (2) the office spaces leased for committee staff and for use by public defenders on September 14, 2012 by address, square footage, cost per square foot and number of full-time employees; and (3) the projected additional office space needs for committee staff and for use by public defenders; and provided further, that the committee shall provide full cooperation to the evaluator selected through item 1599-1300 and shall make available to the evaluator any information and data needed to assist with the requirements of the item $44,482,135

0321-1510 For compensation paid to private counsel assigned to criminal and civil cases under subsection (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 shall be expended for services rendered before fiscal year 2013 ..... $100,099,544

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; provided, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the committee 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 $8,900,000

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 on behalf of an indigent person, 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 2013 ..... $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, 2013 that shall include, but not be limited to: (i) the number of persons assisted by the programs funded by the corporation in the prior fiscal year; (ii) any proposed expansion of legal services delineated by type of service, target population and cost; and (iii) the total number of indigent or otherwise disadvantaged residents 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 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 $11,500,00

Mental Health Legal Advisors.

0321-2000 For the operation of the mental health legal advisors committee established pursuant to section 34E of chapter 221 of the General Laws and for certain programs for the indigent mentally ill …… $852,612

Prisoners' Legal Services.

0321-2100 For the expenses of Prisoners' Legal Services $981,810

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 associate justices $11,434,229

Trial Court.

0330-0101 For the salaries of the justices of the 7 departments of the trial court $47,307,647

0330-0300 For the central administration of the trial court, including costs associated with trial court nonemployee 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, court security and judicial training; provided, that 50 per cent of all fees payable pursuant to Rules 15(d) and 30(c)(8) of the Massachusetts Rules of Criminal Procedure shall be paid from this item $205,790,613

0330-3333 For the court administrator, who may expend for the operation of the trial court an amount not to exceed 34 per cent of all revenues received 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 if the trial court projects that 34 per cent of these revenues will exceed the amount appropriated in this item, it shall notify the house and senate committees on ways and means; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the court administrator 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 $23,000,000

0330-3334 For the court administrator, who may expend for the operation of the department an amount not to exceed $22,500,000 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; provided further, that a schedule detailing the full allotment of said $22,500,000 shall be submitted to the house and senate committees on ways and means not later than January 31, 2013; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the court administrator 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 $22,500,000

Superior Court Department.

0331-0100 For the operation of the superior court department; provided, that funds shall be expended for medical malpractice tribunals in accordance with section 60B of chapter 231 of the General Laws; and provided further, that the clerk of the court shall have responsibility for the internal administration of his office, including personnel, staff services and record keeping $25,017,006

District Court Department.

0332-0100 For the operation of the district court department, including a civil conciliation program $47,102,190

Probate and Family Court Department.

0333-0002 For the operation of the probate and family court department $22,072,902

Land Court Department.

0334-0001 For the operation of the land court department $2,712,759

Boston Municipal Court Department.

0335-0001 For the operation of the Boston municipal court department $8,538,726

Housing Court Department.

0336-0002 For the operation of the housing court department $5,873,192

Juvenile Court Department.

0337-0002 For the operation of the juvenile court department; provided, that the department shall expend funds for CASA programs.... ..... $14,642,982

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 that shall include, but not be limited to: (i) the number of individuals determined to be indigent; (ii) the number of individuals determined not to be indigent; (iii) the number of individuals found to be misrepresenting assets; (iv) 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; (v) the total number and amount of indigent misrepresentation fees collected; (vi) the total number and amount of indigent counsel fees collected and the total number and amount of indigent counsel fees waived; (vii) the average indigent counsel fee that each court division collects; (viii) the total number and amount of indigent but able to contribute fees collected and waived; (ix) the range of indigent but able to contribute fees collected; and (x) 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; and (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 corrections centers and electronic monitoring including, but not limited to, global positioning systems, and delineated by level of supervisory and nonsupervisory probation $114,799,578

0339-1003 For the office of community corrections and performance-based contracts for the operation of community corrections centers; provided, that the office shall submit a

report to the house and senate committees on ways and means not later than February 26, 2013; and provided further, that the report shall include, but not be limited to: (i) the performance standards used to assess the success of community corrections centers; (ii) a description of how each community corrections center rates based on performance and utilization data; (iii) the amount of each contract awarded to community corrections centers on a per client-day basis; (iv) standards for terminating contracts with underperforming community corrections centers; and (v) a plan for increasing use of community corrections centers by the courts, the department of correction and the sheriffs $20,099,362

0339-2100 For the operation of the office of the jury commissioner pursuant to chapter 234A of the General Laws $2,442,950

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 the fees payable pursuant to Rules 15(d) and 30(c)(8) of the Massachusetts Rules of Criminal Procedure for appeals taken by the office shall be paid from this item; and provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500 ..... $16,855,414

0340-0198 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 the fees payable pursuant to Rules 15(d) and 30(c)(8) of the Massachusetts Rules of Criminal Procedure for appeals taken by the office shall be paid from this item; and provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500 ..... $14,374,985

0340-0298 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 the fees payable pursuant to Rules 15(d) and 30(c)(8) of the Massachusetts Rules of Criminal Procedure for appeals taken by the office shall be paid from this item; and provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500 ..... $8,832,189

0340-0398 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 the fees payable pursuant to Rules 15(d) and 30(c)(8) of the Massachusetts Rules of Criminal Procedure for appeals taken by the

office shall be paid from this item; and provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500 ..... $9,334,263

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

0340-0498 For the overtime costs of state police officers assigned to the Worcester district attorney's office $413,499

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 the fees payable pursuant to Rules 15(d) and 30(c)(8) of the Massachusetts Rules of Criminal Procedure for appeals taken by the office shall be paid from this item; and provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500 ..... $8,404,444

0340-0598 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 the fees payable pursuant to Rules 15(d) and 30(c)(8) of the Massachusetts Rules of Criminal Procedure for appeals taken by the office shall be paid from this item; and provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500 ..... $5,232,902

0340-0698 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 the fees payable pursuant to Rules 15(d) and 30(c)(8) of the Massachusetts Rules of Criminal Procedure for appeals taken by the office shall be paid from this item; and provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500 ..... $8,610,626

0340-0798 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 the fees payable pursuant to Rules 15(d) and 30(c)(8) of the Massachusetts Rules of Criminal Procedure for appeals taken by the office shall be paid from this item; and provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500 ..... $7,468,951

0340-0898 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 the fees payable pursuant to Rules 15(d) and 30(c)(8) of the Massachusetts Rules of Criminal Procedure for appeals taken by the office shall be paid from this item; and provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500 ..... $7,771,053

0340-0998 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 the fees payable pursuant to Rules 15(d) and 30(c)(8) of the Massachusetts Rules of Criminal Procedure for appeals taken by the office shall be paid from this item; and provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500 ..... $3,798,541

0340-1098 For the overtime costs of state police officers assigned to the Cape and Islands district attorney's office $278,735

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 the fees payable pursuant to Rules 15(d) and 30(c)(8) of the Massachusetts Rules of Criminal Procedure 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 funds shall be expended for the operation and management of the Berkshire County Drug Task Force $3,698,799

0340-1198 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 department shall work in conjunction with the disabled persons protection commission and the 11 district attorneys' offices to prepare a report to the house and senate committees on ways and means and the clerks of the senate and house of representatives not later than March 14, 2013 that shall include, but not be limited to: (i) the number of abuse cases that are referred to each district attorney's office for further investigation; (ii) the number of those referrals resulting in the filing of criminal charges, delineated by type of charge; (iii) the number of cases referred to each district attorney's office that remains open as of the date for submission of the report; and (iv) the number of cases that resulted in criminal prosecution and the disposition of each such prosecution; 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 senate and house of representatives not later than February 28, 2013 detailing by district for calendar year 2012 the following: (a) the number of criminal

cases initiated by arraignment; (b) the number of criminal cases disposed; and (c) the number of criminal cases actively managed during the year; provided further, that the report shall separately identify the number of criminal cases initiated by arraignment, the number of cases disposed and the number of cases under active management where the case includes charges for drug offenses under chapter 94C of the General Laws, motor vehicle charges under chapter 90 of the General Laws or firearm offenses under chapter 140 of the General Laws; provided further, that the association shall submit these reports to the house and senate committees on ways in means in a standard electronic format; 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 senate and house of representatives not later than February 28, 2013, detailing all district attorneys' offices' use of drug forfeiture funds collected pursuant to said chapter 94C; and provided further, that the report shall include, but not be limited to: (1) the amount of the funds deposited into an office's special law enforcement trust fund in fiscal years 2010, 2011 and 2012; (2) how the funds were used in those fiscal years; and (3) the balance in the fund as of January 2, 2013 ..... $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 if 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 continued under section 80 of chapter 236 of the acts of 2000, shall continue during fiscal year 2013 ..... $4,993,342

Office Of The Child Advocate.

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

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 state secretary and the records conservation board; and provided further, that those regulations shall be issued not later than June 28, 2013 ..... $5,912,424

0511-0001 For the state secretary, who may expend revenues not to exceed $15,000 from the sale of merchandise at the state house gift shop for the purpose of replenishing and restocking gift shop inventory..... $15,000

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 domestic, foreign, profit and non-profit corporations that have failed in their statutory responsibility to file an annual report; and provided further, that the secretary shall file a report with house and senate committees on ways and means not later than March 29, 2013 detailing total revenues collected as a result of the corporate dissolution program in fiscal year 2012 and revenues collected to date in fiscal year 2013 ..... $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 state secretary, who shall 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 not less than $325,000 ..... $400,000

0511-0420 For the operation of the address confidentiality program $130,858

0517-0000 For the printing of public documents $500,000

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 state secretary 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 $8,646,892

0521-0001 For the operation of the central voter registration computer system, prior appropriation continued $5,691,979

0524-0000 For providing information to voters $1,873,087

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 in the city of Lawrence $1,017,334

0540-1000 For the registry of deeds in the city of Salem $2,703,583

0540-1100 For the registry of deeds in the former county of Franklin $599,768

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 in the city of Lowell $1,113,611

0540-1500 For the registry of deeds in the city of Cambridge $2,875,012

0540-1600 For the registry of deeds in the town of Adams $250,700

0540-1700 For the registry of deeds in the city of Pittsfield $419,400

0540-1800 For the registry of deeds in the town of Great Barrington $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 in the city of Fitchburg $655,072

0540-2100 For the registry of deeds in the city of Worcester $2,161,481

TREASURER & 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 funds may be expended for the payment of bank fees; provided further, that financial assistance shall be made available to injured firefighters; and provided further, that the treasurer's office shall pay one-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 of residents of the commonwealth $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 the 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 the 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 the 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 $2,060,249

0610-0051 For the operations of the alcoholic beverages control commission relative to the prevention of underage drinking and related programs, including but not limited to applying for and obtaining federal Alcohol, Tobacco and Firearms funds, grants and other federal appropriations; provided, that the commission may expend revenues up to $208,862 collected from fees generated by the commission; and provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenue 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 $208,862

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 $22,482

0610-2000 For payments made to veterans pursuant to section 16 of chapter 130 of the acts of 2005, section 11 of chapter 132 of the acts of 2009 and chapter 646 of the acts of 1968; provided, that the state treasurer may expend not more than $205,000 for costs incurred in the administration of these payments $2,805,000

0611-1000 For bonus payments to war veterans $44,500

Lottery Commission.

0640-0000 For the operation of the state lottery commission and the state arts lottery; provided, that no funds shall be expended from this item for 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 in this item shall be transferred quarterly from the State Lottery Fund to the General Fund $81,494,026

0640-0005 For the costs associated with 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 $5,000,000

0640-0096 For the commonwealth's fiscal year 2013 contributions to the health and welfare fund established pursuant to the collective bargaining agreement between the state lottery commission and the Service Employees International Union, Local 888, AFL-CIO; provided, that the contributions shall be paid to the 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..... $373,152

Massachusetts Cultural Council.

0640-0300 For the services and operations of the council, including grants to or contracts with public and nonpublic entities; provided, that notwithstanding any general or special law to the contrary, the council may expend the amounts appropriated in this item for the purposes of the council as provided in sections 52 to 58, inclusive, of chapter 10 of the General Laws in such amounts and at such times as the council may determine pursuant to section 54 of said chapter 10; provided further, that 25 per cent of the amount appropriated in this item 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 schoolchildren in the commonwealth 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 such schoolchildren, does not apply the same terms and conditions to all such schoolchildren; 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; and provided further, that funding provided in this item shall be in addition to $3,000,000 in funding from the Massachusetts Development Finance Authority made available for the Massachusetts cultural council..... $6,254,109

Debt Service.

0699-0005 For the state treasurer who may retain and expend an amount not to exceed $20,000,000 in fiscal year 2013 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

0699-0014 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 $50,702,783

Commonwealth Transportation Fund 100%

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 and items 0699-9100, 0699-2005 and 0699-0014; 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, 2013, from this item to items 0699-9100, 0699-2005 and 0699-0014 or from items 0699-9100, 0699-2005 and 0699-0014 to this item which would otherwise have insufficient amounts to meet debt service obligations for the fiscal year ending June 30, 2013; 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 2O of said chapter 29 shall be paid from this item and shall be charged to the Infrastructure subfund of the Commonwealth Transportation Fund; provided further, that notwithstanding this item or any other general or special law to the contrary, 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 $1,985,444,553

General Fund 56.5%
Commonwealth Transportation Fund 43.5%

0699-0019 For the payment of interest, discount and principal on certain bonded debt and the sale of bonds of the commonwealth; provided, that the state treasurer may expend revenues up to $25,000,000 generated from interest earnings in fiscal year 2013 from the state's General Fund and Stabilization Fund for this purpose; provided further, the Treasurer may transfer funds from between this item and item 0699-0015, as necessary, provided that the treasurer shall file a report with the house and senate committees on ways and means not later than September 1, 2013 detailing transfers between this item and item 0699-0015; and provided further, that if interest revenues are not sufficient to meet this appropriation, the projected difference between $25,000,000 and projected interested earnings shall be transferred to this item from the General Fund without further appropriation $25,000,000

Commonwealth Transportation Fund 100%

0699-2005 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 $106,001,196

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 not more than $400,000 shall be expended from this item for the costs of personnel at the debt department of the office of the state treasurer; 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, 2013 shall be charged to the various funds or to the General Fund or the Commonwealth Transportation Fund debt service reserves $29,131,247

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..... $13,182,425

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, prior appropriation continued $13,659,122

0710-0100 For the operation of the division of local mandates $379,643

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, the total value of settlement restitution payments, actual monthly collections and any circumstances that produce shortfalls in collections $2,112,420

0710-0225 For the operation of the Medicaid audit unit within the division of audit operations to prevent and 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 not later than March 15, 2013 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 report shall include, to the extent available, a review of all post-audit efforts undertaken by MassHealth to recoup payments owed to the commonwealth due to identified fraud and abuse; provided further, that the report shall include the responses of MassHealth to the most recent post-audit review survey, including the status of recoupment efforts; and provided further, that the report shall include the unit's recommendations to enhance recoupment efforts $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 cost 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, that 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 $2,188,340

0810-0013 For a false claims program in the office of the attorney general; provided, that the program may expend an amount not to exceed $775,000 from revenues collected from enforcement of sections 5B to 5O, inclusive, of chapter 12 of the General Laws; 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 $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 further, 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 of public health'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 ..... ……..$3,333,588

0810-0061 For the purpose of funding existing and future litigation devoted to obtaining significant recoveries for the commonwealth $1,811,579

0810-0098 For the overtime costs of state police officers assigned to the attorney general; provided, that expenditures shall not be made from this item which would cause the commonwealth's obligation under this item to exceed the amount appropriated in this item $340,676

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 in 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 and the associated fringe benefits costs for personnel paid from 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 and the associated fringe benefits costs for personnel paid from 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 attorney general 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 $494,923

0840-0101 For the salaries and administration of the SAFEPLAN advocacy program, to be administered by the Massachusetts office of victim assistance..... $736,667

STATE ETHICS COMMISSION.

0900-0100 For the operation of the state ethics commission $1,843,193

OFFICE OF THE INSPECTOR GENERAL.

0910-0200 For the operation of the office of the inspector general $2,263,052

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 $1,270,342

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 not later than July 1, 2005; provided, that not later than November 1, 2012, 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 cases in the investigation, conciliation, post-probable cause and pre-public hearing and post-hearing stages; provided further, that the

commission shall file an updated report with the house and senate committees on ways and means not later than March 7, 2013; provided further, that the commission shall report to the house and senate committees on ways and means not later than November 1, 2012, on the number of cases pending before the commission in which a state agency or state authority is named as a respondent, specifying those cases by agency or state authority; provided further, that the commission shall include in the report the total number of new cases filed in fiscal year 2012 and the total number of cases closed by the commission in fiscal year 2012; 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 rate of federal reimbursement $2,590,495

0940-0101 For the Massachusetts commission against discrimination which may expend not more than $2,118,911 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 2013 and federal reimbursements received for these and other programs in prior fiscal 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 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 $2,118,911

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

COMMISSION ON GAY, LESBIAN, BISEXUAL AND TRANSGENDER YOUTH.

0950-0050 For the commission on gay, lesbian, bisexual and transgender 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 the comptroller may enter into contracts with private vendors to identify and pursue cost avoidance opportunities for programs of the commonwealth and may 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 that 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 the comptroller deems appropriate and necessary to accomplish the purposes of this item; provided further, that the comptroller shall submit a report on such projects as a part of the comptroller's annual report pursuant to section 12 of chapter 7A of the General Laws; and provided further, that funds from this item shall also be used by the comptroller for program integrity purposes which maximize overpayment recoupment, cost avoidance and other cost recoveries $8,482,378

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 not 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: (i) the number of substantiated claims; (ii) the number of unsubstantiated claims; and (iii) 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 calls are routinely recorded and that each person shall be provided with the opportunity to elect that the call not be recorded $2,316,927

BOARD OF LIBRARY COMMISSIONERS.

7000-9101 For the operation of the board of library commissioners; provided, that notwithstanding section 19A of chapter 78 of the General Laws or any other general or special law to the contrary, for the fiscal year 2013 state aid to public libraries program, the board of library commissioners shall consider that Fitchburg has met the standard of minimum hours of service as provided in section 19B of said chapter 78 and defined in 605 CMR 4.01(3) and further defined in board policies for the state aid program; provided further, that the board shall grant temporary certification to Fitchburg by August 31, 2012, upon receipt of a preliminary report showing compliance with the materials expenditure requirement during fiscal year 2012 and showing that the library has met the municipal appropriation requirement, or is likely to qualify for a waiver of said requirement, in the 2013 state aid to public libraries program; and provided further, that in order for Fitchburg to retain this certification and receive a grant award it shall successfully complete the annual certification process of the board in fiscal year 2013 ..... $1,037,793

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 clause (1) 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; provided further, that notwithstanding any general or special law to the contrary, in calculating the fiscal year 2013 distribution of funds appropriated in this item, the board of library commissioners shall employ population figures used to calculate the fiscal year 2012 distribution; 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 require 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 $430,628

7000-9406 For the Braille and talking book library at Watertown, including the operation of the machine lending agency $2,400,000

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 funds from this item in any year during which 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 2013 for 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 notwithstanding any general or special law to the contrary, 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 $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 findings and 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 agencies within the executive office may, with the prior approval of the secretary, streamline administrative operations pursuant to interdepartmental service agreements; provided further, that the secretary of administration and finance shall provide biannual reports,

the first of which shall be submitted not later than August 1, 2012 and the second not later than February 1, 2013 to the house and senate committees on ways and means, in a format agreed to by the secretary and the committees, detailing by bargaining unit the costs to the commonwealth resulting from collective bargaining agreements with various classified public employees' unions; provided further, that the report shall include the effective date of any new negotiations or renegotiations, the end date of the contract, the number of employees in the bargaining unit by department, the costs associated with any new negotiations or renegotiations, including salary adjustments, step increases, statutory benefits and other non-salary costs for the current and subsequent fiscal years for the life of the contract; provided further, that the report shall also include the total costs incurred for collective bargaining agreements that have expired in the previous fiscal year; provided further, that the executive office for administration and finance and the office of employee relations shall meet with the house and senate committees on ways and means following the submission of each report to discuss the information therein, including all collective bargaining contracts that are set to expire over the next 12 months and the current status of negotiations; and provided further, that the secretary of administration and finance, in consultation with the state auditor, the operational services division, the inspector general and the comptroller, shall design and implement an effective and transparent process for tracking audit and investigative findings by the auditor and the inspector general, and state agencies' corresponding corrective actions, other responses and outcomes and shall report in writing to the house and senate committees on ways and means not later than December 31, 2012 ..... $2,851,624

1100-1201 For the operation of the office of commonwealth performance, accountability and transparency; provided, that the activities funded from this item shall include, but not be limited to, the operation and maintenance of a performance management program, maximization of federal revenue opportunities and oversight of compliance with federal reporting requirements, including the implementation and oversight of the Federal Financial Accountability and Transparency Act, the operation and maintenance of the publicly accessible website required by section 14C of chapter 7 of the General Laws and other statewide transparency initiatives to enhance program integrity and ongoing efforts to prevent fraud, waste and abuse in the executive branch; provided further, that funds may be expended for performing enhanced economic forecasting and analysis; provided further, that the unit may develop guidelines and methodologies for agencies to follow in the forecasting of caseloads and revenue; and provided further, that the office shall provide a report to the house and senate committees on ways and means not later than March 15, 2013 which details the actions of the office over the previous year ... $400,000

1100-1700 For the provision of information technology services within the executive office for administration and finance $25,547,370

1106-0064 For the caseload and economic forecasting office within the office of commonwealth performance, accountability and transparency; provided, that the caseload and economic forecasting office shall forecast: (i) MassHealth enrollment by group; (ii) participation in state subsidized childcare provided through items 3000-3050, 3000-4050 and 3000-4060; (iii) participation in emergency assistance and housing programs provided through items 7004-0101 and 7004-0108; (iv) enrollment, both active member and dependent, in the group insurance commission; (v) recipients of direct benefits provided by the department of transitional assistance through items 4403-2000, 4405-2000 and 4408-1000; and (vi) other related economic forecasts; 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 3, 2012; and provided further, that the office shall submit an updated forecast to the executive office for administration and finance and the house and senate committees on ways and means not later than March 15, 2013 ..... $159,415

Division of Capital Asset Management and Maintenance.

1102-3199 For the operation of the office of facilities management, including the cost of utilities and associated contracts for properties managed by the division; provided, that the office shall continue to provide funding for all janitorial services at the same level provided in fiscal year 2012 for all buildings under the jurisdiction of the office $11,272,903

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 those facilities; provided, that the division shall work with the committee on public counsel services to ensure that public defenders hired in fiscal year 2012 and fiscal year 2013 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; provided further, that the division shall provide full cooperation to the evaluator selected through item 1599-1300 and shall make available to the evaluator any information and data needed to assist with the requirements of the 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 $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

1102-3234 For a competitive grant program; provided, however, that $200,000 shall be expended for the competitive grant program to provide financial support for 1-time costs, including land acquisition, related to construction of municipal town halls to meet compliance for accessibility under the Americans with Disabilities Act where the municipality is under court order to commence construction by December 31, 2013 ..... $200,000

Bureau of the State House.

1102-1128 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 $140,021

1102-3309 For the operation of the bureau of the state house; provided, that a superintendent shall be hired to oversee operations of the bureau; and provided further, that the superintendent, director of operations and other employees of the bureau shall work in conjunction with the business manager of the house of representatives and the business manager of the senate relative to the maintenance, repair, purchases and payments for materials and services $2,000,000

Office on Disability.

1107-2400 For the Massachusetts office on disability $597,951

Civil Service Commission.

1108-1011 For the civil service commission; provided, that the General Fund shall be reimbursed for the appropriation in this item through a fee charged on a per claim basis; provided further, that the 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 on the appointing authority when inappropriate action has occurred $418,240

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 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 further, that such information shall be provided in a manner that meets all applicable federal and state privacy and security requirements $2,537,146

1108-5200 For the commonwealth's share of the group insurance premium and plan costs incurred in fiscal year 2013; 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 2013 and any unexpended balance in this item shall revert to the General Fund on June 30, 2013; 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 shall 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 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 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 leaves of absence for periods 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 the rules for determining the commonwealth's share of the group insurance premiums for retired and active state employees shall be no different from the standards in effect on July 1, 2011; provided further, that the commission shall notify the house and senate committees on ways and means by April 1, 2013 of the cost of the commonwealth's projected share of group insurance premiums for the next fiscal year; provided further, that the commission shall notify the house and senate committees on ways and means at least 90 days prior to any changes in coverage or benefits, or the schedule of copayments and deductibles, for plans offered by the group insurance commission; 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; and provided further, that the group insurance commission shall report not later than December 3, 2012 to the house and senate committees on ways and means on the average full cost premium equivalent per enrollee and the average actual cost per enrollee for enrollees from participating

municipalities, as well as the contribution ratios for each participating municipality, for fiscal year 2011, and, not later than March 31, 2013, for the equivalent information for fiscal year 2012 ..... "$1,223,126,679

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 $2,017,862 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 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 amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $2,017,862

1108-5350 For elderly governmental retired employee premium payments..... $356,000

1108-5400 For the costs of the retired municipal teachers' premiums and the audit of such premiums $68,893,835

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 or 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..... $9,683,370

Division of Administrative Law Appeals.

1110-1000 For the operation of the division of administrative law appeals; 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 the decisions, determinations or actions of which may be appealed to it; and provided further, that every decision issued by a commissioner or other head of an agency, or a 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 $1,135,991

George Fingold Library.

1120-4005 For the administration of the George Fingold Library..... $821,483

Department of Revenue.

1201-0100 For the operation of the department of revenue, including tax collection administration, 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 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 the unit; 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 December 1 and ending not 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..... $87,669,838

1201-0130 For the department of revenue, which may expend for the operation of the department not more than $27,940,257 from revenues collected by the additional auditors for an enhanced audit program; provided, that the auditors shall: (i) 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; (ii) obtain such delinquent returns; and (iii) collect such delinquent taxes for a prior fiscal year; provided further, that the department shall submit a report to the house and senate committees on ways and means not later than March 15, 2013 that shall include, but not be limited to: (a) the amount of revenue produced from these additional auditors; and (b) the amount of revenue produced by this item for each of the past three fiscal years; 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 $27,940,257

1201-0160 For the child support enforcement division; provided, that the division may allocate funds appropriated in this item 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 to the house and senate committees on ways and means upon the allocation of the funds not later than March 15, 2013; 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 a report with the house and senate committees on ways and means not later than March 15, 2013 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 in section 9 of chapter 119A of the General Laws; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the division 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 the network in accounts 1201-0161, 1201-0410 and 1201-0412 ..... $35,380,491

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 for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the division 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

1201-0911 For the costs associated with expert witnesses retained by the department of revenue for the purpose of resolving tax disputes; provided that expenditures from this item shall be the lesser of $2,000,000 and the amount certified by the secretary of administration and finance under section 113 ..... $2,000,000

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, priority for payment of approved claims shall be given to claimants who own or formerly owned not more than 4 dispensing facilities; and provided further, that any unexpended funds in this item at the end of fiscal year 2012

shall not revert and shall be made available for the purposes of this item until June 30, 2013 ..... $13,000,000

1232-0200 For the Underground Storage Tank Petroleum Cleanup Fund Administrative Review Board established in 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 a report to the house and senate committees on ways and means not later than March 15, 2013 on the status of the underground storage tank program including, but not limited to, the number of municipal grants made for the removal and replacement of underground storage tanks, the reimbursements for remediated petroleum spills and the number of backlog claims; and provided further, that the report shall detail the number of tanks that are out of compliance with said chapter 21J $2,104,972

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 Forty-first C of said section 5 of said chapter 59 for additional costs incurred in determining eligibility of applicants under said clause Forty-first B or Forty-first C of said section 5 of said chapter 59 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 granted from the motor vehicle excise pursuant to the seventh paragraph of section 1 of chapter 60A of the General Laws $25,038,075

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 ..... $900,000,000

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 $26,270,000

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 2011 shall receive funding ..... "$500,000

Appellate Tax Board.

1310-1000 For the operation of the appellate tax board; provided, that the board shall schedule hearings in each county; and provided further, that the board shall make available on its website the number of hearings held at each location $1,806,028

1310-1001 For the appellate tax board, which may expend revenues up to a maximum of $400,000 from fees collected; provided, that for the purpose of accommodating 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.

1599-0024 For a reserve to be administered by the office of the comptroller to enhance program integrity and auditing efforts in the commonwealth; provided, that this reserve shall be used to fund a competitive grant program for the funding of auditors or program integrity infrastructure at agencies and departments; provided further, that grants shall be awarded to applicants who best demonstrate the opportunity to maximize overpayment recoupment, savings or other cost recoveries; provided further, that the comptroller shall develop guidelines and an application process and award such grants not later than October 3, 2012; and provided further, that the comptroller shall submit a report to the house and senate committees on ways and means not later than March 15, 2013 which shall include: (i) grants awarded through this item; and (ii) estimated cost savings and cost recoveries achieved by those grants $625,000

1599-0026 For a reserve for 1-time grants to support municipal improvements; provided, that $90,000 shall be expended for planning and capital improvements to recreational and open space facilities in central Massachusetts; provided further, that $2,000,000 shall be expended for a pilot program to connect rural regions with state economic, housing, community and business development programs in the counties of Worcester, Hampden, Hampshire, Franklin and Berkshire; provided further, that not less than $4,000,000 shall be expended for a multi-year competitive grant program to provide financial support for 1-time or 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 funds may be expended by the Edward J. Collins, Jr. Center for public management at the University of Massachusetts at Boston's McCormack Graduate School of Policy Studies to develop and drive a program of performance management, accountability and transparency for local government; provided further, that funds may be expended on programs that received funding from this item in fiscal year 2012 and programs with proven replicable outcomes for municipalities; provided further, that the executive office for administration and finance shall submit a report to the house and senate committees on ways and means not later than March 15, 2013 on: (i) initial results of grants awarded in fiscal year 2012; and (ii) criteria used to measure replicable outcomes for programs; provided further, that $4,000,000shall be transferred to the executive office of public safety and security for a competitive grant program to be administered by the executive office; provided further, that the grants shall be awarded to communities that: (a) have a population of at least 65,000; and (b) demonstrate that their police departments have an operating budget per capita of less than $200 in 2010; and provided further, that the executive office of public safety and security shall report to the house and senate committees on ways and means not later than March 15, 2013 detailing grants awarded through this item and the criteria used for distribution, prior appropriation continued $10,090,000

1599-0050 For Route 3 North contract assistance payments $1,128,818

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 $61,534,170

1599-1300 For a committee on public counsel services process evaluation reserve; provided, that the inspector general shall select an independent evaluator to assess changes made to the administration of indigent defense services over fiscal year 2012 and fiscal year 2013; provided further, that the evaluation shall report on the effectiveness of the committee in making changes to the number of public defenders given the goals of increasing cost efficiency and cost certainty and maintaining quality of representation; provided further, that the evaluator shall be selected through a competitive procurement in which the inspector general shall consider social science researchers with experience in: (i)

conducting process evaluations across a wide array of criminal justice systems; (ii) cost benefit analysis; (iii) developing logic models; (iv) extracting and analyzing criminal justice data, including judicial systems and indigent defense; and (v) quantitative and qualitative evaluations; provided further, that the inspector general shall select the evaluator not later than October 1, 2012; provided further, that preference shall be given to not for profit research organizations; provided further, that the evaluator shall provide quarterly progress updates to the house and senate committees on ways and means beginning on November 1, 2012; provided further, that the evaluator shall provide a preliminary report on their findings to the house and senate committees on ways and means not later than March 15, 2013; and provided further, that this item shall not revert and shall be made available for these purposes through June 30, 2014 ..... $150,000

1599-1301 For an independent program evaluation reserve; provided, that the funds appropriated in this item shall be used to evaluate the Safe and Successful Youth Initiative, funded through item 4000-0005, and programs for English Language Learners in Gateway Cities, funded through item 7009-6400; provided further, that the independent evaluator for each program shall be selected by each program's administrators under the guidelines set forth in section 150; and provided further, that the funds appropriated in this item shall not revert and shall be made available for these purposes through June 30, 2014 ..... $500,000

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 2013 pursuant to 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 ..... $3,462,325

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 $5,200,000

1599-3856 For rent and associated costs at the Massachusetts information technology center in the city of Chelsea $500,000

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 the city of Fall River..... $1,581,922

1599-6901.. For a reserve to adjust the wages, compensation or salary and associated employee-related costs to personnel earning less than $40,000 in annual compensation who are employed by private human service providers that deliver human and social services under

contracts with departments within the executive office of health and human services and the executive office of elder affairs; provided, that home care workers shall be eligible for funding from this appropriation; provided further, that workers from shelters and programs that serve homeless individuals and families that were previously contracted through the department of transitional assistance and the department of public health currently contracted with the department of housing and community development and direct care workers that serve homeless veterans through the department of veterans affairs shall be eligible for funding from this item; provided further, that the secretary of administration and finance may allocate the funds appropriated in this item to the departments in order to implement this initiative; provided further, that the executive office of health and human services shall condition the expenditure of funds from this item upon assurances that the funds shall be used solely for the purposes of equal percentage adjustments to wages, compensation or salary; provided further, that not later than January 15, 2013, the executive office of health and human services shall submit to the house and senate committees on ways and means a report delineating the number of employees, by job title and average salary, receiving the adjustment in fiscal year 2013 and the average percentage adjustment funded herein; provided further, that the report shall also include, for each contract scheduled to receive an allocation from this item in each such department, the total payroll expenditures in each contract for the categories of personnel scheduled to receive the adjustments; provided further, that no funds from this item shall be allocated to special education programs under chapter 71B of the General Laws, contracts for early education and care services or programs for which payment rates are negotiated and paid as class rates as established by the division of health care finance and policy; provided further, that no funds shall be allocated from this item to contracts funded exclusively by federal grants as delineated in section 2D; provided further, that all raises provided from this salary reserve shall be above and beyond any previously negotiated or agreed upon pay raise; provided further, that the total fiscal year 2013 costs of salary adjustments and any other associated employee costs authorized hereunder shall not exceed $20,000,000; provided further, that the executive office of health and human services shall submit an allocation schedule to the house and senate committees on ways and means not less than 30 days after disbursement of funds; and provided further, that the annualized cost of the adjustments in fiscal year 2014 shall not exceed the amount appropriated in this item..... $20,000,000

1599-4417 For the Edward J. Collins, Jr. center for public management at the University of Massachusetts $616,518

1599-4440 For a reserve to meet the fiscal year 2013 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreements referenced in section 112 with the University of Massachusetts $23,146,641

1599-4441 For a reserve to meet the fiscal year 2013 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreements referenced in section 112 with public institutions of higher education..... $23,547,366

1599-4442 For a reserve to meet the fiscal year 2013 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreements referenced in section 112 and clauses (d) and (e) of section 47 of chapter 36 of the acts of 2012 with sheriffs' offices $6,272,376

1599-4443 For a reserve to meet the fiscal year 2013 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreements referenced in section 112 with registries of deeds offices $343,614

1599-4444 For a reserve to meet the fiscal year 2013 costs of salary adjustments and other economic benefits authorized by collective bargaining agreements with the University of Massachusetts, public institutions of higher education, sheriffs and the executive branch that have not yet been ratified by the legislature; provided, that no funds shall be

expended from this account prior to ratification of the collective bargaining agreements by the legislature $5,477,458

1599-7104 For a reserve for the facilities 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 in accordance with generally accepted compensation standards and reviewing appeals for reclassification; and provided further, that the office of employee relations shall work with the executive office for administration and finance to provide the house and senate committees on ways and means with information related to recently negotiated and expiring collective bargaining agreements required under item 1100-1100 ..... $2,618,194

1750-0102 For the human resources division, which may expend not more than $2,700,000 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 section 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 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 $2,700,000

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 2013 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 shall provide $27,758,500

Operational Services Division.

1775-0106 For the operation of an enhanced vendor auditing unit within the operational services division; provided, that the unit shall use a risk analysis program to identify vendor areas at high risk of fraud, overbilling or unallowable expenses; provided further, that the risk analysis shall use vendor-filed uniform financial reports, contracts with state entities and MMARS billing records; provided further, that in determining risk, the unit shall consider: (i) failure to file in a timely manner annual uniform financial reports and required private audits; (ii) related-party transactions; (iii) use of management companies; (iv) amounts of billed expenditures on credit cards; (v) expenditures for non-program expenses such as travel, meals and vehicles; and (vi) 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 such 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 attorney general for investigation; and provided further, that the unit shall file a report to the executive office for administration and finance and the house and senate committees on ways and means not later than March 15, 2013 on the activities of the unit, including the number of audits conducted, the number of vendors audited, the number of vendors demonstrating the risk factors listed in this item, the funds identified for recoupment, the 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 ... $484,278

1775-0115 For the operational services division; provided, that the division may expend funds to procure, manage and administer statewide contracts in an amount not to exceed $3,500,000 from revenues 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 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 $3,500,000

1775-0124 For the operational services division; provided, that the division may expend an amount not to exceed $500,000 from revenues collected in the recovery of cost-reimbursement and non-reimbursable overbilling, 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 shall only retain revenues collected in excess of $207,350; 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 $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-owned and women-owned businesses, which allows those businesses to better

compete for state contracts and 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 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, within or outside of the commonwealth, as applicable; 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 $558,332

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 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 any necessary incidental expenses; 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 $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 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 to be charged to each agency for its use of the human resources and compensation management system; provided further, that the division shall coordinate with the commonwealth office of performance, accountability and transparency 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 comptroller shall establish accounts and procedures as the comptroller deems necessary and appropriate 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 the 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; 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 14, 2012 that shall include, but not be limited to: (i) financial statements detailing savings realized from the consolidation of information technology services within each executive office; (ii) the number of personnel assigned to the information technology services within each executive office; (iii) efficiencies that have been achieved from the sharing of resources; (iv) major accomplishments and business outcomes realized through usage of, and investment in, information technology; and (v) the division's intended strategic direction for information technology $3,291,458

1790-0151 For the division of information technology, which may expend an amount not to exceed $10,000 from fees charged to entities other than political subdivisions of the commonwealth for the distribution of digital cartographic and other data $10,000

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 telecommunication lines, services and equipment; provided, 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 $554,730

1790-0350 For the operation of the Springfield Data Center $1,200,000

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 $5,856,081

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 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 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 $8,992,666

2030-1000 For the operation of the office of environmental law enforcement; provided, that environmental police 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 ..... $9,021,877

2030-1001 For the expense of hiring, equipping and training environmental police recruits for the office of environmental law enforcement $1,314,759

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 for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the office of environmental law enforcement 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, the assessments levied for fiscal year 2013 under said first paragraph of said section 18 of said chapter 25 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 $7,736,332

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 $687,335

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 2013 and prior fiscal years from utility companies; provided, that 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 amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $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 2013 and prior fiscal years from motor carrier companies; provided, that 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 amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $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, the assessments levied for fiscal year 2013 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 $100,000

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 $25,603,354

2200-0102 For the department of environmental protection, which may expend an amount not to exceed $650,151 from revenues collected from fees for wetland permits; provided, that 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 amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $650,151

2200-0107 For technical assistance, grants and support of efforts consistent with the recycling and solid waste master plan and climate protection plan $275,000

2200-0109 For the department of environmental protection, which may expend an amount not to exceed $2,500,000 collected from permit and compliance fees revenues for the sole purpose of ensuring sufficient staff for timely permit decisions and compliance assurance; provided, that notwithstanding any general or special law or regulation to the contrary, the department shall adopt emergency regulations to increase existing permit or compliance fees adopted under section 18 of chapter 21A and section 3B of chapter 21E of the General Laws to reflect the increase in the consumer price index since 2004; provided further, that such fee increases shall take effect during fiscal year 2013 as soon as emergency regulations are promulgated; provided further, that such increases shall terminate in the event that: (i) this line item is abolished or reduced in fiscal year 2013; or (ii) operational funding for the department falls below the level authorized in the General Appropriations Act of 2013; and provided further, that 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 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

2210-0105 For the department of environmental protection, which may expend for the administration and implementation of chapter 21I of the General Laws an amount not to exceed $3,120,894 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 $644,096 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 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 amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $3,120,894

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 $822,437

2220-2221 For the administration and implementation of the operating permit and compliance program required under the federal Clean Air Act $1,465,603

2250-2000 For the commonwealth's implementation of the federal Safe Drinking Water Act under section 18A of chapter 21A of the General Laws $1,515,313

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 $12,804,430

2260-8872 For the brownfields site audit program $1,178,002

2260-8875 For the development of a wastewater smart map and cost model for the Cape Cod region $350,000

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 $388,867

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 those assessments shall be used 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 $699,975

2300-0101 For the division of ecological restoration and riverways protection program, 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; and provided further, that funds shall be expended on a phragmites mitigation plan in marshes between Gloucester and Salisbury $442,824

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, that funds from this item shall be made available to the University of Massachusetts at Amherst for fisheries and wildlife research in an amount not less than the amount received in fiscal year 2012 for such research; provided further, that the department may expend the amount necessary to restore anadromous fish in the Connecticut and Merrimack river systems; provided further, that no funds shall be spent on restoration of catadromous fish in the Connecticut and Merrimack river systems unless deemed necessary by the division; 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 $10,753,821

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 $415,937

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 ..... "$1,500,000

Inland Fisheries and Game Fund 100%

2310-0317 For the waterfowl management program established in 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 improvement 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 $468,977

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, the operation of the Newburyport shellfish purification plant and a 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 and to promote sustainable fisheries; provided further, that $400,000 shall be expended for the operation of the Newburyport shellfish purification plant; provided further, that the division may solicit competitive proposals for the utilization of excess processing capacity at the Newburyport shellfish purification plant, which may include proposals to offer wet storage and desanding services at the plant as described in the shellfish purification plant management plan dated March 1, 2012; provided further, that the division shall be under no obligation to consider or implement any proposal that the division determines would displace, impede or otherwise hinder the existing functions of the plant; provided further, the division may conduct public hearings in order to evaluate the merits of any proposals received and shall develop estimates of the costs and benefits of the proposals including, but not limited to, the creation of new markets, employment opportunities and competitive advantages for the commonwealth; provided further, that the division shall complete a report of its findings pursuant to this item not later than 6 months following the effective date of this act, and shall file that report with the clerks of the senate and house of representatives and with the house and senate committees on ways and means; provided further, that the division may enter into contracts based on proposals received and the division shall notify the house and senate committees on ways and means not later than 60 days prior to taking any such action; and provided further, that any proceeds derived from these activities shall be retained and shall be deposited into item 2330-0150..... $4,612,837

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 and staff and the maintenance and updating of data..... $581,557

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; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of 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 $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 $200,000 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 implementation of the shellfish purification plant management plan dated March 1, 2012 to the executive office of environmental affairs, the executive office for administration and finance and the house and senate committee on ways and means not later than February 28, 2013; 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 $200,000

2330-0300 For the administration and operation of the saltwater fishing permit program pursuant to chapter 161 of the acts of 2009 ..... $801,261

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 animal health, the division of agricultural conservation and 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 agency costs associated with the administration of other boards, commissions and committees chaired by the department; provided, that not less than $80,000 shall be expended for the apiary inspection program; provided further, that funds may be expended to enhance the buy local effort in western, central, northeastern and southern Massachusetts; and provided further, that funds shall be expended for the statewide 4-H program $4,557,151

2511-0105 For the purchase of supplemental foods for the emergency food assistance program within the Feeding America nationally-certified food bank system in the commonwealth; provided, that funds appropriated in this item 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 in this item …….. $12,500,000

2511-3002 For the integrated pest management program; provided, that the department shall expend sufficient funds for the development and implementation of a monitoring and mitigation plan for the eradication of the brown marmorated stink bug and the spotted wing drosophila by the University of Massachusetts Amherst center for agriculture$64,422

Department of Conservation and Recreation.

2800-0100 For the operation of the department of conservation and recreation; provided, that the 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 the department of conservation and recreation for costs incurred by the department of state police 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 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 the cleanup of Pilayella algae; and provided further, funds may be expended for the Schooner Ernestina in New Bedford $4,109,536

2800-0101 For the watershed management program to operate and maintain reservoirs, watershed lands and related infrastructure of the department of conservation and recreation and the office of water resources in the department; 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 $1,019,261

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 $338,556

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's parks, beaches, pools and spray pools shall 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 seasonal employees hired before the second Sunday preceding Memorial Day, whose employment continues beyond the Saturday following Labor Day and who received health insurance benefits in fiscal year 2012 shall continue to receive such benefits in fiscal year 2013 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; 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 $12,381,553

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; provided further, that the department shall file a report with the house and senate committees on ways and means not later than December 14, 2012, that shall include, but not be limited to: (i) the number of dam inspections scheduled for fiscal year 2013; and (ii) the number of dams in need of repair or replacement; and provided further, that funds may be expended for the design, planning and repair of Shepard's Pond Dam in the town of Canton..... $370,705

2810-0100 For the operation of the division of state parks and recreation; provided, that funds appropriated in this item shall be used: (i) to operate all of the division's 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 2013 as were open on July 1, 2012; 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; 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; and provided further, that not less than $660,000 shall be expended for the hiring, training and salaries of new full-time district patrolmen and truckmen under the Bureau of Forest Fire Control..... $40,869,387

Massachusetts Tourism Fund 67%
General Fund 33%

2810-2041 For the department of conservation and recreation, which may expend not more than $14,141,673 from revenue collected by the department including, but not limited to, revenues collected from: (i) campsite reservation transactions from the automated campground reservation and registration program; (ii) permits, leases, concessions and all other contracts; (iii) telecommunications system user fees and other charges established by the commissioner of conservation and recreation and as 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; (iv) skating rink fees and rentals; (v) Ponkapoag golf course fees and rentals; (vi) Leo J. Martin golf course fees and rentals; and (vii) activities authorized pursuant to section 34B of chapter 92 of the General Laws; provided, that the department shall retain and deposit 80 per cent of the aforementioned fees; provided further, that if the department of conservation and recreation projects that total revenues from the fees identified in this item will exceed $17,677,091, the department shall notify the secretary of administration and finance and the house and senate committees on ways and means; provided further, that funds in this item shall be expended for the following purposes: (a) the operation and expenses of the department; (b) expenses, upkeep and improvements to the parks and recreation system, including the personnel costs of seasonal employees as needed; (c) the operation and maintenance of the telecommunications system; (d) the operation and maintenance of the department's skating rinks; (e) the operation and maintenance of the Ponkapoag golf course at an amount not less than $1,098,011; and (f) the operation and maintenance of the Leo J. Martin golf course at an amount not less than $824,790; provided further, that nothing in this item shall impair or diminish the rights of access and utilization of all current users of the telecommunications system under agreements previously entered into; 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

department to maintain the telecommunications system; provided further, that when assigning time for the use of its skating rinks, the department shall give priority to general public skating, and then to those which qualify under applicable state and federal law as a nonprofit organization or as a public school; provided further, that the division of state parks and recreation shall only expend revenues collected at the Ponkapoag and Leo J. Martin golf courses for the operation and maintenance of said courses; provided further, that the division may issue grants to public and nonpublic entities from this item; 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; 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; provided further, that the department shall devise a plan to provide free or reduced admission to facilities under its control to veterans utilizing funds from this item; and provided further, that prior to implementing such plan, the department shall report to the house and senate committees on ways and means on the plan including, but not limited to, any cost implications of such a plan $14,141,673

2820-0101 For the costs associated with the department's 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 park rangers at the state house $1,411,348

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

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 2013 pursuant to said chapter 465 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 $220,256

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 and the associated fringe benefit costs for personnel paid from this item..... $3,477,696

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

Office of the Secretary.

4000-0005 For youth violence prevention program grants administered by the executive office of health and human services; provided, that the programs shall be targeted at reducing youth violence among young persons at highest risk for being perpetrators of, or victims of, gun violence; provided further, that the application for receipt of grants shall require applicants to: (i) identify the target population for services; (ii) identify a method for identifying youth in the target population; (iii) estimate the total number of youth in the target population; and (iv) propose a method for selecting youths for services if the amount of the grant will not cover all youths in the target population; provided further,

that the 20 municipalities with the highest average violent crime rate between 2008 and 2010, as measured by the federal bureau of investigations' uniform crime reports, shall be eligible to apply for grants under this item; provided further, that in selecting grant recipients, the executive office shall ensure that all programs can be consistently evaluated by a single statewide evaluator and that all programs are committed to providing the data and cooperation necessary for comprehensive program evaluation; provided further, that the independent evaluator selected under section 150 shall, to the extent feasible, advise the office on the development of the request for proposals for the grants and shall assist the office in the review and selection of grant applications; provided further, that the awarding of grants under this item and the selection of an independent evaluator for these grants shall be consistent with section 150; provided further, that the secretary shall report to the house and senate committees on ways and means, not later than March 1, 2013 detailing (a) successful grant applications, (b) a set of clearly defined goals and benchmarks on which grant recipients will be evaluated, and (c) outside evaluation that will be utilized to measure program implementation and preliminary outcomes; and provided further, that funds may be set aside for the administration of these programs $8,000,000

4000-0050 For the operation of the personal care attendant quality workforce council established in section 29 of chapter 118G of the General Laws $235,485

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 of health and human services 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 the islands; 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 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 required for: (i) the equivalent of MassHealth Standard benefits for children under age 21 who are in the care or custody of the department of youth services or the department of children and families; (ii) dental benefits provided to clients of the department of developmental services who are age 21 or over; or (iii) cost containment efforts the purposes and amounts of which have been submitted to the executive office for administration and finance and the house and senate committees on ways and means 30 days prior to making these 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 said chapter 118E 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 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 legal rights for any party or to an enforceable entitlement to interpretive services; 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 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 the reports shall include an explanation of such deficiencies including, but not limited to, updated utilization and caseload information and initiatives that did not generate expected savings; provided further, that the information shall be provided in a manner that meets all applicable federal and state privacy and security requirements; provided further, that any unexpended balance in these accounts shall revert to the General Fund on June 30, 2013; 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; and provided further, that the funds authorized herein shall be short-term reimbursement made through MassHealth $86,171,094

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..... $1,740,023

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 may 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 before 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 a real-time model to identify and investigate potential Medicaid fraud cases prior to payment and other innovations; 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 shall report to the house and senate committees on ways and means not later than March 15, 2013 detailing total audit findings and recoveries in fiscal year 2012 and estimated recoveries in fiscal year 2013; provided further, that the report shall differentiate audit findings and recoveries by investment or program as well as by line item; provided further, that the report shall also identify any audits and recoveries referred by the office of the state auditor; provided further, that the executive office shall report to the house and senate committees on ways and means not later than April 1, 2013 on prepayment audit efforts; and provided further, that the report shall include and be limited to: (i) the original amount of estimated payments prior to prepayment audit; (ii) the actual amount of payments made following prepayment audits $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; provided further, that 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 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 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 of health and human services shall maximize federal reimbursement for state expenditures made on behalf of those 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... $73,165,558

4000-0500 For health care services provided to medical assistance recipients under the executive office of health and human service'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 the executive office shall maintain the fiscal year 2012 overall reimbursement rate for the commonwealth's only medical respite program for the homeless; provided further, that expenditures from this item shall be made only for the purposes expressly stated in this item; provided further, that the executive office shall maximize federal reimbursements for state expenditures made to these providers; provided further, that not less than $20,000,000 shall be expended from this item or item 4000-0700, if necessary to achieve maximum federal financial participation, to enhance the ability of hospitals that are not eligible for delivery system transformation initiative grants to serve populations in need more efficiently and effectively; provided further, that $3,000,000 shall be expended for infrastructure and capacity building grants to critical access community hospitals; provided further, that these funds shall be disbursed not later than April 1, 2013; provided further, that not less than $2,000,000 shall be expended from this item or item 4000-0700, if necessary to achieve maximum federal financial participation, to enhance the ability of community health centers and primary care clinicians to serve populations in need more efficiently and effectively; provided further, that these funds shall be disbursed not later than April 1, 2013; provided further, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years; and provided further, that MassHealth shall, to the extent feasible, contract with payers and providers to provide case management services to high cost and high acuity patients $4,166,475,376

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 of the community choices initiative shall not be reduced below the services provided in fiscal year 2012; provided further, that the eligibility requirements for this demonstration project shall not be more restrictive than those established in fiscal year 2012; 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, not later than December 5, 2012, detailing the projected costs and the number of individuals served by the community choices initiative in fiscal year 2013 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 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 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, 2012 may be developed using the costs of calendar year 2005; provided further, that MassHealth shall continue to provide the same number of nursing home leave of absence days to clients as were provided in the fiscal year beginning July 1, 2010; provided further, that no nursing home shall be permitted to reassign a patient's bed during a leave of absence eligible for reimbursement under this clause; and provided further, that MassHealth shall reimburse nursing home leave of absence days at a rate of not less than $30 per day..... $2,756,130,662

4000-0640 For nursing facility Medicaid rates; provided, that notwithstanding any general or special law to the contrary, in fiscal year 2013 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 under 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, to 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 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 2013, 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 ..... "$1,933,730,126

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 recipients in prior fiscal years $178,759,689

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 section 10D of chapter 118E of the General Laws; provided, that the executive office shall provide these 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 $5,248,099

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 those children and adolescents in prior fiscal years $213,894,591

4000-0890 For the cost of health insurance subsidies paid to employees and employers of small businesses in the insurance reimbursement program pursuant to section 9C of chapter 118E of the General Laws; provided, that funds may be expended from this item for health care services provided to those persons in prior fiscal years $30,481,392

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 $15,850,244

4000-0950 For 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 any unexpended balance in this item shall revert to the General Fund; 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 before any such transfer $221,705,516

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 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 those persons in prior fiscal years $13,298,695

4000-1400 For the provision of MassHealth benefits to persons diagnosed with 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 those persons in prior fiscal years $19,744,723

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..... $504,848,457

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..... $285,153,027

4000-1602 For the costs associated with improving MassHealth field operations; provided, that no expenditures shall be made from this item that are not federally reimbursable; and provided further, that MassHealth shall submit a report to the house and senate committees on ways and means not later than April 24, 2013 on the service received by MassHealth clients, including: (i) average wait time before a call is answered; (ii) percentage of issues resolved; and (iii) customer satisfaction survey results..... $2,000,000

4000-1604 For MassHealth costs associated with the implementation of the Patient Protection and Affordable Care Act and payment reform; provided, that no expenditures shall be made from this item that are not federally reimbursable; and provided further, that MassHealth shall submit a report to the house and senate committees on ways and means not later than April 24, 2013 on the implementation of the Affordable Care Act and payment reform initiatives $3,125,000

4000-1700 For the provision of information technology services within the executive office of health and human services $93,676,495

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 noncitizens 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 in section 5 of said chapter 118G for the estimated expenses of the division shall include, in fiscal year 2013, the estimated expenses, including indirect costs, of the division and shall be equal to the amount appropriated in this item of the amounts projected to be collected in fiscal year 2013 from: (i) filing fees; (ii) fees and charges generated by the division's publication or dissemination of reports and information; and (iii) federal financial participation received as reimbursement for the division's administrative costs; provided further, that the assessed amount shall be no less than 55 per cent of the total expenses appropriated for the division and the health safety net office; provided further, that 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 2013 of the amounts projected to be collected in fiscal year 2013 from: (a) filing fees; (b) fees and charges generated by the division's publication or dissemination of reports and information; and (c) 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 in section 38 of said chapter 118G, and shall be collected in a manner consistent with said chapter 118G and deposited in the General Fund; provided further, that the division shall require all hospitals receiving payments from the Health Safety Net Trust Fund to report to the division 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 law 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 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 and the underinsured and the role of employers in assisting their employees in affording health insurance pursuant to section 23 of said chapter 118G; provided further, that the division shall publish a report 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 a report detailing utilization of the Health Safety Net Trust Fund not later than December 6, 2013; provided further, that the report shall include: (1) the number of persons whose medical expenses were billed to the Health Safety Net Trust Fund in fiscal year 2013; (2) the total dollar amount billed to the Health Safety Net Trust Fund in fiscal year 2013; (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 2013; provided further, that the division shall include in the report an analysis of 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 of health care finance and policy shall allocate $2,400,000 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; and 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 $22,029,517

4100-0061 For the division of health care finance and policy, which may expend for the development, operation and maintenance of an all payer claims database an amount not to exceed $4,000,000 from amounts paid to the division for 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 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

4100-0082 For the division of health care finance and policy, which may expend for the migration of health safety net claims adjudication to the executive office of health and human services through its MMIS system and for the maintenance of claims adjudication an amount equal to the amount of federal financial participation received by the state for such activities, not to exceed $2,000,000; provided, that such federal revenue shall be deposited into the General Fund and such amount shall be transferred into this account; and 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 $2,000,000

4100-0360 For the health care quality and cost council established in 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

OFFICE OF DISABILITIES AND COMMUNITY SERVICES.

Massachusetts Commission for the Blind.

4110-0001 For the office of the commissioner and sheltered workforce employee retirement benefits $1,348,142

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 $3,940,941

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 $11,307,315

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 appropriations shall be deducted for pensions, group health or life insurance or any other such indirect costs of federally reimbursed state employees $3,008,118

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; provided further, that lists shall include client names and social security numbers and payee names and other identification, if different from a client's; and provided further, that the commission shall continue to operate and fully staff an office in Sturbridge $417,444

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 appropriations shall be deducted for pensions, group health or life insurance or any other such indirect costs of federally-reimbursed state employees; and provided further, that the commissioner, in making referrals to service providers, shall take into account a client's place of residence and the proximity of the nearest provider $10,013,228

4120-3000 For employment assistance services; provided, that vocational evaluation and employment services for severely disabled adults may be provided $2,072,129

4120-4000 For independent living assistance services $12,655,279

4120-4001 For the housing registry for the disabled $80,000

4120-4010 For the turning 22 program $791,208

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 head injury services $11,236,019

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 $5,447,856

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; and provided further, that the department may expend funds for the Glory 54th Brigade $2,461,370

1410-0012 For services to veterans, including the maintenance and operation of outreach centers; provided, that in fiscal year 2013 the department shall increase the amount allocated to a program or its successor by no less than 10 per cent over the amount received in fiscal year 2012; provided further, that funds shall not be expended for the Middleboro Veterans' Outreach Center; provided further, that the Nathan Hale Foundation in the town of Plymouth shall be the successor to the Middleboro Veterans' Outreach Center; provided further, that the outreach centers shall provide counseling to incarcerated veterans and to Vietnam era veterans who may have been exposed to agent orange and the families of such veterans; and provided further, that the outreach centers shall provide services to veterans who were discharged after September 11, 2001 and the families of such veterans..... $2,167,611

1410-0015 For the women veterans' outreach program..... $75,000

1410-0018 For the department of veterans' services which may expend not more than $565,000 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 $565,000

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

1410-0250 For veterans' homelessness services; provided, that in fiscal year 2013 the department shall increase the amount allocated to a program or its successor by no less than 10 per cent over the amount received in fiscal year 2012 ..... $2,520,518

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 the necessary steps to terminate payments upon the death of a recipient; 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 $21,473,000

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, the commonwealth shall, upon the approval of the secretary of veterans' services, reimburse cities and towns within which homeless shelters, transitional housing facilities, the Soldiers' Home in Massachusetts or the Soldiers' Home in Holyoke are situated for 100 per cent of the amounts of veterans' benefits paid to eligible recipients residing in such shelters, housing facilities or soldiers' homes; provided further, that notwithstanding 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; provided further, that training shall be provided annually and on an as needed basis to veterans' service organizations to provide information and education regarding the benefits available under said chapter 115 and all other benefits to which a veteran or a veterans' 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 costs to the commonwealth and its municipalities; provided further, that veterans' agents shall complete applications authorized by the executive office under said chapter 118E for a veteran, surviving spouse or dependent applying for medical assistance under said chapter 115; provided further, that the veterans' agent shall file the application for the veteran, surviving spouse or dependent for assistance under said chapter 118E; provided further, that the executive office of health and human services shall act on all chapter 118E applications 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 the secretary determines that supplemental coverage is necessary to afford the veteran, surviving spouse or dependent sufficient relief and support; provided further, that payments to, or on behalf of, a veteran, surviving spouse 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 $44,208,484

1410-0630 For the administration of the veterans' cemeteries in the towns of Agawam and Winchendon $1,014,825

1410-1616 For the costs of maintaining war memorials and municipal buildings dedicated to war veterans in the commonwealth; provided, that not less than $25,000 shall be expended for maintaining the Vietnam Veterans' Memorial in the city of Worcester; provided further, that not less than $25,000 shall be expended on the USS Massachusetts at Battleship Cove; provided further, that not less than $10,000 shall be expended on the Korean War Memorial in the city of Charlestown; provided further, that not less than $55,000 shall be expended on other war memorials, including civil war related memorials and sites and municipal buildings dedicated to war veterans; and provided further, that funds shall be expended for veterans memorials with preference to those that include public open space and achieve equal geographic representation across the commonwealth. ……$115,000

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 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 2012 ..... $26,942,840

4180-1100 For the Soldiers' Home in Massachusetts which may expend not more than $435,480 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, upon compensating the registry of motor vehicles for the cost associated with the license plates, shall be deposited into and expended for the purposes of the retained revenue account of the Soldiers' Home; provided further, that the Soldiers' Home may accept gifts, grants, donations and bequests; provided further, that

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; and provided further, that if the registrar of motor vehicles projects that total revenues from the purchase of license plates with the designation VETERAN will exceed the amounts appropriated in this item and item 4190-1100 the registrar shall notify the secretary of administration and finance and the house and senate committees on ways and means, prior appropriation continued..... $435,480

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 2012 ..... $20,177,267

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 copayments which it may charge to users of the program; provided, that no copayment shall be imposed or required of any person which exceeds the level of co-payments charged in fiscal year 2012 ..... $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 services related thereto; and provided further, that 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 $678,014 for the operation of 12 additional long-term care beds from revenue generated through the occupancy of these beds; provided, that 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 $678,014

4190-1100 For the Soldiers' Home in Holyoke which may expend not more than $290,320 for facility maintenance and patient care, including personnel costs; provided, that 40 per cent of the 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 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..... $290,320

OFFICE OF CHILDREN, YOUTH AND FAMILY SERVICES.

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 to align curriculum at the department of youth services with the 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 commissioner 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 2013 ..... $4,066,407

4200-0100 For supervision, counseling and other community-based services provided to committed youths in nonresidential care programs of the department $22,732,056

4200-0200 For pretrial detention programs, including purchase-of-service and state-operated programs $21,074,662

4200-0300 For secure facilities, including purchase-of-service and state operated programs incidental to the operations of the facilities; provided, 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 $101,676,614

4200-0500 For enhanced salaries for teachers at the department of youth services $2,500,000

4200-0600 For the operation of secure facilities to detain arrested youth prior to arraignment under the alternative lock up program $2,100,000

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, 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 and 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, continue and expand the program of placing workers at community and human service organizations to facilitate supplemental nutrition assistance program applications and redeterminations; 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; provided further, that such information shall be provided in a manner that meets all applicable federal and state privacy and security requirements; provided further, that notwithstanding sections 9 and 10 of chapter 117A of the General Laws, section 2 of chapter 118 of the General Laws section 7 of chapter 118A of the General Laws or any general or special law to the contrary, the department shall spend on funeral expenses in items 4403-2000, 4405-2000 and 4408-1000 in fiscal year 2013 no more than the total amount spent in fiscal year 2012; provided further, that in fiscal year 2013, the department shall impose an electronic benefit card replacement fee by reducing the monthly cash benefit of the household receiving the replacement card; and provided further, that after April 1, 2013, the commissioner of the department of transitional assistance may transfer funds for identified deficiencies between items, 4403-2000, 4405-2000 and 4408-1000; and provided further, that the distribution of the funds to be transferred shall be included in an allocation plan, which the commissioner shall file with the house and senate committees on ways and means 15 days prior to any such transfer $55,493,896

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 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 3, 2012 on the status of these programs $3,112,972

4400-1025 For domestic violence specialists at local area offices $798,944

4400-1100 For the payroll of the department's caseworkers; provided, that only employees of bargaining unit 8 shall be paid from this item $63,012,441

4401-1000 For employment and training services for recipients of benefits provided under the transitional aid to families with dependent children program; provided, that the young parent program shall receive not less than $3,099,506; provided further, that funds from this item may be expended on former recipients of the program for up to 1 year after termination of their benefits; provided further, that certain parents who have not yet reached the age of 18, including those who are ineligible for transitional aid to families with dependent children and 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; provided further, that not less than $75,000 shall be provided for learning disability assessments through the University of Massachusetts; provided further, that not less than $600,000 shall be expended for transportation benefits for recipients of transitional aid to families with dependent children; and provided further, that no less than $180,000shall be expended for programs operated through the Massachusetts Office of Refugees and Immigrants $3,954,506

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 shall be paid only to citizens of the United States and to noncitizens for whom federal funds may be used to provide benefits; provided further, that notwithstanding any general or special law or provision 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 2012 unless the department determines that a reduction in the monthly payment standard shall 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 law, shall be 2.75 per cent below the otherwise applicable payment standard in fiscal year 2013, pursuant to the state plan required under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 and pursuant to said act and notwithstanding section 218 of chapter 149 of the acts of 2004 or any other special or general law to the contrary, the recipients defined in said section 218 whose youngest child of record is of the age at which full-time schooling is mandatory or older shall meet the federal standard of 30 hours per week of work-related activity; provided further, that the department shall notify parents under the age of 20 receiving benefits from the program of the requirements of clause (2) of subsection (i) of said section 110 of said chapter 5 or any successor law; 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 of $150 shall be provided to each child eligible under this program in September 2012; provided further, that the children's clothing allowance shall be included in the standard of need for the month of September 2012; 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 or 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 such standards reflect the current medical and vocational criteria; provided further, that the department shall report to the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities 90 days before any changes to the disability 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 relative to eligibility for, or levels of, benefits under the program, the department shall take into account the amounts available to it for expenditure from this item so as not to exceed the

appropriation; provided further, that notwithstanding any general or special law to the contrary, 30 days before adopting any eligibility or benefit changes, the commissioner shall file with the house and senate committees on ways and means, the joint committee on children, families and persons with disabilities 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 $315,351,679

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. $1,200,000

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 law, for parents under the age of 20 who are receiving benefits under the transitional aid to families with dependent children program..... $8,081,401

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 executive office; provided further, that the optional category of payments shall only be administered in conjunction with the Medicaid group adult foster care benefit; provided further, that not less than $1,000,000 shall be made available for rate increases for level IV rest homes as defined in 105 CMR 150.001; provided further, that reimbursements to providers for services rendered in prior fiscal years may be expended from this item; and provided further, that benefits provided through item 4110-1010 in section 2 of chapter 68 of the acts of 2011 may be paid through this item $237,230,438

4408-1000 For a program of cash assistance to certain residents, entitled emergency aid to the elderly, disabled and children, found by the department to be eligible for aid under chapter 117A of the General Laws and regulations promulgated by the department, subject to the limitations of appropriations for such purpose; 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 recipient 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 established pursuant to section 210 of chapter 43 of the acts of 1997 and to parents or other caretakers of dependent children who are ineligible under said chapter 118 and under the separate program; 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 the program required by this item promptly and within the appropriation; provided further, that in implementing the program for fiscal year 2013, 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 adopt emergency regulations under said chapter 30A to implement these eligibility or benefit changes, or both; provided further, that nothing in this item shall be construed to create 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, 90 days before adopting any eligibility or benefit changes, the commissioner shall file with the house and senate committees on ways and means, the joint committee on children, families and persons with disabilities and with the clerks of the senate and house of representatives a detailed and comprehensive report setting forth the text of and 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; provided further, that not less than $400,000 shall be made available for rate increases for level IV rest homes as defined in 105 CMR 150.001 ..... $87,263,877

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 program for program costs of the food protection program; provided, that 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 $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 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 pharmaceutical and medical device companies that market their products in the commonwealth an amount not to exceed $432,188 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 $432,188

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 $17,191,867

4510-0110 For community health center services; provided, that funds may be expended for the South Boston Community Health Center for the implementation of the South Boston Leadership Initiative pilot program..... $1,067,830

4510-0600 For an environmental and community health hazards program, including control of radiation and nuclear hazards, consumer product 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 $3,231,212

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 $1,588,947 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 $1,768,947

4510-0616 For the department of public health, which may expend not more than $1,251,481 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 $1,751,481

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 individuals with intellectual disabilities and the mentally ill and 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 facilities to improve the quality of care in those 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 $6,500,000

4510-0712 For the department of public health which may expend not more than $3,349,053 in revenues collected from the licensure of health facilities for program costs of the division of health care quality; provided, that the department may expend not more than $882,028 from revenues collected from individuals applying for emergency medical technician licensure and recertification; and provided further, that 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 $4,231,081

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 dispense prescription drugs; provided, that the department of public health shall work with MassHealth to obtain access to aggregated prescription data by provider on an ongoing basis for the use of the evidence-based outreach and education program; provided further, that not later than October 1, 2012, the department of public health, in conjunction with the executive office of health and human services, shall report to the house and senate committees on ways and means on data sharing capacity obstacles that are preventing this program from effective outreach; and provided further, that funds shall be set aside from this appropriation for the purposes of program evaluation assessing the effectiveness and cost-savings associated with this program $500,000

4510-0721 For the operation and administration of the board of registration in nursing $854,892

4510-0722 For the operation and administration of the board of registration in pharmacy $234,508

4510-0723 For the operation and administration of the board of registration in medicine and the committee on acupuncture $1,088,151

4510-0725 For the operation and administration of certain health boards of registration, including the board of registration in dentistry, the board of registration of nursing home administrators, the board of registration of physician assistants, the board of registration of perfusionists, the board of registration of genetic counselors and respiratory therapists $315,865

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 $3,160,740

4510-3008 For the amyotrophic lateral sclerosis registry created pursuant to section 25A of chapter 111 of the General Laws $250,000

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 particular attention shall be paid to direct funding proportionately 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 2013 ..... $32,101,023

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 and the 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 $76,539,595

4512-0201 For substance abuse step-down recovery services, 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: (i) there is reason to believe that the individual being diverted suffers from an addiction to OxyContin or heroin or other substance use disorder; and (ii) 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, 2012, 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 in which 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 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 $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 $1,401,531

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 $4,666,697

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..... $12,366,617

4513-1012 For the department of public health, which may expend not more than $26,355,000 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 lower of this authorization or the most recent revenue estimate as reported in the state accounting system $26,355,000

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 service 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 priority shall be given to low and moderate income families; 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 MassHealth shall cover the costs incurred for the transportation of MassHealth members who participate in the early intervention program; 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 house and senate committees on ways and means 90 days before 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 the department of public health shall report not later than April 2, 2013 on the number of children, by community, receiving early intervention services who, without such services are likely to require special education services; provided further, that the department shall provide services to eligible children through 1 service delivery model and shall not determine eligibility for services based on family insurance status; provided further, that the department shall work with the department of early education

and care, the department of elementary and secondary education and the executive office of education on a data sharing pilot program to assign a state assigned student identifier to children participating in early intervention programs with the goal of tracking and evaluating educational and developmental outcomes for those children, improving delivery of services and determining any special education or cost savings associated with the early intervention program; provided further, that the participation of a family in any pilot program shall be contingent upon informed consent; provided further, that the executive office of education and the department of public health, in consultation with the agencies of the executive office of education and executive office of health and human services shall report to the secretary of administration and finance, the house and senate committee on ways and means and the joint committee on education by October 1, 2012 on the definition of informed consent and the process by which informed consent will be obtained, as agreed upon by the executive office of education and the department of public health; and provided further, that the executive office of education and the department of public health, in consultation with the agencies of the executive office of education and executive office of health and human services shall report to the secretary of administration and finance, the house and senate committee on ways and means and the joint committee on education by March 15, 2013 on: (i) the progress made on implementation of the pilot program, including but not limited to, the criteria used for selecting sites and preliminary implementation plans for the assignment of state assigned student identifiers to children receiving early intervention services; (ii) a timetable for full implementation of the pilot program including resource needs to meet the proposed timetable; (iii) a plan for obtaining informed consent from families receiving early intervention services; (iv) the number of state assigned student identifiers that have been assigned to date, if applicable; and (v) recommendations on how the department of public health and the agencies of the executive office of education can rigorously evaluate the effect of early intervention services on the future special education needs of program participants; provided further, that the department shall determine if it projects a surplus in this account not later than October 1, 2012; provided further, that the surplus shall be used to provide salary bonuses to direct care personnel employed by early intervention providers; provided further, that the bonuses shall be considered 1-time in nature and shall not annualize into fiscal year 2014 or subsequent years; and provided further, that no funds from this item shall revert and any surplus funds shall be used for said salary bonuses $28,725,263

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 $70,193

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 shall 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' office; and provided further, that the hotline shall be staffed by counselors or outreach program personnel contracted by the department and trained in issues of mental health counseling and veterans services $3,591,950

4513-1098 For the provision of statewide support services for survivors of homicide victims, including outreach services, burial assistance, grief counseling and other support services; provided, that funds shall be expended as grants in the aggregate amount of $125,000 to the Louis D. Brown Peace Institute, a community-based support organization dedicated to serving families and communities impacted by violence..... $ 125,000

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; and maintenance of the statewide lupus database; provided, that funds may be expended for the operation of the Betsy Lehman center for patient safety and medical error reduction $3,413,076

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; 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..... $5,514,340

4516-0263 For the department of public health, which may expend not more than $1,117,101 in revenues from various blood lead testing fees collected from insurers and individuals to conduct such tests; 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 $1,117,101

4516-1000 For the administration of the center for laboratory and communicable disease control services, including the division of communicable venereal diseases, the division of tuberculosis control and the state laboratory institute; provided, that funds shall be expended for an eastern encephalitis testing program and for tuberculosis testing and treatment services; and 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 ..... "$12,953,520

4516-1010 For state matching funds required by the federal Pandemic and All-Hazards Preparedness Act..... $2,209,400

4516-1022 For the department of public health, which may expend not more than $250,619 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 the 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 lower of this authorization or the most recent revenue estimate as reported in the state accounting system $250,619

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 revenues so collected may be used for all program costs, including the compensation of employees; provided further, 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 lower 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 these 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; provided further, that the department shall collaborate with the department of children and families on this programming; provided further, that the department shall expend not less than $150,000 for a data collection and evaluation pilot; provided further, that the pilot program shall conduct longitudinal tracking of program participants to examine the long-term impact of educational interventions on behaviors; provided further, that the department of elementary and secondary education shall provide local school district-level Youth Risk Behavioral Surveillance datasets to the department of public health for the purpose of targeting and evaluating intervention strategies; and provided further, that the department shall work with the department of early education and care and the department of elementary and secondary education on a pilot program to issue state assigned student identifiers to youth participating in teen pregnancy programs..... $2,536,916

4570-1502 For the implementation of a statewide infection prevention and control program..... $265,299

4580-1000 For the operation of the universal immunization program; provided, that no funds 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 2013 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..... $52,879,812

4590-0250 For school health services and school-based health centers in public and nonpublic schools; provided, that services shall include, but not be limited to: (i) strengthening the infrastructure of school health services in the areas of personnel and policy development, programming and interdisciplinary collaboration; (ii) developing linkages between school health services programs and community health providers; (iii) incorporating health education programs, including tobacco prevention and cessation activities, in school curricula and in the provision of school-based health services; and (iv) 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 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; provided further, that not less than $200,000 shall be expended for the Massachusetts Model of Community Coalitions; provided further, that the department shall examine requiring the installation of automatic external defibrillators in all public schools of the

commonwealth and the establishment of a grant program based on the financial need of the school or school district; and provided further, that the department shall report the results of its analysis not later than October 1, 2012 ..... $11,597,967

4590-0300 For smoking prevention and cessation programs $4,151,958

4590-0912 For the department of public health, which may expend an amount not to exceed $16,990,628 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 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 under 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 lower of this authorization or the most recent revenue estimate as reported in the state accounting system; and 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 $16,990,628

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 county 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 lower 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 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 $142,754,835

4590-0917 For the department of public health, which may expend an amount not to exceed $4,209,388 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 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..... $4,209,388

4590-1503 For the pediatric palliative care program established in section 24K of chapter 111 of the General Laws $896,051

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 for administration and finance not later than November 1, 2012, 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 $1,007,431

4590-1507 For matching grants to the Massachusetts Alliance of Boys and Girls Clubs, the Alliance of Massachusetts YMCAs, the YWCA organizations, nonprofit community centers, teen empowerment and youth development programs; provided, that the department of public health shall award the full amount of each grant to each organization previously included in the youth-at-risk grants, upon commitment of matching funds from those organizations; and provided further, that the department of public health shall award not less than $800,000 each to the Massachusetts Alliance of Boys and Girls Clubs and the Alliance of Massachusetts YMCAs, which shall be distributed equally between the respective recipients' member organizations $2,500,000

4590-2001 For the department of public health, which may expend not more than $3,437,342 for payments received for services provided by Tewksbury hospital to clients of the department of developmental services including the provision of behavioral health services and the continuation of short-term medical rehabilitation for DDS clients; 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 the authorization or the most recent revenue estimate as reported in the state accounting system..... $3,437,342

Department of Children and Families.

4800-0015 For administration and service coordination; 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 department of mental health 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, such child or adolescent is more appropriate for congregate care placement; provided further, that the department, in consultation with the department of mental health, shall assist the department of mental health 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 prioritize 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 such services; provided further, that not later than October 31, 2012, the department shall promulgate and implement regulations which shall ensure that the department shall maintain an independent, timely and fair administrative hearing system; provided further, that beginning on August 15, 2012, the department shall report quarterly to the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities on the department's policy and plan for eliminating its backlog of administrative hearing requests; provided further that each quarterly report shall: (i) include a benchmark for the number of fair hearing requests to be closed in the upcoming quarter; and (ii) shall identify the number of fair hearing requests that are pending and the number of fair hearing requests that are pending for more than 180 days as of the conclusion of the most recent quarter; provided further, that not less than $152,000 shall be expended for additional staff to the fair hearing unit to assist the department in eliminating the department's fair hearing backlog; provided further, that for the purpose of this allocation only, "the department's fair hearing backlog" shall mean those cases pending for more than 180 days from the date of the hearing request; provided further, that not later than March 15, 2013 the department shall report on: (a) the number of foster care reviews conducted by the department; (b) the average length of time in which each review is completed; (c) the number of the department's contracts reviewed by the state auditor; (d) the number of corrective action plans issued; (e) the number of corrective action plans entered into by the department; and (f) the total number of social workers; provided further, that the department shall file a report on the first business day of each quarter 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, intensive 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, 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 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's care and custody who are being provided medical or psychiatric care through other publicly-funded sources; provided further, that the report shall include 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 include 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 contain, the number of kinship guardianship subsidies provided in the quarter covered by the report and the number of kinship guardianship subsidies provided in that quarter for which federal reimbursement was received; provided further, that the report shall include, the total spending on services other than case management services provided to families to keep a child with such child's parents or to reunify the child with such child's parents, spending by type of service and the unduplicated number of families that receive the services; provided further, that the report shall include, the total number of families 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 qualifies, or fails to qualify, for shelter; provided further, that the report shall include, broken down by type of service, the number of requests for voluntary services, whether the request was approved or denied, the number of families denied voluntary services and who are later the subject of a 51A report, the reasons for denying the service and which referrals, if any, were made for services by other agencies or entities; provided further, that the report shall include 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, 2012, 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: (1) criteria used to determine whether a child has been abused or neglected; (2) guidelines for removal of a child from the home; and (3) standards to determine what reasonable efforts are being made to keep a child in the home; provided further, that to the extent feasible within existing appropriations, the department shall maintain existing services for the aging out population; provided further, that the commissioner 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; provided further, that the commissioner shall notify the house and senate committees on ways and means 15 days in advance of any such transfer; and provided further, that not more than 5 per cent of any item shall be transferred in fiscal year 2013 ..... $69,474,448

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 $2,000,000 from revenues collected from various state, county and municipal government entities and 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 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 $2,000,000

4800-0025 For foster care review services $3,005,350

4800-0030 For the continuation of local and regional administration and coordination of services provided by lead agencies through purchase-of-service contracts including flex services; provided, 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 $ 130,000 shall be expended for a contract with

Julie's Family Learning Program in the South Boston section of the city of Boston; provided further, that the department may contract with provider agencies for the coordination and management of services including flex; 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 children's advocacy centers for services for child victims of sexual abuse and assault and community-based support and education programs helping low-income, female-headed families break the cycle of poverty; provided further, that funds shall be expended for the Plymouth County Children's Advocacy Center, the Children's Advocacy Center of Bristol County and Children's Cove Cape and Islands Child Advocacy Center; and provided further, that funds may be expended on programs that received funding in fiscal year 2012 ..... $246,638,481

4800-0040 For family preservation, reunification and service coordination; 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 $44,573,551

4800-0041 For congregate care services; provided, that funds may be expended from this item to provide community-based services, including in-home support and stabilization services, to children who would otherwise be placed in congregate 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 whenever possible before recommending placement in a congregate care setting..... $195,298,990

4800-0091 For the department of children and families which may expend not more than $2,077,119 in federal reimbursements received under Title IV-E of the Social Security Act during fiscal year 2013 to develop 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 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 notwithstanding section 1 or any other general or special law to the contrary, federal reimbursements received in excess of $2,077,119 shall be credited to the General Fund $2,077,119

4800-0151 For a program to provide alternative overnight nonsecure placements for status offenders and nonviolent delinquent youths up to the age of 17 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; provided, that the programs which provide the alternative nonsecure placements shall collaborate with the appropriate 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 $1,004,678

4800-1100 For the costs of the department's social workers; provided, that funds shall mitigate 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 $166,917,450

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 relative to 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; and provided further, that domestic violence prevention specialists shall be funded from this item $21,468,994

Department of Mental Health.

5011-0100 For the operation of the department of mental health; provided, that any unexpended funds in item 5095-0017 of section 2 of chapter 68 of the acts of 2011 shall not revert but shall be made available for expenditure in items 5046-0000 and 5095-0015 until June 30, 2013; and provided further, that not less than $100,000 shall be expended for the Stephanie Moulton Safety Symposium established in section 1 of chapter 19 of the General Laws $27,373,198

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 $76,816,757

5046-0000 For adult mental health and support services; provided, that the department shall allocate $1,500,000 for clubhouses above fiscal year 2012 expenditures for clubhouses; 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, under 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 2013, not later than February 1, 2013 ..... "$343,927,150

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 $125,000

5047-0001 For emergency service programs and acute inpatient mental health care services; provided, that the department shall continue an interagency service agreement with the executive office of health and human services for the purchase of services and for such other services as the agreement may provide; provided further, that the department shall

require a performance specification to be developed for safe aftercare options for adults upon release from acute inpatient mental health care services; and provided further, that the emergency service programs shall take all reasonable steps to identify and invoice the third party insurer of all persons serviced by the programs $35,242,254

5055-0000 For forensic services provided by the department; provided, that funds may be expended for juvenile court clinics $8,634,856

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: (i) the client is deemed clinically suited for a more integrated setting; (ii) community residential service capacity and resources available are sufficient to provide each client with an equal or improved level of service; and (iii) 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 greater 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; provided further, that at least 180 days prior to closing an inpatient mental health facility, the secretary of housing and economic development, or a designee, and the commissioner of capital asset management and maintenance, or a 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 the department shall maintain not less than 653 continuing care inpatient beds in its system in fiscal year 2013; and provided further, that of these 653 beds, 72 beds shall be continuing care inpatient beds on the campus of Taunton State Hospital; provided further, that the department shall maintain and operate these beds until the commission established in section 141 submits its report to the legislature; and provided further, that $100,000 shall be allocated for the purposes of hiring a consultant as established in section 141 ..... $160,138,321

Department of Developmental Services.

5911-1003 For the administration and operation of the department of developmental services; provided, that the department shall not charge user fees for transportation or community day services; 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; and provided further, that the department may expend funds for the Massachusetts Down Syndrome Congress $63,386,703

5911-2000 For transportation costs associated with community-based day and work programs; provided, that the department shall provide transportation on the basis of priority of need as determined by the department $10,486,611

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 2012 pursuant to item 5920-5000 of section 2 of chapter 131 of the acts of 2010; provided further, that funds from this item shall be used 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; provided further, that the commissioner 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 the funds to be transferred; provided further, that the commissioner shall notify the house and senate committees on ways and means 30 days in advance of any such transfer; and provided further, that not more than $5,000,000 shall be transferred from this item in fiscal year 2013 ..... $786,339,514

5920-2010 For state-operated, community-based, residential services for adults, including community-based health services; provided, 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..... $179,989,529

5920-2025 For community-based day and work programs for adults..... $133,957,044

5920-3000 For respite services and intensive family supports; provided, that the department shall pursue the highest rates of federal reimbursement possible for such services $41,004,298

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 provision of services under the Children's Autism Spectrum Disorder Waiver; provided further, that the department shall expend not less than $3,000,000 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 department shall take all steps necessary to ensure that the waiver program is fully enrolled and eligible children with autism immediately begin to receive services under said 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, 2013; 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 and 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..... $4,637,858

5920-5000 For services to clients of the department who turn 22 during state fiscal year 2013 ..... $6,000,000

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: (i) the client is deemed clinically suited for a more integrated setting; (ii) community residential service capacity and resources available are sufficient to provide each client with an equal or improved level of service; and (iii) 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 greater 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; provided further, that at least 6 months prior to closing any ICF/MRs, the secretary of housing and economic development, or a designee, and the commissioner of capital asset management and maintenance, or a 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; and provided further, that the department shall report on all efforts to comply with the Olmstead decision, the enhancement of care within available resources to clients served by the department and the steps taken to consolidate or close intermittent care facilities for persons with intellectual and developmental disabilities..... $133,442,770

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; 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 $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, including the operation of the Massachusetts permit regulatory office and the operation of the office of the wireless and broadband affairs director; 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..... $446,520

7002-0017 For the provision of information technology services within the executive office of housing and economic development, including the homeless management information system $2,976,536

7002-0020 For a precision manufacturing pilot program that provides training to unemployed and underemployed individuals, including veterans, in Hampden county; provided, that the program shall be a partnership between the regional employment board of Hampden county and area precision manufacturing companies and shall be administered by the executive office of housing and economic development; and provided further, that the office shall evaluate the program for the purpose of future replication in other areas of the commonwealth $1,000,000

Department of Housing and Community Development.

7004-0001 For the commission on Indian affairs $107,936

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 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 to make 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 or 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 7004-0108, 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 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 tenant to provide a social security number for use in verification of income eligibility; provided further, that the department may consult with the department of revenue, the department of transitional assistance or any other state or federal agency to conduct income verification; provided further, that notwithstanding any general or special law to the contrary, those state agencies shall consult and cooperate with the department of housing and community development 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 in conducting income verification, the director shall enter into an interdepartmental service agreement with the commissioner of revenue to utilize the department of revenue's wage reporting and bank match system to verify the income and eligibility of participants in federally-assisted housing programs and the income and eligibility 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 re-loan 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, 2012, promulgate regulations clarifying that a household that otherwise qualifies for any preference or priority for state subsidized housing or rental assistance based on homelessness 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; provided further that such information shall be provided in a manner that meets all applicable federal and state privacy and security requirements; provided further that funds may be expended to the Boston Housing Authority for a program to provide certain tenant services for the West Broadway Task Force in the South Boston section of the city of Boston; and provided further, that the department shall expend up to $50,000 for the operation of a pilot program on Cape Cod aimed at removing barriers to self-sufficiency $6,964,734

7004-0100 For the operations of the homeless shelter and services unit, including the compensation of caseworkers and support personnel $5,355,239

7004-0101 For certain expenses of contracted family shelters under the emergency assistance program pursuant to section 30 of chapter 23B of the General Laws; provided, that eligibility shall be limited to families with incomes at or below 115 per cent of the 2011 or 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 those families that shall be eligible for assistance through a temporary emergency family shelter include: (i) families that are at

risk of domestic abuse in their current housing situation or who are homeless because they previously fled domestic violence; (ii) families that are homeless due to fire, flood or natural disaster; (iii) families that, through no fault of their own, have been subject to eviction from their most recent housing due to foreclosure, condemnation, in the case of a family who was evicted from private housing or federal public housing, conduct by a guest or former household member who is not part of the household seeking emergency shelter and over whose conduct the remaining household members had no control, or nonpayment of rent caused by a significant increase in expenses or decrease in income due to a change in household composition or documented medical condition or diagnosed disability or caused by a documented loss of income within the last 15 months, directly as a result of loss of a job, reduction in hourly pay rate, reduction of employment hours, reduction or loss of unemployment benefits or other source of income, documented medical condition or diagnosed disability; and (iv) families who are in a housing situation where they are not the primary lease holder or who are in a housing situation not meant for human habitation and where there is a substantial health and safety risk to the family that is likely to result in significant harm should the family remain in such housing situation; provided further, that the health and safety risk shall be determined by the department of children and families through risk assessments; provided further, that no later than 15 days in advance of the implementation of this item, the department of housing and community development shall provide to the house and senate clerks, the house and senate committees on ways and means, and the joint committee on housing, the written criteria to be used to determine if a substantial health and safety risk is likely to result in significant harm under clause (iv); provided further, that the department shall report monthly, beginning August 1, 2012, to the house and senate clerks, the house and senate committees on ways and means, and the joint committee on housing detailing: (A) the number of families who were denied entry into shelter who would have been eligible in fiscal year 2012; (B) for each family in subclause (A), a breakdown of the individuals affected by age and by gender; (C) the reasons for which those families were denied entry into shelters; (D) what other services those families were connected to; and (E) the resulting housing situation for each family; 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 temporary assistance under this item shall be terminated upon the offer of available housing or other assistance sufficient to maintain or stabilize housing; provided further, that a family shall not decline an offer for available housing if the offer adequately accommodates the size and disabilities of the family and the new housing placement would not result in a job loss for the client; provided further, that any family that declines an adequate offer of available housing or other assistance sufficient to maintain or stabilize housing shall become ineligible for assistance from this item; provided further, that families receiving benefits under this item shall have 30 per cent of their income set aside in a savings account, subject to reasonable exceptions as set forth in departmental regulations in effect in fiscal year 2012; subject to reasonable exceptions as set forth in departmental regulations in effect in fiscal year 2012; provided further, that the amount saved shall be exempt from otherwise applicable asset limits; provided further, that the family may withdraw the amount placed in savings upon transition to permanent housing or losing eligibility for shelter services; provided further, that families who receive benefits under this item for longer than 32 weeks after July 1, 2012 shall not be eligible for household assistance under item 7004-0108 until 12 months from the date of exit from the shelter; provided further, that families receiving emergency assistance shall receive housing search assistance that attempts to facilitate a sustainable housing placement within 16 weeks of entry into the emergency assistance shelter or motel; provided further, that families receiving assistance for longer than 32 weeks shall have an executable shelter exit plan that facilitates a housing placement in a new sustainable tenancy or in a safe residence, including, but not limited to, a placement for which the family is not the primary lease holder, as soon as possible; provided further, that benefits under this item shall be provided only to residents of the commonwealth of Massachusetts who are citizens of the United States or aliens lawfully admitted for permanent residence or otherwise

permanently residing under color of the law in the United States; 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 the department shall make every effort 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 such child under the age of 3 that meets all the state and federal safety codes; provided further, that notwithstanding any other general or special law to the contrary, the department shall immediately provide shelter for up to 30 days to families who appear 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 families receiving such shelter benefits who are found not to be eligible for continuing shelter benefits shall be eligible for aid pending a timely appeal pursuant to chapter 23B of the General Laws; provided further, that families who have stopped receiving shelter benefits through this item shall not be eligible to receive additional shelter benefits for 12 months from the previous date of exit; provided further, that the previous clause shall not apply to temporary shelter benefits provided for up to 30 days while verifying eligibility; 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 the department shall provide to the house and senate committees on ways and means a report of the most recently available weekly data on the number of applications for services provided for in this item and in item 7004-0108; provided further, that the report shall include, but not be limited to, caseload data, including applications, admissions and the distribution of benefits from this item and item 7004-0108; provided further, that 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 notwithstanding any general or special law to the contrary, 60 days before promulgating or amending any regulation, administrative practice or policy that would alter eligibility for, or the level of benefits under, this program, other than that which would benefit the clients, the department shall file with the house and senate committees on ways and means and the clerks of the senate and house of representatives a report setting forth justification for any such change including, but not limited to, any determination by the secretary of housing and economic development that available appropriations from the program will be insufficient to meet projected need; provided further that, upon the approval of the secretary of administration and finance, any amounts appropriated in this item may be transferred to item 7004-0108 or to item 7004-9316; provided further, that the department shall notify the house and senate committees on ways and means 15 days prior to any such transfers; provided further, that any transfer of funds shall not leave this item in a projected deficit; provided further, that the department shall report quarterly to the house and senate committees on ways and means detailing entry and exit statistics as well as the success of diverting and transitioning families from benefits received under this item to permanent housing; provided further, that quarterly reports shall also include the following information from the department of children and families: (a) the number of families assessed in the previous quarter; (b) the number of families determined to be at a substantial health and safety risk; (c) the number of families receiving multiple health and safety assessments within the previous 6 month period; and (d) the standards used to determine a

substantial health and safety risk; 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; provided further, that the department shall notify local school departments of the placement of a family in its district within 5 days of placement; provided further, that the department shall endeavor to convert scattered site shelter units to congregate units and, as allowed by demand, reduce the overall number of shelter beds through the reduction of scattered site units; and provided further, that funds may be expended for the Playspace Program operated by Horizons for Homeless Children; and provided further, that funds shall be expended for the purpose of technical assistance by Homes for Families" $96,679,154

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 shelters or successfully exit shelters; provided, that no organization providing services to the homeless shall receive less than an average per bed, per night rate of $25; provided further, that the department may allocate funds to other agencies for this program; provided further, that no funds shall be expended for costs associated with the homeless management information system; provided further, that programs that currently provide shelter may renegotiate how to use such program's shelter fund, with the agreement of the department and the host municipality, to provide alternative services proven to be effective, including housing first models, transitional housing and diversion away from shelters; and provided further, that not less than $248,000 shall be expended for the River House Shelter in the city of Beverly $40,498,335

7004-0104 For the home and healthy for good program operated by the Massachusetts Housing and Shelter Alliance to reduce the incidence of chronic homelessness; provided, that the alliance shall be responsible for the administration of this program..... $1,400,000

7004-0108 For a program of short-term housing assistance to help families in addressing obstacles to maintaining or securing housing for: (i) families eligible for temporary emergency shelter under item 7004-0101; and (ii) families that received rental assistance under this item prior to July 1, 2012; provided, that except for families that receive rental assistance under this item, assistance provided shall not exceed $6,000 in a 12 month period; provided further, that families that received rental assistance under this item prior to July 1, 2012 shall remain eligible for assistance greater than $6,000 for use as rental assistance provided that the monthly rent for the housing does not exceed the amount approved by the department of housing and community development; provided further, that families eligible for rental assistance shall pay not more than 35 per cent of household income towards rent and utilities; provided further, that a family's eligibility for rental assistance provided hereunder shall not exceed a period of 24 successive months from the date the family first received rental assistance under this item, not including time spent in temporary accommodations; provided further, that a family that is terminated from the program because it has received 24 successive months of rental assistance shall not be able to receive assistance under item 7004-0101 for 12 months from the last date it received assistance through this program; provided further, that the assistance provided under this item shall include not less than 12 months of housing stabilization and economic self-sufficiency case management services for each family receiving benefits hereunder; provided further, that families that have not received services from item 7004-0101 in the previous 12 months shall be eligible for up to $6,000 in assistance over 12 months; provided further, that families receiving services through item 7004-0101 for 32 weeks or fewer from July 1, 2012 through June 30, 2013 shall be eligible for up to $4,000 in assistance over 12 months; provided further, that families receiving services through item 7004-0101 for longer than 32 weeks from July 1, 2012 through June 30, 2013 shall not be eligible for assistance through this item until 12 months from the date of exit from shelter; 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 so long as a family meets the requirements of the family's housing

stabilization plan, a family that, after first receiving benefits through this item, has an income which exceeds 50 per cent of the area median income shall not become ineligible for assistance due to exceeding the income limit for a period of 6 months from the date that the income level was exceeded; provided further, that a family that was terminated from the program or did not make a good faith effort to follow its housing stabilization plan during the term of its assistance shall be ineligible for benefits pursuant to item 7004-0101 and this item for 24 months from the last date upon which they received assistance hereunder, including housing stabilization and economic self-sufficiency case management services; provided further, that a family's housing stabilization plan must adequately accommodate the age and disabilities of the family members; 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 said section 30, and regulations adopted to implement said chapter 23B; provided further, that benefits under this item shall be provided only to residents of the commonwealth 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, 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 receiving assistance hereunder 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 fails 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 this program; provided further, that the department shall administer this program through the following agencies unless administering agencies are otherwise procured by the department: the Berkshire Housing Development Corporation, the Central Massachusetts Housing Alliance, Inc., the Community Teamwork, Inc., the Housing Assistance Corporation, the Franklin County Housing and Redevelopment Authority, Hap, Inc., the Metropolitan Boston Housing Partnership, Inc., the Lynn Housing Authority and Neighborhood Development, the South Middlesex Opportunity Council, Inc., the South Shore Housing Development Corporation and RCAP Solutions, Inc; provided further, that the housing stabilization and economic self-sufficiency case management services funded by this program shall focus efforts on housing retention and economic self-sufficiency by linking households to supports including job training, education, job search and childcare opportunities; provided further, that the department and the administrating agencies 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 submit quarterly reports to the house and senate committees on ways and means, which shall include the number of families served by amount of assistance received, the type of assistance given, the number of families assisted through this program and the average, minimum and maximum costs per family of such assistance; provided further, that notwithstanding any general or special law to the contrary, 30 days before promulgating or amending any regulations, administrative practice or policy that would alter eligibility for, or the level of benefits under, this program, other than that which would benefit the clients, the department shall file with the house and senate committees on ways and means and the clerks of the senate and house of representatives a report setting forth justification for said changes; provided further, that upon the approval of the secretary of administration and finance, and not less than 15 days after notifying the house and senate committees on ways and means, any amounts appropriated in this item may be transferred to item 7004-0101 or to item 7004-9316; and provided further, that any transfer of funds shall not leave this item with a projected deficiency $90,787,766

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 established by the department; and provided further, that no funds shall be expended from this item in the AA object class for the compensation of state employees $1,495,996

7004-3045 For a tenancy preservation program for neutral party consultation services in eviction cases before the housing court department of the trial court for individuals with disabilities and for families with individuals with disabilities if the disability is directly related to the reason for eviction $500,000

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 to maintain and enhance the quality of life in that housing $350,401

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, 2012 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 to reimburse the debt service reserve included in the budgets of housing authorities; provided further, that the amount appropriated in this item shall be deemed to meet all obligations under said sections 32 and 40 of said chapter 121B; provided further, that any new reduced rental units developed in fiscal year 2013 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, operation 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 known as the Massachusetts rental voucher program; provided further, that the income of eligible households first receiving assistance after June 30, 2012 shall not exceed 50 per cent of the area median income; 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 fails 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 monthly dollar amount of each voucher shall be the total monthly rent of the unit less the monthly amount paid for rent by the household; provided further, that any household which is proven to have caused intentional damage to its rental unit in an amount exceeding 2 months of rent during any 1-year lease period shall be terminated from the program; provided further, that a mobile voucher whose use is or has been discontinued shall be reassigned 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 due to the cost of inspections; provided further, that notwithstanding any general or special law to the contrary, each household holding a 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 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, 2012, if the participant's annual eligibility recertification date occurs between June 30, 2012 and September 1, 2012, 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 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; provided further, that not less than $800,000 shall be available for a program to be known as the Massachusetts rental voucher supportive housing program to serve homeless individuals and households with at least 1 child that are determined by the department to be most in need of supportive housing, particularly if said supportive housing will allow the household to exit emergency shelter; provided further, that assistance under the Massachusetts rental voucher supportive housing program shall be project-based and shall include case management services; provided further, that the department shall report quarterly to the house and senate committees on ways and means detailing the progress of said supportive housing program, including but not limited to, the number of families served and the number of families entering the program from emergency assistance shelters; and provided further, that the department of housing and community development shall endeavor to avoid a reduction in the value of the Massachusetts rental voucher from its value as of June 30, 2011 ..... $42,000,000

7004-9030 For the transitional rental assistance program established in 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 damage 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 consistent with said 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 2014; 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 in this item $4,000,000

7004-9315 For the department of housing and community development, which may expend for the administration and monitoring of the low-income housing tax credit and local administration programs an amount not to exceed $2,535,003 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; 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 $2,535,003

7004-9316 For a program to provide assistance in addressing obstacles to maintaining or securing housing for families with: (i) a household income not greater than 30 per cent of area median income that are homeless and moving into subsidized or private housing or are at risk of becoming homeless; or (ii) a household income greater than 30 per cent but not more than 50 per cent of area median income that are homeless and moving into subsidized or private housing, or are at risk of becoming homeless due to a significant reduction of income or increase in expenses; provided, that assistance shall be administered by the department through contracts with the regional non-profit housing agencies or HomeBASE administering agencies to the extent determined by the department; provided further, that not less than 90 per cent of the funds shall be provided to households with an income not greater than 30 per cent of area median income, subject to the department's discretion based on data reflecting program demand and usage; provided further, that in distributing 90 per cent of the funds, the department shall prioritize those families most likely to otherwise require shelter services under item 7004-0101; provided further, that the amount of financial assistance shall not exceed $6,000 in any 12 month period; provided further, that any financial assistance in excess of $4,000 in the same 12 month period shall include a written finding that the additional assistance is deemed necessary by the agency to maintain or secure housing or to otherwise avoid homelessness; provided further, that prior to authorizing a residential assistance payment for a family, the administering agency shall make a finding 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; 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, if the agencies determine that the family 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; provided further, that the department shall report quarterly to the house and senate committees on ways and means detailing: (a) the number of families applying for assistance; (b) the number of families approved for assistance; (c) the minimum, median and average amount of financial assistance awarded; (d) the total amount of assistance awarded to date, including a breakdown by income category; and (e) the number of families falling into each income category; and provided further, that the department shall track a family's reason for assistance by the same categories used in 7004-0101 ..... $8,760,000

7004-9317 For the Individual Development Account (IDA) program, so-called, participants for the purposes of this pilot program shall be any individual or family who is at or below 80 per cent of the area median income, as defined by the United States Department of Housing and Urban Development, in the community in which they live, as defined by said department, for more than 3 years; provided, that funds shall be awarded to community-based organizations to establish local IDA programs; provided further, that funds may be used for administrative costs to operate an IDA program for financial literacy and asset-specific training and as a match for program participant savings for qualified acquisition costs with respect to a qualified principal residence for a qualified first-time homebuyer, as defined by said department; provided further, that said department may determine other qualified match uses consistent with the guidelines established in federal IDA guidelines pursuant to Public Law 105-285, 42 USC 604; and provided further, that funds may be used to secure federal asset building program funds ..... $100,000.

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 $846,160

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 $500,000 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 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 amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $500,000

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 $13,975,451

7006-0011 For the costs incurred by the division of banks associated with licensure of loan originators under 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 under 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 under section 16 of chapter 206 of the acts of 2007; provided further, that such grants shall be awarded through a competitive application process under criteria established by the division; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of 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 $2,650,000

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, the associated fringe benefits costs for personnel paid from this item, 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 assessments currently assessed upon said institutions $12,351,044

7006-0029 For the operation of the health care access bureau in the division of insurance; provided, that under section 7A of chapter 26 of the General Laws, the full amount appropriated in this item, and 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 $2,474,874

7006-0151 For the division of professional licensure, which may expend not more than $540,123 for the oversight of proprietary schools; provided, 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; and provided further, that no expenditures made in advance of the receipts shall 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 $779,493

7006-0066 For the support of the division of standards' municipal inspection efforts; provided, that up to 15 per cent of the amount appropriated in this item 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; and 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 $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; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of 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 $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 2013 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 $2,877,507

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 in sections 3J and 3K of chapter 23A of the General Laws $1,000,000

7007-0300 For the operation of the Massachusetts office of business development $1,717,393

7007-0500 For the operation and maintenance of the Massachusetts biotechnology research institute to promote the commercialization of new, academic-based research and development and to raise the scientific awareness of the communities of the commonwealth $200,000

7007-0800 For a grant for the state match for the 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 the center; provided further, that not more than $300,000 from this item shall be expended for federal procurement technical assistance services within the 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 the electronic identification and tracking of federal bid opportunities; provided further, that funds expended for the operating federal procurement technical assistance services within the 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

7007-0952 For the operation of the commonwealth zoological corporation under 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; provided further, that the corporation shall report to the house and senate committees on ways and means not later than February 1, 2013, 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; provided further, that not less than $300,000 shall be expended for a competitive grant program for zoos not operated by the commonwealth zoological corporation; and provided further, that in awarding said grants, the office of business development shall prioritize zoos located in urban areas and shall award said grants to zoos in a geographically diverse manner $3,800,000

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; provided further, that funds appropriated in this item shall also be used for financial assistance to local tourist councils under section 14 of chapter 23A of the General Laws; provided further, that the office shall provide an annual report to the house and senate committees on ways and means not later than March 15, 2013; provided further, that the report shall provide information on regional tourist activities funded through item 7008-1000; provided further, that not less than $200,000 shall be expended for opening the 11 visitor information centers from Memorial Day to Columbus Day; provided further, that funds may be expended for the Zeiterion Performing Arts Center in New Bedford; provided further, that not less than $250,000 shall be expended as matching grants to the Plymouth 400th Committee for the commemoration of the town of Plymouth's four hundredth anniversary; provided further, that not less than $50,000 shall be expended for the town of Pembroke's three hundredth anniversary; provided further, that not less than $20,000 shall be expended for the Cape Cod Canal centenary celebration; and provided further, that that not less than $10,000 shall be expended for the town of Abington's tricentennial celebration..... $7,217,109

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; provided, that the executive office shall expend not less than $150,000 to produce a study of state and regional labor market conditions that shall include but not be limited to producing a list of the industry areas with the greatest numbers of job vacancies and a list of the professions projected to have the greatest number of vacancies over the next 3 years; provided further, that the executive office of labor and workforce development shall make this study publicly available on its website and distribute it to the community

colleges not later than December 31, 2012; and provided further, that funds may be expended for the Center for Women and Enterprise$884,042

7003-0170 For the provision of information technology services within the executive office of labor and workforce development..... $227,297

Department of Career Services.

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 and 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 September 1, 2013, prior appropriation continued..... $3,000,000

7003-0605 For the operation and maintenance of the Massachusetts manufacturing extension partnership to maintain and promote manufacturing as an integral part of the economy and for programs designed to assist small and mid-sized manufacturing companies $325,000

7003-0803 For the one-stop career centers, including the administration and oversight to these centers provided by the department of career services; provided, that programs funded in the Competitive Integrated Employment Service program in item 4401-1000 in section 2 of chapter 68 of the acts of 2011 may be funded through this item $4,494,467

7003-1206 For the Massachusetts Service Alliance to administer State Service Corps grants and to provide training and support to volunteer and service organizations; provided, that funds may be expended for the Massachusetts Latino Chamber of Commerce; and provided further, that funds may be expended for the New England Farm Workers' Council ..... "$750,000

Department of Labor Standards.

7003-0200 For the operation of the department of labor standards; provided, that a portion of this funding shall be made available for the apprenticeship standards program within the department $2,128,283

7003-0201 For the department of labor standards; provided, that the department may expend an amount not to exceed $452,850 received from fees authorized in 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; and provided further, that 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 amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $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 under section 65 of chapter 152 of the General Laws $19,114,446

Department of Labor Relations.

7003-0900 For the operation of the department of labor relations $2,034,605

7003-0901 For the department of labor relations, which may expend for the operation of the department an amount not to exceed $100,000 from fees collected under section 3B of

chapter 7 of the General Laws and section 6 of chapter 150 of the General Laws; provided, that the first $100,000 of such fees collected by the department shall be deposited into the General Fund and any fees collected in excess of $200,000 shall be deposited into the General Fund; and provided further, that 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 amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $100,000

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 such 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 commissioner of early education and care may transfer funds from items 3000-4050 and 3000-4060 into items 3000-3050, 3000-4050 and 3000-4060; provided further, that total transfers from any 1 item shall not exceed 3 per cent of the item's total funding; provided further, that the commissioner shall notify the house and senate committees on ways and means at least 30 days before any such transfer; provided further, that the department shall work with the department of public health, the department of elementary and secondary education and the executive office of education on a pilot program to issue state assigned student identifiers to children receiving early intervention services, for the purposes of tracking and evaluating educational and developmental outcomes for those children, improving delivery of services and determining any special education or cost savings associated with the early intervention program; provided further, that the participation of a family in any pilot program shall be contingent upon informed consent of participating families; provided further, that $150,000 shall be used for enhanced audits which maximize overpayment recoupment, savings or other cost recoveries of department expenditures; 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 further, that the information shall be provided in a manner that meets all applicable federal and state privacy and security requirements $12,503,088

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 $5,433,862

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 $1,097,237

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 such families' cases; 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 department shall issue monthly reports detailing the number and average cost of voucher and contracted slots funded from this item $76,612,276

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; 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 teenagers 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; and provided further, that not more than $2 per child per hour shall be paid for the services $125,495,740

3000-4060 For income-eligible early education and care programs; provided, that teenaged parents at risk of becoming eligible for transitional aid to families with dependent children may receive services 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; and provided further, that any payment made under any such grant to a school district shall

be deposited with the treasurer of the city, town or regional school district and held as a separate account and, notwithstanding any general or special law to the contrary, shall be expended by the school committee of such city, town or regional school district without municipal appropriation $231,370,452

3000-5000 For grants to head start programs; provided, that funds from this item may be expended on early head start programs $8,000,000

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 expanded access to preschool programs and services to children from the age of 2 years and 9 months until such children are kindergarten eligible; provided further, that funds may 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 practices, 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 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 municipal appropriation..... $7,500,000

3000-6075 For early childhood mental health consultation services in early education and care programs; provided, that preference shall be given to those services designed to limit the number of expulsions and suspensions from such 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 $750,000

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, when appropriate, to coordinate services provided through this item with services provided through item 3000-7050 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; and provided further, that notwithstanding any general or special law to the contrary, priority for such services shall be given to low-income parents $10,463,346

3000-7050 For the coordinated family and community engagement grant program, which shall establish a statewide network of supports for early education; provided, that the department shall distribute the grants not later than August 31, 2012, in order to allow a full year of service for families involved in these programs; provided further, 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's and bachelor's 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, school readiness and family support 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's and bachelor's degrees through professional development programs; provided further, that the department shall take steps to streamline activities and programs funded through this item; provided further, that funds shall be expended 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; and provided further, that the department may expend funds from this item on grants for supplemental services for children with individualized education plans $18,186,633

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, the house and senate committees on ways and means and the joint committee on education not later than February 15, 2013, 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 $11,401,901

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

7009-6400 For grants to establish and operate high-quality, intensive and targeted programs that will rapidly increase English language learning for middle and high school students, in school districts serving Gateway Cities; provided, that prior to soliciting applications for grants under this item, the executive office shall ask Gateway Cities to submit a statement of interest for targeted English language learning grant funds; provided further, that the statement of interest shall be submitted not later than September 3, 2012 by the mayor of the Gateway City and the superintendent of the city's public schools; provided further, that that the statement of interest shall identify their English language learner target population for services and shall demonstrate the capacity of the city to provide data and cooperate with an independent evaluator of the grant program; provided further, that cities submitting eligible statements of interest shall be eligible to apply for grants through this item; provided further, that successful grant applicants shall: (i) define their method for identifying eligible and ineligible students; (ii) estimate the total number of students in their target population; (iii) propose a method for prioritizing students for services if the amount of the grant will not cover all students in the target population; (iv) commit to cooperating with the executive office and the independent evaluator; and (v) provide for after-school enrichment academies to operate during the spring of 2013; provided further, that applications may also provide for acceleration academies to be held during school vacations or Saturday sessions during the spring of 2013; provided further, that in selecting grant recipients, the executive office shall ensure that all programs can be consistently evaluated by a single statewide evaluator and that all programs are committed to providing the data and cooperation

necessary for comprehensive program evaluation; provided further, that the independent evaluator selected under section 150 shall, to the extent feasible, advise the office on the development of the request for proposals for the grants and shall assist the office in the review and selection of grant applications; provided further, that the awarding of grants under this item and the selection of an independent evaluator for these grants shall be consistent with section 150 of this act; provided further, that grant awards shall be made within 45 days of the selection of an independent evaluator; provided further, that the executive office of education shall issue a report to the house and senate committees on ways and means and the joint committee on education not later than March 15, 2013, detailing: (a) successful grant applications; (b) a set of clearly defined goals and benchmarks on which grant recipients will be evaluated; and (c) an outside evaluation that will be utilized to measure program implementation and preliminary outcomes; provided further, that funds may be set aside for the administration of these programs; and provided further, that funds may be expended through August 31, 2013 to allow for summer programming $3,500,000

7009-6402 For grants to support the establishment of career academies in Gateway Cities, and to build stronger relationships and partnerships among high schools, institutions of higher education, local employers and workforce development entities, in order to create multiple and seamless pathways to employment; provided, that funds shall be used to establish Education and Industry Coordinating Councils (EICCs); provided further, that the EICCs shall be chaired by the district superintendent and chair of the local workforce investment boards, and shall include representatives from district high schools, institutions of higher education, industry partners and local or regional employers; provided further, that funding shall be used to engage in planning to establish career academies or to plan for the establishment of such academies during the following fiscal year; provided further, that grants shall be issued no later than December 14, 2012 to allow for adequate planning time; provided further, that the executive office of education shall issue a report to the house and senate committees on ways and means and the joint committee on education not later than December 31, 2012, detailing: (i) successful grant applications and (ii) a set of clearly defined goals and benchmarks on which grant recipients will be evaluated; and provided further, that funds may be expended through August 31, 2013 to allow for summer programming $1,000,000

7009-7000 For costs related to a data sharing pilot program between the department of early education and care, the department of elementary and secondary education, the executive office of education, the department of public health and the executive office of health and human services to assign a state assigned student identifier to children participating in early intervention programs with the goal of tracking and evaluating educational and developmental outcomes for children receiving early intervention services, improving delivery of services and determining cost savings associated with the early intervention program; provided, that any pilot program shall be contingent upon informed consent from participating families; provided further, that the executive office of education and the department of public health, in consultation with the agencies of the executive office of education and executive office of health and human services shall report to the secretary of administration and finance, the house and senate committees on ways and means and the joint committee on education by October 1, 2012 on the definition of informed consent and the process by which informed consent shall be obtained, as agreed upon by the executive office of education and the department of public health; provided further, that the executive office of education and the department of public health in consultation with the agencies of the executive office of education and executive office of health and human services shall report to the secretary of administration and finance, the house and senate committees on ways and means and the joint committee on education by March 15, 2013 on: (i) the progress made on implementation of the pilot program, including but not limited to, the criteria used for selecting sites and preliminary implementation plans for the assignment of state assigned student identifiers to children receiving early intervention services; (ii) a timetable for full implementation of the pilot program including resources needed to

meet the proposed timetable; (iii) a plan for obtaining informed consent from families receiving early intervention services; (iv) the number of state assigned student identifiers that have been assigned to date, if applicable; and (v) recommendations on how the department of public health and the agencies of the executive office of education can rigorously evaluate the effect of early intervention services on the future special education needs of program participants; and provided further, that funds may be transferred from this item to 4513-1020, 7009-1700 and 7009-6379, as necessary, pursuant to an allocation plan, which shall detail by object class the distribution of the funds to be transferred $505,000

Department of Elementary and Secondary Education.

7010-0005 For the operation of the department of elementary and secondary education; provided, that the commissioner of elementary and secondary education may transfer funds from this item to item 7010-3000 for enhanced oversight of education collaboratives; provided further, that $150,000 shall be used for enhanced audits which maximize overpayment recoupment, savings or other cost recoveries of department expenditures; and provided further, that the department, in collaboration with the commission on gay and lesbian youth established in section 67 of chapter 3 of the General Laws, may allocate funds to ensure public schools' support and safety of gay and lesbian students and the implementation of related suicide and violence prevention efforts and reduction of health disparities for gay, lesbian and transgender youth $13,444,988

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 in 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 $17,892,582

7010-0020 For the Bay State Reading Institute; provided, that the institute's program shall be administered under contract with 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 schools and districts including those at risk of or determined to be underperforming under section 1J and 1K of chapter 69 of the General Laws; 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, 2014; and provided further, that the institute shall provide to the house and senate committees on ways and means and the joint committee on education a report no later than February 15, 2013, detailing, by school, program success in meeting measurable goals and benchmarks $400,000

7010-0033 For literacy and early literacy programs; provided, that these programs shall provide ongoing evaluation of outcomes; 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; 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 a report, not later than February 15, 2013, detailing program success in meeting measurable goals and benchmarks; and provided further, that funds may be expended through August 31, 2013 to allow for summer programming $3,147,940

7010-3000 For administrative costs related to the oversight of education collaboratives; provided, that the commissioner of elementary and secondary education may transfer funds from this item to 7010-0005 ..... $250,000

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 the department shall streamline activities from this item with the activities outlined in 7009-6402 whenever the department deems appropriate $3,200,000

7027-1004 For English language acquisition professional development to improve the academic performance of English language learners and effectively implement sheltered English immersion as provided in chapter 71A of the General Laws; provided, that funds may be expended through August 31, 2013; and provided further, that the department shall streamline activities from this item with the activities outlined in 7009-6400 whenever the department deems appropriate $1,214,937

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; and 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 youths from facilities at the department of youth services into regular public school settings $7,478,770

7030-1002 For kindergarten expansion grants to provide 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; 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, notwithstanding any general or special law to the contrary, shall be expended by the school committee of such city, town or regional school district without further appropriation; 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, 2013, the department shall report to the house and senate committees on ways and means on the total number of grants requested and awarded; and 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 2012, reduced in proportion to the overall reduction of this item from fiscal year 2012 to fiscal year 2013 ..... $20,948,947

7030-1005 For Reading Recovery, a 1-to-1, 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 the 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, not later than February 15, 2013, a report detailing, by recipient, program success in meeting measurable goals and benchmarks $400,000

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 grants shall not be considered an entitlement to a grant recipient; and 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 $30,707,455

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..... $45,521,000

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 an approved vocational-technical program of a regional or county agricultural school district, city, town, independent school or collaborative under section 8A of chapter 74 of the General Laws; provided, that if the amount appropriated in this item is insufficient to fully fund said section 8A of said chapter 74, initial reimbursements made by the department of elementary and secondary education may be prorated 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 of said chapter 74, 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 committees on ways and means of the amount needed to fully fund that obligation $400,000

7035-0035 For implementation of a competitively bid, statewide performance-based, integrated program to increase participation and performance in Advanced Placement (AP) courses, particularly among underserved populations, to prepare students for college and career success in science, technology, engineering and mathematics (STEM); provided, that these funds shall support all of the following program elements, without exception, for each school: open access to courses, equipment and supplies for new and expanded AP courses, support for the costs of AP exams and support for student study sessions; provided further, that these funds may support up to 9 days of teacher professional development annually, including a College Board endorsed AP Summer institute for math, science and English AP teachers, content coaches, the establishment and support of Lead Teachers for regional clusters of schools and support for 4 vertical team meetings annually across grades 6-12 in each cluster; provided further, that such program shall provide a matching amount of at least $1,000,000 in private funding; provided further, that the program be chosen through a single competitive process and that the funds be dispersed by the beginning of the 2012-2013 school year to cover costs expended between August 1, 2012 and July 31, 2013; provided further, that this program shall work in conjunction with an existing, separately funded statewide pre-AP

program; provided further, that the department shall deliver to the house and senate committees on ways and means and the joint committee on education, not later than March 15, 2013, an independent evaluation of these programs and their impact on student achievement, particularly as it relates to closing achievement gaps; and provided further, that funds may be expended through August 31, 2013 to allow for summer programming $2,000,000

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 the programs for the full summer vacation period and promoting increased participation in the 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 the grant program during the summer of 2013; provided further, that the 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 the grant program; provided further, that the department shall select grantees for the program authorized by this item not later than March 29, 2013; 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; 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, 2012; and provided further, that nothing in the universal school breakfast program shall give rise to 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 ..... $4,171,079,892

7061-0011 For a reserve to meet extraordinary increases in the minimum required local contribution of a municipality under the requirements of section 3 of this act; provided, that a municipality seeking funds hereunder shall apply for a waiver from the department of revenue under section 122; provided further, that the commissioner shall issue a finding concerning such waiver applications within 30 days of the receipt thereof, after consulting with the commissioner of elementary and secondary education regarding the merits of such application; provided further, that funds may be expended to assist school districts whose target aid percentage exceeds that district's chapter 70

aid as a percentage of foundation by 5 percentage points or greater; provided further, that funds may be expended to assist districts with behavioral treatment residential student placements; provided further, that funds shall be expended to assist districts with foundation enrollment growth of greater than 250 pupils between fiscal year 2012 preliminary foundation enrollment calculations and updated fiscal year 2012 foundation enrollment calculations; and provided further, that no funds distributed from this item shall be considered prior year chapter 70 aid nor shall they be used in the calculation of the minimum required local contribution for fiscal year 2014.....$4,500,000

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 2012 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; 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 in this item; provided further, that funds may be expended to reimburse districts for extraordinary increases in costs incurred during fiscal year 2013 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 2012 to costs reimbursable under said section 5A of said chapter 71B and incurred during fiscal year 2013 or other cases of extraordinary hardship where special education costs increase in relationship to total district costs as the department may define through regulations or guidelines; provided further, that reimbursements for current year costs shall be allocated as 1-time grants and shall not decrease reimbursements in the following fiscal year; provided further, that the department shall conduct audits of fiscal year 2012 claims; provided further, that if the claims are found to be inaccurate, the department shall recalculate the fiscal year 2013 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, 2013, on the results of the audit; and provided further, that not more than $250,000 may be expended for the bureau of special education appeals..... $242,182,288

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 section 55A of said chapter

15, the office shall perform not less than 20 school district audits for fiscal year 2013; and 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..... $959,028

7061-0033 For a reserve to assist towns 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's limits; provided, that funds may be expended on membership dues for the interstate compact on education opportunity for military children $1,300,000

7061-9010 For fiscal year 2013 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 2013 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..... $71,454,914

7061-9200 For the education technology program $901,178

7061-9400 For student and school assessment, including the administration of the Massachusetts comprehensive assessment system exam 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 under the first paragraph of section 1L of chapter 69 of the General Laws; and provided further, that notwithstanding any general or special law to the contrary, assessment of proficiency in English shall be administered in English $23,903,482

7061-9404 For grants to cities, towns and regional school districts to provide targeted remediation programs for students in the classes of 2003 to 2017, inclusive, scoring in level 1 or 2 on the Massachusetts comprehensive assessment system, or MCAS, exam established by the board of elementary and secondary education under 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 2013 and operated by public institutions of higher learning or by public-private partnerships for students in the graduating classes of 2003 to 2015, 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 in said section 1I of said chapter 69,

but who are working to pass the English, math and science, technology and engineering portions of the 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, 2013 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 to 2016, inclusive, instituted by local school districts, public institutions of higher education, 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 2017, 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 Massachusetts comprehensive assessment system 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 item until the district submits to the department of elementary and secondary education a comprehensive district plan under 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 the department shall issue a report not later than February 1, 2013, in collaboration with the department of higher education, describing MCAS support programs for the graduating classes of 2003 to 2017, inclusive, with a special focus on the class of 2003, funded by this item and item 7027-0019, school to work accounts, institutions of public higher education and other sources; provided further, that such report shall include, but not be limited to, the number of students eligible to participate in the programs, the number of students participating in the programs, the number of students who have passed the MCAS assessment and obtained a competency determination through these programs but have 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 the report shall be provided to the chairs of the house and senate committees on ways and means and the house and senate chairs of the joint committee on education; and 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, notwithstanding any general or special law to the contrary, shall be expended by the school committee of such city, town or regional school district without further appropriation $9,094,804

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 and to schools and districts which have been placed in the accountability status of identified for improvement, corrective action or restructuring pursuant to departmental regulations; provided, that no money shall be expended in a school or district that fails to file a comprehensive district plan pursuant to section 1I of said chapter 69; provided further, the department may contract with school support specialists, turnaround partners and such other external assistance as is needed in the 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 of the same subject matter, professional development focused on improving the teacher's content knowledge in the field or subject area in which the teacher is practicing and professional development which provides teachers with research-based strategies for increasing student success; 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 such 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 unless 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 the department shall issue a report not later than February 1, 2013, 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 such districts; the 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 exam and obtained a competency determination through these programs before, and during, the period of intervention and turnaround; any other data relative to the successes achieved or challenges faced by the effort to turn around schools; and any legislative or budgetary recommendations for improving the initiative and increasing the success of all intervention efforts; 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 committees on ways and means 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 or 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, 2013, to allow for intervention and school or school district improvement planning in the summer months; 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, notwithstanding any general or special law to the contrary, shall be expended by the school committee of such city, town or regional school district without further appropriation; and provided further, that funds may be expended for the continuation of a parent engagement program established pursuant to item 7061-9408 of section 2 of chapter 182 of the acts of 2008$6,849,037

7061-9412 For grants to cities, towns and regional school districts for planning 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 school districts that submitted qualifying applications which were approved by the department in fiscal year 2012 and 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, 2012; provided further, that for this item, appropriated funds may be expended through August 31, 2013 to allow for planning and implementation during the summer months; and 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, notwithstanding any general or special law to the contrary, shall be expended by the school committee of such city, town or regional school district without further appropriation $14,042,764

7061-9600 For a discretionary grant program to provide funds to school districts and 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 shall be limited to students who are considered to have severe disabilities and, in the case of students age 18 or 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 such 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 shall 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 public 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 grant program including, but not limited to: provision of funds to retain employment specialists and assist students in meeting integrated competitive employment and other transition-related goals and adoption of procedures and funding mechanisms to ensure that new partnerships of public 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 the capacity to respond to individual parents that request an opportunity for their children to participate in the inclusive concurrent enrollment initiative; provided further that, the department shall encourage planning and development of a pilot program to include students in the

resident life of the college, with accommodations, supports and services necessary to enable inclusive dormitory living; provided further, that tuition for courses shall be waived by the state institutions of higher education for students enrolled through this grant program; provided further, that funds may be distributed to the department of higher education to increase the capacity of public institutions of higher education to include students with severe disabilities in the concurrent enrollment 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 shall select grant recipients not later than July 15, 2012; provided further, that the department of elementary and secondary education, in consultation with the department of higher education, shall report on student outcomes 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, 2013; and provided further, that for the purpose of this item, appropriated funds may be expended through August 31, 2013 ..... $600,000

7061-9601 For the department of elementary and secondary education; provided, that the department shall expend funds not to exceed $1,405,317 for teacher preparation and certification from fees relating to such service; provided further, 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 payment amounts not to exceed the amount of this appropriation $1,405,317

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 nonpublic 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 shall be expended for services that actively include children with disabilities in after-school programs that also serve nondisabled children and services that include children for whom 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 during after-school and out-of-school time programs; provided further, that the department shall select grant recipients not later than September 28, 2012; provided further, that for the purpose of this item, appropriated funds may be expended through August 31, 2013, to allow for implementation of such 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 $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 ..... $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; provided further, that the institute may join the state buying consortium; and provided further, that unexpended funds appropriated shall be made available for this item in fiscal year 2014 ..... $2

7061-9626 For grants and contracts with youth-build programs to provide comprehensive youth-build services $1,500,000

7061-9634 For a transfer of this item to the Mass Mentoring Partnership, 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 Mass Mentoring Partnership for 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 Mass Mentoring Partnership shall submit a report, no later than February 15, 2013, 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 $250,000

7061-9804 For teacher content training in math and science; provided, that such training shall include the 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; provided further, that for the purposes of this item, appropriated funds may be expended through August 31, 2013; and provided further, that the department shall deliver to the general court an evaluation of the program and its impact on student achievement, particularly as it relates to closing achievement gaps $346,162

7061-9810 For regional bonus aid pursuant to subsection (g) of section 16D of chapter 71 of the General Laws $251,950

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 community 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; and provided further, that $250,000 shall be expended to meet existing statutory requirements and establish trustee recruitment, training and accountability initiatives $2,093,708

7066-0002 For costs related to the development and implementation of the degree auditing and transfer system and the adoption of a standard core of course offering and numbering for common credit toward degrees and certificates across the colleges and universities; provided, that the department may enter into an interdepartmental service agreement with the executive office of education for the implementation of the degree auditing and transfer system; provided further, that the department shall collaborate with the colleges

and universities in the development of the degree auditing and transfer system and the common course offering and numbering and reimburse the institutions for reasonable costs associated with said activities, including faculty stipends; and provided further, that the department of higher education shall file a report with the house and senate committees on ways and means not later than January 11, 2013 detailing campuses receiving funds through this item..... $4,000,000

7066-0004 For the office of coordination within the board of higher education $750,000

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 $750,000

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 fund according to an allotment schedule adopted by the executive office for administration and finance..... $500,000

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 adopted by the board of higher education; provided, however, that if sufficient funds are not appropriated to cover full tuition and fee waivers, the council may adopt guidelines that give preference to qualifying students whose expected family contribution, as determined by the Free Application for Federal Student Aid, is less than $10,000. ..... $3,235,400

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 Math & Science shall

provide professional development activities at the school located at Worcester Polytechnic Institute, including salary and benefits for master teachers and visiting scholars; and 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 not later than February 1, 2013 detailing the professional development activities $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; and provided further, that the department of higher education shall file a report with the house and senate committees on ways and means not later than February 15, 2013, detailing campuses receiving funds through this item and the criteria used to award such funds $2,000,000

7066-0038 For the operation of the youth venture program at Mt. Wachusett Community College .... $100,000.

7066-0050 For the Rapid Response incentive program for the community colleges; provided, that these funds shall be distributed by the commissioner of higher education to community colleges through a competitive grant process to allow community colleges to establish workforce training programs that begin within 3 months of an employer request, accelerated degree programs or programs scheduled for working adults; and provided further, that the department of higher education shall file a report with the house and senate committees on ways and means not later than February 15, 2013, detailing campuses receiving funds through this item and the criteria used to award funds..... $3,000,000

7066-0111 For the hiring of a consultant or institution with documented expertise in policy and research of community colleges to be selected by the special commission on higher education financing..... $100,000

7070-0065 For a scholarship program to provide financial assistance to Massachusetts students enrolled in and pursuing a program of higher education in an approved public or independent college, university, school of nursing or other 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 guidelines governing the eligibility and the awarding of financial assistance; 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 2012, reduced in proportion to the overall reduction of this item from fiscal year 2012 to fiscal year 2013 ..... $87,607,756

7070-0066 For a scholarship program to provide financial assistance to students from the commonwealth who are enrolled in and pursuing a program of higher education in the University of Massachusetts, state universities and community colleges designated by the board of higher education to be a training program for an in-demand profession as defined by the executive office of labor and workforce development's study on labor market conditions; provided, that funds from this item may be expended on the administration of the scholarship program; and 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$5,000,000

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; and 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 $2,000,000

7520-0424 For a health and welfare reserve for eligible personnel employed at the community colleges and state universities $5,581,664

University of Massachusetts.

7100-0200 For the operation of the University of Massachusetts; provided, 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 at Boston and for capital lease payments from the University of Massachusetts to the Massachusetts Development Finance Agency; provided further, that the University of Massachusetts shall expend funds for the University of Massachusetts Amherst Cranberry Station; 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 the Amherst, Boston, Dartmouth and Lowell campuses; and provided further, that not less than $50,000 shall be expended for research on breast cancer prevention performed in collaboration with the University of Massachusetts at Lowell, the Silent Spring Institute and the Massachusetts Breast Cancer Coalition $418,032,753

7100-0700 For the operation of the community mediation center grant program administered by the office of dispute resolution at the University of Massachusetts at Boston under section 47 of chapter 75 of the General Laws ..... $925,000".

State Universities.

7109-0100 For Bridgewater State University $33,860,038

7110-0100 For Fitchburg State University $23,467,647

7112-0100 For Framingham State University; provided, that $200,000 shall be expended for the Christa McAuliffe Challenger Learning Center at Framingham State University $21,466,256

7113-0100 For the Massachusetts College of Liberal Arts $12,559,859

7114-0100 For Salem State University $34,614,021

7115-0100 For Westfield State University $20,139,642

7116-0100 For Worcester State University $19,941,794

7117-0100 For the Massachusetts College of Art $13,405,202

7118-0100 For the Massachusetts Maritime Academy $12,330,691

Community Colleges.

7502-0100 For Berkshire Community College $7,988,207

7503-0100 For Bristol Community College $13,885,391

7504-0100 For Cape Cod Community College $9,823,796

7505-0100 For Greenfield Community College $7,805,889

7506-0100 For Holyoke Community College $16,074,594

7507-0100 For Massachusetts Bay Community College $11,859,106

7508-0100 For Massasoit Community College $17,376,153

7509-0100 For Mount Wachusett Community College $11,007,508

7510-0100 For Northern Essex Community 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 $17,629,906

7512-0100 For Quinsigamond Community College $12,980,557

7514-0100 For Springfield Technical Community College $21,070,398

7515-0100 For Roxbury Community 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 $17,121,183

7518-0100 For Bunker Hill Community College $17,496,631

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY.

Office of the Secretary.

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

8000-0202 For the purchase and distribution of sexual assault evidence collection kits $86,882

8000-0600 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 local police departments, sheriff departments, the department of state police, the department of correction and other state agencies, authorities and educational institutions with law enforcement functions as determined by the secretary that receive funds for the cost of replacement of bulletproof vests through the office of the secretary may expend without further appropriation such funds to purchase additional vests in the fiscal year in which they receive the reimbursements; provided further, that funds may be expended to provide additional Milton Police patrols for the Tucker School

neighborhood in the town of Milton; and provided further, that funds may be expended to provide additional Randolph Police patrols in the town of Randolph $2,196,720

8000-1700 For the provision of information technology services within the executive office of public safety and security; provided, that the executive office of public safety and security shall transfer $300,000 to the Massachusetts District Attorneys Association for professional consulting services to make recommendations to the association in its selection of the district attorneys' case management system $19,396,655

8000-1800 For a competitive grant program to be known as the jail diversion community safety initiative, to be administered by the executive office of public safety and security, in collaboration with the department of mental health; provided, that funds shall be expended for grants to reduce arrests of people in mental health crisis by improving police response and fostering access to emergency service programs; provided further, that within the initiative, priority shall be given to applications that emphasize training of municipal police departments in developing skilled personnel with intensive training in de-escalation techniques; provided further, that the executive office of public safety shall solicit proposals from: (i) individual communities or police departments; (ii) clusters of municipalities or police departments; (iii) communities or police departments in partnership with nonprofit organizations; and (iv) other related agencies seeking to collaborate with local public safety officials with the intent of delivering such training or services; provided further, that the grants shall only be awarded to sponsors who demonstrate their intent to: (a) support regional, multidisciplinary approaches to promote access to mental health treatment rather than arrest or jail; and (b) provide resources to communities to develop programs for prevention and intervention and technical assistance and information to support local planning and training efforts; provided further, that the department shall select grantees for the program authorized by this item not later than March 1, 2013; provided further, that the secretary of public safety and security, in collaboration with the department of mental health, shall distribute grant funds through a competitive grant program that requires all applicants to incorporate proven techniques for approaching emotional disturbance calls and working with emergency service programs that combine the best practices from community policing and tested mental health training programs including, but not limited to, crisis intervention teams, mental health first aid and the Massachusetts Mental Health Diversion and Integration Program; provided further, that such funds shall be considered 1-time grants awarded to public agencies and shall not annualize into fiscal year 2014 or subsequent fiscal 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, in collaboration with the department of mental health, shall publish guidelines and an application process for the competitive portion of the grant program not later than October 15, 2012; and provided further, that awards shall be made to applicants to this grant program not later than February 15, 2013 ..... $250,000.

Chief Medical Examiner.

8000-0105 For the operation of the office of the chief medical examiner, established in chapter 38 of the General Laws; provided, that the office shall submit a report to the house and senate committees on ways and means not later than January 18, 2013 detailing the caseload of the office, including number of procedures performed and all relevant information regarding turnaround time and backlogs $7,633,638

8000-0122 For the office of the chief medical examiner, which may expend for its operations an amount not to exceed $2,250,000 in revenues collected from fees for services provided by the chief medical examiner; provided, that 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 $2,250,000

State Police Crime Laboratory.

8000-0106 For the operation and related costs of the state police crime laboratory, including the analysis of samples used in the prosecution of controlled substance offenses conducted at the former department of public health facilities; 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 in accordance with the recommendations of the Forensic Sciences Advisory Board; provided further, that the agency shall submit a report to the house and senate committees on ways and means and the joint committee on public safety and homeland security not later than March 15, 2013 detailing the impact of transferring functions from the department of public health to the state police crime laboratory; and provided further that the report shall compare backlog and wait time information for drug test analysis before and after the transfer $14,911,250

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 to enable local housing authorities to have access to criminal offender record information when qualifying applicants for state-assisted housing $2,000,000

8000-0111 For the operation of the public safety information system and the criminal records review board within the department of criminal justice information services, which may expend for the operation of the office an amount not to exceed $3,000,000 from fees for services provided by the office; provided, that funding from this item may be retained and expended from fees charged and collected under section 172A of chapter 6 of the General Laws; provided further, that funding from this item may be used to provide education and assistance regarding criminal records as specified in said section 172A of said chapter 6, and that the commissioner of the department of criminal justice information services may make funds from this item available for a competitive grant process to provide such training and education; provided further, that for the purpose of accommodating 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; and provided further, that any unexpected funds in this item shall not revert but shall be made available for the purpose of this item until June 30, 2014 ..... $3,000,000

Sex Offender Registry.

8000-0125 For the operation of the sex offender registry including, but not limited to, the costs of maintaining a computerized registry system and the classification of persons subject to the registry; provided, that 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 $3,984,920

Department of State Police.

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 for the purpose of accommodating timing discrepancies between the 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 $27,500,000

8100-0012 For the department of state police, which 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, 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 therefore as reported in the state accounting system $1,050,000

8100-0018 For the department of state police which, may expend an amount not to exceed $4,501,501 for certain police activities provided pursuant to agreements authorized in this item; provided, that for fiscal year 2013, the colonel of state police may enter into service agreements with the person in charge of a military reservation of the United States which has property managed by the Massachusetts Development Finance Agency established in chapter 23G of the General Laws and any other service agreements as necessary to enhance the protection of persons, assets and infrastructure 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: (i) provisions governing payment to the department for the cost of regular salaries, overtime, retirement and other employee benefits; and (ii) 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 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; and provided further, that 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 $4,501,501

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; provided, that 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 $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 $108,000 from fees for services performed through the auto etching program and from assessments upon the insurance industry; provided, that 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 $108,000

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: (i) demonstrate high levels of youth violence, gang problems and substance abuse in a region; (ii) 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; (iii) clearly outline a comprehensive plan for municipalities to work with law enforcement, community-based organizations and government agencies to address gang activity; (iv) make a written commitment to match grant funds with a 25 per cent match provided by either municipal or private contributions; and (v) 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 2014 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, 2012; provided further, that awards shall be made to applicants not later than December 13, 2012; 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 $7,000,000

8100-0515 For the expense of hiring, equipping and training 150 state police recruits to maintain the strength of the department of state police $2,000,000

8100-1001 For the administration and operation of the department of state police; provided, that the department shall expend funds from this item to maximize 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 shall be provided to the department of conservation and recreation to patrol the watershed property of the department of conservation and recreation; 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 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 to investigate cases of criminal abuse; provided further, that the creation of a new or an 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; 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 $245,897,499

8100-1004 For the salaries and other costs for a public benefit fraud unit within the department of the state police; provided, that the unit shall investigate fraudulent or illegal use and receipt of direct public benefits, including but not limited to, transitional aid to families with dependent children; and provided further, that in conducting investigations, the

unit shall work in cooperation with the office of the state auditor, the office of the attorney general, the department of transitional assistance, other state agencies and federal authorities, as appropriate $750,000

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 no expenditures authorized by this item shall be charged to item 8200-0222 ..... $2,588,874

8200-0222 For the municipal police training committee, which may collect and expend an amount not to exceed $900,000 to provide training to new recruits; provided, that the committee shall charge $2,500 per recruit for the training; provided further, the committee shall charge a fee of $2,500 per person for training programs operated by the committee for all persons who begin training on or after July 1, 2012; 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 not 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, no portion of the fee shall be refunded; provided further, that a recruit who withdraws from the program shall pay the municipality in which the recruit 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; and provided further, that for the purpose 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 division of inspections, 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 National Council for Amusement and Recreational Equipment Safety; provided further, that the department may charge fees for amusement operator certification; provided further, that the department shall employ not less than 42 full-time equivalent elevator inspectors, including an additional engineer inspector; and provided further, that the division shall adopt rules or 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 $4,610,086

8315-1020 For the department of public safety which may expend not more than $5,996,573 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 to address the existing elevator inspection backlog; provided further, that funds shall be expended for hiring additional engineering inspectors or engineers; provided further, that funds shall be expended for escalator inspections; 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 Supplemental Security Income benefit, or $7,236 a year, whichever is greater; and provided further, 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 $5,996,573

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 to address 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 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 $95,180 to provide state building code training and courses for instruction; provided, that the agency may charge fees for the classes and educational materials associated with administering training; and provided further, that 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 $95,180

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 2013; 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 2013; provided further, that the amount allocated for hazardous material response teams specifically listed in item 8324-0000 of said section 2 of said chapter 182 shall be allocated to each program in fiscal year 2013 and shall not be reduced by more than 57 per cent; provided further, that not less than $200,000 shall be expended to fund a 20 per cent regional grant match for the Fire Chiefs' Association of Plymouth County to develop and upgrade the emergency radio communications system in

Plymouth county; provided further, that 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 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; 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; and provided further, that 100 per cent of the amount appropriated in this item for the matching grant for the development and upgrade of the emergency radio communications system 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 $17,588,733

8324-0304 For the department of fire services; provided, that the department may expend for enforcement and training an amount not to exceed $8,500 from revenue generated under chapter 148A of the General Laws; and provided further, that 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 $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 $8,438,924

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; provided, that 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 $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; and provided further, that funds from this item may be expended through August 30, 2013 for the reimbursement of the tuition and fees waived for classes taken during the summer months $3,500,000

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 $1,607,752

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 those licensees; and provided further, that the assessments shall be paid during the current fiscal year as provided by the department $447,794

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 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 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 $299,585

Department of Correction.

8900-0001 For the operation of the department of correction; provided, that 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 before January 1 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 2013; provided further, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the department shall submit quarterly 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, 2012, due not later than 30 days after the last day of each quarter; 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 2011 and fiscal year 2012 total costs per inmate by facility and security level not later than October 1, 2012; provided further, that the department shall submit all reports to the executive office for administration and finance, the house and senate committees on ways and means and the joint committee on public safety and homeland security; provided further, that the department of correction may expend $412,000 for the operation of the Western Massachusetts Regional Women's Correctional Center; provided further, that the department shall expend not less than $2,000,000 for cities and towns hosting department of correction facilities; provided further, that of such $2,000,000, no city or town hosting a department of correction facility shall receive more than $800,000; provided further, that of such $2,000,000, no city or town hosting

a department of correction facility shall receive less than the amount allocated in item 8900-0001 of section 2 of chapter 68 of the acts of 2011; provided further, that not less than $25,000 shall be provided for a program for ex-offenders and chronically homeless men to recover from drug and alcohol addiction while learning farm skills; and provided further, that the department of correction may expend $412,000 to transfer male inmates with less than 2 years left on their sentence to the Hampden sheriff's department..... $542,763,132

8900-0002 For the operation of the Massachusetts Alcohol and Substance Abuse Center..... $5,000,000

8900-0010 For prison industries and farm services; provided, that the commissioner of correction or a designee shall determine the cost of manufacturing motor vehicle registration plates and certify to the comptroller the amounts to be transferred from the Commonwealth Transportation Fund to the department of correction revenue source..... $2,897,672

8900-0011 For the prison industries and farm services program, which may expend for the operation of the program an amount not to exceed $3,600,000 from revenues collected from the sale of products, for materials, supplies, equipment, maintenance of facilities and compensation of employees; 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..... $3,600,000

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 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 $4,257,629 in revenues collected from the State Criminal Alien Assistance Program; provided further, that the department may expend not more than $5,742,371 in revenues collected from existing assessments; and provided further, that 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..... $10,000,000

8900-1100 For re-entry programs at the department of correction intended to reduce recidivism rates; provided, that such 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 21, 2013 on re-entry programming at the department of correction; and 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..... $550,139

Parole Board.

8950-0001 For the operation of the parole board..... $17,890,782

8950-0002 For the victim and witness assistance program of the parole board under chapter 258B of the General Laws..... $218,212

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; 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, 2013, which shall include, but not be limited to, the number of parolees participating in the program and the re-incarceration rate of participating parolees; and provided further, that 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 $600,000

SHERIFFS.

Hampden Sheriff's Office.

8910-0102 For the operation of the Hampden sheriff's office $66,442,323

8910-1000 For the prison industries programs at the Hampden sheriff's office; provided, that the program may expend an amount not to exceed $2,396,673 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; and provided further, that 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 $2,396,673

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; 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: (i) the number of incarcerated persons in facilities located in counties that were provided services in each unit; (ii) the number of incarcerated persons in department of correction facilities that were provided services in each unit; (iii) 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 (iv) the estimated and projected cost-savings in fiscal year 2013 to the sheriffs' 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, 2013; 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 office an amount not to exceed $500,000 from federal inmate reimbursements; provided, that 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 $500,000

Worcester Sheriff's Office.

8910-0105 For the operation of the Worcester sheriff's office $40,685,159

Middlesex Sheriff's Office.

8910-0107 For the operation of the Middlesex sheriff's office $61,528,013

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; and provided further, that 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 $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 $75,000 from revenues collected from the sale of products, for materials, supplies, equipment, maintenance of facilities and compensation of employees of the program; provided, that 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 $75,000

8910-1101 For the operation 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; 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: (i) the number of incarcerated persons in facilities located in counties that were provided services in each unit; (ii) the number of incarcerated persons in department of correction facilities that were provided services in each unit; (iii) 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 (iv) the estimated and projected cost-savings in fiscal year 2013 to the sheriffs' 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, 2013; 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 $12,056,459

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 $158,248 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 $158,248

8910-1127 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 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

Berkshire Sheriff's Office.

8910-0145 For the operation of the Berkshire sheriff's office $14,400,919

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 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 $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; and provided further, that 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 $500,000

Franklin Sheriff's Office.

8910-0108 For the operation of the Franklin sheriff's office $8,964,414

8910-0188 For the Franklin sheriff's office, which may expend for the operation of the office an amount not to exceed $2,450,000 from revenues received from any state or federal inmate reimbursements, including reimbursements for the transportation of any state or federal inmates; provided, that 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 $2,450,000

Essex Sheriff's Office.

8910-0619 For the operation of the Essex sheriff's office $45,334,769

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, that the sheriff may expend from this item costs associated with joint federal and state law enforcement activities from federal reimbursements received; and provided further, that 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 Sheriffs' 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 to coordinate and standardize services and programs, collect and analyze data related to incarceration and recidivism and generate reports and provide technical assistance and training to ensure standardization in organization, operations and procedures; provided further, that the 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 the sheriffs; provided further, that the association shall post monthly on its website the monthly inmate population by county; provided further, that for the purpose of maximizing bed capacity and re-entry capability, 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 pretrial, sentenced and federal inmates; provided further, that the office shall submit these reports on a quarterly basis, due not 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 2011 and fiscal year 2012 total costs per inmate by facility and security level not later than August 1, 2012; 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 and 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 2012; and provided further, that the report shall be submitted to the house and senate committees on ways and means not later than February 1, 2013 ..... $344,790

Barnstable Sheriff's Office.

8910-8200 For the operation of the Barnstable sheriff's office $22,757,152

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 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 $28,282,004

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 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 $9,011,360

Dukes Sheriff's Office.

8910-8400 For the operation of the Dukes sheriff's office $2,549,966

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 $25,693,822

8910-8610 For the Norfolk sheriff's office, which may expend for the operation of the office an amount not to exceed $2,500,000from revenues received from federal inmate reimbursements; provided, that 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 $26,041,172

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 further, that if federal inmate reimbursement revenues are not sufficient to meet this appropriation, the projected difference between $18,000,000 and projected federal inmate reimbursements received shall be transferred to this item from the General Fund without further appropriation; and provided further, that 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 $18,000,000

Suffolk Sheriff's Office.

8910-8800 For the operation of the Suffolk sheriff's office $91,301,240

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 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

DEPARTMENT OF ELDER AFFAIRS.

9110-0100 For the operation of the executive office of elder affairs and regulation of assisted living facilities; provided, that the executive office of elder affairs shall report to the house and senate committees on ways and means the number of assisted living units certified and the total revenues generated from application and certification fees for such units..... $1,990,108

9110-1455 For the costs of the drug insurance program authorized in 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 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 in advance of 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 residents of the commonwealth take advantage of this benefit; provided further, that a person shall also be eligible to enroll in the program at any time within 1 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 $18,500,869

9110-1500 For 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 2012 federal poverty income levels and 2012 social security income standards; and provided further, that the report shall be submitted not later than February 1, 2013 $46,461,487

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 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 reallocation 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 no rate increase shall be awarded in fiscal year 2013 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 . $97,283,061

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 items 9110-1630 and 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 in this item to item 9110-1630 ..... $35,738,377

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 $17,250,554

9110-1660 For congregate and shared housing services and naturally occurring retirement communities for the elderly; provided, that not less than $214,000 shall be expended from this item for providers of naturally occurring retirement communities with whom the department of elder affairs entered into service agreements with in fiscal year 2012 at not less than the amount expended to those providers in fiscal year 2012 ..... $1,824,617

9110-1900 For the elder nutrition program; provided, that funds shall be expended for the senior farm share program $6,375,328

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

9110-9002 For grants to the councils on aging and for grants to or contracts with nonpublic 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; and provided further, that such distribution schedules shall be submitted to the house and senate committees on ways and means $9,333,748

LEGISLATURE.

Senate.

9500-0000 For the operation of the senate $17,841,227

House of Representatives.

9600-0000 For the operation of the house of representatives $35,393,116

Joint Legislative Expenses.

9700-0000 For the joint operations of the legislature $7,968,231

9700-0020 For the special commission on the future of the metropolitan beaches established in section 36 of chapter 45 of the acts of 2005 ..... $ 125,000

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 2013. 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 2013 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, 2013 for the clean energy investment program and other projects or programs for which the 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, 2013; 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 accounting system for fiscal year 2013; provided, that any unspent balance at the close of fiscal year 2013 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 2014 ..... $2,985,334

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 for administration and finance $54,958,923

Division of Capital Asset Management and Maintenance.

1102-3224 For the costs for the Leverett Saltonstall building lease and occupancy payments; provided, that the division of capital asset management and maintenance shall submit to the house and senate committees on ways and means on or before the first of each

month beginning July 1, 2012 a monthly report on the agencies that currently, or will during fiscal year 2013, occupy space in the Saltonstall building, their rental costs, utility costs, parking space allocation, floor space, lease dates, all services included in the lease and all services that the agencies are obligated to fund beyond the lease payments; and provided further, that the report shall include both estimated payments and prior expenditures..... $11,217,734

1102-3226 For the operation and maintenance of state buildings, including the Hurley state office building, occupied by the department of unemployment assistance and the department of career services; provided, that the division may also charge for 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..... $2,861,648

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; 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; and provided further, that the division may charge and collect from participating state agencies fees sufficient to cover the costs of shared services $200,000

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 2013 to the house and senate committees on ways and means no later than March 1, 2013; 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 2013 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: (i) notify agencies regarding the chargeback methodology to be used in fiscal year 2013; (ii) notify agencies of the amount of their estimated workers compensation charges for the fiscal year; and (iii) 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 2013 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: (a) determine the amount of the actual workers' compensation costs incurred by each agency in the preceding month, including related administrative expenses; (b) notify each agency of the amounts; and (c) 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 2013 shall be transferred to the General Fund; provided further, that any unspent balance at the close of fiscal year 2013 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 2014; provided further, that the personnel administrator may expend in fiscal year 2013 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 $57,543,575

1750-0106 For the workers' compensation litigation unit, including the costs of personnel $718,535

1750-0600 For the cost of core human resources administrative processing functions $3,500,000

1750-0601 The human resources division 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 of 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 of administration and finance, including the purchase, lease or rental of telecommunications lines, services and equipment 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 2013; 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 2013 shall remain in the Intergovernmental Service Fund and may be expended for the item in fiscal year 2014 $71,551,608

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 $2,073,534

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 environment $1,290,571

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 $7,401,973

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 such 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 $20,680,742

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 for 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, 2012; 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 Barnstable, Berkshire, Bristol, Essex, Franklin, Hampden, Hampshire, Middlesex, Norfolk and Plymouth and the Soldiers' Homes in the cities of 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, Suffolk 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 these 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, Suffolk and Dukes; provided further, that SOPS shall validate previously-submitted pharmacy expenditures including HIV Drug Assistance Program drug reimbursements during fiscal year 2013; and 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 $47,865,393

4590-0901 For the costs of medical services provided at department of public health hospitals $150,000

4590-0903 For the costs of medical services provided at the department of public health Lemuel Shattuck hospital to inmates of county correctional facilities; provided, that those costs shall be charged to items 8910-0001, 8910-0102, 8910-0105, 8910-0107, 8910-0108, 8910-0110, 8910-0145, 8910-8200, 8910-8300, 8910-8400, 8910-8500, 8910-8600, 8910-8700, 8910-8800, and 8910-0619 ..... $3,800,000

Department of Developmental Services.

5948-0012 For the operation of a program providing alternatives to residential placements for children with intellectual disabilities, including the costs of intensive home-based supports provided for the purposes of item 7061-0012 in section 2 ..... $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 $2,461,948

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

Office of the Secretary.

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

Department of 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 $33,601,884

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 costs 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..... $8,050,000

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, 2012, and not included as part of an appropriation item in this section, is hereby made available for expenditure during fiscal year 2013, in addition to any amount appropriated in this section.

JUDICIARY.

Supreme Judicial Court.

0320-1700 For the purposes of a federally funded grant entitled, State Court Improvement $230,000

0320-1701 For the purposes of a federally funded grant entitled, State Court Improvement Program Data Sharing $190,000

0320-1703 For the purposes of a federally funded grant entitled, State Court Improvement Training Program..... $190,000

Committee for Public Counsel Services.

0320-1800 For the purposes of a federally funded grant entitled, Wrongful Conviction Unit Program..... $150,000

DISTRICT ATTORNEYS.

Middle District Attorney.

0340-0465 For the purposes of a federally funded grant entitled, Child Sexual Predator Program $250,000

8000-4611 For the purposes of a federally funded grant entitled, Justice Assistance Grant $39,860

8000-4620 For the purposes of a federally funded grant entitled, Stop Violence Against Women Formula Grants Program..... $32,893

Hampden District Attorney.

0340-0590 For the purposes of a federally funded grant entitled, Community Oriented Policing Services..... $10,000

0840-0110 For the purposes of a federally funded grant entitled, Stop Violence Against Women Formula Grants Program..... $36,148

Plymouth District Attorney.

0340-0824 For the purposes of a federally funded grant entitled, Justice Assistance Grant $32,018

0340-0825 For the purposes of a federally funded grant entitled, ARRA-Justice Assistance Grant Location Solicitation..... $66,054

0340-0826 For the purposes of a federally funded grant entitled, Justice Assistance Grant $123,043

0340-0827 For the purposes of a federally funded grant entitled, Justice Assistance Grant $114,228

District Attorneys' Association.

8000-4620 For the purposes of a federally funded grant entitled, Stop Violence Against Women Formula Grants Program $37,500

8000-4804 For the purposes of a federally funded grant entitled, Highway Safety Division $33,554

SECRETARY OF STATE.

0521-0800 For the purposes of a federally funded grant entitled, Election Assistance for Disabled Individuals $1,107,219

0526-0114 For the purposes of a federally funded grant entitled, Historic Preservation Survey and Planning $917,000

0526-0116 For the purposes of a federally funded grant entitled, Preserve America $150,000

TREASURER AND RECEIVER-GENERAL.

Massachusetts Cultural Council.

0640-9716 For the purposes of a federally funded grant entitled, Traditional Arts $30,000

0640-9717 For the purposes of a federally funded grant entitled, Basic State Plan $599,900

0640-9718 For the purposes of a federally funded grant entitled, Arts in Education $74,300

0640-9724 For the purposes of a federally funded grant entitled, Arts in Underserved Communities .. $184,900

ATTORNEY GENERAL.

0810-0026 For the purposes of a federally funded grant entitled, Crime Victim Compensation $1,000,000

0810-0009 For the purposes of a federally funded grant entitled, EDI HUD Special Project Grant $160,000

Victim and Witness Assistance Board.

0840-0109 For the purposes of a federally funded grant entitled, Victim of Crimes Assistance Program $41,568

0840-0110 For the purposes of a federally funded grant entitled, Victims of Crime Assistance Programs $8,606,989

0840-4611 For the purposes of a federally funded grant entitled, Byrne Federal Grant $260,000

0840-4620 For the purposes of a federally funded grant entitled, VAWA Federal Grant $273,000

MASSACHUSETTS DEVELOPMENTAL DISABILITIES COUNCIL

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

1100-1704 For the purposes of federally funded grant entitled, Further Development of Developmental Disabilities Suite; provided, that in order to qualify for the grant, this account shall be exempt from the first $86,000 of fringe benefit and indirect cost charges pursuant to section 6B of chapter 29 of the General Laws $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 $227,113

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..... $102,208

1201-0412 For the purposes of federally funded grants entitled, Child Support Enforcement Grants and Child Support IVD Companion account to CSE Demonstration Grants..... $232,008

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..... $2,596,208

2000-0142 For the purposes of a federally funded grant entitled, CZ Coastal Hazards..... $2,000

2000-0186 For the purposes of a federally funded grant entitled, Aquatic Nuisance Species Management Plan $72,648

2000-0248 For the purposes of a federally funded grant entitled, National Estuary Program - Operation $624,375

2000-9701 For the purposes of a federally funded grant entitled, Outdoor Recreation Projects - Political Subdivisions..... $800,000

2000-9735 For the purposes of a federally funded grant entitled, Buzzards Bay Estuary Program..... $726,176

2030-0013 For the purposes of a federally funded grant entitled, Fisheries Enforcement..... $909,257

2030-0122 For the purposes of a federally funded grant entitled, Ready Response Equipment for Ports of New Bedford, Cape Cod & Islands $50,000

2030-0124 For the purposes of a federally funded grant entitled, Ready Response Equipment for the Port of Fall River $72,000

2030-9701 For the purposes of a federally funded grant entitled, Safe Boating Program $1,200,000

Department of Public Utilities.

7006-9002 For the purposes of a federally funded grant entitled, Pipeline Security $1,015,052

Department of Environmental Protection.

2200-9706 For the purposes of a federally funded grant entitled, Water Quality Management Planning $124,635

2200-9712 For the purposes of a federally funded grant entitled, Cooperative Agreement-Leaking Underground Storage Tanks $900,000

2200-9717 For the purposes of a federally funded grant entitled, Environment Restoration Program for Department of Defense $1,425,000

2200-9724 For the purposes of a federally funded grant entitled, Superfund Block Grant $900,000

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, Brownfields Response $1,245,799

2200-9732 For the purposes of a federally funded grant entitled, Brownfields Support Team-Statewide $104,452

2230-9702 For the purposes of a federally funded grant entitled, Air, Water and Hazardous Waste Management Regulatory Programs $18,872,726

2230-9713 For the purposes of a federally funded grant entitled, Exchange Network $5,000

2230-9714 For the purposes of a federally funded grant entitled, Fiscal Year 2010 Exchange Network $90,400

2230-9757 For the purposes of a federally funded grant entitled, National Hydrography $5,000

2240-9762 For the purposes of a federally funded grant entitled, Reimbursement to Operators of Small Water Systems for Training and Certification $10,000

2240-9773 For the purposes of a federally funded grant entitled, Technical Assistance and Training for Drinking Water $7,000

2240-9776 For the purposes of a federally funded grant entitled, EQE-RP9776-FEM961349/Special State Revolving Fund $88,500

2240-9777 For the purposes of a federally funded grant entitled, Public Water Supply $62,000

2240-9779 For the purposes of a federally funded grant entitled, Healthy Communities Grant $30,000

2250-9712 For the purposes of a federally funded grant entitled, Clean Air Act-Fine Particulate Matter Air Monitoring $671,558

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 $1,334,877

2250-9730 For the purposes of a federally funded grant entitled, Air Toxic Spatial Trends $7,000

2250-9731 For the purposes of a federally funded grant entitled, Diesel Emissions Reduction Project $100,000

2250-9732 For the purposes of a federally funded grant entitled, Underground Storage $611,000

2250-9735 For the purposes of a federally funded grant entitled, Green House Gas Reporting System $48,510

2250-9736 For the purposes of a federally funded grant entitled, MA Clean Diesel $73,350

2250-9738 For the purposes of a federally funded grant entitled, Airport Lead Ambient $6,700

2290-4000 For the purposes of a federally funded grant entitled, ARRA LUST Trust Fund Program . $233,901

Department of Fish and Game.

2300-0114 For the purposes of a federally funded grant entitled, Habitat Restoration Projects for Department of Fish and Game Riverways Program $59,770

2300-0115 For the purposes of a federally funded grant entitled, US Fish and Wildlife Service Eastern Brook Trout Joint Venture $126,166

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, Coastal Projects – US Fish & Wildlife Division of Ecological Restoration $70,000

2300-0179 For the purposes of a federally funded grant entitled, National Coastal Wetland Conservation $2,000,000

2310-0115 For the purposes of a federally funded grant entitled, Land Owner Incentive Program – Tier I $75,000

2310-0116 For the purposes of a federally funded grant entitled, Land Owner Incentive Program – Tier II $150,000

2310-0117 For the purposes of a federally funded grant entitled, Chronic Wasting Disease $70,000

2310-0120 For the purposes of a federally funded grant entitled, New England Cottontail Initiative ... $120,000

2330-9222 For the purposes of a federally funded grant entitled, Clean Vessel Act $1,100,000

2330-9712 For the purposes of a federally funded grant entitled, Commercial Fisheries Statistics $95,000

2330-9725 For the purposes of a federally funded grant entitled, Boating Infrastructure $225,000

2330-9730 For the purposes of a federally funded grant entitled, Interstate Fisheries Management Support $250,000

2330-9732 For the purposes of a federally funded grant entitled, Atlantic Coastal Cooperative Statistics Program Strategic Plan Implementation $80,000

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 $150,000

2330-9739 For the purposes of a federally funded grant entitled, Turtle Disengagement $838,000

2330-9741 For the purposes of a federally funded grant entitled, Mass Fisheries Economic Assistance Programs $1,000,000

2330-9742 For the purposes of a federally funded grant entitled, Age and Growth Segment Four $215,000

Department of Agricultural Resources.

2511-0310 For the purposes of a federally funded grant entitled, Pesticide Enforcement $416,542

2511-0400 For the purposes of a federally funded grant entitled, Cooperative Pest Survey Program ... $206,257

2511-0972 For the purposes of a federally funded grant entitled, Farmland Protection $5,437,183

2511-1025 For the purposes of a federally funded grant entitled, Country of Origin Labeling $50,798

2515-1002 For the purposes of a federally funded grant entitled, Animal Disease Surveillance Homeland Security $24,749

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

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 $541,013

2516-9003 For the purposes of a federally funded grant entitled, Farmers' Market Coupon Program .. $345,281

2516-9004 For the purposes of a federally funded grant entitled, Senior Farmers' Market Nutrition Program $522,939

2516-9007 For the purposes of a federally funded grant entitled, Organic Certification Cost-Share Program $45,000

Department of Conservation and Recreation.

2800-9707 For the purposes of a federally funded grant entitled, National Flood Insurance Program – FEMA Community Assistance Program $184,000

2800-9710 For the purposes of a federally funded grant entitled, FEMA Cooperating Technical Partnership program $104,000

2800-9726 For the purposes of a federally funded grant entitled, National Dam Safety Grants $151,894

2800-9729 For the purposes of a federally funded grant entitled, US Department of Education Rec-Connect Grant $35,398

2820-9702 For the purposes of a federally funded grant entitled, Volunteer Fire Assistance - Rural Communities $81,249

2820-9704 For the purposes of a federally funded grant entitled, National Resource Conservation Wildlife Habitat Incentives Program $8,203

2820-9705 For the purposes of a federally funded grant entitled, Animal and Plant Health Inspections $11,000,000

2820-9706 For the purposes of a federally funded grant entitled, NCRS Agree Help Landowners Forestland $70,000

2821-9705 For the purposes of a federally funded grant entitled, USDA Forest Service - Urban and Community Forestry $508,002

2821-9708 For the purposes of a federally funded grant entitled, Urban Community Forest Tornado Recovery $10,000

2821-9709 For the purposes of a federally funded grant entitled, Forest Stewardship and Forest Legacy Grants $1,282,602

2821-9711 For the purposes of a federally funded grant entitled, State Fire Assistance Grants $553,936

2821-9713 For the purposes of a federally funded grant entitled, Wildland Urban Interface Fuels Management in Southeastern Massachusetts $205,613

2821-9715 For the purpose of a federally funded grant entitled, Forest Stewardship Re-Design Grant $197,611

2821-9726 For the purposes of a federally funded grant entitled, Forest Health Management - US Forest Service $104,465

2830-9731 For the purposes of a federally funded grant entitled, USFWS – Coastal Wetlands Conservation $500,000

2840-9709 For the purposes of a federally funded grant entitled, Operations and Management Grant for Waquoit Bay National Estuarine Reserve $788,780

2840-9712 For the purposes of a federally funded grant entitled, 2011 NOAA Grant for Facility Renovations at Waquoit Bay $734,675

2850-9701 For the purposes of a federally funded grant entitled, Recreational Trails Program $1,373,210

2850-9702 For the purposes of a federally funded grant entitled, Mount Greylock TCSP for O&M Manual & Interpretive Improvements $270,426

Department of Energy Resources.

7006-9300 For the purposes of a federally funded grant entitled, Mass Save Energy Now $501,550

7006-9303 For the purposes of a federally funded grant entitled, State Energy Program Advance Energy Codes $195,495

7006-9304 For the purposes of a federally funded grant entitled, Catalyzing the Home Energy Remodeling Market $1,043,828

7006-9305 For the purposes of a federally funded grant entitled, Raising the BAR $401,900

7006-9306 For the purposes of a federally funded grant entitled, Mass Solar Making it EZ $115,032

7006-9720 For the purposes of a federally funded grant entitled, State Heating Oil and Propane Program $22,287

7006-9730 For the purposes of a federally funded grant entitled, State Energy Program II $605,000

7006-9800 For the purposes of a federally funded grant entitled, ARRA USDOE State Energy Program Ramp Up $500,000

7006-9801 For the purposes of a federally funded grant entitled, ARRA Energy Assistance Planning $8,000

7006-9803 For the purposes of a federally funded grant entitled, ARRA Mass Energy Efficiency and Conservation Block Grant Program $500,000

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 $390,506

3000-9002 For the purposes of a federally funded grant entitled, Child Abuse Prevention and Treatment Activities $583,780

3000-2010 For the purposes of a federally funded grant entitled, Race to the Top/Early Learning Challenge Grant $14,130,689

Department of Early Elementary and Secondary Education.

7010-9706 For the purposes of a federally funded grant entitled, Common Core Data Project $101,000

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 . $10,399,860

7043-1001 For the purposes of a federally funded grant entitled, Title I Grants to Local Education Agencies $216,955,917

7043-1004 For the purposes of a federally funded grant entitled, Migrant Education $1,669,739

7043-1005 For the purposes of a federally funded grant entitled, Title I Neglected and Delinquent Children $2,637,259

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 $42,463,719

7043-2003 For the purposes of a federally funded grant entitled, Title I Math and Science Partnerships $2,061,460

7043-3001 For the purposes of a federally funded grant entitled, English Language Acquisition ... $12,582,753

7043-4002 For the purposes of a federally funded grant entitled, After School Learning Centers ... $16,514,111

7043-6001 For the purposes of a federally funded grant entitled, Grants for State Assessments and Related Activities $7,236,907

7043-6501 For the purposes of a federally funded grant entitled, Education for Homeless Children and Youth $955,551

7043-7001 For the purposes of a federally funded grant entitled, Special Education Grants $278,342,391

7043-7002 For the purposes of a federally funded grant entitled, Preschool Grants $9,718,123

7043-8001 For the purposes of a federally funded grant entitled, Vocational Education Basic Grants $17,912,559

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 $6,023,591

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 $159,749,862

7053-2117 For the purposes of a federally funded grant entitled, Child Care Program $56,973,534

7053-2126 For the purposes of a federally funded grant entitled, Temporary Emergency Food Assistance $1,223,434

7053-2202 For the purposes of a federally funded grant entitled, Special Summer Food Service Program for Children $6,847,191

7062-0008 For the purposes of a federally funded grant entitled, Office of School Lunch Programs — Child Care Program Administration $2,654,997

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 $3,000,000

7110-6019 For the purposes of a federally funded grant entitled, Upward Bound Payroll and Benefits - Fitchburg State College $492,750

7116-6270 For the purposes of a federally funded grant entitled, National Science Foundation - Atlantic Partnership $61,500

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 $230,000

7503-6555 For the purposes of a federally funded grant entitled, Title III—Strengthen Institute Program $370,221

7503-9711	For the purposes of a federally funded grant entitled, Special Services for Disadvantaged Students — Bristol Community College	$419,320
7503-9714	For the purposes of a federally funded grant entitled, Upward Bound Program — Bristol Community College	$334,723
7509-1490	For the purposes of a federally funded grant entitled, Educational Opportunities Centers Payroll — Mount Wachusett Community College	$230,000
7509-9714	For the purposes of a federally funded grant entitled, Special Services for Disadvantaged Students — Mount Wachusett Community College	$578,485
7509-9717	For the purposes of a federally funded grant entitled, Upward Bound Math and Science Program – Mount Wachusett Community College	$263,000
7509-9718	For the purposes of a federally funded grant entitled, Talent Search — Mount Wachusett Community College	$539,855
7509-9720	For the purposes of a federally funded grant entitled, Gaining Early Awareness and Readiness for Undergraduate Programs 2011— Mount Wachusett Community College	$607,999
7511-9711	For the purposes of a federally funded grant entitled, Special Services for Disadvantaged Students — North Shore Community College	$500,000
7511-9740	For the purposes of a federally funded grant entitled, Upward Bound — North Shore Community College	$385,000
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	$350,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

Office of the Secretary.

4000-0033	For the purposes of a federally funded grant entitled, State Demonstration to Integrate Care for Dual Eligible Individuals	$167,000
4000-0323	For the purposes of a federally funded grant entitled, Personal and Home Care Aid State Training Program	$747,571
4000-0544	For the purposes of a federally funded grant entitled, CHIPRA Quality Demonstration Grant	$2,666,404
4000-0826	For the purposes of a federally funded grant entitled, Money Follows the Person Demonstration Grant	$5,937,313
4000-9058	For the purposes of a federally funded grant entitled, My Child	$2,000,000
4000-9401	For the purposes of a federally funded grant entitled, Community Mental Health Services	$8,810,187

Office for Refugees and Immigrants.

4003-0801	For the purposes of a federally funded grant entitled, Targeted Assistance Program	$200,000

4003-0803 For the purposes of a federally funded grant entitled, Refugee School Impact $400,000

4003-0804 For the purposes of a federally funded grant entitled, Refugee Targeted Assistance Grant $862,259

4003-0805 For the purposes of a federally funded grant entitled, Refugee Resettlement Program $1,567,328

4003-0806 For the purposes of a federally funded grant entitled, Refugee Cash, Medical, and Administration $10,952,456

4003-0811 For the purposes of a federally funded grant entitled, Massachusetts Refugee Entrepreneurship Program $250,000

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)..... $150,000

4003-0815 For the purposes of a federally funded grant entitled Massachusetts Wilson/Fish Program(MWFP) $3,426,406

4003-0817 For the purposes of a federally funded grant entitled, Refugee Independence Through Service Enhancement..... $200,000

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 $50,000

4110-3021 For the purposes of a federally funded grant entitled, Basic Support Grant $9,500,000

4110-3023 For the purposes of a federally funded grant entitled, Independent Living - Adaptive Housing $90,000

4110-3026 For the purposes of a federally funded grant entitled, Independent Living - Services to Older Blind Americans $700,000

4110-3027 For the purposes of a federally funded grant entitled, Rehabilitation Training $30,000

4110-3028 For the purposes of a federally funded grant entitled, Supported Employment for the Blind $128,000

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 $45,064,653

4120-0021 For the purposes of a federally funded grant entitled, ARRA - Basic Vocational Rehabilitation Support $25,000

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..... $465,342

4120-0191 For the purposes of a federally funded grant entitled, Informed Members Planning and Assessing Choices Together $168,715

4120-0511 For the purposes of a federally funded grant entitled, Disability Services - Determination $46,887,874

4120-0603 For the purposes of a federally funded grant entitled, Innovation Strategies for Transition Youth with Disabilities..... $286,334

4120-0608 For the purposes of a federally funded grant entitled, Traumatic Brain Injury (TBI) Implementation Grant $229,988

4120-0760 For the purposes of a federally funded grant entitled, Independent Living Federal Grant $1,705,000

4120-0761 For the purposes of a federally funded grant entitled, ARRA - State Independent Living Services..... $51,967

4120-0762 For the purposes of a federally funded grant entitled, ARRA- Centers for Independent Living Recovery Act..... $421,000

4120-0768 For the purposes of a federally funded grant entitled, Assistive Technology Act $513,994

Department of Veterans' Services.

1410-0057 VA Housing First Homeless Initiative $1,100,000

1410-2526 Agent Training $20,000

Department of Transitional Assistance.

4400-3064 For the purposes of SNAP nutrition education and Obesity Prevention Grant $3,000,000

4400-3067 For the purposes of a federally funded grant entitled, Supplemental Nutrition Assistance Program Employment and Training..... $1,500,000

4400-3068 For the purposes of a federally funded grant entitled, Reaching Underserved Elderly and Working Poor in SNAP $800

4400-3080 For the purposes of a federally funded grant entitled, SNAP Healthy Incentive Pilot (HIP) grant..... $3,000,000

Department of Public Health

4500-1025 For the purposes of a federally funded grant entitled, Strengthening Public Health Infrastructure..... $1,650,822

4500-1030 For the purposes of a federally funded grant entitled, Strengthening Public Health Infrastructure..... $993,662

4500-1050 For the purposes of a federally funded grant entitled, Rape Prevention and Education $460,978

4500-1054 For the purposes of a federally funded grant entitled, Sexual Assault Services Program.... $198,201

4500-1060	For the purposes of a federal funded grant entitled, MA EMPOWER II	$5,000
4500-1066	For the purposes of a federally funded grant entitled, 2010 OMH State Partnership Grant Program	$140,000
4500-2000	For the purposes of a federally funded grant entitled, Maternal and Child Health Services Block Grant	$12,087,710
4502-1012	For the purposes of a federally funded grant entitled, Cooperative Health Statistics System	$732,392
4510-0107	For the purposes of a federally funded grant entitled, Massachusetts State Loan Repayment Program	$300,000
4510-0109	For the purposes of a federally funded grant entitled, State Loan Repayment Program	$350,000
4510-0113	For the purposes of a federally funded grant entitled, Office of Rural Health	$179,999
4510-0115	For the purposes of a federally funded grant entitled, ARRA - State Primary Care Offices	$150,000
4510-0116	For the purposes of a federally funded grant entitled, State Primary Care Cooperative Agreement	$34,664
4510-0118	For the purposes of a federally funded grant entitled, Primary Care Cooperative Agreement	$158,000
4510-0119	For the purposes of a federally funded grant entitled, Rural Hospital Flexibility Program	$308,104
4510-0219	For the purposes of a federally funded grant entitled, Small Rural Hospital Improvement Grant	$83,936
4510-0222	For the purposes of a federally funded grant entitled, Massachusetts Oral Health Workforce in New Sites II	$34,664
4510-0400	For the purposes of a federally funded grant entitled, Medicare and Medicaid Survey and Certification	$9,502,552
4510-0404	For the purposes of a federally funded grant entitled, Bio-terrorism Hospital Preparedness (HPP)	$7,242,636
4510-0408	For the purposes of a federally funded grant entitled, Medical Malpractice and Patient Safety	$1,096,281
4510-0409	For the purposes of a federally funded grant entitled, Electronic System For Advance Registration of Volunteer Health Professionals (ESAR-VHP), also known as MSAR, the Massachusetts System of Advanced Registration	$200,000
4510-0500	For the purposes of a federally funded grant entitled, Clinical Laboratory Improvement Amendments	$317,709
4510-0609	For the purposes of a federally funded grant entitled, Nuclear Regulatory Commission Security Inspections	$5,000
4510-0619	For the purposes of a federally funded grant entitled, Food and Drug Administration Inspection of Food Establishments	$403,000

4510-0626	For the purposes of a federally funded grant entitled, Statewide Surveillance of Health Concerns & Toxic Algae Blooms	$150,201
4510-0639	For the purposes of a federally funded grant entitled, Food Protection Rapid Response Team	$517,517
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 Prescription Drug Monitoring	$83,620
4510-0643	For the purposes of a federally funded grant entitled, FY10 H Rogers Drug Monitoring: Enhancement of Information Tech (E of IT)	$81,587
4510-0644	For the purposes of a federally funded grant entitled, Harold Rodgers IT Enhancements for Prescription Drug Monitoring	$300,000
4510-9014	For the purposes of a federally funded grant entitled, Mammography Quality Standards Act Inspections	$230,821
4510-9048	For the purposes of a federally funded grant entitled, Indoor Radon Development Program	$187,965
4510-9051	For the purposes of a federally funded grant entitled, ATSDR Partnership to Promote Local Efforts	$335,718
4510-9053	For the purposes of a federally funded grant entitled, Beaches Environmental Assessment	$278,627
4510-9055	For the purposes of a federally funded grant entitled, Assessment, Planning, and Developing Climate Change Programs	$114,523
4510-9057	For the purposes of a federally funded grant entitled, MA Healthy Homes Childhood Lead Poisoning Prevention	$592,120
4510-9059	For the purposes of a federally funded grant entitled, Maintenance & Enhancement of the State & National Environment	$1,076,680
4512-0102	For the purposes of a federally funded grant entitled, Sexually Transmitted Disease Control	$1,589,334
4512-0177	For the purposes of a federally funded grant entitled, Enhancing Immunization Systems & Infrastructure Improvements	$2,570,827
4512-0179	For the purposes of a federally funded grant entitled, Vaccination Assistance Project	$6,039,539
4512-0180	For the purposes of a federally funded grant entitled, Epidemiology and Lab Surveillance	$1,011,924
4512-0185	For the purposes of a federally funded grant entitled, ARRA - IT-ELC	$148,641
4512-0186	For the purposes of a federally funded grant entitled, Building & Strengthening Epidemiology, Lab and Health Info System Capacity	$1,830,783
4512-9065	For the purposes of a federally funded grant entitled, State Outcomes Measurement and Management System	$150,635

4512-9068 For the purposes of a federally funded grant entitled, Collaborative for Action, Leadership and Learning $549,629

4512-9069 For the purposes of a federally funded grant entitled, Substance Abuse Prevention and Treatment - Block Grant $38,046,666

4512-9070 For the purposes of a federally funded grant entitled, Promoting Safe and Stable Families $125,000

4512-9072 For the purposes of a federally funded grant entitled, Massachusetts Access to Recovery Program $3,248,880

4512-9074 For the purposes of a federally funded grant entitled, MA Call State Prevention Enhancement $45,000

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 $452,903

4513-9007 For the purposes of a federally funded grant entitled, Nutritional Status of Women, Infants and Children $94,299,410

4513-9018 For the purposes of a federally funded grant entitled, Augmentation and Evaluation of Established Health Education - Risk Reduction $8,505,607

4513-9021 For the purposes of a federally funded grant entitled, Program for Infants and Toddlers with Disabilities $8,500,000

4513-9022 For the purposes of a federally funded grant entitled, Prevention Disability State-Based Project $305,830

4513-9023 For the purposes of a federally funded grant entitled, Mass HIV/AIDS National Behavioral Surveillance $414,655

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, Comprehensive Primary Care System Planning for Massachusetts Children $100,000

4513-9037 For the purposes of a federally funded grant entitled, Ryan White Comprehensive AIDS Resources $23,370,819

4513-9038 For the purposes of a federally funded grant entitled, Shelter Plus Care – Worcester $319,668

4513-9040 For the purposes of a federally funded grant entitled, HIV/AIDS Surveillance $972,637

4513-9041 For the purposes of a federally funded grant entitled, HIT Capacity Building Initiative/AIDS Drug Assistance $20,000

4513-9042 For the purposes of a federally funded grant entitled, Systems Linkages and Access to Care for Populations at High Risk of HIV $999,744

4513-9046 For the purposes of a federally funded grant entitled, Congenital Anomalies Center of Excellence $997,000

4513-9051	For the purposes of a federally funded grant entitled, Rural Domestic Violence and Child Victimization Project	$337,000
4513-9060	For the purposes of a federally funded grant entitled, Residential Fire Injury Prevention Project	$30,000
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	$156,470
4513-9076	For the purposes of a federally funded grant entitled, Early Childhood Comprehensive Systems	$140,000
4513-9077	For the purposes of a federally funded grant entitled, Emergency Medical Services for Children	$87,000
4513-9085	For the purposes of a federally funded grant entitled, Massachusetts Pregnancy Risk	$160,949
4513-9088	For the purposes of a federally funded grant entitled, Helping Hands for Infants and their Families	$475,000
4513-9092	For the purposes for a federally funded grant entitled, Addressing Asthma from a Public Health Perspective	$558,544
4513-9093	For the purposes of a federally funded grant entitled, Massachusetts LAUNCH	$900,000
4513-9096	For the purposes of a federally funded grant entitled, ACA Maternal, Infant and Early Childhood Home Visiting	$100,000
4513-9097	For the purpose of a federally funded grant entitled, HUD Healthy Homes and Lead Hazard Control	$382,040
4513-9098	For the purposes of a federally funded grant entitled, ACA Maternal, Infant and Early Childhood Home Visiting	$8,944,326
4513-9099	For the purposes of a federally funded grant entitled, ACA Maternal, Infant and Early Childhood Home Visiting	$1,463,681
4514-1008	For the purposes of a federally funded grant entitled, WIC Enhanced Referral and Family Support Program	$119,945
4514-1010	For the purposes of a federally funded grant entitled, MA WIC Electronic Benefit Transfer Planning Grant	$150,000
4515-0115	For the purposes of a federally funded grant entitled, Tuberculosis Control Project	$1,565,193
4515-0204	For the purposes of a federally funded grant entitled, Strengthening Surveillance for Infectious Disease	65,000
4515-0205	For the purposes of a federally funded grant entitled, HIV Training through Prevention Training Centers	$715,450
4515-0206	For the purposes of a federally funded grant entitled, Health Literacy and Oral Health Status of African Refugees	$462,205

4515-0207	For the purposes of a federally funded grant entitled, Health, Training, and Technical Assistance to Refugee Serving Agencies	$499,906
4515-1124	For the purposes of a federally funded grant entitled, Adult Viral Hepatitis Prevention Coordinator	$114,524
4516-1021	For the purposes of a federally funded grant entitled, Public Health Preparedness and Response for Bio-terrorism	$13,459,602
4516-1028	For the purposes of a federally funded grant entitled, State Local Public Health Infrastructure	$89,500
4518-0505	For the purposes of a federally funded grant entitled, Technical Data – Massachusetts Birth/Infant Death File Linkage and Analysis	$117,210
4518-0514	For the purposes of a federally funded grant entitled, National Violent Death Reporting System	$238,902
4518-0534	For the purposes of a federally funded grant entitled, Public Health Injury Surveillance and Prevention	$655,139
4518-1000	For the purposes of a federally funded grant entitled, Procurement of Information for the National Death Index	$113,500
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	$202,355
4518-9023	For the purposes of a federally funded grant entitled, Census of Fatal Occupational Injuries	$65,000
4518-9034	For the purposes of a federally funded grant entitled, Core Violence & Injury Prevention	$582,440
4518-9041	For the purposes of a federally funded grant entitled, Amputation & Carpal Tunnel Syndrome in MA	$29,200
4518-9044	For the purposes of a federally funded grant entitled, MA Citizen Verification for Federal Employment	$45,000
4518-9045	For the purposes of a federally funded grant entitled, ARRA – Massachusetts Integration of Chronic Disease	$182,841
4570-1509	For the purposes of a federally funded grant entitled, Massachusetts Cardiovascular Disease Prevention	$1,144,341
4570-1512	For the purposes of a federally funded grant entitled, National Cancer Prevention Control	$4,429,346
4570-1513	For the purposes of a federally funded grant entitled, Colorectal Cancer Screening	$1,000,000
4570-1516	For the purposes of a federally funded grant entitled, Paul Coverdell Acute Stroke Registry	$586,082
4570-1520	For the purposes of a federally funded grant entitled, Massachusetts Integration of Chronic Disease	$2,368,002

4570-1526 For the purposes of a federally funded grant entitled, Demonstrating Capacity for Cancer Control $189,710

4570-1527 For the purposes of a federally funded grant entitled, Personal Responsibility Education Program (PREP) $837,825

4570-1529 For the purposes of a federally funded grant entitled, Massachusetts Support for Pregnant Teens and Women $2,159,082

4570-1530 For the purposes of a federally funded grant entitled, MA Integration of Chronic Disease Programs $83,895

4570-1531 For the purposes of a federally funded grant entitled, Behavioral Risk Factor Surveillance System $380,000

4570-1534 For the purposes of a federally funded grant entitled, FDA - 11 – Tobacco $657,631

4570-1535 For the purposes of a federally funded grant entitled, MA Health Impact Assessment to Foster Healthy Community $175,446

4570-1536 For the purposes of a federally funded grant entitled, MA Nutrition, Physical Activity & Obesity Program $1,000,152

4570-1537 For the purposes of a federally funded grant entitled, MA Integration of Chronic Disease Program $757,121

4570-1538 For the purposes of a federally funded grant entitled, MA Community Transformation - Middlesex County $1,554,463

4570-1539 For the purposes of a federally funded grant entitled, MA Childhood Obesity $1,743,442

4570-1540 For the purposes of a federally funded grant entitled, MA Community Transformation Part I $1,505,006

Department of Children and Families.

4800-0005 For the purposes of a federally funded grant entitled, Children's Justice Act $331,283

4800-0007 For the purposes of a federally funded grant entitled, Family Violence Prevention and Support Services Act $1,853,844

4800-0009 For the purposes of a federally funded grant entitled, Title IV-E Independent Living $3,044,324

4800-0013 For the purposes of a federally funded grant entitled, Family Preservation and Support Services $5,111,344

4800-0085 For the purposes of a federally funded grant entitled, Educational & Training Voucher Program $1,015,176

4899-0001 For the purposes of a federally funded grant entitled, Title IV-B Child Welfare Services $4,392,925

4899-0022 For the purposes of a federally funded grant entitled, Child Abuse and Neglect Prevention and Treatment $498,664

4899-0025 For the purposes of a federally funded grant entitled, Massachusetts Child Trauma Project $639,776

Department of Mental Health.

5012-9121	For the purposes of a federally funded grant entitled, Project for Assistance in Transition from Homelessness	$1,650,000
5012-9160	For the purposes of a federally funded grant entitled, Jail Diversion and Trauma Recovery	$424,000
5012-9164	For the purposes of a federally funded grant entitled, Data Infrastructure Grant 2011	$132,937
5012-9166	For the purposes of a federally funded grant entitled, Mission RAP	$151,862
5012-9167	For the purposes of a federally funded grant entitled, Kids Planning Grant	$125,000
5012-9168	For the purposes of a federally funded grant entitled, RSP 94 Tornado Disaster	$216,434
5046-9102	For the purposes of a federally funded grant entitled, Shelter Plus Care Program	$201,120

Department of Developmental Services.

5947-0012	For the purposes of a federally funded grant entitled, Lifespan Respite Care Program	$77,199

BOARD OF LIBRARY COMMISSIONERS.

7000-9702	For the purposes of a federally funded grant entitled, Library Service Technology Act	$3,233,374

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION.

6440-0088	For the purposes of a federally funded grant entitled, Perform Registry Info Management System	$292,882
6440-0089	For the purposes of a federally funded grant entitled, Commercial Vehicle Information Systems and Networks	$1,800,000
6440-0090	For the purposes of a federally funded grant entitled, Commercial Driver Licenses Information System Enhancement	$1,481,545
6440-0097	For the purposes of a federally funded grant entitled, Commercial Drivers License Information System	$262,468
6440-0098	For the purposes of a federally funded grant entitled, Safety Data Improvement Program	$292,651
6440-0099	For the purposes of a federally funded grant entitled, Real ID Demonstration Program	$2,153,764
6642-0018	For the purposes of a federally funded grant entitled, Section 5311 Non-Urbanized Area Formula Program	$7,602,785
6642-0020	For the purposes of a federally funded grant entitled, Section 5316 Job Access and Reverse Commute	$4,644,307
6642-0023	For the purposes of a federally funded grant entitled, Section 5303 and 5304 Metropolitan Transportation Planning	$4,901,037
6642-0026	For the purposes of a federally funded grant entitled, Section 5317 New Freedom Operating Segment	$5,845,912

6642-0049 For the purposes of a federally funded grant entitled, Section 5310 Special Needs for Elderly Individuals $3,673,448

6643-0011 For the purposes of a federally funded grant entitled, ARRA Fast Track New Bedford $334,528

6643-0012 For the purposes of a federally funded grant entitled, ARRA Knowledge Corridor Restore Vermonter Project $54,600,000

6643-0013 For the purposes of a federally funded grant entitled, Boston South Station Expansion $24,375,000

6830-3250 For the purposes of a federally funded grant entitled, Statewide Airport Systems Plan $508,481

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.

Office of the Secretary.

7002-1645 For the purposes of a federally funded grant entitled, WIA ARRA State Energy Sector Partnership and Training Grant $3,191,346

Department of Career Services.

7002-6626 For the purposes of a federally funded grant entitled, Employment Service Programs Administration $14,814,322

7002-6628 For the purposes of a federally funded grant entitled, Federal Disabled Veterans Outreach $1,290,000

7002-6629 For the purposes of a federally funded grant entitled, Federal Local Veterans Employment $1,449,101

7003-1010 For the purposes of a federally funded grant entitled, Trade Expansion Act Program $6,765,400

7003-1630 For the purposes of a federally funded grant entitled, Adult Activities – Workforce Investment Act Title I $13,525,014

7003-1631 For the purposes of a federally funded grant entitled, Youth Formula Grants – Workforce Investment Act Title I $15,009,154

7003-1778 For the purposes of a federally funded grant entitled, WIA Dislocated Worker Formula Grants $18,123,153

Department of Unemployment Assistance.

7002-6624 For the purposes of a federally funded grant entitled, Unemployment Insurance Administration $70,955,000

7002-9701 For the purposes of a federally funded grant entitled, Federal Bureau of Labor Statistics Grant $2,300,000

Department of Labor Standards.

7002-2013 For the purposes of a federally funded grant entitled, Mine Safety and Health Training $65,651

7003-4203 For the purposes of a federally funded grant entitled, Bureau of Labor Statistics Statistical Survey $64,459

7003-4204 For the purposes of a federally funded grant entitled, Adult Blood Lead Levels Surveillance $19,500

7003-4212 For the purposes of a federally funded grant entitled, Asbestos Licensing and Monitoring $168,000

7003-4213 For the purposes of a federally funded grant entitled, Lead Licensing and Monitoring $360,000

7003-4215 For the purposes of a federally funded grant entitled, Occupational Safety and Health Administration Data Collection $86,848

7003-6627 For the purposes of a federally funded grant entitled, Occupational Substance and Health Administration On-site Consultation Program $1,413,000

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 $6,400,000

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

7004-2030 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 $3,500,000

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 $75,000,000

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 $12,875,566

7004-2361 For the purposes of a federally funded grant entitled, Section 8 Substantial Rehabilitation Administrative Fee $230,720

7004-2363 For the purposes of a federally funded grant entitled, Section 8 Administrative Fee Housing Voucher $2,990,000

7004-2364 For the purposes of a federally funded grant entitled, Section 8 Administrative Fee Moderate Rehabilitation $192,000

7004-2365 For the purposes of a federally funded grant entitled, Section 8 Administrative Fee New Construction $405,000

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 $27,000,000

7004-3038 For the purposes of a federally funded grant entitled, Neighborhood Stabilization..... $10,000,000

7004-3041 For the purposes of a federally funded grant entitled, ARRA - Community Development Block Grant..... $500,000

7004-3051 For the purposes of a federally funded grant entitled, ARRA Homelessness Prevention and Rapid Rehousing Program $17,000

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 $9,622,242

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..... $236,900,000

7004-9019 For the purposes of a federally funded grant entitled, Section 8 Moderate Rehabilitation Program; provided, that the department of housing and community development may provide monthly payments in advance to participating agencies..... $10,100,000

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..... $6,690,959

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 $16,500,000

7004-9039 For the purposes of a federally funded grant entitled, Home Technical Assistance $40,040

7004-9051 For the purposes of a federally funded grant entitled, Shelter Plus Care; 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..... $62,000

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY.

Office of the Secretary.

8800-0085 For the purposes of a federally funded grant entitled, Highway Safety Trust..... $30,000

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 $644,000

8000-4603 For the purposes of a federally funded grant entitled, Juvenile Justice Delinquency and Prevention Act $708,000

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 $4,600,000

8000-4619 For the purposes of a federally funded grant entitled, Title V $71,000

8000-4620 For the purposes of a federally funded grant entitled, Stop Violence Against Women Formula Grants Program $3,100,000

8000-4623 For the purposes of a federally funded grant entitled, Criminal History Improvement $300,000

8000-4624 For the purposes of a federally funded grant entitled, Prisoner Substance Abuse Treatment $150,000

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 Re-Entry Grant $50,000

8000-4692 For the purposes of a federally funded grant entitled, State Homeland Security Program $26,250,000

8000-4693 For the purposes of a federally funded grant entitled, Project Safe Neighborhood $150,000

8000-4694 For the purposes of a federally funded grant entitled, Homeland Urban Areas $7,000,000

8000-4695 For the purposes of a federally funded grant entitled, Homeland Security Buffer Zone Protection $1,275,000

8000-4696 For the purposes of a federally funded grant entitled, Transportation Security Grant $15,000,000

8000-4699 For the purposes of a federally funded grant entitled, Homeland Citizen Corp $325,000

8000-4700 For the purposes of a federally funded grant entitled, Homeland Medical Response $1,175,000

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 $725,000

8000-4703 For the purposes of a federally funded grant entitled, Homeland Catastrophic Preparation $4,500,000

8000-4705 For the purposes of a federally funded grant entitled, Homeland Emergency Management Preparation $3,750,000

8000-4706 For the purposes of a federally funded grant entitled, Homeland Emergency Operations Center $125,000

8000-4804 For the purposes of a federally funded grant entitled, Highway Safety Grant $16,750,000

8000-4840 For the purposes of a federally funded grant entitled, 2006 Enforcing Underage Drinking Laws $365,000

8000-4841 For the purposes of a federally funded grant entitled, Fatality Analysis Reporting $100,000

8000-4842 For the purposes of a federally funded grant entitled, Click it or Ticket – Next Generation Grant $300,000

8000-4843 For the purposes of a federally funded grant entitled, Increased Endorsed Motorcyclists $50,000

8000-4844 For the purposes of a federally funded grant entitled, Increased Blood Alcohol Reporting $100,000

8000-6613 For the purposes of a federally funded grant entitled, Juvenile Accountability II $683,000

Department of State Police.

8100-0209 For the purposes of a federally funded grant entitled, Region 1 Training Academy Motor Carrier Safety Assistance $82,667

8100-0210 For the purposes of a federally funded grant entitled, FMCSA New Entrant Audit $457,464

8100-2010 For the purposes of a federally funded grant entitled, FMCSA Basic Grant $2,349,449

8100-2020 For the purposes of a federally funded grant entitled, FMCSA High Priority (Seat Belt) ... $239,700

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 $111,312

8100-2640 For the purposes of a federally funded grant entitled, Internet Crimes Against Children Continuation..... $355,158

8100-2641 For the purposes of a federally funded grant entitled, ARRA Internet Crimes Against Children Data System $686,291

8100-9706 For the purposes of a federally funded grant entitled, Cannabis Eradication Controlled Substance Prosecution DEA Cooperative Agreement $55,000

Department of Fire Services.

8324-1505 For the purposes of a federally funded grant entitled, United States Fire Administration State Fire Training Program..... $26,000

Military Division.

8700-1001 For the purposes of a federally funded grant entitled, Army National Guard Facilities Programs Cooperative Agreement $9,807,925

8700-1002 For the purposes of a federally funded grant entitled, Army National Guard Environmental Programs Cooperative Agreement $2,443,071

8700-1003 For the purposes of a federally funded grant entitled, Army National Guard Security Cooperative Agreement $1,815,000

8700-1004 For the purposes of a federally funded grant entitled, Army National Guard Electronic Security Cooperative Agreement $285,000

8700-1005 For the purposes of a federally funded grant entitled, Army National Guard Communications and Information Management Cooperative Agreement..... $555,724

8700-1007 For the purposes of a federally funded grant entitled, Army National Guard Sustainable Ranges Cooperative Agreement $497,000

8700-1010 For the purposes of a federally funded grant entitled, Army National Guard Anti-Terrorism Cooperative Agreement $100,000

8700-1021 For the purposes of a federally funded grant entitled, Air National Guard Facilities Operations and Maintenance Cooperative Agreement..... $7,617,401

8700-1022 For the purposes of a federally funded grant entitled, Air National Guard Environment Cooperative Agreement $61,821

8700-1023 For the purposes of a federally funded grant entitled, Air National Guard Security Cooperative Agreement $1,731,000

8700-1024 For the purposes of a federally funded grant entitled, Air National Guard Fire Protection Cooperative Agreement $2,427,146

8700-1040 For the purposes of a federally funded grant entitled, Air National Guard Distributed Learning Program Cooperative Agreement $331,780

8700-2001 For the purposes of a federally funded grant entitled, Natick National Guard Readiness Center $9,568,212

8700-3076 For the purposes of a federally funded grant entitled, Air National Guard Services Program - Food & Lodging $150,000

Massachusetts Emergency Management Agency.

8800-0011 For the purposes of a federally funded grant entitled, Severe Repetitive Loss Grant $75,718

8800-0012 For the purposes of a federally funded grant entitled, Legislative Pre-Disaster Mitigation Competitive Grant $349,179

8800-0042 For the purposes of a federally funded grant entitled, Hazardous Materials Transportation Act $281,339

8800-0048 For the purposes of a federally funded grant entitled, Flood Mitigation Assistance Program $665,851

8800-0064 For the purposes of a federally funded grant entitled, Hazard Mitigation 1364 ..... $1,745,672

8800-0087 For the purposes of a federally funded grant entitled, Pre-Disaster Mitigation Competitive Grant $3,017,525

8800-1642 For the purposes of a federally funded grant entitled, May 2006 Floods FEMA $777,548

8800-1643 For the purposes of a federally funded grant entitled, Legislative Pre-Disaster Mitigation Competitive Grant $109,988

8800-1644 For the purposes of a federally funded grant entitled, Pre-Disaster Mitigation Competitive Grant $1,285,348

8800-1645 For the purposes of a federally funded grant entitled, Flood Mitigation Assistance Program $65,369

8800-1701 For the purposes of a federally funded grant entitled, April 2007 Storm FEMA $936,696

8800-1813 For the purposes of a federally funded grant entitled, December 2008 Ice Storm FEMA $2,907,943

8800-1895 For the purposes of a federally funded grant entitled, March 2010 Floods FEMA $8,523,050

8800-1959 For the purposes of a federally funded grant entitled, January 2011 Snowstorm $500,000

8800-1994 For the purposes of a federally funded grant entitled, June 2011 Tornadoes Grant $15,000,000

8800-1996 For the purposes of a federally funded grant entitled, DR-1994 Disaster Case Management $283,379

8800-3330 For the purposes of a federally funded grant entitled, Hurricane Irene Grant $250,000

8800-4028 For the purposes of a federally funded grant entitled, Tropical Storm Irene Grant $14,713,911

8800-4051 For the purposes of a federally funded grant entitled, October 2011 Snow Storm $50,423,708

Department of Correction.

8903-9003 For the purposes of a federally funded grant entitled, Second Chance Act Family Based Substance Abuse Treatment Grant $71,139

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 $7,509,748

9110-1077 For the purposes of a federally funded grant entitled, National Family Caregiver Support Program $4,983,746

9110-1095 For the purposes of a federally funded grant entitled, Health Information Counseling and Assistance $802,000

9110-1173 For the purposes of a federally funded grant entitled, Older Americans Act - Title III Nutritional Program $12,366,039

9110-1174 For the purposes of a federally funded grant entitled, Nutrition Services Incentive Program $5,525,088

9110-1178 For the purposes of a federally funded grant entitled, Community Service Employment Program $1,831,035

9110-1183 For the purposes of a federally funded grant entitled, Massachusetts Options Counseling Standards Initiative $450,000

9110-1184 For the purposes of a federally funded grant entitled, Standards Care for People with Alzheimer's in Home Care Program $350,000

9110-3031 For the purposes of a federally funded grant entitled, ADRC Strategic Planning $267,058

9110-3037 For the purposes of a federally funded grant entitled, Massachusetts Community Living Program $250,000

9110-3100 For the purposes of a federally funded grant entitled, Nursing Home Diversion Modernization $361,093

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, 2013. 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, 2013. 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 OF 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 $415,042,237

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

Office of the Secretary of Health and Human Services.

1595-1067 For an operating transfer to the Delivery System Transformation Initiatives Trust Fund established in section 35UU of chapter 10 of the General Laws; provided, that these funds shall be expended pursuant to the Delivery System Transformation Initiative Master Plan and hospital-specific plans approved in the MassHealth section 1115 demonstration waiver for fiscal year 2013; provided further, that all payments from the Delivery System Transformation Initiatives 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 the secretary of health and human services shall make payments of up to $44,853,333 from the Delivery System Transformation Initiatives Trust Fund to the Cambridge Public Health Commission for fiscal year 2013 only after the Cambridge Public Health Commission transfers up to $22,426,667 of its funds to the Delivery System Transformation Initiatives Trust Fund using a federally-permissible source of funds which shall fully satisfy the non-federal share of such payment; provided further, that the executive office of health and human services shall report to the house and senate committees on ways and means not later than March 15, 2013 on: (i) the payments made to each hospital; (ii) the investments each hospital has made with this funding; and (iii) the hospital's performance on the quality measures assessed under the Delivery System Transformation Initiatives program; and provided further, that the executive office of health and human services shall notify the house and senate committees on ways and means 15 days in advance of any changes in payments made to these hospitals $186,907,667

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 2013, 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 2013, or payments described in the state plan for services provided during federal fiscal year

2013; 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 2013 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 2013 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

1595-5819 For an operating transfer to the Commonwealth Care Trust Fund, established under section 2OOO 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 2013 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 health care financing within 30 days of the proposed transfer; provided further, that notwithstanding section 7A of chapter 176Q of the General Laws, for fiscal year 2013, the connector may provide an annual health insurance wellness subsidy not to exceed 15 per cent of eligible employer health care costs as determined by the commonwealth health insurance connector authority; and provided further, that notwithstanding the language in Chapter 68 of the Act of 2011, or any general or special law to the contrary, any amounts that would otherwise revert within the Commonwealth Care Trust Fund that are not needed to support the costs of the Commonwealth Care and Commonwealth Care Bridge subsidized health insurance programs in fiscal year 2012 shall be made available to support the costs of these programs until June 30, 2013..... $740,772,286

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 ensure the transition of existing transportation services provided by Community Transit Services and Berkshire Rides to the local transit authorities not later than July 1, 2013; provided further, that the amount of funds provided for administrative and consulting services, including those services associated with planning and facilitation of the transition to local transit authorities, shall not exceed that of fiscal year 2012; and provided further, that the department shall ensure that these services shall not be reduced in fiscal year 2013 ..... $166,691,136

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; provided, that the Massachusetts department of transportation shall notify the house and senate committees on ways and means 60 days prior to the implementation of any changes to the methodology of distributing state contract assistance to regional transit authorities $18,500,000

Commonwealth Transportation Fund 100%

1595-6379 For the operation of the motor vehicle insurance merit rating board, including the rent, related parking and utility expenses of the board; provided, that the amount appropriated in this item, 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; 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..... $8,699,046

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 in section 2MMM of chapter 29 of the General Laws $1,500,000

SECTION 3. Notwithstanding any general or special law to the contrary, for the fiscal year ending June 30, 2013 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 $900,000,000 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 12B of chapter 76 and section 89 of chapter 71 of the General Laws, for fiscal year 2013 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 2013, the foundation budget categories for each district shall be calculated in the same manner as in fiscal year 2012. The target local share shall be calculated using the same methodology used in fiscal year 2012. Preliminary local contribution shall be the municipality's fiscal year 2012 minimum required local contribution, increased or decreased by the municipal revenue growth factor; provided, 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 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 2013 shall be, for any municipality with a fiscal year 2013 preliminary contribution greater than its fiscal year 2013 target contribution, the preliminary local contribution reduced by 15 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 2013, "prior year aid" shall be fiscal year 2012 state-appropriated chapter 70 aid. For fiscal year 2013, the "foundation aid increment" shall be the difference between: (1) the positive difference between a district's foundation budget and its required district contribution; and (2) prior year aid. For fiscal year 2013, chapter 70 aid shall be: (a) for any district that: (i) has a target aid percentage greater than the sum of a district's prior year aid and foundation aid increment as a percentage of foundation budget; and (ii) has a combined effort yield as a percentage of foundation budget of not more than 107.5 per cent; the sum of prior year aid and 25 per cent of the difference between the district's target aid amount and the sum of prior year aid and the district's foundation aid increment; (b) for any district with a positive foundation aid increment not included in (a), the sum of the district's prior year aid plus the district's foundation aid increment; and (c) for all other districts: the sum of foundation enrollment multiplied by 40 plus prior year aid. Combined effort yield as a percentage of foundation for districts shall be determined by dividing the district's combined effort yield by the district's total foundation budget. Combined effort yield as a percentage of foundation for regional school districts shall be determined by allocating a member municipality's combined effort yield among the districts to which said municipality belongs in direct proportion to the foundation budgets for the municipality's pupils at each of those districts. No non-operating district shall receive chapter 70 aid in an amount greater than the district's foundation budget. If there is a conflict between the language 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 any 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 the executive office for administration and finance, pursuant to guidelines established by the secretary.

Municipality	Chapter 70	Unrestricted General Government Aid
ABINGTON	$7,324,394	$1,665,759
ACTON	$5,537,500	$1,184,497
ACUSHNET	$6,088,327	$1,283,900
ADAMS	$9,088	$1,982,425
AGAWAM	$18,531,418	$3,119,537
ALFORD	$0	$11,883
AMESBURY	$8,517,266	$1,647,342
AMHERST	$5,864,398	$7,128,920
ANDOVER	$7,950,343	$1,513,073
AQUINNAH	$0	$1,978
ARLINGTON	$8,109,496	$6,424,188
ASHBURNHAM	$0	$673,263
ASHBY	$0	$370,776
ASHFIELD	$93,413	$157,204
ASHLAND	$5,393,485	$1,145,105
ATHOL	$0	$2,241,816
ATTLEBORO	$32,496,935	$4,830,777
AUBURN	$7,942,820	$1,450,184
AVON	$874,134	$586,899
AYER	$333,567	$641,032

Municipality	Chapter 70	Unrestricted General Government Aid
BARNSTABLE	$7,401,888	$1,781,150
BARRE	$14,988	$761,565
BECKET	$76,563	$76,899
BEDFORD	$3,729,646	$972,037
BELCHERTOWN	$13,355,141	$1,440,782
BELLINGHAM	$8,123,660	$1,436,835
BELMONT	$5,724,243	$1,911,956
BERKLEY	$3,837,513	$515,220
BERLIN	$507,703	$170,721
BERNARDSTON	$11,308	$246,284
BEVERLY	$6,901,866	$4,944,982
BILLERICA	$18,204,887	$4,930,853
BLACKSTONE	$84,251	$1,159,028
BLANDFORD	$42,726	$107,520

BOLTON	$0	$167,185
BOSTON	$207,858,813	$160,429,068
BOURNE	$4,771,738	$1,241,306
BOXBOROUGH	$1,310,578	$213,599
BOXFORD	$1,563,632	$411,638
BOYLSTON	$460,573	$290,049
BRAINTREE	$13,546,899	$4,845,516
BREWSTER	$906,844	$334,345
BRIDGEWATER	$36,107	$3,084,131
BRIMFIELD	$1,187,947	$330,142
BROCKTON	$148,088,586	$17,729,994
BROOKFIELD	$1,354,890	$418,091
BROOKLINE	$8,949,381	$5,376,121
BUCKLAND	$0	$259,280
BURLINGTON	$5,326,187	$2,217,577
CAMBRIDGE	$8,892,163	$18,191,301
CANTON	$4,580,646	$1,815,870
CARLISLE	$815,308	$185,756
CARVER	$9,644,539	$1,237,014
CHARLEMONT	$61,250	$148,015
CHARLTON	$21,633	$1,226,791
CHATHAM	$0	$127,438
CHELMSFORD	$10,089,893	$4,297,867
CHELSEA	$56,040,644	$6,954,556
CHESHIRE	$318,591	$520,183
CHESTER	$125,551	$152,451

Municipality	Chapter 70	Unrestricted General Government Aid
CHESTERFIELD	$133,114	$116,910
CHICOPEE	$56,021,156	$9,750,869
CHILMARK	$0	$3,176
CLARKSBURG	$1,758,875	$308,041
CLINTON	$10,857,441	$1,993,338
COHASSET	$1,720,297	$435,656
COLRAIN	$0	$244,389
CONCORD	$2,075,197	$982,352
CONWAY	$598,954	$151,335
CUMMINGTON	$73,684	$70,640
DALTON	$272,926	$963,421
DANVERS	$5,786,818	$2,411,751
DARTMOUTH	$9,138,016	$2,134,598
DEDHAM	$3,890,648	$2,769,077
DEERFIELD	$1,041,993	$406,708
DENNIS	$0	$461,161

DEVENS	$308,588	$0
DIGHTON	$0	$654,760
DOUGLAS	$8,454,415	$617,950
DOVER	$622,456	$162,890
DRACUT	$18,109,090	$2,966,864
DUDLEY	$0	$1,512,940
DUNSTABLE	$4,426	$208,270
DUXBURY	$4,513,610	$750,590
EAST BRIDGEWATER	$10,196,332	$1,267,495
EAST BROOKFIELD	$140,428	$245,582
EAST LONGMEADOW	$9,767,174	$1,225,693
EASTHAM	$324,556	$126,156
EASTHAMPTON	$7,641,192	$2,380,106
EASTON	$9,343,416	$1,854,334
EDGARTOWN	$438,768	$56,405
EGREMONT	$0	$53,427
ERVING	$418,845	$56,914
ESSEX	$0	$207,322
EVERETT	$49,378,545	$5,850,089
FAIRHAVEN	$7,292,285	$1,909,465
FALL RIVER	$96,330,544	$20,179,083
FALMOUTH	$4,988,896	$1,173,954
FITCHBURG	$43,692,664	$7,226,303
FLORIDA	$532,667	$42,148

Municipality	Chapter 70	Unrestricted General Government Aid
FOXBOROUGH	$8,460,190	$1,261,281
FRAMINGHAM	$28,083,629	$8,424,584
FRANKLIN	$27,111,396	$2,092,343
FREETOWN	$378,328	$804,071
GARDNER	$18,422,676	$3,588,256
GEORGETOWN	$5,180,958	$606,601
GILL	$0	$205,968
GLOUCESTER	$5,893,705	$3,381,928
GOSHEN	$96,111	$67,742
GOSNOLD	$16,414	$1,776
GRAFTON	$8,995,766	$1,323,998
GRANBY	$4,493,290	$747,667
GRANVILLE	$0	$135,762
GREAT BARRINGTON	$0	$642,636
GREENFIELD	$10,481,762	$2,688,348
GROTON	$3,201	$655,937
GROVELAND	$0	$616,384
HADLEY	$815,648	$384,312

HALIFAX	$2,669,842	$768,669
HAMILTON	$0	$568,917
HAMPDEN	$0	$582,584
HANCOCK	$194,340	$47,808
HANOVER	$6,460,514	$1,793,779
HANSON	$40,015	$1,084,362
HARDWICK	$0	$394,213
HARVARD	$1,763,706	$1,254,020
HARWICH	$0	$364,746
HATFIELD	$767,671	$264,217
HAVERHILL	$40,527,259	$8,322,423
HAWLEY	$35,202	$36,646
HEATH	$0	$70,848
HINGHAM	$6,234,052	$1,336,388
HINSDALE	$104,683	$188,540
HOLBROOK	$4,644,027	$1,249,424
HOLDEN	$0	$1,618,968
HOLLAND	$897,623	$170,912
HOLLISTON	$7,025,700	$1,311,309
HOLYOKE	$69,455,778	$8,599,905
HOPEDALE	$5,859,695	$552,163
HOPKINTON	$5,705,503	$665,188

Municipality	Chapter 70	Unrestricted General Government Aid
HUBBARDSTON	$0	$381,439
HUDSON	$10,247,975	$1,688,562
HULL	$3,654,871	$1,794,537
HUNTINGTON	$257,686	$291,835
IPSWICH	$2,722,402	$1,359,266
KINGSTON	$4,130,765	$812,772
LAKEVILLE	$71,486	$692,850
LANCASTER	$0	$809,423
LANESBOROUGH	$834,917	$292,097
LAWRENCE	$152,157,597	$16,626,222
LEE	$1,947,049	$527,354
LEICESTER	$9,450,987	$1,470,260
LENOX	$1,156,055	$451,350
LEOMINSTER	$42,835,377	$4,846,319
LEVERETT	$271,766	$151,146
LEXINGTON	$7,876,799	$1,297,747
LEYDEN	$0	$69,720
LINCOLN	$743,071	$576,472
LITTLETON	$3,693,488	$601,918
LONGMEADOW	$4,224,986	$1,183,051

LOWELL	$126,478,353	$21,328,636
LUDLOW	$13,211,578	$2,586,797
LUNENBURG	$5,219,937	$895,464
LYNN	$126,107,787	$18,958,928
LYNNFIELD	$3,887,366	$880,670
MALDEN	$46,767,445	$10,623,677
MANCHESTER	$0	$188,313
MANSFIELD	$18,060,214	$1,888,822
MARBLEHEAD	$4,677,641	$964,264
MARION	$449,149	$191,066
MARLBOROUGH	$17,545,221	$4,609,534
MARSHFIELD	$13,747,293	$1,834,400
MASHPEE	$4,271,711	$311,546
MATTAPOISETT	$546,236	$343,198
MAYNARD	$3,990,865	$1,330,323
MEDFIELD	$5,730,534	$1,227,479
MEDFORD	$11,047,553	$10,271,328
MEDWAY	$9,997,944	$1,033,084
MELROSE	$7,672,924	$4,342,679
MENDON	$0	$346,043

Municipality	Chapter 70	Unrestricted General Government Aid
MERRIMAC	$0	$712,467
METHUEN	$39,110,902	$4,604,079
MIDDLEBOROUGH	$17,292,484	$2,087,723
MIDDLEFIELD	$18,050	$45,016
MIDDLETON	$1,513,276	$463,319
MILFORD	$18,734,609	$2,586,401
MILLBURY	$6,638,870	$1,499,471
MILLIS	$4,534,411	$886,555
MILLVILLE	$50,789	$344,919
MILTON	$5,765,928	$2,720,845
MONROE	$75,976	$15,570
MONSON	$7,312,050	$1,105,367
MONTAGUE	$0	$1,213,563
MONTEREY	$0	$39,151
MONTGOMERY	$21,042	$73,488
MOUNT WASHINGTON	$32,776	$25,384
NAHANT	$454,021	$319,949
NANTUCKET	$1,387,053	$67,093
NATICK	$7,640,286	$3,226,766
NEEDHAM	$7,633,990	$1,478,225
NEW ASHFORD	$179,597	$17,200
NEW BEDFORD	$113,644,428	$19,479,321

NEW BRAINTREE	$0	$111,784
NEW MARLBOROUGH	$0	$49,591
NEW SALEM	$0	$87,858
NEWBURY	$0	$438,540
NEWBURYPORT	$3,236,321	$2,159,651
NEWTON	$16,173,152	$4,976,266
NORFOLK	$3,270,355	$812,052
NORTH ADAMS	$13,480,318	$3,756,751
NORTH ANDOVER	$6,808,233	$1,735,369
NORTH ATTLEBOROUGH	$19,712,661	$2,436,190
NORTH BROOKFIELD	$4,155,363	$674,740
NORTH READING	$6,562,100	$1,503,522
NORTHAMPTON	$6,954,104	$3,721,840
NORTHBOROUGH	$3,621,985	$944,540
NORTHBRIDGE	$15,086,281	$1,787,431
NORTHFIELD	$0	$305,940
NORTON	$12,260,025	$1,759,955
NORWELL	$3,148,957	$907,746

Municipality	Chapter 70	Unrestricted General Government Aid
NORWOOD	$5,111,751	$3,938,737
OAK BLUFFS	$629,001	$61,583
OAKHAM	$0	$162,461
ORANGE	$5,142,779	$1,368,482
ORLEANS	$245,322	$145,453
OTIS	$0	$30,800
OXFORD	$10,160,549	$1,741,203
PALMER	$10,585,480	$1,698,208
PAXTON	$0	$458,220
PEABODY	$18,906,718	$6,112,539
PELHAM	$218,831	$134,790
PEMBROKE	$12,925,750	$1,423,428
PEPPERELL	$0	$1,263,837
PERU	$73,500	$96,708
PETERSHAM	$421,383	$97,078
PHILLIPSTON	$0	$156,198
PITTSFIELD	$38,017,593	$7,311,092
PLAINFIELD	$51,024	$42,482
PLAINVILLE	$2,768,881	$642,414
PLYMOUTH	$22,208,459	$3,318,055
PLYMPTON	$591,348	$200,891
PRINCETON	$0	$250,715
PROVINCETOWN	$262,841	$117,128
QUINCY	$23,565,229	$16,169,116

RANDOLPH	$13,913,058	$4,401,459
RAYNHAM	$4,837	$962,898
READING	$9,903,702	$2,745,192
REHOBOTH	$0	$882,695
REVERE	$46,214,315	$8,710,670
RICHMOND	$336,919	$91,612
ROCHESTER	$1,725,847	$359,648
ROCKLAND	$10,325,640	$2,238,546
ROCKPORT	$1,304,118	$370,529
ROWE	$99,147	$3,336
ROWLEY	$0	$457,291
ROYALSTON	$0	$152,235
RUSSELL	$168,465	$209,137
RUTLAND	$0	$783,328
SALEM	$20,759,584	$5,841,377
SALISBURY	$0	$535,038

Municipality	Chapter 70	Unrestricted General Government Aid
SANDISFIELD	$0	$29,344
SANDWICH	$6,508,793	$954,422
SAUGUS	$4,144,390	$3,106,636
SAVOY	$502,079	$98,114
SCITUATE	$4,957,576	$1,703,470
SEEKONK	$4,595,356	$1,042,014
SHARON	$6,695,952	$1,185,383
SHEFFIELD	$13,886	$206,296
SHELBURNE	$4,663	$221,447
SHERBORN	$515,408	$183,420
SHIRLEY	$0	$1,110,994
SHREWSBURY	$18,748,463	$2,358,849
SHUTESBURY	$584,974	$143,599
SOMERSET	$5,022,378	$1,298,774
SOMERVILLE	$19,316,888	$21,335,706
SOUTH HADLEY	$7,627,179	$2,211,568
SOUTHAMPTON	$2,444,176	$539,562
SOUTHBOROUGH	$2,710,636	$370,367
SOUTHBRIDGE	$17,682,899	$2,979,047
SOUTHWICK	$0	$1,068,145
SPENCER	$8,390	$1,915,280
SPRINGFIELD	$285,851,656	$32,056,719
STERLING	$0	$587,062
STOCKBRIDGE	$0	$84,409
STONEHAM	$3,483,735	$3,147,091
STOUGHTON	$14,019,929	$2,711,646

STOW	$0	$356,474
STURBRIDGE	$2,770,520	$656,049
SUDBURY	$4,325,145	$1,185,358
SUNDERLAND	$833,063	$428,001
SUTTON	$5,163,355	$661,018
SWAMPSCOTT	$2,773,458	$1,096,083
SWANSEA	$5,657,432	$1,590,434
TAUNTON	$47,630,220	$7,122,191
TEMPLETON	$0	$1,180,820
TEWKSBURY	$12,472,939	$2,356,820
TISBURY	$395,514	$83,033
TOLLAND	$0	$15,651
TOPSFIELD	$1,048,739	$519,391
TOWNSEND	$0	$1,112,885

Municipality	Chapter 70	Unrestricted General Government Aid
TRURO	$253,586	$25,475
TYNGSBOROUGH	$7,034,649	$818,343
TYRINGHAM	$35,721	$10,752
UPTON	$12,956	$450,836
UXBRIDGE	$9,025,989	$1,165,153
WAKEFIELD	$4,962,310	$2,852,733
WALES	$730,684	$200,010
WALPOLE	$7,325,008	$2,158,136
WALTHAM	$7,701,998	$8,131,576
WARE	$8,212,190	$1,461,937
WAREHAM	$12,345,207	$1,675,394
WARREN	$0	$766,125
WARWICK	$0	$107,694
WASHINGTON	$11,237	$79,981
WATERTOWN	$3,341,524	$5,648,283
WAYLAND	$3,250,268	$765,439
WEBSTER	$9,905,062	$2,096,609
WELLESLEY	$7,402,108	$1,096,960
WELLFLEET	$151,483	$49,495
WENDELL	$0	$147,577
WENHAM	$0	$362,719
WEST BOYLSTON	$2,841,510	$674,686
WEST BRIDGEWATER	$2,550,273	$553,738
WEST BROOKFIELD	$201,348	$412,442
WEST NEWBURY	$0	$250,906
WEST SPRINGFIELD	$19,563,826	$3,034,862
WEST STOCKBRIDGE	$0	$82,334
WEST TISBURY	$0	$157,286

WESTBOROUGH	$4,475,455	$981,277
WESTFIELD	$32,927,874	$5,330,775
WESTFORD	$16,064,000	$1,799,582
WESTHAMPTON	$447,620	$122,706
WESTMINSTER	$0	$554,331
WESTON	$2,512,979	$316,750
WESTPORT	$4,221,997	$1,030,222
WESTWOOD	$4,382,005	$617,780
WEYMOUTH	$27,034,585	$7,383,670
WHATELY	$240,518	$113,641
WHITMAN	$118,716	$2,050,482
WILBRAHAM	$0	$1,239,312

Municipality	Chapter 70	Unrestricted General Government Aid
WILLIAMSBURG	$434,689	$256,368
WILLIAMSTOWN	$909,926	$808,468
WILMINGTON	$10,653,176	$2,105,621
WINCHENDON	$11,177,635	$1,424,598
WINCHESTER	$7,166,699	$1,252,890
WINDSOR	$47,361	$87,937
WINTHROP	$5,274,707	$3,569,828
WOBURN	$6,819,375	$5,069,527
WORCESTER	$210,364,137	$35,189,896
WORTHINGTON	$49,000	$106,365
WRENTHAM	$3,581,123	$789,481
YARMOUTH	$4,574	$1,069,143
Total Municipal	**$3,518,838,431**	**$900,000,000**

Regional School District	Chapter 70	Unrestricted General Government Aid
ACTON BOXBOROUGH	$7,124,122	-
ADAMS CHESHIRE	$10,049,743	-
AMHERST PELHAM	$9,233,467	-
ASHBURNHAM WESTMINSTER	$10,026,904	-
ASSABET VALLEY	$3,688,750	-
ATHOL ROYALSTON	$17,043,590	-
AYER SHIRLEY	$7,915,436	-
BERKSHIRE HILLS	$2,700,038	-
BERLIN BOYLSTON	$888,833	-
BLACKSTONE MILLVILLE	$10,589,769	-
BLACKSTONE VALLEY	$7,913,153	-
BLUE HILLS	$3,898,020	-
BRIDGEWATER RAYNHAM	$20,269,571	-

BRISTOL COUNTY	$2,964,202	-
BRISTOL PLYMOUTH	$10,373,342	-
CAPE COD	$2,047,487	-
CENTRAL BERKSHIRE	$8,410,334	-
CHESTERFIELD GOSHEN	$723,330	-
CONCORD CARLISLE	$1,836,274	-
DENNIS YARMOUTH	$6,543,564	-
DIGHTON REHOBOTH	$12,315,946	-
DOVER SHERBORN	$1,408,555	-
DUDLEY CHARLTON	$23,647,098	-

Regional School District	Chapter 70	Unrestricted General Government Aid
ESSEX COUNTY	$4,022,176	-
FARMINGTON RIVER	$394,745	-
FRANKLIN COUNTY	$3,344,406	-
FREETOWN LAKEVILLE	$10,478,788	-
FRONTIER	$2,729,670	-
GATEWAY	$5,598,773	-
GILL MONTAGUE	$6,010,369	-
GREATER FALL RIVER	$14,241,401	-
GREATER LAWRENCE	$19,925,633	-
GREATER LOWELL	$23,419,100	-
GREATER NEW BEDFORD	$23,558,508	-
GROTON DUNSTABLE	$10,384,573	-
HAMILTON WENHAM	$3,325,691	-
HAMPDEN WILBRAHAM	$11,241,439	-
HAMPSHIRE	$3,114,108	-
HAWLEMONT	$607,377	-
KING PHILIP	$7,113,575	-
LINCOLN SUDBURY	$2,609,495	-
MANCHESTER ESSEX	$2,642,035	-
MARTHAS VINEYARD	$2,720,400	-
MASCONOMET	$4,770,799	-
MENDON UPTON	$11,954,456	-
MINUTEMAN	$2,146,052	-
MOHAWK TRAIL	$5,850,194	-
MONOMOY	$2,460,460	-
MONTACHUSETT	$13,727,675	-
MOUNT GREYLOCK	$1,668,783	-
NARRAGANSETT	$9,664,194	-
NASHOBA	$6,330,455	-
NASHOBA VALLEY	$3,273,056	-
NAUSET	$3,256,279	-
NEW SALEM WENDELL	$626,107	-

NORFOLK COUNTY	$1,097,231	-
NORTH MIDDLESEX	$19,659,168	-
NORTH SHORE	$1,578,772	-
NORTHAMPTON SMITH	$890,560	-
NORTHBORO SOUTHBORO	$2,838,864	-
NORTHEAST METROPOLITAN	$8,285,919	-
NORTHERN BERKSHIRE	$4,211,358	-
Regional School District	**Chapter 70**	**Unrestricted General Government Aid**
OLD COLONY	$3,179,079	-
OLD ROCHESTER	$2,124,851	-
PATHFINDER	$5,305,602	-
PENTUCKET	$12,635,127	-
PIONEER	$4,007,811	-
QUABBIN	$16,170,613	-
QUABOAG	$8,447,086	-
RALPH C MAHAR	$5,286,040	-
SHAWSHEEN VALLEY	$6,159,526	-
SILVER LAKE	$7,202,389	-
SOMERSET BERKLEY	$3,771,018	-
SOUTH MIDDLESEX	$3,269,602	-
SOUTH SHORE	$3,814,659	-
SOUTHEASTERN	$12,885,090	-
SOUTHERN BERKSHIRE	$1,830,896	-
SOUTHERN WORCESTER	$9,454,522	-
SOUTHWICK TOLLAND	$9,503,073	-
SPENCER EAST BROOKFIELD	$13,315,389	-
TANTASQUA	$7,547,159	-
TRI COUNTY	$5,505,418	-
TRITON	$8,226,571	-
UPISLAND	$795,572	-
UPPER CAPE COD	$2,874,735	-
WACHUSETT	$24,301,041	-
WHITMAN HANSON	$23,680,501	-
WHITTIER	$7,563,919	-
Total Regional	**$652,241,461**	**$0**
Total State	**$4,171,079,892**	**$900,000,000**

SECTION 4. Section 41 of chapter 3 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out, in line 14, the words “state office buildings” and inserting in place thereof the following words:- the state house.

SECTION 5. Section 19 of chapter 6 of the General Laws is hereby repealed.

SECTION 6. Said chapter 6 is hereby further amended by striking out section 20, as appearing in the 2010 Official Edition, and inserting in place thereof the following section:-

Section 20. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

“Historical artifact”, an object commemorating, representing or having specific ties to a significant historical event or era in the history of the commonwealth; provided, however, that ”historical artifact” shall not include flags under the care of the superintendent of the state house under section 17A of chapter 8.

“Work of art”, (i) a portrait or other memorial procured under section 19 or 19A of chapter 8; and (ii) a painting, portrait, mural decoration, stained glass, statue, bas-relief, ornament, fountain or other article or structure of a permanent character intended for decoration or commemoration.

(b) There shall be an art commission for the state house consisting of 7 members, 3 of whom shall be appointed by the governor, 2 of whom shall be appointed by the senate president and 2 of whom shall be appointed by the speaker of the house of representatives. All of the members shall be residents of the commonwealth qualified by training and experience in public art, museum collections or historic preservation. Commission members shall serve for 5-year terms without compensation, but shall be reimbursed for travel and other expenses necessary for the performance of their duties, as approved by the superintendent of the state house and paid for from the State House Special Event Fund established in section 35P of chapter 10. The commission may adopt its own rules and elect such officers from its own members as may be considered proper.

(c) The governor shall appoint a state house curator from among candidates recommended by the commission. The curator shall be qualified by training and experience in historic preservation and art collections management, care and conservation. The curator shall report to the superintendent of the state house and the commission and shall be responsible for the curatorial, registrarial and administrative duties associated with both the day-to-day oversight of the state house art and artifact collection and the historic preservation of the state house. The curator shall be paid from the State House Special Event Fund.

(d) The commission shall have the custody and care of all works of art and historical artifacts in the state house art collection, including those inside the state house, on its grounds, on display and in storage. The commission shall oversee the care of such works of art and historical artifacts according to the codes of ethics and standards for practice established by the American Association of Museums and the American Institute for Conservation of Historic and Artistic Works.

The commission shall oversee the handling and display of works of art and historical artifacts in public areas and private offices; provided, however, that the commission shall not place in or remove from any space in the state house assigned to the general court any such works of art or historical artifacts without the approval of the committees on rules of the 2 branches, acting concurrently.

(e) The commission shall serve as an advisor to the governor and legislature on all artistic matters at the state house, including the historic preservation of the building.

(f) The commission shall direct the process of acquisitions to the state house art collection, from review of all plans to the final approval of completed art works. The art commission shall be advised of any proposal relative to the permanent addition of works of art or historical artifacts to the state house art collection and shall submit its opinion regarding the appropriateness of proposed art work prior to the approval required under section 21 of chapter 8.

(g) The commission shall review and approve any plan or design relative to the creation, acquisition, construction, erection or remodeling of any work of art in the state house. The commission may consult with sponsors and donors to revise and refine such plans and designs. The commission shall give its final approval upon the arrival of the work of art to the state house. The commission shall file with the governor, within 30 days after submission of a plan or design, its opinion of such proposed work of art together with such suggestions and recommendations as it may consider proper.

(h) The commission may receive grants, gifts, bequests and other contributions for the maintenance, restoration and acquisition of works of art and historical artifacts. Such funds shall be received by the state treasurer on behalf of the commonwealth and deposited in a special trust account for the commission and may be expended, without further appropriation, under the direction of the commissioners. Such special trust account shall be subject to an annual audit by the state auditor.

SECTION 7. Chapter 6C of the General Laws is hereby amended by adding the following section:-

Section 74. The department shall require that a contract for the construction, maintenance, repair, reconstruction, improvement or rehabilitation of the metropolitan highway system, the state highway system or the turnpike shall include the repair or rehabilitation of any sign or marker erected pursuant to chapter 10 of the resolves of 1930 that is abutting such project.

SECTION 7A. Section 14C of chapter 7 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the word “authority”, in line 3, the following words:- , including a quasi-public independent entity performing a public function that does not receive direct appropriations from the commonwealth.

SECTION 7B. Said section 14C of said chapter 7, as so appearing, is hereby further amended by inserting after the word “association”, in line 13, the following words:- , public charity holding funds subject to section 8 of chapter 12.

SECTION 7C. Said section 14C of said chapter 7, as so appearing, is hereby further amended by adding the following 2 subsections:-

(h) The searchable website shall be updated to include the items in subsection (b), if applicable, relative to a city or town.

(i) The secretary shall annually prepare a list of commonwealth authorities, including quasi-public independent entities performing a public function that do not receive direct appropriations from the commonwealth, that fail to provide data to the secretary under subsection (e). Such list shall be displayed on the searchable website. If an authority appears on the list for 2 consecutive years, the secretary shall prepare drafts of legislation necessary to enforce subsection (e) with regard to that authority and shall submit the same to the clerks of the senate and house of representatives.

SECTION 8. Section 40C of said chapter 7, as so appearing, is hereby amended by striking out, in line 42, the words “and the bureau of state office buildings”.

SECTION 9. Section 43H of said chapter 7, as so appearing, is hereby amended by striking out, in lines 6 and 7, the words “state superintendent of state office buildings” and inserting in place thereof the following words:- superintendent of the state house.

SECTION 10. Chapter 8 of the General Laws is hereby amended by striking out section 1, as so appearing, and inserting in place thereof the following section:-

Section 1. There shall be within the executive office for administration and finance a bureau of the state house, headed by a superintendent of the state house. The bureau of the state house shall be located in the state house. The superintendent shall be appointed by the secretary of administration and finance and may be removed in a like manner. The superintendent shall be a person of ability and experience with a background in finance and operations and may have a background in engineering. The full time of the superintendent shall be devoted to the duties of the office. The office shall not be classified under chapter 31.

SECTION 11. Section 4 of said chapter 8, as so appearing, is hereby amended by striking out, in lines 1 and 2, the words “state office buildings may, with the approval of the commissioner of administration,” and inserting in place thereof the following words:- the state house may.

SECTION 12. Said chapter 8 is hereby further amended by striking out section 6, as so appearing, and inserting in place thereof the following 2 sections:-

Section 6. The superintendent of the state house shall direct the making of all repairs and improvements in the state house, on the grounds of the state house and to any buildings thereof and all tenants, offices or occupants located in the state house shall make requisition upon the superintendent for any such repairs or improvements.

Section 6A. Notwithstanding any general or special law or rule or regulation to the contrary, the superintendent, or employees designated by the superintendent, may make purchases where the amount involved will not exceed $1,000.

SECTION 13. Said chapter 8 is hereby further amended by striking out section 9, as amended by section 20 of chapter 68 of the acts of 2011, and inserting in place thereof the following section:-

Section 9. The superintendent shall have charge of the operation and maintenance of the state house, subject to such rules as the committee on rules of the 2 branches, acting concurrently, may adopt and all state parking areas related thereto. The superintendent shall see that the chambers and lobbies of the general court and its committees are kept clean and in good order, shall superintend all ordinary repairs thereof and shall have charge of the current expenses for the care and preservation of the state house and for the ordinary repairs of the furniture and fixtures therein. The superintendent shall take proper precautions against damage thereto or to the furniture, fixtures or other public property therein; provided, however, that security in the state house shall be the responsibility of the commissioner of conservation and recreation in consultation and coordination with the speaker of the house of representatives and the president of the senate. The commissioner of conservation and recreation shall utilize the members of the urban park rangers program, established under section 34B of chapter 92, to maintain security; provided, however, that the commissioner shall carry out the responsibility subject to such rules as the committee on rules of the 2 branches, acting concurrently, may adopt and shall not be subject to the authority of the superintendent. There shall be maintained an adequate passageway for foot passengers from north to south through the east wing or extension of the state house, to be kept open during such hours as the superintendent shall fix. The state house and most facilities used by the public, including hearing rooms, shall be accessible to, functional for and safe for use by persons with physical disabilities; provided further, that the commonwealth shall make available a certain number of designated handicapped parking spaces for the general public. The superintendent may adopt rules, regulations and orders necessary for the operation and maintenance of the state house.

SECTION 14. Said chapter 8 is hereby further amended by striking out section 9A, as appearing in the 2010 Official Edition, and inserting in place thereof the following section:-

Section 9A. The superintendent of the state house shall establish and charge a fee or service charge to nongovernmental individuals, entities and groups using the state house for meetings, receptions or exhibits, which may be reduced at the discretion of the superintendent. The superintendent or a designee shall establish such fee or charge based upon the actual cost of use, including personnel, requests for security, preparation, equipment replacement, cleanup, utilities used and compensation for wear on the building. The superintendent, or a designee may, in the superintendent's discretion, require a nongovernment entity to enter into a written agreement indemnifying the commonwealth against any claims for casualty liability and may require the posting of an insurance bond. All monies received by the superintendent under this section shall be by check made payable to and deposited in the State House Special Event Fund, as established in section 35P of chapter 10; provided, however, that the superintendent may retain funds to be expended after consultation with the committee on rules of the 2 branches, acting concurrently, for restoration, equipment repair and replacement and educational and cultural programs at the state house.

SECTION 15. Section 14 of said chapter 8, as so appearing, is hereby amended by striking out, in lines 1 and 2, the words "fifteen hundred dollars" and inserting in place thereof

the following words:- $10,000 from the State House Special Event Fund established in section 35P of chapter 10.

SECTION 16. Section 16A of said chapter 8, as so appearing, is hereby amended by striking out, in lines 6 and 7, the words “Room numbered twenty-seven in the state house, formerly used by the Grand Army of the Republic, Department of Massachusetts,” and inserting in place thereof the following words:- A room in the state house.

SECTION 17. Section 17 of said chapter 8, as so appearing, is hereby amended by inserting after the word “Inc.”, in line 17, the second time it appears, the following words:- , groups established to represent all recent and future wars.

SECTION 18. Section 35P of chapter 10 of the General Laws, as so appearing, is hereby amended by striking out, in line 3, the words “state superintendent of state office buildings” and inserting in place thereof the following words:- superintendent of the state house.

SECTION 19. Said section 35P of said chapter 10, as so appearing, is hereby further amended by striking out the fifth sentence and inserting in place thereof the following sentence:- All monies received by the superintendent under this section shall be by check made payable to and deposited in the fund; provided, however, that the superintendent may retain funds to be expended after consultation with the committee on rules of the 2 branches, acting concurrently, for restoration, equipment repair and replacement and educational and cultural programs at the state house; provided further, that funds shall be used to pay the salary of the state house curator and to reimburse the art commission for travel and other expenses under section 20 of chapter 6; and provided further, that funds shall be used for the maintenance of the military history museum under section 14 of chapter 8.

SECTION 20. Said chapter 10 is hereby further amended by inserting after section 35SS the following 3 sections:-

Section 35TT. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Money Follows the Person Rebalancing Demonstration Grant Trust Fund, which shall be administered by the secretary of health and human services. Amounts from the fund shall be used for expenses that primarily benefit individuals with a disability or long-term illness or who are elders. The comptroller shall credit to the fund an amount equal to the amount of money follows the person - enhanced federal financial participation received by the commonwealth on money follows the person qualified, demonstration or supplemental services under the terms and conditions of the money follows the person rebalancing demonstration as determined by a federally approved list of home and community-based long-term services and supports and federally approved allocation methodologies for home and community-based long-term services and supports purchased through capitated arrangements. The funds shall be used to fund slots for money follows the person participants in the 2 money follows the person home and community-based waiver programs established to support the commonwealth's rebalancing initiative. The secretary may authorize expenditures of amounts from the fund without further appropriation. The comptroller shall transfer to the fund not later than the tenth business day of each quarter, an amount equal to the amount of enhanced federal financial participation collected from the previous quarter. The secretary may certify for payment amounts in anticipation of federal revenues collected for the corresponding quarter during the

previous fiscal year. To accommodate timing discrepancies between the receipt of revenues and related expenditures, the secretary may incur expenses, after written approval from the secretary of administration and finance, and the comptroller shall certify for payment, amounts not to exceed the most recent revenue estimate as certified by the MassHealth director, as reported in the state accounting system.

Section 35UU. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Delivery System Transformation Initiatives Trust Fund, which shall be administered by the secretary of health and human services. Monies from the fund may be expended for delivery system transformation initiatives payments to qualifying providers under an approved federal waiver. Amounts credited to the fund shall not be subject to further appropriation.

Section 35VV. (a) There shall be established and set up on the books of the commonwealth a trust to be known as the Social Innovation Financing Trust Fund for the purpose of funding contracts to improve outcomes and lower costs for contracted government services, hereinafter referred to as "pay for success contracts", subject to the requirements of subsection (b).

(b) Notwithstanding any general or special law to the contrary, the secretary of administration and finance, may enter into pay for success contracts. Each contract shall include: (1) a requirement that a substantial portion of the payment be conditioned on the achievement of specific outcomes based on defined performance targets; (2) an objective process by which an independent evaluator will determine whether the performance targets have been achieved; (3) a calculation of the amount and timing of payments that would be earned by the service provider during each year of the agreement if performance targets are achieved as determined by the independent evaluator; (4) a sinking fund requirement under which the secretary shall request an appropriation for each fiscal year that the contract is in effect, in an amount equal to the expected payments that the commonwealth would ultimately be obligated to pay in the future based upon service provided during that fiscal year, if performance targets were achieved; and (5) a determination by the secretary that the contract will result in significant performance improvements and budgetary savings across all impacted agencies if the performance targets are achieved.

(c) The secretary, in his discretion, may provide that payments in future years under any such contracts shall constitute a general obligation of the commonwealth for which the full faith and credit of the commonwealth shall be pledged for the benefit of the providers of the contracted government services, but the total amount of payments under such contracts secured by a pledge of the full faith and credit of the commonwealth shall not exceed, in the aggregate, $50,000,000.

(d) The secretary shall be the trustee of the trust, shall administer the trust and shall ensure that all funds appropriated as described in this section are deposited in the trust and shall make payments from the trust in accordance with the terms and conditions of the contracts, without further appropriation. The secretary shall provide a status report on all contracts not later than February 1 of each year to the house and senate committees on ways and means.

SECTION 21. Chapter 12 of the General Laws is hereby amended by striking out

sections 5A and 5B, as appearing in the 2010 Official Edition, and inserting in place thereof the following 2 sections:-

Section 5A. As used in sections 5A to 5O, inclusive, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

"Claim", a request or demand, whether pursuant to a contract or otherwise, for money or property, whether or not the commonwealth or a political subdivision thereof has title to the money or property, that: (1) is presented to an officer, employee, agent or other representative of the commonwealth or a political subdivision thereof; or (2) is made to a contractor, subcontractor, grantee or other person, if the money or property is to be spent or used on behalf of or to advance a program or interest of the commonwealth or political subdivision thereof and if the commonwealth or any political subdivision thereof: (i) provides or has provided any portion of the money or property which is requested or demanded; or (ii) will reimburse directly or indirectly such contractor, subcontractor, grantee or other person for any portion of the money or property which is requested or demanded. A claim shall not include requests or demands for money or property that the commonwealth or a political subdivision thereof has paid to an individual as compensation for employment with the commonwealth or a political subdivision thereof or as an income subsidy with no restrictions on that individual's use of the money or property.

"False claims action", an action filed by the office of the attorney general or a relator under sections 5A to 5O, inclusive.

"False claims law", sections 5A to 5O, inclusive.

"Knowing and knowingly", possessing actual knowledge of relevant information, acting with deliberate ignorance of the truth or falsity of the information or acting in reckless disregard of the truth or falsity of the information; provided, however, that no proof of specific intent to defraud shall be required.

"Material", having a natural tendency to influence, or be capable of influencing, the payment or receipt of money or property.

"Obligation", an established duty, whether or not fixed, arising from an express or implied contractual, grantor-grantee or licensor-licensee relationship, from a fee-based or similar relationship, from statute or regulation or from the retention of any overpayment after the deadline for reporting and returning the overpayment under paragraph (10) of section 5B.

"Original source", an individual who: (1) prior to a public disclosure under paragraph (3) of section 5G, has voluntarily disclosed to the commonwealth or any political subdivision thereof the information on which allegations or transactions in a claim are based; or (2) has knowledge that is independent of and materially adds to the publicly-disclosed allegations or transactions, and who has voluntarily provided the information to the commonwealth or any political subdivision thereof before filing a false claims action.

"Overpayment", any funds that a person receives or retains, including funds received or retained under Title XVIII or XIX of the Social Security Act, to which the person, after applicable reconciliation, is not entitled.

"Person", a natural person, corporation, partnership, association, trust or other business or legal entity.

"Political subdivision", a city, town, county or other governmental entity authorized or created by law, including public corporations and authorities.

"Relator", an individual who brings an action under paragraph (2) of section 5C.

Section 5B. (a) Any person who: (1) knowingly presents, or causes to be presented, a false or fraudulent claim for payment or approval; (2) knowingly makes, uses or causes to be made or used a false record or statement material to a false or fraudulent claim; (3) conspires to commit a violation of this subsection; (4) knowingly presents, or causes to be presented, a claim that includes items or services resulting from a violation of section 1128B of the Social Security Act, 42 U.S.C. 1320a-7b, or section 41 of chapter 118E; (5) has possession, custody or control of property or money used, or to be used, by the commonwealth or a political subdivision thereof and knowingly delivers, or causes to be delivered, to the commonwealth or a political subdivision thereof less than all of that property or money; (6) is authorized to make or deliver a document certifying receipt of property used, or to be used, by the commonwealth or a political subdivision thereof and, with the intent of defrauding the commonwealth or a political subdivision thereof, makes or delivers the receipt without completely knowing that the information on the receipt is true; (7) knowingly buys, or receives as a pledge of an obligation or debt, public property from an officer or employee of the commonwealth or a political subdivision thereof, who may not lawfully sell or pledge such property; (8) enters into an agreement, contract or understanding with an official of the commonwealth or a political subdivision thereof knowing the information contained therein is false; (9) knowingly makes, uses or causes to be made or used a false record or statement material to an obligation to pay or to transmit money or property to the commonwealth or a political subdivision thereof, or knowingly conceals or knowingly and improperly avoids or decreases an obligation to pay or transmit money or property to the commonwealth or a political subdivision thereof; or (10) is a beneficiary of an inadvertent submission of a false claim to the commonwealth or a political subdivision thereof, or is a beneficiary of an overpayment from the commonwealth or a political subdivision thereof, and who subsequently discovers the falsity of the claim or the receipt of overpayment and fails to disclose the false claim or receipt of overpayment to the commonwealth or a political subdivision by the later of: (i) the date which is 60 days after the date on which the false claim or receipt of overpayment was identified; or (ii) the date any corresponding cost report is due, if applicable, shall be liable to the commonwealth or political subdivision for a civil penalty of not less than $5,500 and not more than $11,000 per violation, as adjusted by the Federal Civil Penalties Inflation Adjustment Act of 1990, Pub. L. No. 101-410 section 5, 104 Stat. 891, note following 28 U.S.C. section 2461, plus 3 times the amount of damages, including consequential damages, that the commonwealth or a political subdivision thereof sustains because of such violation. A person violating sections 5B to 5O, inclusive, shall also be liable to the commonwealth or a political subdivision thereof for the expenses of the civil action brought to recover any such penalty or damages including, without limitation, reasonable attorneys' fees, reasonable expert fees and the costs of investigation, as set forth below. Costs recoverable under said sections 5B to 5O, inclusive, shall also include the costs of any review or investigation undertaken by the attorney general, or by the state auditor or the inspector general in cooperation with the attorney general.

(b) Notwithstanding subsection (a), if the court finds that: (1) the person committing the violation of subsection (a) furnished an official of the office of the attorney general responsible for investigating a false claims law violation with all the information known to such person about the violation within 30 days after the date on which the person first obtained the information; (2) such person fully cooperated with any commonwealth investigation of such violation; and (3) at the time such person furnished the commonwealth with the information about the violation, no civil action or administrative action had commenced under sections 5B to 5O, inclusive, or no criminal prosecution had commenced with respect to such violation, and such person did not have actual knowledge of the existence of an investigation into such violation, the court may assess not less than 2 times the amount of damages, including consequential damages, that the commonwealth or a political subdivision thereof sustains because of the act of that person.

(c) A corporation, partnership or other person shall be liable to the commonwealth under sections 5B to 5O, inclusive, for the acts of its agent where the agent acted with apparent authority, regardless of whether the agent acted, in whole or in part, to benefit the principal and regardless of whether the principal adopted or ratified the agent's claims, representation, statement or other action or conduct.

(d) Sections 5B to 5O, inclusive, shall not apply to claims, records or statements made or presented to establish, limit, reduce or evade liability for the payment of tax to the commonwealth or other governmental authority.

(e) A person who has engaged in conduct described in subsection (a) prior to payment shall only be entitled to payment from the commonwealth of the actual amount due less the excess amount falsely or fraudulently claimed.

SECTION 22. Section 5C of said chapter 12, as so appearing, is hereby amended by striking out paragraph (3) and inserting in place thereof the following paragraph:-

(3) When a relator brings an action under said sections 5B to 5O, inclusive, a copy of the complaint and written disclosure of substantially all material evidence and information the relator possesses shall be served on the attorney general pursuant to Rule 4(d)(3) of the Massachusetts Rules of Civil Procedure. The complaint shall be filed under seal and shall remain so for 120 days after service upon the attorney general. Notwithstanding any other general or special law or procedural rule to the contrary, service on the defendant shall not be required until the period provided in paragraph (5). The attorney general may, for good cause shown, ask the court for extensions during which the complaint shall remain under seal. Any such motions may be supported by affidavits or other submissions under seal. The attorney general may elect to intervene and proceed with the action on behalf of the commonwealth or political subdivision within the 120-day period or during any extension, after the attorney general receives both the complaint and the material evidence and information. Any information or documents furnished by the relator to the attorney general in connection with an action or investigation under said sections 5B to 5O, inclusive, shall be exempt from disclosure under section 10 of chapter 66.

SECTION 23. Said section 5C of said chapter 12, as so appearing, is hereby further amended by striking out, in line 38, the words “90 day”.

SECTION 24. Said section 5C of said chapter 12, as so appearing, is hereby further

amended by adding the following paragraph:-

(7) With respect to a federal, state or local government that is named as a co-plaintiff with the commonwealth in an action brought pursuant to sections 5B to 5O, inclusive, a seal on the action ordered by the court under paragraph (3) shall not preclude the commonwealth or the relator from serving the complaint, any other pleadings or the written disclosure of substantially all material evidence and information possessed by the relator on the law enforcement authorities that are authorized under the law of that federal, state or local government to investigate and prosecute such actions on behalf of such governments, except that such seal shall apply to the law enforcement authorities so served to the same extent as the seal applies to other parties in the action.

SECTION 25. Section 5F of said chapter 12, as so appearing, is hereby amended by inserting after the word “expenses,” in lines 20 and 21, the following words:- fees and costs.

SECTION 26. Said section 5F of said chapter 12, as so appearing, is hereby further amended by inserting after the word “expenses”, in line 31, the following words:- , fees and costs.

SECTION 27. Paragraph (5) of said section 5F of said chapter 12, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Whether or not the attorney general proceeds with the action, if the court finds that the action was brought by a relator who planned and initiated the violation of sections 5B to 5O, inclusive, upon which the action was brought, then the court may, to the extent the court considers appropriate, reduce or eliminate the share of the proceeds of the action which the relator would otherwise receive pursuant to this section, taking into account the role of the relator in advancing the case to litigation and any relevant circumstances pertaining to the violation.

SECTION 28. Said chapter 12 is hereby further amended by striking out section 5G, as so appearing, and inserting in place thereof the following section:-

Section 5G. (a) No court shall have jurisdiction over an action brought pursuant to section 5C against the governor, the lieutenant governor, the attorney general, the treasurer, the secretary of state, the auditor, a member of the general court, the inspector general or a member of the judiciary if the action is based on evidence or information known to the commonwealth when the action was brought.

(b) An individual shall not bring an action pursuant to paragraph (2) of section 5C that is based upon allegations or transactions which are the subject of a civil suit or an administrative proceeding in which the commonwealth or any political subdivision thereof is already a party.

(c) The court shall dismiss an action pursuant to sections 5B to 5O, inclusive, unless opposed by the commonwealth or any political subdivision thereof, if substantially the same allegations or transactions as alleged in the action or claim were publicly disclosed: (i) in a Massachusetts criminal, civil or administrative hearing in which the commonwealth is a party; (ii) in a Massachusetts legislative, administrative, auditor's or inspector general's report, hearing, audit or investigation; or (iii) from the news media, unless the action is brought by the attorney general or unless the relator is an original source of the information.

SECTION 29. Paragraph (1) of section 5I of said chapter 12, as so appearing, is hereby amended by striking out the last sentence.

SECTION 30. Said chapter 12 is hereby further amended by striking out section 5J, as so appearing, and inserting in place thereof the following section:-

Section 5J. (1) No employer shall make, adopt or enforce any rule, regulation or policy preventing an employee, contractor or agent from disclosing information to a government or law enforcement agency or from acting to further efforts to stop 1 or more violations of sections 5B to 5O, inclusive. No employer shall require as a condition of employment, during the term of employment or at the termination of employment that an employee, contractor or agent agree to, accept or sign an agreement that limits or denies the rights of such employee, contractor or agent to bring an action or provide information to a government or law enforcement agency pursuant to said sections 5B to 5O, inclusive. Any such agreement shall be void.

(2) An employee, contractor or agent shall be entitled to all relief necessary to make that employee, contractor or agent whole if that employee, contractor or agent is discharged, demoted, suspended, threatened, harassed or in any other manner discriminated against in the terms and conditions of employment because of lawful acts done by the employee, contractor, agent or a person associated with the employee, contractor or agent in furtherance of an action under sections 5B to 5O, inclusive, or other efforts to stop a violation of said sections 5B to 5O, inclusive.

(3) Notwithstanding any general or special law to the contrary, relief under paragraph (2) shall include reinstatement with the same seniority status the employee, contractor or agent would have had but for the discrimination, twice the amount of back pay, interest on the back pay and compensation for any special damages sustained as a result of the discrimination. In addition, the defendant shall be required to pay litigation costs and reasonable attorneys' fees. An employee, contractor or agent may bring an action in the appropriate superior court, the superior court of the county of Suffolk or any other appropriate court for the relief provided in this section.

(4) A civil action under this section may not be brought more than 3 years after the date when the retaliation occurred.

SECTION 31. Section 5K of said chapter 12, as so appearing, is hereby amended by striking out paragraph (2) and inserting in place thereof the following 2 paragraphs:-

(2) If the attorney general elects to intervene and proceed with an action brought pursuant to sections 5B to 5O, inclusive, for a violation of section 5B, the attorney general may file a complaint or amend the complaint of a person who has brought an action pursuant to sections 5B to 5O, inclusive, to clarify or add detail to the claims in which the attorney general is intervening and to add any additional claims with respect to which the commonwealth or a political subdivision thereof contends it is entitled to relief. For statute of limitations purposes, any such pleading shall relate back to the filing date of the complaint of the person who originally brought the action to the extent that the claim of the attorney general arises out of the conduct, transactions or occurrences set forth or attempted to be set forth in the prior complaint of that person.

(3) Notwithstanding any other general or special law, rule of procedure or rule of evidence to the contrary, a final judgment rendered in favor of the commonwealth in a criminal proceeding charging fraud or false statements, whether upon a verdict after trial or upon a plea of guilty or nolo contendere, shall bar the defendant from denying the essential elements of the offense in any action which involves the same act, transaction or occurrence as in the criminal proceedings and which is brought under section 5B.

SECTION 32. Section 5N of said chapter 12, as so appearing, is hereby amended by striking out paragraphs (1) and (2) and inserting in place thereof the following 2 paragraphs:-

(1) Notwithstanding any general or special law, procedural rule or regulation to the contrary, whenever the attorney general or a designee has reason to believe that a person may be in possession, custody or control of documentary material or information relevant to a false claims law investigation, the attorney general or a designee may, before commencing a civil action under paragraph (1) of section 5C or other false claims law, or making an election to intervene under paragraph (3) of said section 5C, issue in writing and cause to be served upon such person, a civil investigative demand requiring such person to: (i) produce such documentary material for inspection and copying; (ii) answer written interrogatories, in writing and under oath; (iii) give oral testimony under oath; or (iv) furnish any combination of such material, answers or testimony. The attorney general may delegate to an assistant attorney general the authority to issue civil investigative demands under this section.

(2) Service of a demand pursuant to paragraph (1) may be made by: (i) delivering a copy thereof to the person to be served or to a partner or to any officer or agent authorized by appointment or by law to receive service of process on behalf of such person; (ii) delivering a copy thereof to the principal place of business or the last and usual place of abode in the commonwealth of the person to be served; or (iii) mailing by registered or certified mail a copy thereof addressed to the person to be served at the person's last and usual place of abode, the principal place of business in the commonwealth or, if said person has no place of business in the commonwealth, to the person's principal office or place of business.

SECTION 33. Said section 5N of said chapter 12, as so appearing, is hereby further amended by striking out paragraph (8) and inserting in place thereof the following paragraph:-

(8) Any documentary material or other information produced by a person pursuant to sections 5B to 5O, inclusive, shall not, unless otherwise ordered by a justice of the superior court for good cause shown, be disclosed to any other person other than the authorized agent or representative of the attorney general and any officer or employee of the commonwealth who is working under their direct supervision with respect to the false claims law investigation, unless with the consent of the person producing the same, except that any information obtained by the attorney general under this section may be shared with any *qui tam* relator if the attorney general determines it is necessary as part of a false claims act investigation. Such documentary material or information may be disclosed by the attorney general in court proceedings or in papers filed in court. Nothing in this section shall preclude the attorney general from disclosing information and evidence secured pursuant to sections 5B to 5O, inclusive, to officials of the United States, other states, the commonwealth or any political subdivision thereof charged with the responsibility for enforcement of federal, state or local laws respecting fraud or false claims upon federal, state or

local governments. Prior to any such disclosure, the attorney general shall obtain a written agreement from such officials to abide by the restrictions of this section.

SECTION 33A. Said chapter 12 is hereby further amended by inserting after section 8F the following section:-

Section 8F 1/2. (a) For the purposes of this section, the following words shall have the following meanings:-

"Compensation", anything given or received in consideration for services, but shall not include reimbursement for costs and expenses reasonably incurred by the independent officer, director or trustee in the course and support of such service.

"Independent officer, director or trustee", an officer, director or trustee of a public charity who is not also serving as an employee, or the equivalent of an employee, of such public charity.

"Massachusetts-based public charity", a public charity incorporated or otherwise organized in the commonwealth or, if incorporated or organized outside of the commonwealth, that primarily conducts its business in the commonwealth.

(b) No Massachusetts-based public charity required to register under section 8E and to file annual reports under section 8F, shall provide compensation to any independent officer, director or trustee for service as such independent officer, director or trustee without the approval of the director as required under this section.

Any such public charity intending to provide compensation to any independent officer, director or trustee shall file an application with the division, on such forms and with such supporting information and documentation as the director shall from time to time prescribe, requesting approval of the director for the public charity to provide such compensation.

The director may adopt guidelines, rules or regulations to carry out this section including, but not limited to, the criteria for granting approval and the time period during which such approval shall be effective. Such criteria shall recognize that service as an independent officer, director or trustee of a public charity is recognized as a voluntary contribution of time and expertise to benefit the community served by the public charity and that any departure from the voluntary nature of such service requires a clear and convincing showing that compensation is necessary to enable the public charity to attract and retain experienced and competent individuals to serve as independent officers, directors or trustees.

If the director approves an application for compensation, amounts paid as compensation shall be limited to the amount the Massachusetts-based public charity reasonably determines is necessary to accomplish the purposes for which compensation is paid. The director may rescind the approval for compensation if the director finds that any compensation paid under this section is in excess of that reasonably necessary to accomplish the purposes for which compensation has been approved and paid.

SECTION 34. Section 9 of chapter 15A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out, in lines 37 and 39, and in lines 48 and 49,

the words “five year” and inserting in place thereof, in each instance, the following words:- 3-year.

SECTION 35. The first paragraph of said section 9 of said chapter 15A, as so appearing, is hereby amended by striking out clause (i) and inserting in place thereof the following clause:- (i) develop a rational and equitable statewide tuition and fee plan for community colleges, which plan shall take into account the per student maintenance costs and total mandated costs per student; provided, however, that the total mandated costs per student shall include the state appropriation, retained revenue, fringe benefits and ongoing maintenance; provided further, that the tuition and fee plan shall include direct and indirect elements of the per student maintenance costs including, but not limited to, faculty and administrators that support an institution’s primary mission of instruction, student admission services and ongoing maintenance for classrooms, administrative buildings, libraries and laboratories; provided further, that the tuition and fee plan shall include revised retention expenditure regulations which shall take into account the needs of the institutions with regard to personnel and utility costs; provided further, that the tuition and fee plan shall further take into account the need to maximize student access to higher education regardless of a student’s financial circumstances; provided further, that the council shall issue regulations governing the implementation of such tuition and fee plan by the community colleges; provided further, that the tuition rates shall be subject to the approval of the council; provided further, that the council shall establish final tuition rates for the subsequent academic years not later than 15 days prior to the deadline for submission of state or federal financial aid applications by students attending the institutions of higher education set forth in section 5; provided further, that the council shall establish guidelines to be followed by each community college relative to student charges and whether the charges should be classified as tuition or as fees; provided further, that the guidelines shall be based upon a study of tuition and fees which shall be conducted by the council; provided further, that fees as defined by the guidelines shall not exceed 25 per cent of total student charges for the community colleges; and provided further, that in the case of the state universities, the council shall review and approve student charges under section 42.

SECTION 36. Said section 9 of said chapter 15A, as so appearing, is hereby further amended by striking out, in line 91, the figure “5” and inserting in place thereof the following figure:- 3.

SECTION 37. Said section 9 of said chapter 15A, as so appearing, is hereby further amended by inserting after the word “institutions”, in line 119, the following words:- ; provided, however, that the council shall also engage in coordinated and collaborative research projects with other state entities including, but not limited to, the department of early education and care, the department of elementary and secondary education and the department of workforce development to support the development of policies that enhance successful transitions from early childhood through entry into the workforce.

SECTION 38. Said section 9 of said chapter 15A, as so appearing, is hereby further amended by inserting after the word “education”, in line 229, the following words:- ; and (hh) to build and maintain a centrally administered computer-based transfer and degree auditing system providing individual students with clear and consistent information on the student’s progress toward fulfilling degree requirements in any undergraduate program at any public institution of higher education; provided, however, that the system shall include course-to-course

equivalencies across institutions enabling students access to information necessary for understanding how credits will transfer to another public institution of higher education; provided further, that the council shall coordinate the implementation of the system and shall ensure all public higher education institutions utilize the system for all undergraduate programs and course offerings including, but not limited to, courses offered through continuing education programs, online courses and courses supported by the commonwealth; provided further, that the council shall determine the form in which all data and course equivalencies shall be submitted by the public institutions of higher education; provided further, that the council shall also utilize the data in the system to produce an annual report that highlights the number and type of transfers within the system of public higher education, the number of students accessing the system, the progress of students statewide towards degree completion and other relevant research assessments as the council may determine relevant to the careful and responsible discharge of its purposes; and provided further, that the annual report shall be submitted to the secretary of education, the joint committee on higher education and the house and senate committees on ways and means not later than October 1.

THERE IS NO SECTION 39.

SECTION 40. Section 21 of said chapter 15A, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

There shall be a board of trustees consisting of 11 voting members for each of the institutions named in section 5, other than the University of Massachusetts. Each board of trustees shall elect a chairperson; provided, however, that in the case of community colleges, the board of trustees shall recommend to the governor 3 nominees for the position of chairperson who shall reside within the geographic region of the community college and the governor shall appoint 1 of those nominees as chairperson. Each community college board of trustees shall include at least 1 representative from 1 of the 3 industries with the greatest projected number of job vacancies as determined by the executive office of labor and workforce development's study on labor market conditions, to serve as a nonvoting member and a vocational-technical school district trustee under section 4 of chapter 74, representing each vocational-technical school in the geographic region, to serve as a nonvoting member.

SECTION 41. Said section 21 of said chapter 15A, as so appearing, is hereby further amended by striking out, in line 36, the word "No" and inserting in place thereof the following words:- Except as otherwise provided in section 4, no.

SECTION 42. Said section 21 of said chapter 15A, as so appearing, is hereby further amended by inserting after the word "institution", in line 57, the following words:- ; provided, however, that in the case of a community college, the board of trustees of the community college or the council shall initiate the removal of the chief executive officer of the community college; and provided further, that the removal shall be approved by a 2/3 vote of the council and the board of trustees of the community college.

SECTION 43. The first paragraph of section 22 of said chapter 15A, as so appearing, is hereby amended by striking out clause (b) and inserting in place thereof the following clause:-
(b) establish all fees at community colleges subject to guidelines established by the council; provided, however, that such community college fees shall include fines and penalties collected

pursuant to the enforcement of traffic and parking rules and regulations; provided further, that the rules and regulations shall be enforced by persons in the employ of the community college who, throughout the property of the institution, shall have the powers of police officers, except as to the service of civil process; provided further, that the community college fees established under this section shall be retained by the board of trustees in a revolving fund and shall be expended as the board of the community college may direct; provided further, that the foregoing shall not authorize any action in contravention of the requirements of Section 1 of Article LXIII of the Amendments to the Constitution; provided further, that such fund shall be subject to annual audit by the state auditor; provided further, that each board of trustees of a state university shall establish all student charges of the state university under the process set forth in section 42, as applicable; provided further, that the student charges of the state university shall include fines and penalties collected pursuant to the enforcement of traffic and parking rules and regulations; provided further, that the rules and regulations shall be enforced by persons in the employ of the state university who, throughout the property of the institution, shall have the powers of police officers, except as to the service of civil process; and provided further, that the foregoing shall not authorize any action in contravention of the requirements of Section 1 of Article LXIII of the Amendments to the Constitution.

SECTION 44. Said section 22 of said chapter 15A, as so appearing, is hereby further amended by striking out, in line 40, the figure “5” and inserting in place thereof the following figure:- 3.

SECTION 45. Said section 22 of said chapter 15A, as so appearing, is hereby further amended by inserting after the word “mission”, in line 71, the following words:- ; provided, however, that the assessment report shall also include recommendations for future collaboration, analysis of the collaboration between the community college and vocational-technical schools and the training and job development programs implemented by the community college and vocational-technical schools.

SECTION 46. Said chapter 15A is hereby further amended by adding the following 2 sections:-

Section 42. (a) The board of trustees of each state university shall, for each academic year, fix and establish student charges for each such state university, subject to the requirements of this section. In-state student charges shall preserve affordability for residents of the commonwealth. Out-of-state student charges shall appropriately balance the financial needs of the college with the need to be competitive with peer institutions regionally. In setting student charges, each state university shall consider factors including, but not limited to, actual appropriations received, the Consumer Price Index, the Higher Education Price Index, tuition and fee rates at peer institutions, collective bargaining costs, funding from the commonwealth measured with reference to the funding formula established in section 15B and making progress towards ensuring that fees constitute not more than 25 per cent of student charges. To the extent practicable, final student charges shall be established for each academic year not later than March 1 of the calendar year in which the rates shall take effect.

For the purposes of this section, “student charges” shall include tuition and fees that are charged to students generally for attendance at a state university, but shall not include any fee or other charge established by such state university that is specific to a particular course, program or

activity, and shall not include any rates, rents, charges or fees set by the Massachusetts State College Building Authority.

(b) Each state university shall submit a 3-year student charges plan to the board of higher education for the board's approval. The plan shall contain the annual student charges that the state university expects to approve for the state university's state-supported programs under subsection (a) for a period of not fewer than 3 academic years. The plan shall also include, but not be limited to, budget and enrollment projections for each year, projections for in-state and out-of-state enrollments for each year, consideration of segmental missions and plans to ensure continuing access to the institution by residents of the commonwealth and to maintain and increase access for underrepresented student groups. The board of higher education, in considering whether to approve a plan, shall consider, but not be limited to considering, the same factors the campuses are required to consider in setting student charges under this section. For the first 3 years, the board may also consider, to the extent practicable, any steps taken in the plan to ensure that fees constitute not more than 25 per cent of student charges. For the second 3 years and for each plan submitted thereafter, the board shall consider the progress made toward ensuring that fees constitute not more than 25 per cent of student charges. Within 120 days after submission of a plan, the board of higher education shall either approve the plan or return it to the state university with suggested changes. The approval shall require a 2/3 vote of the board of higher education. If the board of higher education does not vote on a plan within 120 days after its submission, the plan shall be considered approved. A copy of the plan shall be provided to the joint committee on higher education, the house and senate committees on ways and means and the secretary of education at the time the plan is submitted to the board of higher education.

(c) If following the approval of a state university's plan under subsection (b) the board of trustees of such state university approves, for any academic year, student charges that are greater than 105 per cent of the student charges approved in such university's plan, the state university shall submit such greater rate to the board of higher education for its approval as part of an amended student charges plan. The amended plan shall describe in detail the reasons why the state university's student charges are greater than the expected student charges and shall provide revised or updated information on budget and enrollment projections for each year, projections for in-state and out-of-state enrollments for each year, consideration of segmental missions and plans to ensure continuing access to the institution by residents of the commonwealth and to maintain and increase access for underrepresented student groups, as necessary. Within 60 days after the submission of a revised plan, the board of higher education shall either approve the plan or return it to the state university with suggested changes. The approval shall require a 2/3 vote of the board of higher education. If the board of higher education does not vote on a plan within 60 days after its submission, the plan shall be considered approved. A copy of the revised plan shall be provided to the joint committee on higher education, the house and senate committees on ways and means and the secretary of education at the time the plan is submitted to the board of higher education.

(d) A state university or the board of higher education may, at its discretion, request that a plan approved under subsection (b) or (c) be re-examined and modified in accordance with procedures established by the board of higher education. Any resulting modification shall be concurred with by the board of trustees of the affected state university and by a 2/3 vote of the board of higher education.

(e) All student charges received by the board of trustees of a state university under this section shall be retained by the board of trustees of that institution in a revolving trust fund and shall be expended as the board of trustees may direct for the operation and support of the institution. Any balance in a trust fund at the end of a fiscal year shall continue to be held in the trust fund, shall remain available for expenditure in subsequent fiscal years and shall not revert to the General Fund. All such trust funds shall be subject to audit by the state auditor.

(f) This section shall apply only to those campuses for which the local board of trustees has approved by majority vote to accept this section.

Section 43. The commissioner shall establish in the department of higher education, an office of coordination. The commissioner shall appoint a director to operate and administer the office who shall have experience with workforce development in the public or private sector. The director shall work to establish a clearinghouse for all training opportunities provided by public higher educational institutions. The University of Massachusetts, state universities and community colleges shall report to this office every workforce training opportunity they provide and all workforce training requests they received but were not able to meet. The director shall maintain a public website listing all such training opportunities offered and shall provide support for employers with workforce training needs. The director shall provide information to public institutions of higher education to help the institutions provide workforce development services in the most efficient manner possible and eliminate redundancies in the commonwealth's workforce development offerings. The director shall establish a program for employers newly opened in or relocated to the commonwealth to apprise these employers of workforce training programs and provide assistance in securing workforce development grants. The director shall prepare an annual report for publication on progress to improve the effectiveness of the commonwealth's workforce development efforts and shall report regularly to the public on the progress the office is making towards achieving the stated goals.

The annual report, which shall be in a form and manner prescribed by the commissioner, shall include, but not be limited to: (i) a commissioner-approved plan for the year, including the goals set for the year and the performance measurements by which to evaluate those goals and programs or initiatives to meet those goals; (ii) the number, nature and amount of trainings facilitated and grants awarded to employers assisted by the office; and (iii) a description of technical assistance that the office provided.

The annual report of the office shall be made available to the public on the commonwealth's website not later than December 31 and shall be filed with the clerks of the senate and house of representatives and the chairs of the house and senate committees on ways and means.

SECTION 47. Paragraph (B) of section 2 of chapter 18 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out clause (i) and inserting in place thereof the following 2 clauses:-

(i) charge a fee up to the maximum amount permissible under federal law for any identification card it issues as a replacement for an identification card that has been lost, mutilated, stolen or destroyed, except if such loss or destruction occurs during the mailing of an original identification card to a recipient, if the card ceases to work through no fault of the

recipient or if the department issues replacement cards on its own initiative to classes of recipients; provided that all fees for replacement cards shall be deducted directly from the recipient's cash assistance benefits.

(j) send a notice to any benefit recipient who requests more than 3 replacement electronic benefit transfer cards in a calendar year and monitor future requests for replacement cards; provided that the notice shall state that the department has noted an unusual number of requests for replacement electronic benefits cards and will be monitoring all future requests for replacement cards.

SECTION 48. Said chapter 18 is hereby further amended by striking out section 5I, inserted by chapter 84 of the acts of 2011, and inserting in place thereof the following section:-

Section 5I. Notwithstanding any general or special law to the contrary, an eligible recipient of direct cash assistance shall not use direct cash assistance funds for the purchase of alcoholic beverages, lottery tickets, tobacco products, visual material or performances intended to create or simulate sexual conduct or sexual excitement as those terms are defined in section 31 of chapter 272, firearms, tattoos or body piercings, for gambling as defined in section 2 of chapter 23K or for the payment to the commonwealth of or any political subdivision thereof of any fees, fines, bail or bail bonds ordered by a court. An eligible recipient of direct cash assistance who makes a purchase or payment or uses direct cash assistance for gambling in violation of this section shall reimburse the department for the cost of such purchase, payment or gambling.

SECTION 49. Section 5J of said chapter 18, as so inserted, is hereby amended by striking out the words "or tobacco products. An individual" and inserting in place thereof the following words:- , tobacco products, visual material or performances intended to create or simulate sexual conduct or sexual excitement as those terms are defined in section 31 of chapter 272, firearms, tattoos or body piercings and no gaming employee as defined in section 2 of chapter 23K shall accept direct cash assistance funds held on electronic benefit transfer cards for gambling and no individual shall accept direct cash assistance funds held on electronic benefit transfer cards for the payment to the commonwealth or any political subdivision thereof of any fees, fines, bail or bail bonds ordered by a court. An individual, gaming employee.

SECTION 50. Said chapter 18 is hereby further amended by inserting after section 5K the following 4 sections:-

Section 5L. (a) As used this section and section 5M, "food stamp benefits" shall mean benefits issued pursuant to the federal Food Stamp Act, 7 U.S.C. §§ 2011 to 2029, inclusive, as amended, including such benefits contained on an electronic benefit transfer card.

(b) An individual who obtains, uses, transfers or disposes of food stamp benefits in the manner specified in clause (1) or (2) shall be guilty of food stamp benefits trafficking. An individual traffics food stamp benefits if, with the intent to defraud, the individual:

(1) presents for payment or redemption or transfers food stamp benefits in any form, including transfers to another, who does not, or does not intend to, use the food stamp benefits for the benefit of the household for whom the benefits were intended, as defined in the regulations of the department; or

(2) possesses, buys, sells, uses, alters, accepts or transfers food stamp benefits in any manner not authorized by the Food Stamp Act of 1977, 7 U.S.C. § 2011, as amended.

(c) An individual who traffics food stamp benefits, as described in subsection (b), shall:

(1) if the food stamp benefits are of a value of less than $250 or if the item used, transferred, acquired, altered or possessed has a value of less than $250, be punished by imprisonment in a jail or house of correction for not more than 1 year or by a fine of not more than $1,000, or both such fine and imprisonment; or

(2) if the food stamp benefits are of a value of $250 or more or the item used, transferred, acquired, altered or possessed has a value of $250 or more, be punished by imprisonment in a jail or house of correction for not more than 2 years or by imprisonment in a state prison for not more than 5 years or by a fine of not more than $5,000, or both fine and imprisonment.

(d) If a person is alleged to have committed the offense of trafficking in food stamp benefits 2 or more times within a 6-month period, those offenses may be aggregated and charged in a single count and the offenses so aggregated and charged shall constitute a single offense; provided, however, that, if the aggregate value of the food stamp benefits alleged to be trafficked is $250 or more, the person shall be subject to the penalties prescribed in clause (2) of subsection (c).

Section 5M. (a) As used in this section, “organization” shall mean a corporation for profit or not-for-profit, partnership, limited partnership, joint venture, unincorporated association, estate, trust or other commercial or legal entity; provided, however, that “organization” shall not include an entity organized as or by a governmental agency for the execution of a governmental program.

(b) An organization that obtains, uses, transfers or disposes of food stamp benefits in the manner specified in subsection (c) shall be guilty of organizational food stamp benefits trafficking.

(c) An owner or manager of an organization who, with the intent to defraud, either directly or indirectly, uses, sells, transfers, acquires, alters or possesses food stamp benefits or electronic benefit transfer cards in any manner not authorized by the Food Stamp Act of 1977, 7 U.S.C. § 2011, as amended, or the regulations of the department, or who presents for payment or redemption food stamp benefits that have been received, transferred, altered or used in violation of this section shall be guilty of organizational food stamp benefits trafficking.

(d) If an organization is alleged to have committed the offense of organizational food stamp benefits trafficking 2 or more times within a 6-month period, any of those offenses may be aggregated and charged in a single count and the offenses so aggregated and charged shall constitute a single offense.

(e) An organization that commits food stamp benefits trafficking as described in subsection (c) shall:

(1) if it is the organization’s first offense under this section, be punished by a fine of not less than $5,000;

(2) if it is the organization's second offense under this section, be punished by a fine of not less than $10,000; or

(3) if it is the organization's third or subsequent offense under this section, be punished by a fine of not less than $50,000.

(f) A retail or wholesale organization owner who is convicted of organizational food stamp benefits trafficking and who also possesses a license to sell alcoholic beverages under section 12 of chapter 138 shall be referred to the appropriate licensing authority for possible disciplinary action pursuant to section 64 of said chapter 138.

(g) A retail or wholesale organization owner who is convicted of organizational food stamp benefits trafficking and who also possesses a license to sell lottery tickets under sections 26 and 27 of chapter 10 shall be referred to the director of the state lottery for possible disciplinary action.

Section 5N. The department shall develop and make available on its website a sign specifying the phone number to report suspected electronic benefit transfer card fraud or misuse under sections 5I to 5K, inclusive or suspected food stamp benefits fraud or misuse or food stamp benefits trafficking under sections 5L or 5M. Business associations may also maintain a downloadable form of the sign on their websites. Such sign shall be posted in any business accepting electronic benefits transfer cards as a form of payment.

Section 5O. The department shall maintain policies and practices as necessary to prevent cash assistance provided under this chapter from being used in any electronic benefits transfer transaction in a liquor store, casino, gambling casino or gaming establishment and in any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment, as defined in Section 408(a) of the Social Security Act, as amended. Such establishments shall not accept electronic benefits transfer cards. A store owner who knowingly allows an electronic benefits transfer transaction in violation of this section shall be punished by a fine of not more than $500 for a first offense, by a fine of not less than $500 nor more than $1,000 for a second offense and by a fine of not less than $1,000 for a third or subsequent offense. For the purposes of this section, the term "electronic benefits transfer transaction" shall mean the use of a credit or debit card service, automated teller machine, point-of-sale terminal or access to an online system for the withdrawal of funds or the processing of a payment for merchandise or a service.

SECTION 51. Section 1 of chapter 19 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following paragraph:-

The department shall, on an annual basis, conduct a safety symposium known as the Stephanie Moulton Safety Symposium, which shall be a forum to discuss topics including, but not limited to, best safety practices and policies and risk management for community-based services.

SECTION 51A. Chapter 19B of the General Laws is hereby amended by adding the following 2 sections:-

865 Section 19. (a) For the purpose of this section, “person with a disability” shall mean a
866 person with a permanent or long-term physical or mental impairment that prevents or restricts the
867 individual’s ability to provide for such individual’s own care or protection.

868 (b) No program, agency or facility funded, operated, licensed or approved by the
869 commonwealth or any subdivision thereof shall administer to a person with a disability any
870 procedure which causes obvious signs of physical pain including, but not limited to, hitting,
871 pinching or electric shock for the purpose of changing the behavior of that person. No such
872 program shall employ any form of physical contact or punishment on a person with a disability
873 that is otherwise prohibited by law or would be prohibited if used on a person who does not have
874 a disability. No such program shall employ any procedure which denies a person with a disability
875 adequate sleep, food, shelter, bedding or bathroom facilities.

876 Section 20. No program which is operated, funded or licensed by the department of
877 developmental services shall employ the use of Level III Aversive Interventions to reduce or
878 eliminate maladaptive behaviors; provided, however, that individual-specific exceptions
879 allowing the use of Level III Aversive Interventions to reduce or modify behavior may be
880 granted to individuals who, as of September 1, 2011, have an existing court-approved treatment
881 plan which includes the use of Level III Aversive Interventions. Such exception may be granted
882 each year if the exception is contained in an individual’s behavior treatment plan, approved by
883 the court prior to September 1, 2011. Any Level III Aversive Interventions administered under
884 this section shall comply with 115 CMR 5.14 (4)(b)4.

885 SECTION 51B. Chapter 20 of the General Laws is hereby amended by adding the
886 following 2 sections:-

887 Section 32. (a) There shall be established and set up on the books of the commonwealth a
888 separate fund to be known as the Agricultural Inspection and Infrastructure Trust Fund
889 consisting of revenues received pursuant to: (1) chapters 128, 129 and 132; (2) poultry testing
890 fees for services established by 330 CMR 5.00 et seq., and section 3B of chapter 7; (3) interest or
891 investment earnings on any such monies; and (4) all other monies credited or transferred to the
892 fund from any other fund or service.

893 (b) Funds in the fund may be expended without further appropriations on programs and
894 costs pursuant to: (1) sections 32 to 38 inclusive of chapter 128; (2) the integrated pest
895 management program established pursuant to chapter 132B and chapter 85 of the acts of 2000;
896 (3) spay and neuter programs and animal rescue and shelter programs established pursuant to
897 section 2 of chapter 129; (4) poultry testing program established by 330 CMR 5.00 et seq.; and
898 (5) the Agricultural Innovation Center.

899 (c) The unexpended balance in the fund at the end of the fiscal year shall not revert to the
900 General Fund but shall remain available for expenditure in subsequent fiscal years. No
901 expenditure made from the fund shall cause the fund to become deficient at any point during a
902 fiscal year.

903 Section 33. (a) There shall be established and set upon the books of the commonwealth a
904 separate fund to be known as the Agricultural Products Promotion and Marketing Trust Fund,
905 consisting of revenues received from agricultural commodity groups, non-profit organizations,

private entities from donations or fees for services or goods provided to such entities pursuant to section 3B of chapter 7 or from other state or federal agencies as well as interest or investment earnings on such monies and all other monies credited or transferred thereto from any other fund or source.

(b) The fund may be expended without further appropriation on programs and costs associated with marketing initiatives including, but not limited to, MassGrown & Fresher and the Commonwealth Quality Program.

(c) Any unexpended balance in the fund at the end of the fiscal year shall not revert to the General Fund but shall remain available for expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the fund to become deficient at any point during a fiscal year.

SECTION 52. Chapter 22C of the General Laws is hereby amended by striking out section 39, as appearing in the 2010 Official Edition, and inserting in place thereof the following 3 sections:-

Section 39. (a) The department shall, free of charge, or the University of Massachusetts Medical School shall, under section 36B of chapter 75, make a chemical analysis of any narcotic drug, any synthetic substitute for the same, any preparation containing the same, or any salt or compound thereof, and of any poison, drug, medicine or chemical submitted to it by police authorities, as the department shall approve for this purpose; provided, however, that neither the department nor the medical school shall conduct such analysis unless it is satisfied that the analysis submitted to it is to be used in connection with the enforcement of law.

(b) A certificate by a chemist or analyst or other designated employee of the department or of the University of Massachusetts medical school of the result of the chemist's or analyst's or other designated employee's analysis, signed and sworn to by that chemist or analyst or other designated employee, shall be prima facie evidence of the composition, quality and, when appropriate, net weight of the substance or any mixture containing the substance.

(c) A signed certificate of drug analysis furnished by an analyst, assistant analyst or other designated employee of the Drug Enforcement Administration of the United States Department of Justice which conforms with the requirements of this section shall be prima facie evidence of the composition, quality and, when appropriate, net weight of the substance or any mixture containing the substance.

Section 39A. The department shall analyze, in accordance with sections 36 to 39, inclusive, of chapter 138, all samples of alcoholic beverages, as defined in section 1 of said chapter 138, submitted to it for that purpose by police authorities as provided in said section 36 if satisfied that the analysis is to be used in enforcing the laws.

Section 39B. The director of the crime laboratory within the department shall establish procedural rules and policies governing the department’s testing and analysis of drug samples and shall establish a quality assurance program for the department, which shall include proficiency standards for its laboratories and analysts responsible for performing drug testing and analysis. The procedural rules and quality assurance program shall be compatible with the laboratory's accreditation procedural rules and shall establish compatible laboratory techniques,

laboratory equipment, supplies, computer software and acceptance criteria for laboratory accreditation.

SECTION 52A. Section 3A of chapter 23A of the General Laws, as so appearing, is hereby amended by striking out, in line 139, the figure “35,000” and inserting in place thereof the following figure:- 20,000.

SECTION 53. Section 42 of chapter 23G of the General Laws, as so appearing, is hereby amended by inserting after the word "facility", in line 27, the following words:- ; provided, however, that if such building, structure or site is 125 years old or older and is significant in the history, archeology, architecture or culture of the nation, the commonwealth or the community in which it is located, it may be of any size.

SECTION 54. Section 2H of chapter 29 of the General Laws is hereby amended by striking out the third paragraph, added by section 37 of chapter 68 of the acts of 2011, and inserting in place thereof the following 2 paragraphs:-

Upon receiving a written joint certification from the commissioner of revenue and the attorney general that the department of revenue is in receipt of a 1-time tax settlement or judgment for the commonwealth, of which the net value to the commonwealth of the proceeds of that settlement or judgment, after all restitution or other remedial payments are made pursuant to the tax settlement or judgment, exceeds $1,000,000 in any 1 fiscal year, the comptroller shall transfer the proceeds from the General Fund to the Commonwealth Stabilization Fund.

In each fiscal year, prior to complying with clause (a) of section 5C, the comptroller shall transfer from the Commonwealth Stabilization Fund to the General Fund the lesser of: (a) one-half of the lowest aggregate amount collected in any 1 of the previous 3 fiscal years from 1-time tax settlements or judgments collected by the department of revenue for the commonwealth with a net value that exceeds $1,000,000; or (b) $30,000,000.

SECTION 55. Said chapter 29 is hereby further amended by inserting after section 2EEEE the following 2 sections:-

Section 2FFFF. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Public Safety Training Fund. The fund shall be used for the instruction of public safety personnel including, but not limited to, the recruitment of additional state police classes and for the municipal police training committee under section 116 of chapter 6, as necessary, to preserve and promote the public safety. The fund shall be credited with all revenues collected from the surcharge imposed by section 12 of chapter 89 and the seventh paragraph of section 20 of chapter 90. The fund shall not be subject to section 5C of chapter 29 and shall be subject to appropriation.

Section 2GGGG. There shall be established upon the books of the commonwealth a separate fund to be known as the Health Care Workforce Transformation Fund to be expended, without further appropriation, by the secretary of labor and workforce development. The fund shall consist of any funds that may be appropriated or transferred for deposit into the trust fund, public and private sources such as gifts, grants and donations to further health care workforce development and interest earned on such revenues, and other sources.

The secretary of labor and workforce development as trustee, shall administer the fund. The secretary, in consultation with the Health Care Workforce Advisory Board established in subsection (c), shall make expenditures from this account consistent with the subsections (e) and (f); provided, that not more than 10 per cent of the amounts held in the fund in any 1 year shall be used by the secretary for the combined cost of program administration, technical assistance to grantees and program evaluation.

(b) Revenues deposited in the fund that are unexpended at the end of the fiscal year shall not revert to the General Fund and shall be available for expenditure in the following fiscal year.

(c) There shall be Health Care Workforce Advisory Board constituted to make recommendations to the secretary concerning the administration and allocation of the fund, establish evaluation criteria and perform any other functions specifically granted to it by law.

The board shall consist of the following members: the secretary of labor and workforce development, who shall serve as chair; the executive director of the institute of health care finance and policy or a designee; the commissioner of public health or a designee and not more than 13 members who shall be appointed by the secretary of labor and workforce development and who shall reflect a broad distribution of diverse perspectives on the health care system and health care workforce needs, including health care professionals, labor organizations, educational institutions, consumer representatives, providers and payers.

The secretary shall, under the advice and guidance of the Health Care Workforce Advisory Board, annually report on its strategy for administration and allocation of the fund, including relevant evaluation criteria, and short-term and long-term programmatic and policy recommendations to improve workforce performance.

(d) All expenditures from the Health Care Workforce Transformation Fund shall have 1 or more of the following purposes:

(i) supporting the development and implementation of employer and work programs to enhance worker skills, income, productivity and retention rates;

(ii) addressing critical workforce shortages;

(iii) addressing workforce needs identified in the health resource plan developed under section 25A of chapter 111;

(iv) improving employment in the health care industry for the unemployed or low-income individuals and low-wage workers;

(v) providing training or educational services for currently employed or unemployed health care workers who are seeking new positions or responsibilities within the health care industry;

(vi) providing training or educational services for existing health care workers in emerging fields of care delivery models;

(vii) providing loan repayment and incentive programs for health care workers;

1024 (viii) providing career ladder programs for health care workers; or

1025 (ix) any other purpose the secretary, in consultation with the Health Care Workforce
1026 Advisory Board, determines.

1027 (e) The secretary shall establish a competitive grant process funded by the Health Care
1028 Workforce Transformation Fund to eligible applicants to provide education and training to health
1029 care workers. Eligible applicants shall include: employers and employer associations; local
1030 workforce investment boards; labor organizations; joint labor-management partnerships;
1031 community-based organizations; institutions of higher education; vocational education
1032 institutions; one-stop career centers; local workforce development entities; and any partnership
1033 or collaboration between eligible applicants. Expenditures from the fund for such purposes shall
1034 complement and not replace existing local, state, private or federal funding for training and
1035 educational programs.

1036 (f) A grant proposal submitted under subsection (e) shall include, but not be limited to:

1037 (i) a plan that defines specific goals for health care workforce training and educational
1038 improvements over a multi-year period in specific areas;

1039 (ii) the evidence-based programs the applicant shall use to meet the goals;

1040 (iii) a budget necessary to implement the plan, including a detailed description of any
1041 funding or in-kind contributions the applicant or applicants will be providing in support of the
1042 proposal;

1043 (iv) any other private funding or private sector participation the applicant anticipates in
1044 support of the proposal; and

1045 (v) the anticipated number of individuals who would receive a benefit due to the
1046 implementation of the plan.

1047 Priority may be given to proposals that target areas of critical labor needs for the health
1048 care industry or that are projected to be critical labor needs of the health care industry in the near
1049 future. Priority may also be given to proposals that target geographic areas with specific health
1050 care workforce needs or that target geographic areas with unemployment levels higher than the
1051 state average. If no proposals were offered in areas of particular need, the secretary may
1052 provide technical assistance and planning grant funding directly to eligible applicants in order to
1053 develop grant proposals.

1054 The secretary shall, in consultation with the Health Care Workforce Advisory Board,
1055 develop guidelines for an annual review of the progress being made by each grantee. Each
1056 grantee shall participate in any evaluation or accountability process implemented by or
1057 authorized by the secretary.

1058 (g) The secretary shall annually expend not less than 20 per cent of available funds in the
1059 Health Care Workforce Transformation Fund to expand training and loan forgiveness programs
1060 for primary care providers in the commonwealth. The training and loan forgiveness programs
1061 for primary care providers shall include, but not be limited to:

1062 (i) The secretary shall establish a competitive primary care residency grant process
1063 funded by the Health Care Workforce Transformation Fund to eligible applicants for the purpose
1064 of financing the training of primary care providers at teaching community health centers. Eligible
1065 applicants shall include teaching community health centers accredited through affiliations with a
1066 commonwealth funded medical school or licensed as part of a teaching hospital with a residency
1067 program in primary care or family medicine and teaching health centers that are the
1068 independently accredited sponsoring organization for the residency program and whose residents
1069 are employed by the health center.

1070 To receive funding, an applicant shall (A) include a review of recent graduates of the
1071 teaching community health center's residency program, including information regarding what
1072 type of practice said graduates are involved in 2 years following graduation from the residency
1073 program; and (B) achieve a threshold of at least 50 per cent for the percentage of graduates
1074 practicing primary care within 2 years after graduation. Graduates practicing (a) more than 50
1075 per cent inpatient care; or (b) more than 50 per cent specialty care, as listed in the American
1076 Medical Association Masterfile, shall not qualify as graduates practicing primary care.

1077 Awardees of the primary care residency grant program shall maintain their teaching
1078 accreditation as either an independent teaching community health center or as a teaching
1079 community health center accredited through affiliation with a commonwealth funded medical
1080 school or licensed as part of a teaching hospital.

1081 (ii) A primary care workforce development and loan forgiveness grant program at
1082 community health centers, for the purpose of enhancing recruitment and retention of primary
1083 care physicians and other clinicians at community health centers throughout the commonwealth.
1084 The grant program shall be administered by the department of public health; provided, that the
1085 department may contract with an organization to administer the grant program. Funds for the
1086 grant program shall be matched by other public or private funds.

1087 (iii) The health care provider workforce loan repayment program, established in section
1088 25N of chapter 111, as administered by the department of public health.

1089 (h) The comptroller shall annually transfer not less than 10 per cent of available funds in
1090 the Health Care Workforce Transformation Fund to the Massachusetts Nursing and Allied Health
1091 Workforce Development Trust Fund established in section 33 of chapter 305 of the acts of 2008
1092 to develop and support strategies that increase the number of public higher education faculty
1093 members and students who participate in programs that support careers in fields related to
1094 nursing and allied health.

1095 (i) The secretary shall, annually on or before January 31, report on expenditures from the
1096 Health Care Workforce Transformation Fund. The report shall include, but shall not be limited
1097 to: (i) the revenue credited to the fund; (ii) the amount of fund expenditures attributable to the
1098 administrative costs of the secretary of labor and workforce development; (iii) an itemized list of
1099 the funds expended through the competitive grant process and a description of the grantee
1100 activities; and (iv) the results of the evaluation of the effectiveness of the activities funded
1101 through grants. The report shall be provided to the chairs of the house and senate committees on
1102 ways and means, the joint committee on public health, the joint committee on health care

financing and the joint committee on labor and workforce development and shall be posted on the department of public health's website.

(j) The secretary of labor and workforce development may promulgate appropriate regulations to carry out this section.

SECTION 55A. Section 29J of said chapter 29, as appearing in the 2010 Official Edition, is hereby amended by adding the following sentence:- As used in this section, "state agency" shall include an institution of public higher education or an association of the trustees of such institutions and "state funds" shall include all funds that state agencies and authorities are authorized to receive and expend by virtue of the powers granted to them under their enabling statutes, including trust funds under the control of any such institution.

SECTION 55B. Subsection (a) of section 29K of said chapter 29, as appearing in section 41 of chapter 68 of the acts of 2011, is hereby amended by striking out the words "that receives a total amount of appropriations from the commonwealth equal to or in excess of $500,000 in any fiscal year shall, on an annual basis, conduct an audit of those funds" and inserting in place thereof the following words:- shall be subject to audit by the state auditor under section 12 of chapter 11 and shall, on an annual basis, conduct an independent audit of its funds. The results of both audits and the audited financial statements of the authority shall be provided annually to the secretary of administration and finance who shall publish the audits and audited financial statements on the searchable website developed and operated under section 14C of chapter 7.

SECTION 56. Section 32 of said chapter 29 is hereby amended by inserting after the second sentence, as appearing in section 6 of chapter 142 of the acts of 2011, the following sentence:- Annually, on June 30, the comptroller shall transfer to the Unclaimed Property Fund, established in section 9 of chapter 200A, all funds that are identified by the state treasurer as funds of the commonwealth that have remained in the unclaimed check fund for not less than 1 year.

SECTION 56A. Subsection (b) of section 1 of chapter 30B of the General Laws is hereby amended by striking out clause (31), as appearing in the 2010 Official Edition.

SECTION 56B. The General Laws are hereby amended by inserting after chapter 30B the following chapter:-

CHAPTER 30C.

PUBLIC CONTRACT INTEGRITY

Section 1. For the purposes of this chapter, the following terms shall, unless the context clearly requires otherwise, have the following meanings:-

"Public employer", a department, agency or public instrumentality of the commonwealth or a person, corporation, partnership, sole proprietorship, joint venture or other business entity providing goods or services to a department, agency or public instrumentality of the commonwealth including, but not limited to, the Massachusetts Department of Transportation, the Massachusetts Water Resources Authority, the Massachusetts Port Authority or the Massachusetts Bay Transportation Authority.

"Work authorization program", an electronic verification of work authorization program, or an equivalent work authorization program operated by the United States Department of Homeland Security, the United States Department of Labor, the Social Security Administration, another federal agency, or by a private verification system authorized by the secretary of labor and workforce development to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 and its successor acts.

Section 2. No public employer shall enter into a contract for the provision of goods or services within the commonwealth unless the contractor registers and participates in a work authorization program to verify information on all new employees and certifies such participation, in writing, to the secretary of workforce development.

Section 3. No contractor or subcontractor who enters a contract with a public employer shall enter into a contract or subcontract with a public employer for the provision of goods or services in the commonwealth unless such contractor or subcontractor registers and participates in a work authorization program to verify information on all employees and certifies such participation, in writing, to the secretary of labor and workforce development.

Section 4. This chapter shall be enforced without regard to race, religion, gender, ethnicity or national origin.

Section 5. Except as may be otherwise provided in this chapter, the secretary of labor and workforce development shall prescribe forms and promulgate rules and regulations necessary to implement and administer this chapter.

Section 6. The inspector general shall adopt regulations to ensure that a person receiving funds pursuant to a contract awarded under chapter 30B or section 44A of chapter 149 is in compliance with federal laws pertaining to immigration and citizenship including, but not limited to, 42 U.S.C. section 1436a. Such regulations shall include, but not be limited to, ascertaining and verifying immigration and citizenship status through a work authorization program.

Section 7. No contract shall be awarded by or to a public employer and no public funds shall be expended under any such contract unless the public employer complies with this chapter and any regulations adopted under this chapter.

SECTION 56C. Section 3 of chapter 32 of the General Laws is hereby amended by inserting after the word “prisoners”, in line 252, as appearing in the 2010 Official Edition, the following words:- ; employees of the department of children and families holding the title of social worker A/B, C or D or successive titles who have been employed in such titles for 10 years or more.

SECTION 56D. Section 101 of said chapter 32, as so appearing, is hereby amended by inserting after the figure “$9,000”, in line 10, the following words:- , or, in a retirement system accepting the supplemental annual allowance provided in the third paragraph, $12,000.

SECTION 56E. The second paragraph of said section 101 of said chapter 32, as so appearing, is hereby amended by striking out the fourth sentence.

SECTION 56F. Said section 101 of said chapter 32, as so appearing, is hereby further amended by adding the following paragraph:-

Any retirement system may accept the supplemental annual allowance, provided for by this paragraph and fixed at the rate of $12,000, by a majority vote of the board of each such system, subject to the approval of the legislative body. Acceptance shall be deemed to have occurred upon the filing of a certification of such votes with the commission. For purposes of this section, the state teachers' and state employees' retirement systems shall be deemed to have accepted this paragraph.

SECTION 56G. Chapter 32A of the General Laws is hereby amended by inserting after section 17I the following section:--

Section 17J. The commission may provide to any active or retired employee of the commonwealth who is insured under the group insurance commission a smoking and tobacco use cessation treatment benefit. Smoking and tobacco use cessation treatment and information benefits shall include nicotine replacement therapy and other evidence-based pharmacologic aids to quitting smoking and accompanying counseling by a physician, certified tobacco use cessation counselor or other qualified clinician.

SECTION 56H. Section 2 of chapter 43D of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out the definition of "priority development site" and inserting in place thereof the following definition:-

"Priority development site", a privately-owned or publicly-owned property that is: (1) eligible under applicable zoning provisions, including special permits or other discretionary permits, for the development or redevelopment of a building at least 50,000 square feet of gross floor area in new or existing buildings or structures; and (2) designated as an appropriate priority development site by the board; provided, that several parcels or projects may be included within a single priority development site; and provided, further that wherever possible, priority development sites should be located adjacent to areas of existing development or in underutilized buildings or facilities or close to appropriate transit services.

SECTION 57. Section 2 of chapter 44B of the General Laws, as so appearing, is hereby amended by inserting after the definition of "Annual income" the following definition:-

"Capital improvement", reconstruction or alteration of real property that: (1) materially adds to the value of the real property or appreciably prolongs the useful life of the real property; (2) becomes part of the real property or is permanently affixed to the real property so that removal would cause material damage to the property or article itself; and (3) is intended to become a permanent installation or is intended to remain there for an indefinite period of time.

SECTION 58. Said section 2 of said chapter 44B, as so appearing, is hereby further amended by striking out, in line 24, the words "or eligible for listing".

SECTION 59. Said section 2 of said chapter 44B, as so appearing, is hereby further amended by striking out the definition of "Maintenance" and inserting in place thereof the following definition:-

“Maintenance”, incidental repairs which neither materially add to the value of the property nor appreciably prolong the property’s life, but keep the property in a condition of fitness, efficiency or readiness.

SECTION 60. Said section 2 of said chapter 44B, as so appearing, is hereby further amended by striking out, in line 54, the words “, but not including maintenance”.

SECTION 61. Said section 2 of said chapter 44B, as so appearing, is hereby further amended by striking out the definition of “Rehabilitation” and inserting in place thereof the following 2 definitions:-

“Rehabilitation”, capital improvements, or the making of extraordinary repairs, to historic resources, open spaces, lands for recreational use and community housing for the purpose of making such historic resources, open spaces, lands for recreational use and community housing functional for their intended uses including, but not limited to, improvements to comply with the Americans with Disabilities Act and other federal, state or local building or access codes; provided, that with respect to historic resources, “rehabilitation” shall comply with the Standards for Rehabilitation stated in the United States Secretary of the Interior's Standards for the Treatment of Historic Properties codified in 36 C.F.R. Part 68; and provided further, that with respect to land for recreational use, “rehabilitation” shall include the replacement of playground equipment and other capital improvements to the land or the facilities thereon which make the land or the related facilities more functional for the intended recreational use.

“Support of community housing”, shall include, but not be limited to, programs that provide grants, loans, rental assistance, security deposits, interest-rate write downs or other forms of assistance directly to individuals and families who are eligible for community housing or to an entity that owns, operates or manages such housing, for the purpose of making housing affordable.

SECTION 62. Section 3 of said chapter 44B, as so appearing, is hereby amended by inserting after subsection (b) the following subsection:-

(b½) Notwithstanding chapter 59 or any other general or special law to the contrary, as an alternative to subsection (b), the legislative body may vote to accept sections 3 to 7, inclusive, by approving a surcharge on real property of not less than 1 per cent of the real estate tax levy against real property and making an additional commitment of funds by dedicating revenue not greater than 2 per cent of the real estate tax levy against real property; provided, however, that additional funds so committed shall come from other sources of municipal revenue including, but not limited to, hotel excises pursuant to chapter 64G, linkage fees and inclusionary zoning payments, however authorized, the sale of municipal property pursuant to section 3 of chapter 40, parking fines and surcharges pursuant to sections 20, 20A and 20A1/2 of chapter 90, existing dedicated housing, open space and historic preservation funds, however authorized, and gifts received from private sources for community preservation purposes; and provided further, that additional funds so committed shall not include any federal or state funds. The total funds committed to purposes authorized under this chapter by means of this subsection shall not exceed 3 per cent of the real estate tax levy against real property, less exemptions, adopted. In the event that the municipality shall no longer dedicate all or part of the additional funds to community

preservation, the surcharge of not less than 1 per cent shall remain in effect, but may be reduced pursuant to section 16.

SECTION 63. Said section 3 of said chapter 44B, as so appearing, is hereby further amended by striking out, in lines 28 to 30, inclusive, the words “or (3) for $100,000 of the value of each taxable parcel of residential real property” and inserting in place thereof the following words:-

(3) for $100,000 of the value of each taxable parcel of residential real property; or

(4) for $100,000 of the value of each taxable parcel of class three, commercial property, and class four, industrial property as defined in section 2A of said chapter 59.

SECTION 64. Section 5 of said chapter 44B, as so appearing, is hereby amended by inserting after the word “preservation”, in lines 23 and 24, the following words:- , including the consideration of regional projects for community preservation.

SECTION 65. Subsection (b) of said section 5 of said chapter 44B, as so appearing, is hereby amended by striking out paragraph (2) and inserting in place thereof the following paragraph:-

(2) The community preservation committee shall make recommendations to the legislative body for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation or restoration of open space and community housing that is acquired or created as provided in this section; provided, however, that funds expended pursuant to this chapter may not be used for maintenance. With respect to community housing, the community preservation committee shall recommend, whenever possible, the reuse of existing buildings or construction of new buildings on previously developed sites. With respect to recreational use, the acquisition of artificial turf for athletic fields shall be prohibited.

SECTION 66. Said section 5 of said chapter 44B, as so appearing, is further amended by striking out subsection (d) and inserting in place thereof the following subsection:-

(d) After receiving recommendations from the community preservation committee, the legislative body shall take such action and approve such appropriations from the Community Preservation Fund as set forth in section 7, and such additional non-Community Preservation Fund appropriations as it deems appropriate to carry out the recommendations of the community preservation committee. In the case of a city, the ordinance shall provide for the mechanisms under which the legislative body may approve or veto appropriations made pursuant to this chapter, in accordance with the city charter.

SECTION 67. Said chapter 44B is hereby amended by striking out section 6, as so appearing, and inserting in place thereof the following section:-

Section 6. In each fiscal year and upon the recommendation of the community preservation committee, the legislative body shall spend, or set aside for later spending, not less

than 10 per cent of the annual revenues in the Community Preservation Fund for open space, not less than 10 per cent of the annual revenues for historic resources and not less than 10 per cent of the annual revenues for community housing. In each fiscal year, the legislative body shall make appropriations from the Community Preservation Fund as it deems necessary for the administrative and operating expenses of the community preservation committee and such appropriations shall not exceed 5 per cent of the annual revenues in the Community Preservation Fund. The legislative body may also make appropriations from the Community Preservation Fund as it deems necessary for costs associated with tax billing software and outside vendors necessary to integrate such software for the first year that a city or town implements the this chapter; provided, however, that the total of any administrative and operating expenses of the community preservation committee and the first year implementation expenses shall not exceed 5 per cent of the annual revenues in the Community Preservation Fund.

Funds that are set aside shall be held in the Community Preservation Fund and spent in that year or later years; provided, however, that funds set aside for a specific purpose shall be spent only for the specific purpose. Any funds set aside may be expended in any city or town. The community preservation funds shall not replace existing operating funds, only augment them.

SECTION 68. The second paragraph of section 7 of said chapter 44B, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The following monies shall be deposited in the fund: (i) all funds collected from the real property surcharge or bond proceeds in anticipation of revenue pursuant to sections 4 and 11; (ii) additional funds appropriated or dedicated from allowable municipal sources pursuant to subsection (b½) of section 3, if applicable; (iii) all funds received from the commonwealth or any other source for such purposes; and (iv) proceeds from the disposal of real property acquired with funds from the Community Preservation Fund.

SECTION 69. Said chapter 44B is hereby further amended by striking out section 10, as so appearing, and inserting in place thereof the following section:-

Section 10. (a) The commissioner of revenue shall annually on or before November 15 disburse monies from the fund established in section 9 to a city or town that has accepted sections 3 to 7, inclusive, and notified the commissioner of its acceptance. The community shall notify the commissioner of the date and terms on which the voters accepted said sections 3 to 7, inclusive. The municipal tax collecting authority shall certify to the commissioner the amount the city or town has raised through June 30 by imposing a surcharge on its real property levy and shall certify the percentage of the surcharge applied. In the event a city or town accepts said sections 3 to 7, inclusive, pursuant to subsection (b½) of section 3 the municipal tax collecting authority shall certify to the commissioner by October 30, the maximum additional funds the city or town intends to transfer to the Community Preservation Fund from allowable municipal sources for the following fiscal year. Once certified, the city or town may choose to transfer less than the certified amount during the following fiscal year.

(b) The commissioner shall multiply the amount remaining in the fund after any disbursements for operating and administrative expenses pursuant to subsection (c) of section 9 by 80 per cent. This amount distributed in the first round distribution shall be known as the match distribution. The first round total shall be distributed to each city or town accepting said

sections 3 to 7, inclusive, in an amount not less than 5 per cent but not greater than 100 per cent of the total amount raised by the additional surcharge on real property by each city or town and, if applicable, the additional funds committed from allowable municipal sources pursuant to subsection (b½) of section 3. The percentage shall be the same for each city and town and shall be determined by the commissioner annually in a manner that distributes the maximum amount available to each participating city or town.

(c) The commissioner shall further divide the remaining 20 per cent of the fund in a second round distribution, known as the equity distribution. The commissioner shall determine the equity distribution in several steps. The first step shall be to divide the remaining 20 per cent of the fund by the number of cities and towns that have accepted said sections 3 to 7, inclusive. This dividend shall be known as the base figure for equity distribution. This base figure shall be determined solely for purposes of performing the calculation for equity distribution and shall not be added to the amount received by a participant.

(d) Each city and town in the commonwealth shall be assigned a community preservation rank for purposes of the equity distribution. The commissioner shall determine each community's rank by first determining the city or town’s equalized property valuation per capita ranking, ranking cities and towns from highest to lowest valuation. The commissioner shall also determine the population of each city or town and rank each from largest to smallest in population. The commissioner shall add each equalized property valuation rank and population rank, and divide the sum by 2. The dividend shall be the community preservation raw score for that city or town.

(e) The commissioner shall then order each city or town by community preservation raw score, from the lowest raw score to the highest raw score. This order shall be the community preservation rank for each city or town. If more than 1 city or town has the same community preservation raw score, the city or town with the higher equalized valuation rank shall receive the higher community preservation rank.

(f) After determining the community preservation rank for each city and town, the commissioner shall divide all cities or towns into deciles according to their community preservation ranking, with approximately the same number of cities and towns in each decile, and the cities or towns with the highest community preservation rank shall be placed in the lowest decile category, starting with decile 10. Percentages shall be assigned to each decile as follows:

decile 1	140 per cent of the base figure
decile 2	130 per cent of the base figure
decile 3	120 per cent of the base figure
decile 4	110 per cent of the base figure
decile 5	100 per cent of the base figure
decile 6	90 per cent of the base figure

decile 7	80 per cent of the base figure
decile 8	70 per cent of the base figure
decile 9	60 per cent of the base figure
decile 10	50 per cent of the base figure

After assigning each city and town to a decile according to their community preservation rank, the commissioner shall multiply the percentage assigned to that decile by the base figure to determine the second round equity distribution for each participant.

(g) Notwithstanding any other provision of this section, the total state contribution for each city and town shall not exceed the actual amount raised by the city or town's surcharge on its real property levy and, if applicable, additional funds committed from allowable municipal sources pursuant to subsection (b1/2) of section 3.

(h) When there are monies remaining in the Massachusetts Community Preservation Trust Fund after the first and second round distributions and any necessary administrative expenses have been paid in accordance with section 9, the commissioner may conduct a third round surplus distribution. Any remaining surplus in the fund may be distributed by dividing the amount of the surplus by the number of cities and towns that have accepted sections 3 to 7, inclusive. The resulting dividend shall be the surplus base figure. The commissioner shall then use the decile categories and percentages as defined in this section to determine a surplus equity distribution for each participant.

(i) The commissioner shall determine each participant's total state grant by adding the amount received in the first round distribution with the amounts received in any later round of distributions, with the exception of a city or town that has already received a grant equal to 100 per cent of the amount the community raised by its surcharge on its real property levy.

(1) Only those cities and towns that adopt the maximum surcharge pursuant to subsection (b) of section 3 and those cities and towns that adopt the maximum surcharge and additional funds committed from allowable municipal sources such that the total funds are the equivalent of 3 per cent of the real estate tax levy against real property pursuant to subsection (b½) of said section 3 shall be eligible to receive additional state monies through the equity and surplus distributions.

(2) If less than 10 per cent of the cities and towns have accepted sections 3 to 7, inclusive, and imposed and collected a surcharge on their real property levy, the commissioner may calculate the state grant with only 1 round of distributions or in any other equitable manner.

(j) After distributing the Massachusetts Community Preservation Trust Fund in accordance with this section, the commissioner shall keep any remaining funds in the trust for distribution in the following year.

SECTION 70. Section 12 of said chapter 44B, as so appearing, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) A real property interest that is acquired with monies from the Community Preservation Fund shall be bound by a permanent restriction, recorded as a separate instrument, that meets the requirements of sections 31 to 33, inclusive, of chapter 184 limiting the use of the interest to the purpose for which it was acquired. The permanent restriction shall run with the land and shall be enforceable by the city or town or the commonwealth. The permanent restriction may also run to the benefit of a nonprofit organization, charitable corporation or foundation selected by the city or town with the right to enforce the restriction. The legislative body may appropriate monies from the Community Preservation Fund to pay a nonprofit organization created pursuant to chapter 180 to hold, monitor and enforce the deed restriction on the property.

SECTION 71. Section 16 of said chapter 44B, as so appearing, is hereby amended by inserting after the word “chapter”, in line 5, the following words:- , including reducing the surcharge to 1 per cent and committing additional municipal funds pursuant to subsection (b ½) of section 3.

SECTION 71A. Section 3A of chapter 60 of the General Laws, as so appearing, is hereby amended by adding the following subsection:-

(e) The collector may issue an electronic bill or notice for any other tax, excise, betterment or assessment committed by the assessors under a voluntary electronic billing program established for such tax, excise, betterment or assessment in the manner set forth in subsection (b). The electronic bill or notice issued under the program shall meet the standards required by law for such tax, excise, betterment or assessment bills or notices.

SECTION 71B. The first paragraph of section 2 of chapter 60A of the General Laws, as so appearing, is hereby amended by striking out the seventh sentence.

SECTION71C. Subsection (f) of section 1 of chapter 62 of the General Laws, as so appearing, is hereby amended by inserting after the first sentence the following sentence:- "For purposes of clause (1), the making of a financial contribution, gift, bequest, donation or any other financial instrument or pledge in any amount or the donation or loan of any object of any value, or any combination of the foregoing, qualifying for deduction as a charitable contribution under section 170 (a) of the Code to any corporation, foundation, organization or institution, which is exempt from taxation under section 501(c)(3) of the Code, shall not be used in any manner to determine domicile in the commonwealth or any other jurisdiction.

SECTION 71D. Chapter 70 of the General Laws is hereby amended by striking out section 4, as so appearing, and inserting in place thereof the following section:-

Section 4. There shall be a foundation budget review commission to review the way in which foundation budgets are calculated and to make recommendations to the general court regarding such changes as may be appropriate. In conducting such review, the commission shall seek to determine the educational programs and services necessary to achieve the commonwealth’s educational goals, including those necessary to fully implement state curriculum standards and to prepare students to achieve passing scores on the Massachusetts Comprehensive Assessment System examinations. The review shall include, but not be limited to: class size; special education programs, including programs for English language learners;

preschool programs for all 3 and 4 year-olds and full-day kindergarten; additional resources necessary to assure educational opportunity for low-income students; salaries necessary to attract and retain high quality professionals; technology; extracurricular programs; remedial programs for students at risk of failing to satisfy graduation requirements; books and other curriculum materials; equipment for science lab programs; and technology. In addition, the commission shall seek to determine how resources can be used in the most effective manner. In carrying out the review, the commission shall examine relevant data and any reports on education funding produced within the 10 years preceding the issuance of a commission report. The commission shall include the house and senate chairs of the joint committee on education, who shall serve as co-chairs, the secretary of education, the commissioner of elementary and secondary education, the speaker of the house of representatives or a designee, the president of the senate or a designee, the minority leader of the house of representatives or a designee, the minority leader of the senate or a designee, the governor or a designee, the chair of the house committee on ways and means or a designee, the chair of the senate committee on ways and means or a designee and 1 member to be appointed by each of the following organizations: the Massachusetts Municipal Association, the Massachusetts Business Alliance for Education, the Massachusetts Association of School Committees, the Massachusetts Superintendents Association, the Massachusetts Teachers Association, the American Federation of Teachers Massachusetts, the League of Women Voters of Massachusetts, the Massachusetts Parent Teacher Association, the Massachusetts Association for Vocational Administrators and the Massachusetts Association of Regional Schools. Members shall receive no compensation for their services but may receive reimbursement for the reasonable expenses incurred in carrying out their responsibilities as members of the commission. The department shall furnish reasonable staff and other support for the work of the commission.

Prior to issuing its recommendations, the commission shall conduct not fewer than 4 hearings to receive testimony from members of the public. The hearings shall be held in locations that provide opportunities for residents from all geographic regions of the commonwealth to testify.

It shall not constitute a violation of chapter 268A for a person employed by a school district to serve on the commission or to participate in commission deliberations that may have a financial impact on the district employing that person or on the rate at which that person may be compensated. The commission may establish procedures to ensure that no such person participates in commission deliberations that may directly affect the school districts employing those persons or that may directly affect the rate at which those persons are compensated.

The commission's recommendations, together with any proposed legislation, shall be filed with the clerks of the senate and house of representatives every 4 years and clerks of the senate and house of representatives who shall refer such recommendations to the appropriate committee of the general court. Within 30 days after such filing, the committee shall hold a public hearing on the recommendations.

SECTION 72. Section 4 of chapter 74 of the General Laws, as so appearing, is hereby amended by adding the following 2 sentences:- Pursuant to section 21 of chapter 15A, 1 member of the board shall be designated by the district trustees to serve as a nonvoting member of the board of trustees for any community college that shares the same geographic region as the independent vocational-technical school.

SECTION 73. Section 7C of said chapter 74, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

Notwithstanding section 27C of chapter 29 or any other general or special law to the contrary, for each nonresident student admitted to and attending an approved vocational school under section 7, the student's town of residence shall pay to the vocational school a tuition fee as determined by the commissioner; provided, however, that if the student's town of residence is a member of a regional vocational school district, the tuition fee shall be paid by the district. If the town or district defaults on payment, the town or district shall be liable therefor in contract to the vocational school. For the purposes of this section, no town or district shall be required to pay any portion of the tuition for a student enrolled in a post-secondary vocational program.

SECTION 74. Section 1A of chapter 75 of the General Laws, as so appearing, is hereby amended by striking out, in line 95, the figure "5" and inserting in place thereof the following figure:-3.

SECTION 75. Said chapter 75 is hereby further amended by inserting after section 8 the following section:-

Section 8A. (a) The board of trustees shall fix and establish student charges for the university. In-state tuition and mandatory student charges shall preserve affordability for residents of the commonwealth. Out-of-state student charges shall appropriately balance the financial needs of the university with the need to be competitive with peer institutions regionally. In establishing student charges the board shall consider factors including, but not limited to, actual appropriations received, the Consumer Price Index, the Higher Education Price Index, tuition and fee rates at peer institutions, collective bargaining costs, funding from the commonwealth measured with reference to the funding formula established in section 15B of chapter 15A and making progress toward ensuring that fees constitute no more than 25 per cent of student charges. To the extent practicable, final student charges shall be established for each academic year not later than June 30 of the calendar year in which the rates shall take effect.

For the purposes of this section, "student charges" shall mean tuition and fees that are charged to students generally for attendance at the university, but shall not include any fee or other charge established by the university that is specific to a particular course, program or activity, and shall not include any charges for room or board.

(b) The university shall submit a 3-year student charges plan to the board of higher education for the board's information consistent with this section. The plan shall contain the annual student charges that the university expects to approve for the university's state-supported programs under the process in subsection (a) for a period of not less than 3 academic years, which shall be the period of the plan. The plan shall also include, but not be limited to, budget and enrollment projections for each year, projections for in-state and out-of-state enrollments for each year, consideration of the mission of each university campus and plans to ensure continuing access to the institution by residents of the commonwealth and to maintain and increase access for underrepresented student groups. A copy of the plan shall be provided to the joint committee on higher education, the house and senate committees on ways and means and the secretary of education at the time the plan is submitted to the board of higher education. Notwithstanding the university's obligation to update the plan every 3 years, the university may, from time-to-time,

provide a modified plan, under the process provided in subsection (a). If the board of trustees determines that a modification of the 3-year plan is necessary, the trustees shall submit the modified plan to the board of higher education, the joint committee on higher education, the house and senate committees on ways and means and the secretary of education, with an explanation for the rationale behind any modifications.

(c) All student charges received by the board of trustees under this section shall be retained by the university in a revolving trust fund and shall be expended as the board of trustees may direct for the operation and support of the institution. Any balance in a trust fund at the end of a fiscal year shall continue to be held in the trust fund, shall remain available for expenditure in subsequent fiscal years and shall not revert to the General Fund. All such trust funds shall be subject to audit by the state auditor.

(d) This section shall apply to the university only if the board of trustees has approved by a majority vote to accept this section.

SECTION 75A. Said chapter 75 is hereby further amended by adding the following section:-

Section 47. (a) As used in this section the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Community mediation center”, a community-based program of a private nonprofit or public agency organized for the resolution of disputes or for a public service, charitable or educational purpose, that provides direct access to free or low-cost mediation services at any stage of a conflict through trained community volunteers and involves community members in the governance of the center.

“Mediator”, an impartial person who assists in the resolution of a conflict or dispute and meets the requirements of section 23C of chapter 233.

“Office”, the office of dispute resolution at the University of Massachusetts at Boston established under section 46.

(b) There shall be a statewide community mediation center grant program to be funded by the commonwealth. The mission of the grant program shall be to promote the broad use of community mediation in all regions of the state. Public agencies shall use community mediation in support of statewide and community objectives. The grant program shall be administered by the office of dispute resolution. The office may expend appropriated funds on program administration and operational grants to community mediation centers, on the basis of need, for dispute resolution in neighborhoods and local communities. The office may advocate for funding and resources for the statewide program and for community mediation programming. The office may establish rules and regulations to effectuate the purposes of this section, including provisions for grant making, monitoring and evaluation of the statewide program and state-funded community mediation centers and the establishment of a quality assurance system for mediator excellence. The office shall establish a program advisory committee with balanced representation of interests, including representation of state-funded community mediation centers.

1584 (c) Funds appropriated or available for the purposes of this section shall be allocated for
1585 eligible community mediation centers through operating grants from the office. The grants
1586 administered under this section shall be used solely to provide operational funding for centers to
1587 assist them in meeting the needs of local communities. Eligible centers shall be selected for
1588 operational grants based on grant applications. Grant applications shall be screened by a grant
1589 review committee established by the office to make recommendations. The office shall
1590 determine the final grant recipients and awards. The commonwealth's share of the operating cost
1591 of any center funded under this section shall include a baseline grant award based on eligibility
1592 criteria and a proven track record and may also include an additional award based on
1593 performance levels set by the office that may include, but shall not be limited to, the volume of
1594 intakes, sessions and mediations during the immediate past performance cycle, the extent
1595 services are being provided to underserved or unserved areas of the commonwealth and the
1596 center's contribution to identified community objectives within the geographical regions served.

1597 (d) Community mediation centers applying for state-funded operating grants shall
1598 demonstrate compliance with eligibility criteria established by the office, including operational
1599 and structural criteria and requirements for matching funds. To qualify for funding, community
1600 mediation centers shall also comply with grant application procedures set by the office. The
1601 office shall consult with centers in establishing grant criteria and procedures.

1602 (e) Applications to start a new community mediation center may be submitted at any time
1603 in the fiscal year; provided however, that the decision to provide grants shall be entirely
1604 dependent on available funds. The grant review committee shall determine how closely the
1605 startup center's operating philosophy, organization, by-laws and other supporting documents
1606 reflect the office's eligibility criteria for community mediation. Priority shall be given to eligible
1607 start-up centers serving areas that have no existing community mediation centers.

1608 (f) Payments to centers awarded grants under this section shall be made under contracts
1609 with the University of Massachusetts at Boston. The methods of payment or reimbursement for
1610 community mediation center operating costs shall be specified by the office. All contracts and
1611 methods of payment or reimbursement shall conform to this section and the rules and procedures
1612 of the office and the University of Massachusetts at Boston.

1613 (g) The office may accept and disburse from any public or private agency or person any
1614 money for the purposes of this section and may perform such services and acts as may be
1615 necessary for the receipt and disbursement of such funds. A community mediation center funded
1616 under this section may accept funds from any public or private agency or person for the purposes
1617 of this section. The state comptroller, university controller, the director of the office and their
1618 authorized representatives shall have the power to inspect, examine and audit the fiscal affairs of
1619 state-funded community mediation centers.

1620 (h) Each state-funded community mediation center shall provide the office with data on
1621 operating budgets, mediation and related services, and such other information the office may
1622 require periodically for monitoring, evaluation and reporting purposes. The office shall provide
1623 periodic progress reports to the program advisory committee and shall report annually to the
1624 governor, the chief justice of the trial court, the senate president, the speaker of the house of
1625 representatives, the chairs of the joint committee on higher education, the chairs of the joint
1626 committee on the judiciary and chairs of the house and senate committees on ways and means,

1627 on the operations, activities and accomplishments of the statewide program and the centers
1628 funded under this section.

1629 SECTION 76. Section 12B of chapter 76 of the General Laws is hereby amended by
1630 striking out, in lines 89 to 92, inclusive, as appearing in the 2010 Official Edition, the words
1631 "Said tuition amount shall be equal to seventy-five percent of the actual per pupil spending
1632 amount in the receiving district for such education as is required by such non-resident student,
1633 but not more than five thousand dollars" and inserting in place thereof the following words:-
1634 That tuition amount shall be $5,000.

1635 SECTION 77. Chapter 89 of the General Laws is hereby amended by adding the
1636 following section:-

1637 Section 12. There shall be a surcharge of $5 on a fine assessed against a person convicted
1638 of or found responsible for a motor vehicle violation under this chapter or under a special
1639 regulation made under the authority of this chapter. The surcharge shall be transferred by the
1640 registrar of motor vehicles to the state treasurer for deposit into the Public Safety Training Fund
1641 established in section 2FFFF of chapter 29.

1642 SECTION 77A. Section 2 of chapter 90 of the General Laws, as appearing in the 2010
1643 Official Edition, is hereby amended by striking out the first and second paragraphs and inserting
1644 in place thereof the following 2 paragraphs:—

1645 Applications for the registration of motor vehicles and trailers may be made by the owner
1646 thereof. If the owner is a corporation, sole proprietorship or business entity, the application shall
1647 contain, in addition to such other particulars as may be required by the registrar, the name of the
1648 corporation, sole proprietorship or business entity and the full address, including the street, city
1649 or town, state and zip code. If the owner is a sole proprietorship, the application shall contain a
1650 social security number and contain an employer identification number or federal tax
1651 identification number from the Internal Revenue Service, if one has been issued. If the applicant
1652 is a natural person, the application shall contain, in addition to such other particulars as may be
1653 required by the registrar, the name of the applicant, full residential address, date of birth and
1654 license number or identification card number issued by the registrar, if such license or card has
1655 been issued. The application of a natural person shall also contain the apartment number or unit
1656 number if the applicant's address is in an apartment house, family hotel, condominium or a
1657 residential flat or is in a combined business and residential property. Except as otherwise
1658 provided in this chapter, no registration shall be issued to a natural person for a motor vehicle or
1659 trailer unless such person holds a license, identification card issued under section 8E, social
1660 security number issued by Social Security Administration or other proof of legal residence;
1661 provided, however, that the registrar shall provide by regulation for exemptions for out-of-state
1662 students, military personnel, senior citizens and disabled persons; provided, further, that the
1663 registrar may provide by regulation additional exemptions consistent with this section. The
1664 application shall also contain a brief description of the motor vehicle or trailer to be registered,
1665 including the name of the maker, such number or numbers as may be required by the registrar to
1666 properly identify the vehicle, the character of the motor power and the type of transmission and a
1667 statement signed by the applicant under the penalties of perjury that no excise tax liabilities on
1668 such motor vehicle are outstanding and incurred by the applicant, a member of the applicant's
1669 immediate family who is a member of the applicant's household or any business partner of 'the

applicant. The registration fee, as required under section 33, shall accompany such application. Applicants for registration shall also comply with chapter 90D.

The registrar or the registrar's duly authorized agents shall keep a record of motor vehicles and trailers that satisfy application requirements, assign to each motor vehicle and trailer a distinguishing mark or number to be known as the register number for that vehicle or trailer, and shall thereupon issue to the applicant a certificate of registration. If the owner is a corporation, sole proprietorship or business entity, the certificate shall contain the name and address of the corporation, sole proprietorship or business entity and the register number or mark and shall be in such form and contain such further information as the registrar may determine. If the owner is a natural person, the certificate shall contain the name, place of residence and address of the applicant and the register number or mark and shall be in such form and contain such further information as the registrar may determine.

SECTION 77B. Section 8 of chapter 90 is hereby amended by inserting, after the first paragraph, the following paragraph:-

An applicant for a license under this section, or a learner's permit under section 8B, shall submit satisfactory proof of age, signature, residency within the commonwealth and lawful presence in the United States, in a form acceptable to the registrar. To establish lawful presence, an applicant shall provide such applicant's social security number, the validity of which the registrar shall confirm with the United States Social Security Administration. An applicant may provide, in lieu of a social security number, acceptable evidence that the applicant has applied for a social security number but has been denied by the Social Security Administration and 1 or more of the following: (i) certificate of naturalization, (ii) certificate of citizenship, (iii) United States identification card, (iv) permanent resident card, (v) temporary resident identification card, (vi) record of departure, (vii) processed for I-551 stamp, (viii) United States permanent resident re-entry permit, (ix) United States refugee travel document, (x) employment authorization card and (xi) documents specific to the applicant based upon decisions of the United States Department of State, United States Department of Justice, including the Executive Office for Immigration Review, Board of Immigration Appeals and former Immigration and Naturalization Service, or the United States Department of Homeland Security.

SECTION 77C. Section 12 of said chapter 90, as so appearing, is hereby amended by striking out subsections (a) and (b) and inserting in place thereof the following 2 subsections:—

(a) Whoever knowingly employs for hire as a motor vehicle operator any person not licensed in accordance with this chapter shall be punished by a fine of not more than $750 and, for a second or subsequent violation, by a fine of not less than $750 nor more than $1,500 or imprisonment in the house of correction for not more than 1 year, or both such fine and imprisonment.

(b) Whoever knowingly permits a motor vehicle owned by such person or under such person's control to be operated by a person who is unlicensed or whose license has been suspended or revoked shall be punished by 1 year in the house of correction or a fine of not more than $750 for a first offense or, for a second or subsequent offense by a fine of not less than $750 and not more than $1,500 or imprisonment in a house of correction for not more than 2 1/2 years, or both such fine and imprisonment.

SECTION 77D. Section 20 of said chapter 90, as so appearing, is hereby amended by striking out, in lines 10 and 11, the words “of not less than $100 nor more than $1,000” and inserting in place thereof the following words:- of not more than $500 for a first offense, by a fine of not less than $500 nor more than $1,000, for a second offense, by a fine of not less than $1,000 nor more than $2,000, up to 30 days in the house of correction, or both such fine and imprisonment, for any third or subsequent offense.

SECTION 77E. Section 20 of chapter 90 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out, in line 69, the figure “$30” and inserting in place thereof the following figure:- $37.50.

SECTION 78. Said section 20 of said chapter 90, as so appearing in the 2010 Official Edition, is hereby amended by adding the following paragraph:-

There shall be a surcharge of $5 on a fine assessed against a person convicted of or found responsible for a motor vehicle violation under this chapter or under a special regulation made under the authority of this chapter. The surcharge shall be transferred by the registrar to the state treasurer for deposit into the Public Safety Training Fund established in section 2FFFF of chapter 29.

SECTION 78A. Section 24 of said chapter 90, as so appearing, is hereby amended by striking out, in lines 16 and 761, the figure “$150” and inserting in place thereof, in each instance, the following figure:- $187.50.

SECTION 78B. Said section 24 of said chapter 90, as so appearing, is hereby further amended by inserting after the word “of”, in line 523, the first time it appears, the following words:- , had a case continued without a finding after an admission to sufficient facts for a finding of guilty for or who was assigned to an alcohol or controlled substance education, treatment or rehabilitation program for.

SECTION 78C. Section 24B of said chapter 90, as so appearing, is hereby amended by inserting after the first paragraph the following paragraph:-

Whoever falsely makes, steals, alters, forges or counterfeits a learner’s permit, a license to operate motor vehicles or an identification card issued under section 8E with the intent to distribute such learner’s permit, license to operate motor vehicles or identification card shall be punished as follows: (i) for acts involving any combination of 5 or fewer learner’s permits, licenses to operate or identification cards, by a fine of not more than $500 or by imprisonment in the house of correction for not more than 1 year, or both such fine and imprisonment; (ii) for acts involving 6 to 10 such documents, by a fine of not more than $1,000 or by imprisonment in the state prison for not more than 5 years or in the house of correction for not more than 2 1/2 years, or both such fine and imprisonment; (iii) for acts involving more than 10 such documents, by a fine of not more than $10,000 or by imprisonment in the state prison for not more than 15 years, or both such fine and imprisonment.

SECTION 78D. The third paragraph of section 24B of said chapter 90, as so appearing, is hereby amended by adding the following 3 sentences:- Any person who transfers, alters, defaces, uses or carries any such card or license or uses the identification card or motor vehicle license of another or furnishes false information in obtaining such card or license shall be guilty

of a misdemeanor and shall be punished by a fine of not more than $500 for a first offense or by a fine of not more than $1,000 or imprisonment in the house of correction for not more than 90 days, or both such fine and imprisonment for a second or subsequent offense. Any person who sells or distributes a false identification card shall be punished by a fine of not more than $5,000 or imprisonment in the state prison for not more than 5 years, or both such fine and imprisonment.

SECTION 78E. Chapter 92 of the General Laws is hereby amended by inserting after section 34C the following section:-

Section 34D. Notwithstanding any general or special law or administrative bulletin to the contrary and pursuant to section 34, there is hereby established and set up on the books of the commonwealth a separate fund, to be known as the Borderland State Park Trust Fund, which shall be used for the purposes of advancing recreational, educational and conservation interests, including, but not limited to, the construction and maintenance of facilities and infrastructure improvements for the area within the reservation. The trust shall receive, hold and expend with the advice of the Borderland Advisory Council, all fees generated by parking, permits, licenses and all other agreements not currently being directed to the General Fund relating to the use of the park land as authorized by the commission. The department shall not make expenditures from this fund so as to cause the fund to be deficient.

SECTION 78F. Section 32E of chapter 94C of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the words “ paragraph (a)”, in line 40, the following words:- , clause (2) of paragraph (c).

SECTION 79. Section 47A of said chapter 94C, as so appearing, is hereby amended by striking out, in line 10, the words “the department of public health or”.

SECTION 80. Said section 47A of said chapter 94C, as so appearing, is hereby further amended by striking out, in lines 37 and 38, the words “or by an analyst of the department of public health”.

SECTION 81. Said section 47A of said chapter 94C, as so appearing, is hereby further amended by inserting after the word “department”, in lines 45, 53 and 54, 60 and 74, each time it appears, the following words:- of state police.

SECTION 82. Said section 47A of said chapter 94C, as so appearing, is hereby further amended by striking out the seventh paragraph.

SECTION 83. Sections 11 to 13, inclusive, of chapter 111 of the General Laws are hereby repealed.

SECTION 83A. Section 72F of said chapter 111, as appearing in the 2010 Official Edition, is hereby amended by inserting after the figure “71”, in line 9, the following words:- or an adult day health program licensed by the department of public health.

SECTION 83B. Said section 72F of said chapter 111, as so appearing, is hereby further amended by inserting after the word "setting", in line 11, the following words:- or in an adult day health program setting.

1792 SECTION 83C. Said section 72F of said chapter 111, as so appearing, is hereby further
1793 amended by inserting after the word " program", in line 36, the following words:- or an
1794 individual who receives services at an adult day health program.

1795 SECTION 83D. Paragraph (3) of subsection (e) of section 9D of chapter 118E of the
1796 General Laws, as so appearing, is hereby amended by adding the following paragraph:-

1797 The office of Medicaid shall provide each applicant age 65 and over, and to all eligible
1798 MassHealth recipients, not less than annually, a notice of options available for enrollment in
1799 voluntary programs, including Senior Care Options, Program of All-Inclusive Care for the
1800 Elderly, the Frail Elder Home and Community-Based Waiver Program and any other voluntary
1801 elected benefit to which the applicant or recipient would be entitled to supplement or replace the
1802 applicant's or recipient's MassHealth benefits. The notice shall explain the differential benefits
1803 and costs of such programs. The office of Medicaid shall also provide information describing
1804 the options available for enrollment in voluntary programs including Senior Care Options,
1805 Program of All-Inclusive Care for the Elderly, the Frail Elder Home and Community-Based
1806 Waiver Program and any other voluntary elected benefit, and the differential benefits and costs
1807 of such programs, to Serving Health Information Needs of Elders and other publicly-funded
1808 information and referral counselors. The office of Medicaid may charge the providers of these
1809 benefits for the costs associated with providing such notices and information if such provider's
1810 program is described therein.

1811 SECTION 83E. Said chapter 118E is hereby further amended by striking out section 33,
1812 as so appearing, and inserting in place thereof the following section:-

1813 Section 33. No claim for costs of a nursing facility and other long-term care services may
1814 be made by the division under section 31 or 32 if the individual receiving medical assistance was
1815 permanently institutionalized, had notified the division that such individual had no intention to
1816 return home and, on the date of admission to the nursing facility or other medical institution, had
1817 long-term care insurance that, when purchased, met the requirements of 211 C.M.R. 65.00.

1818 SECTION 84. Section 53 of said chapter 118E, as so appearing, is hereby amended by
1819 adding the following sentence:- To the extent permitted by the demonstration program approved
1820 under 42 U.S.C. 1315(a), covered services in the MassHealth Basic and MassHealth Essential
1821 programs shall include hospice services to the extent such services are covered in the
1822 MassHealth Standard program.

1823 SECTION 84A. Section 2 of chapter 118H of the General Laws, as so appearing, is
1824 hereby amended by adding the following paragraph:-

1825 The commonwealth care health insurance program shall provide, as a benefit to
1826 participants in the program, coverage for the cost of smoking and tobacco use cessation
1827 treatment and information. Smoking and tobacco use cessation treatment and information shall
1828 include nicotine replacement therapy and other evidence-based pharmacological aids to quitting
1829 smoking and accompanying counseling by a physician, certified tobacco use cessation counselor
1830 or other qualified clinician.

1831 SECTION 85. The General Laws are hereby amended by inserting after chapter 118H
1832 the following chapter:-

Chapter 118I

Childhood Vaccine Program

Section 1. As used in this chapter the following words shall, unless the context clearly requires otherwise, have the following meanings:

"Child or children", an individual or individuals less than 19 years of age.

"Clinician", a health care professional licensed under chapter 112.

"Estimated vaccine cost", the estimated cost over the course of a fiscal year for the purchase, storage and distribution of vaccines for all children in the commonwealth.

"Facility", a hospital, clinic or nursing home licensed under chapter 111 or a home health agency.

"Health care provider", a clinician, a facility or a physician group practice.

"Insured", an enrollee, covered person, member, policyholder, subscriber or beneficiary of a surcharge payor.

"Participating provider", a provider who, under a contract with a surcharge payor or with its contractor or subcontractor, has agreed to provide health care services to insureds with an expectation of receiving payment, other than coinsurance, copayments or deductibles, directly or indirectly, from the carrier.

"Physician group practice", 2 or more physicians who deliver patient care, make joint use of equipment and personnel and by agreement divide income earned by the physicians in the group.

"Routine childhood immunizations", immunizations for children until their nineteenth birthday including, but not limited to: (1) the immunizations recommended by the federal Vaccines for Children Program; and (2) any immunizations recommended by the Advisory Committee on Immunization Practices of the United States Department of Health and Human Services.

"Surcharge payors", those entities defined as surcharge payors under section 34 of chapter 118G, whose assessment may be collected in a manner consistent with said chapter 118G.

"Total non-federal program cost", the estimated annual cost of vaccines needed for routine childhood immunizations for children covered by surcharge payors in the commonwealth less the amount of federal revenue available to the commonwealth for purchase, storage, distribution and administration of such vaccines.

"Vaccine Purchase Trust Fund", a fund to support a universal purchase system for childhood vaccines in the commonwealth.

Section 2. There shall be established in the commonwealth a separate trust fund to be known as the Vaccine Purchase Trust Fund to support a universal purchase system for childhood

1869 vaccines in the commonwealth. The specific purpose of the fund shall be to cover the costs to
1870 purchase, store and distribute vaccines for routine childhood immunizations and to administer
1871 the fund and the Massachusetts immunization registry, established under section 24M of chapter
1872 111. The fund shall consist of all monies paid to the commonwealth under section 4 and any
1873 interest earnings on such monies. The fund shall be maintained by the commissioner of health
1874 care finance and policy or a designee. The monies shall be expended under the direction of the
1875 department of public health, without prior appropriation, solely for the purposes of covering total
1876 non-federal program costs; provided, however, that the amount to be expended for storing and
1877 distributing vaccines for routine childhood immunizations, if such costs are not covered by
1878 federal contribution, and for the costs of administering the Massachusetts immunization registry,
1879 shall not exceed 10 per cent of the total amount of the fund expended for the purchase of
1880 vaccines needed for routine childhood immunizations for all children in the commonwealth.
1881 Any balance in the fund at the close of a fiscal year shall be available for expenditure in
1882 subsequent fiscal years and shall not be transferred to any other fund or revert to the General
1883 Fund. The commissioner of health care finance and policy or a designee shall report annually to
1884 the house and senate committees on ways and means the amount of funds collected and any
1885 expenditures made from the fund.

1886 Section 3. There shall be established a vaccine purchase advisory council consisting of
1887 the commissioner of public health or a designee, who shall serve as chair; the medical director of
1888 the Massachusetts immunization program of the department of public health; the commissioner
1889 of health care finance and policy or a designee; the executive director of the commonwealth
1890 health insurance connector authority or a designee; 3 persons to be appointed by the
1891 commissioner of insurance, each of whom shall be a representative of 1 of the 3 health insurance
1892 companies having the most insured lives in the commonwealth; and 8 persons to be appointed by
1893 the commissioner of public health, 1 of whom shall be a representative of an employer that self-
1894 insures for health coverage who shall be appointed from lists of nominees submitted by statewide
1895 associations of employers, 1 of whom shall be a representative of the pharmaceutical
1896 manufacturing industry with expertise in researching, developing and manufacturing vaccines, 1
1897 of whom shall be a member of the Massachusetts Medical Society, 1 of whom shall be a member
1898 of the Massachusetts Chapter of the American Academy of Pediatrics, 1 of whom shall be a
1899 member of the Massachusetts Academy of Family Physicians, and 3 of whom shall be physicians
1900 licensed to practice in the commonwealth and who shall have expertise in the area of childhood
1901 vaccines. The council shall recommend the types of vaccines to be purchased based on a list of
1902 routine childhood immunizations and shall take into account provider preference, cost,
1903 availability and other factors as determined by the council. The council shall recommend the
1904 amount of funding needed each fiscal year by calculating the total non-federal program cost.
1905 The commissioner of public health shall determine the final vaccines to be purchased.

1906 Section 4. The commissioner of health care finance and policy shall determine the final
1907 amount required to be included in the Vaccine Purchase Trust Fund for the next fiscal year to
1908 cover the estimated vaccine cost pursuant to this chapter and shall annually provide surcharge
1909 payors notice of the assessment amount for the trust fund year not later than January 1.

1910 Under regulations adopted by the commissioner of health care finance and policy, each
1911 surcharge payor in the commonwealth shall pay to the commissioner of health care finance and
1912 policy, for deposit in the Vaccine Purchase Trust Fund, a routine childhood immunizations

1913 surcharge assessed by the commissioner; provided, however, that the amount of the routine
1914 childhood immunizations surcharge assessed to cover the costs for storing and distributing such
1915 vaccines, if such costs are not covered by federal contribution, and for the costs of administering
1916 the Massachusetts immunization registry, shall not exceed 10 per cent of the amount of the
1917 routine childhood immunizations surcharge assessed to cover the purchase of vaccines needed
1918 for routine childhood immunizations for all children in the commonwealth. The regulations shall
1919 establish dates for assessing and payment of such surcharge and shall permit and enable
1920 expenditure of funds by the department of public health. The annual contribution into the trust
1921 fund shall be deposited annually by July 1. Such surcharge shall be a percentage of the final
1922 amount determined by the commissioner of health care finance and policy pursuant to this
1923 section. Notwithstanding the foregoing, the commissioner of health care finance and policy shall
1924 not increase the total amount of the surcharge more than 4 per cent over the previous fiscal year
1925 unless the commissioner of health care finance and policy, in consultation with the commissioner
1926 of public health, submits a detailed report to the legislature explaining the need for such increase;
1927 provided, however, that in fiscal year 2014, the commissioner of health care finance and policy
1928 shall not increase the total amount of the surcharge more than 7 per cent over item 4580-1000 in
1929 the fiscal year 2013 general appropriations act, plus any supplemental fiscal year 2013 funding to
1930 said item 4580-1000, unless the commissioner of health care finance and policy, in consultation
1931 with the commissioner of public health, submits a detailed report to the legislature explaining the
1932 need for such increase; and provided further, that in state fiscal year 2015, the commissioner of
1933 health care finance and policy shall not increase the total amount of the surcharge more than 7
1934 per cent over the fiscal year 2014 surcharge amount unless the commissioner of health care
1935 finance and policy, in consultation with the commissioner of public health, submits a detailed
1936 report to the legislature explaining the need for such increase. If the reason for such increase is
1937 due to the purchase of new vaccines, as recommended by the vaccine purchase advisory council,
1938 such report shall include an analysis of cost savings generated by use of the state vaccine
1939 purchasing discount.

1940 Section 5. The department of public health may adopt rules and regulations as necessary
1941 to implement the universal purchase and distribution system in accordance with this chapter and
1942 other applicable state and federal laws. The rules and regulations shall establish the system by
1943 which vaccines are distributed for children in the commonwealth.

1944 Section 6. Every surcharge payor, to the extent not preempted by federal law, shall
1945 provide benefits for: (i) routine childhood immunizations for Massachusetts residents; and (ii)
1946 immunizations for Massachusetts residents who are 19 years of age and older according to the
1947 most recent schedules recommended by the Advisory Committee on Immunization Practices of
1948 the United States Department of Health and Human Services. These benefits shall be exempt
1949 from any copayment, coinsurance, deductible or dollar limit provisions in the health insurance
1950 policy or contract.

1951 SECTION 85A. Section 32 of chapter 121B of the General Laws, as appearing in the
1952 2010 Official Edition, is hereby amended by adding the following paragraph:-

1953 Notwithstanding any general or special law or rule or regulation to the contrary, an
1954 applicant for assisted housing under this chapter who is not eligible for federal assisted housing
1955 under 42 U.S.C. section 1436a or who is not a person residing in the United States under color of

law as provided in section 16D of chapter 118E shall not be given priority over or otherwise displace an applicant who has such status.

SECTION 85B. Section 38B of chapter 127 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the word “correction”, in lines 5 and 15, each time it appears, the following words:- , trial court detention facility.

SECTION 85C. Section 32 of chapter 128 of the General Laws, as so appearing, is hereby amended by striking out, in lines 16 and 17, the words “, which in no case shall exceed five dollars per registrant, regardless of the number of colonies so registered by him”.

SECTION 85D. Section 35 of said chapter 128, as so appearing, is hereby amended by striking out, in line 17, the words “two hundred and fifty dollars” and inserting in place thereof the following figure:- $2,000.

SECTION 85E. Section 26B of chapter 129 of the General Laws, as so appearing, is hereby amended by adding the following sentence:- The secretary of administration and finance may set reasonable fees for any testing or inspections under this section.

SECTION 85F. Section 2 of chapter 132B of the General Laws, as so appearing, is hereby amended by inserting after the definition of “Pesticide”, the following definition:– “Pesticide dealer”, a person licensed as a pesticide sales dealer and a pesticide company dealer as may be further regulated by the department.

SECTION 85G. Section 15F of chapter 138 of the General Laws, as so appearing, is hereby amended by adding the following paragraph:-

A special license under this section may be granted by the local licensing authorities for a portion of premises that are licensed under section 12 provided that: (i) the special licensee documents the legal basis for use of the section 12 licensed premises; (ii) the area in which a special license is approved shall be physically delineated from the area remaining under the control of the section 12 license holder; (iii) the holder of the special license shall be solely liable for all activities that arise out of the special license; and (iv) the special license holder shall not pay any consideration, directly or indirectly, to the section 12 license holder for the access to or use of the section 12 licensee’s premises.

SECTION 86. Section 36 of chapter 138 of the General Laws, as so appearing, is hereby amended by striking out, in line 2, the words “public health” and inserting in place thereof the following words:- state police.

SECTION 87. Section 37 of said chapter 138, as so appearing, is hereby amended by striking out, in lines 2 and 9, the words "public health" and inserting in place thereof, in each instance, the following words:- state police.

SECTION 88. Section 38 of said chapter 138, as so appearing, is hereby amended by striking out, in line 3, the words “public health” and inserting in place thereof the following words:- state police.

1993 SECTION 88A. Section 2 of chapter 149 of the General Laws, as appearing in the 2010
1994 Official Edition, is hereby amended by adding the following paragraph:-

1995 The attorney general shall continue to be available to receive reports of suspected
1996 violations of this chapter, including sections 19C and 26 relative to immigration status and wage
1997 laws and for violations of 8 U.S.C. section 1324a relative to the employment of individuals in
1998 violation of federal immigration laws. All complaints, whether received in writing, electronically
1999 or in any other form shall be documented and may be investigated as appropriate by the attorney
2000 general to the extent permitted by federal law. The attorney general shall promulgate regulations
2001 or written policies providing criteria for investigation of complaints relating to sections 19C and
2002 26 relative to immigration status and wage laws and for violations of 8 U.S.C. section 1324a
2003 relative to the employment of individuals in violation of federal immigration laws and shall make
2004 them available on a public website by July 31, 2013.

2005 SECTION 88B. Section 19C of said chapter 149, as so appearing, is hereby amended by
2006 striking out the third paragraph and inserting in place thereof the following paragraph:-

2007 Any person who violates this section or who knowingly utilizes a false identification
2008 document to solicit, secure or maintain employment from a public employer shall be punished by
2009 a fine of not more than $500 nor less than $200 or by imprisonment in the jail or house of
2010 correction for not more than 1 year.

2011 SECTION 89. Chapter 149 of the General Laws is hereby amended by inserting after
2012 section 33E the following section:-

2013 Section 33F. (a) An employee of the commonwealth or an employee of a county, city or
2014 town that accepts this section may take a leave of absence, without loss of pay, of not more than
2015 5 days to undergo the medical procedure and associated physical recovery time due to
2016 participation in a bone marrow donor program.

2017 (b) If the necessity for leave under this section is foreseeable, the employee shall provide
2018 the employer with not less than 7 days' notice before the leave is to begin. If the necessity for
2019 leave is not foreseeable, the employee shall provide such notice as is practicable.

2020 (c) An employer may require that a request for leave under this section be supported by a
2021 certification issued at such time and in such manner as the attorney general may by regulation
2022 require.

2023 (d) The attorney general shall enforce this section, and may obtain injunctive or
2024 declaratory relief for this purpose. Violation of this shall be subject to the second paragraph of
2025 section 150 and to section 180.

2026 SECTION 90. Section 150 of said chapter 149, as appearing in the 2010 Official Edition,
2027 is hereby amended by inserting after the figure "33E", in line 20, the following figure:- , 33F.

2028 SECCTION 90A. Section 25 of chapter 151A of the General Laws, as so appearing, is
2029 hereby amended by adding the following subsection:-

2030 (k) The department of unemployment assistance shall promulgate regulations providing
2031 that any employee discharged for deliberate misconduct consisting of: (i) stealing from such
2032 employee's place of employment; (ii) illegal drug use while at work; or (iii) drunkenness while
2033 at work shall be determined to be ineligible for benefits without regard to whether or not the
2034 employer had a written policy against such conduct.

2035 SECTION 90B. Section 4 of chapter 157B of the General Laws, as so appearing, is
2036 hereby amended by inserting after the definition of "by-laws" the following definition:-

2037 "Community of interest", a cooperative corporation or corporation organized as a
2038 cooperative under the General Laws for the purpose of providing or furnishing residential
2039 housing for a communal purpose; provided however, that a statement of communal purpose, in
2040 sufficient detail so that a reasonable person may understand such purpose, shall be included in
2041 the original articles of organization of such corporation or added to the articles of the corporation
2042 as set forth in clause (g) of section 10 by amendment approved by 60 per cent of the
2043 stockholders.

2044 SECTION 90C. Section 10 of said chapter 157B, as so appearing, is hereby amended by
2045 striking out clause (g) and inserting in place thereof the following clause:-

2046 (g) standards for eligibility to become a stockholder; provided, however, that such
2047 standards shall reasonably relate to: (1) the capacity to satisfy the stockholder's financial and
2048 maintenance obligations with respect to the property; (2) eligibility requirements for financial
2049 subsidy programs; (3) the creation of the housing cooperative as a community of interest
2050 provided, however, that a detailed statement of the communal purpose and eligibility standards
2051 of the community of interest shall be contained within the articles of organization of the
2052 corporation; or (4) requirements with respect to elderly living communities; provided, however,
2053 that such standards for eligibility shall not be discriminatory in intent or application and shall
2054 comply with section 4 of chapter 151B; and provided further, that this clause shall govern
2055 cooperative housing arrangements formed under this chapter or otherwise.

2056 SECTION 90D. Section 34A of chapter 164 of General Laws, as so appearing, is hereby
2057 amended by inserting after the word "town", in line 1, the following words:- or any other public
2058 or quasi public agency or entity.

2059 SECTION 90E. Said section 34A of said chapter 164, as so appearing, is hereby further
2060 amended by inserting after the word "municipality", in lines 3, 7, 12, 12 and 13, 21, 29, 31, 35,
2061 37, 40, 42, 44, 48, 52, 57, 60, 65, 67, 70 and 72, each time it appears, the following words:- or
2062 any other public or quasi public agency or entity.

2063 SECTION 90F. Chapter 175 of the General Laws is hereby amended by inserting after
2064 section 19W the following 3 sections:-

2065 Section 19X. (a) A mutual company, as defined in section 19G, shall provide clear,
2066 concise and understandable disclosure of all compensation awarded to, earned by or paid to the
2067 named executive officers or directors designated in subsection (b). A mutual company shall
2068 conspicuously publish such disclosure in a format readily accessible to members.

2069 (b) For the purposes of this section and section 19Z, a "named executive officer or
2070 director" shall mean: (i) a person serving as a company's principal or chief executive officer or
2071 acting in a similar capacity during the last completed fiscal year regardless of compensation
2072 level; (ii) a person serving as a company's principal or chief financial officer or acting in a
2073 similar capacity during the last completed fiscal year regardless of compensation level; (iii) a
2074 company's 3 most highly compensated executive officers, other than the chief executive officer
2075 and chief financial officer, who were serving as executive officers at the end of the last
2076 completed fiscal year; (iv) up to 2 additional persons for whom disclosure would have been
2077 provided under clause (iii) but for the fact that the individual did not serve as an executive officer
2078 of the company at the end of the last completed fiscal year; and (v) a company's directors.

2079 Section 19Y. (a)(1) A majority of directors at a mutual company, as defined in section
2080 19G, shall be independent directors.

2081 (2) No director shall qualify as independent unless the board of directors affirmatively
2082 determines that the director has no direct material relationship with the mutual company and is
2083 not a partner, shareholder or other officer of an organization that has a material relationship with
2084 the company.

2085 (b) (1) A mutual company shall have a compensation committee composed entirely of
2086 independent directors.

2087 (2) The compensation committee shall have a written charter stating the committee's
2088 purpose and responsibilities which, at a minimum, shall be to have the direct responsibility to:

2089 (i) review and approve the mutual company's goals and objectives relevant to the
2090 chief executive officer's compensation, evaluate the chief executive officer's performance in
2091 light of those goals and objectives and, either as a committee or together with the other
2092 independent directors, determine and approve the chief executive officer's compensation level
2093 based on this evaluation; and

2094 (ii) make recommendations to the board with respect to non-chief executive
2095 officer compensation and incentive compensation and equity based plans that are subject to
2096 board approval.

2097 (c) The commissioner shall promulgate regulations utilizing industry best practices to
2098 define the term "independent" as used in this section; provided, however, that a director shall not
2099 be considered independent if the director: (i) is or has been ,within the last 3 years, an employee
2100 of the mutual company or an immediate family member is or has been, within the last 3 years, an
2101 executive officer of the mutual company; (ii) has received or has an immediate family member
2102 who has received, during any 12-month period within the last 3 years, more than $120,000 in
2103 direct compensation from the mutual company, other than director and committee fees and
2104 pension or other forms of deferred compensation for prior service, provided that such
2105 compensation is not contingent in any way on continued service; (iii) is a current employee or an
2106 immediate family member is a current executive officer of a company that has made payments
2107 to, or received payments from, the mutual company for property or services in an amount which,
2108 in any of the last 3 fiscal years, exceeds the greater of $1,000,000 or 2 per cent of such other
2109 company's consolidated gross revenues; or (iv) is, or an immediate family member is, or has

2110 been within the last 3 years, employed as an executive officer of another company for which any
2111 of the mutual company's present executive officers at the same time serves or served on that
2112 company's compensation committee.

2113 (d) The commissioner shall update the regulations as necessary.

2114 Section 19Z. The commissioner shall promulgate regulations requiring that a mutual
2115 holding company, at least once every 3 years, shall include with a proxy, consent, authorization,
2116 solicitation or notice of the annual meeting of a mutual holding company a separate resolution
2117 subject to a nonbinding vote to approve or disapprove the compensation of the named executive
2118 officers or directors.

2119 SECTION 90G. Section 3 of chapter 175H of the General Laws, as appearing in the
2120 2010 Official Edition, is hereby amended by striking out, in line 1, the word "Any" and inserting
2121 in place thereof the following word:- (a) Any.

2122 SECTION 90H. Said section 3 of said chapter 175H, as so appearing, is hereby further
2123 amended by inserting after word "rebate", in line 7, the following words:- , except as provided in
2124 subsection (b).

2125 SECTION 90I. Said section 3 of said chapter 175H, as so appearing, is hereby further
2126 amended by adding the following 3 subsections:-

2127 (b)(1) This section shall not apply to a discount or free product vouchers that a retail
2128 pharmacy provides to a consumer in connection with a pharmacy service, item or prescription
2129 transfer offer or to any discount, rebate, product voucher or other reduction in an individual's
2130 out-of-pocket expenses, including co-payments and deductibles, on: (i) a biological product as
2131 defined in section 351 of the Public Health Service Act, 42 USC 262; or (ii) a prescription drug,
2132 as defined in section 1 of chapter 111N, provided by a pharmaceutical manufacturing company
2133 that is made available to an individual if the discount, rebate, product voucher or other reduction
2134 is provided directly or electronically to the individual or through a point of sale or mail-in rebate
2135 or through similar means; provided, however, that a pharmaceutical manufacturing company
2136 shall not exclude nor favor any pharmacy in the redemption of such discount, rebate, product
2137 voucher or other expense reduction offer to a consumer.

2138 (2) Pharmaceutical manufacturing companies are prohibited from offering any discount,
2139 rebate, product voucher or other reduction in an individual's out-of-pocket expenses, including
2140 co-payments and deductibles, for any prescription drug that has an AB rated generic equivalent
2141 as determined by the United States Food and Drug Administration.

2142 (3) If a discount, rebate, product voucher or other reduction in an individual's out-of-
2143 pocket expenses is applied to a consumer's prescription, the discount, rebate, product voucher or
2144 other cost reduction shall be made available for all renewals thereof. A consumer alleging a
2145 violation of this paragraph shall contact the department of public health or the office of consumer
2146 affairs and business regulation to report the violation. If the department finds a violation of this
2147 paragraph, the pharmaceutical manufacturer or any intermediary which interfered with the
2148 availability of the discount, rebate, product voucher or other cost reduction shall make the
2149 discount, rebate, product voucher or other cost reduction available to the consumer for the life of

2150 the prescription and such pharmaceutical manufacturer or intermediary shall pay a fine of not
2151 more than $1,000 to the department of public health.

2152 (c) Subsection (b) shall not: (i) restrict a pharmaceutical manufacturing company with
2153 regard to how it distributes a prescription drug, biologic or vaccine; or (ii) restrict a carrier or a
2154 health maintenance organization, as defined in section 1 of chapter 118G, with regard to how its
2155 plan design will treat such discounts, rebates, product voucher or other reduction in out-of-
2156 pocket expenses; or (iii) affect in any way the obligations of practitioners and pharmacists under
2157 the generic substitution statute as defined in section 12D of chapter 112.

2158 (d) For purposes of the federal Health Insurance Portability and Accountability Act of
2159 1996, hereinafter referred to as HIPAA, and regulations promulgated under HIPAA, nothing in
2160 this section shall require or allow the use or disclosure of health information in any manner that
2161 does not otherwise comply with HIPAA or regulations promulgated under HIPAA.

2162 SECTION 90J. Subsection (c) of section 6 of chapter 176J, as so appearing, is hereby
2163 amended by striking out the fourth sentence and inserting in place thereof the following
2164 sentence:- Any rates of reimbursement or rating factors included in the rate filing materials
2165 submitted for review by the division shall be deemed confidential and exempt from the definition
2166 of public records in clause Twenty-sixth of section 7 of chapter 4.

2167 SECTION 90K. Said section 6 of said chapter 176J, as amended by section 20 of chapter
2168 142 of the acts of 2011, is hereby further amended by adding the following subsection:

2169 (g) For the purposes of rate development and for calculating the aggregate medical loss
2170 ratio for rate filings under this section, a carrier may calculate projected and reported per member
2171 per month revenues and projected and reported claim costs for small group health plans subject
2172 to this chapter on an aggregated basis for all affiliated companies within a parent corporation or
2173 holding company that offer such plans.

2174 SECTION 90L. Section 3 of chapter 176Q of the General Laws, as appearing in the 2010
2175 Official Edition, is hereby amended by striking out, in lines 84 and 85, the words “the board
2176 deems necessary to implement chapters 111M, 118G and 118H” and inserting in place thereof
2177 the following words:- , departments, commissions, authorities or political subdivisions the board
2178 considers necessary or appropriate to implement chapters 111M, 118E, 118G 118H and this
2179 chapter.

2180 SECTION 90M. Said section 3 of said chapter 176Q, as so appearing, is hereby further
2181 amended by adding the following clause:-

2182 (u) to enter into contracts or agreements, at the board’s discretion, with state departments,
2183 agencies, commissions, authorities or political subdivisions or with any individuals, groups,
2184 nonprofit or not-for-profit corporations, organizations or associations seeking affordable health
2185 insurance; provided, however, that the connector shall serve as an agent or advisor to assist with
2186 or procure health insurance for such entities or persons. The board shall give preference to
2187 assisting nonprofit or not-for-profit corporations or individuals, groups, organizations or
2188 associations seeking the connector’s assistance for populations that have been historically
2189 uninsured or underinsured.

SECTION 90N. Said chapter 176Q is hereby further amended by striking out section 7A, as so appearing, and inserting in place thereof the following section:-

Section 7A. (a) There shall be a small group wellness incentive pilot program to expand the prevalence of employee wellness initiatives by small businesses. The program shall be administered by the connector board, in consultation with the department of public health. The program shall provide subsidies and technical assistance for eligible small groups to implement evidence-based employee health and wellness programs to improve employee health, decrease employer health costs and increase productivity.

(b) An eligible small group shall be qualified to participate in the program if:

(1) the eligible small group purchases group coverage through the connector;

(2) the eligible small group enrolls in an evidence-based, employee wellness program offered through the connector;

(3) the eligible small group meets certain minimum criteria, as determined by the connector board; and

(4) the eligible small group meets certain minimum employee participation requirements in the qualified wellness program, as determined by the connector board, in collaboration with the department of public health.

(c) For eligible small groups participating in the program, the connector shall provide an annual subsidy not to exceed 15 per cent of eligible employer health care costs as calculated by the connector board. If the director determines that funds are insufficient to meet the projected costs of enrolling new eligible employers, the director shall impose a cap on enrollment in the program.

(d) The connector shall report annually to the joint committee on community development and small business, the joint committee on health care financing and the house and senate committees on ways and means on the enrollment in the small business wellness incentive program and evaluate the impact of the program on expanding wellness initiatives for small groups.

(e) The connector shall adopt regulations to implement this section.

SECTION 90O. Chapter 209A of the General Laws is hereby amended by adding the following section:-

Section 11. (a) Whenever the court issues a temporary or permanent vacate, stay away, restraining or no contact order or a judgment under section 18, 34B or 34C of chapter 208, section 32 of chapter 209, section 3, 4 or 5 of this chapter, section 15 or 20 of chapter 209C or section 3, 4, 5, 6 or 7 of chapter 258E or a temporary restraining order or a preliminary or permanent injunction relative to a domestic relations, child custody, domestic abuse or abuse prevention proceeding, the court may order the possession, care and control of any domesticated animal owned, possessed, leased, kept or held by either party or by a minor child residing in the household to the plaintiff or petitioner. The court may order the defendant to refrain from

abusing, threatening, taking, interfering with, transferring, encumbering, concealing, harming or otherwise disposing of such animal.

(b) A party to any of the proceedings listed in subsection (a) may petition the court for an order authorized by subsection (a).

(c) Whenever the court issues a warrant for a violation of a temporary or permanent vacate, stay away, restraining or no contact order or of a judgment issued under section 18, 34B or 34C of chapter 208, section 32 of chapter 209, section 3, 4 or 5 of this chapter, section 15 or 20 of chapter 209C or section 3, 4, 5, 6 or 7 of chapter 258E or otherwise becomes aware that an outstanding warrant for such a violation has been issued against a person before the court, the judge may make a finding, based upon the totality of the circumstances, as to whether there exists an imminent threat of bodily injury to any party to the judgment or to the petitioner of any such protective order, a member of the petitioner's family or household or to a domesticated animal belonging to any such petitioner or to a member of the petitioner's family or household. If the court makes a finding that such an imminent threat of bodily injury to a person or domesticated animal exists, the court shall notify the appropriate law enforcement officials of such finding and such law enforcement officials shall take all necessary actions to execute such outstanding warrant as soon as is practicable.

SECTION 91. The third sentence of subsection (c) of section 2A of chapter 211D of the General Laws, as appearing in section 112 of chapter 68 of the acts of 2011, is hereby amended by striking out the word "may" and inserting in place thereof the following word:- shall.

SECTION 92. The fifth sentence of said subsection (c) of said section 2A of said chapter 211D, as so appearing, is hereby further amended by inserting after the words "chief probation officer" the following words:- or the officer's designee.

SECTION 93. The third sentence of subsection (d) of said section 2A of said chapter 211D, as so appearing, is hereby amended by inserting after the words "chief probation officer" the following words:- or the officer's designee.

SECTION 94. Chapter 262 of the General Laws is hereby amended by striking out section 40, as appearing in the 2010 Official Edition, and inserting the place thereof the following section:-

Section 40. The fees of the registers of the probate and family court shall be as follows:

for the filing of an amended or substituted account, for a petition for the allowance of an account, $75;

for the filing of an account, including a common trust fund account, if the gross value accounted for in Schedule A of the account is $1,000 or less, no fee; if the gross value is more than $1,000 but not more than $10,000, $75; provided, however, that the fees shall not exceed $170 regardless of the time covered by the account; if the gross value is $10,000 or more but not more than $100,000, $100 for each year or fraction thereof covered by the account; if the gross value is more than $100,000 but not more than $500,000, $150 for each year or fraction thereof covered by the account; if the gross value is more than $500,000 but not more than $1,000,000, $200 for each year or fraction thereof covered by the account; if the gross value is more than

$1,000,000 but not more than $2,000,000, $400 for each year or fraction thereof covered by the account; if the gross value is more than $2,000,000 but not more than $5,000,000, $750 for each year or fraction thereof covered by the account; if the gross value is more than $5,000,000 but not more than $7,500,000, $1500 for each year or fraction thereof covered by the account; if the gross value is more than $7,500,000 but not more than $10,000,000, $2500 for each year or fraction thereof covered by the account; if the gross value is more than $10,000,000, $3500 for each year or fraction thereof covered by the account;

for the filing of a subsequent bond, demand for sureties, for the filing of a petition for new bond, discharge of surety, modification of bond, reduction of bond, $75;

for the filing of a motion for change of name, in divorce actions during nisi period, $100;

for the filing of a petition for change of name, $150;

for the filing of a foreign conservator sworn statement, $75;

for the removal of a fiduciary, $100;

for the filing of a petition to expand, modify or limit the powers of a conservator, $150;

for the filing of a petition for the appointment of a conservator or for single transaction, $240;

for the issuance of a contempt summons, $5;

for the entry of an action seeking the post-judgment removal of a child from the commonwealth, $50;

for the filing of a complaint for alimony, enforcement of foreign alimony decree, separate support, $100;

for the filing of an action to convey land as if sole, $150;

for marriage of a minor and marriage without delay, $180;

for the filing of a complaint for affirmation of marriage, annulment, divorce, $200;

for the filing of an action for modification relative to child support, custody and visitation, except for those actions filed by the IV-D agency for which there is no filing fee, $50;

for the filing of a complaint to establish paternity or for custody-support-visitation, except for those actions filed by the IV-D agency for which there is no filing fee, $100;

for the filing of a complaint to modify a foreign custody or support decree pursuant to section 29 of chapter 208, except for those complaints filed by the IV-D agency for which there is no filing fee, $100;

for the filing of an action for the modification of a judgment relative to all non-child related issues, $150;

for the issuance of an injunction or temporary restraining order, $100;

for the filing of a complaint in equity related to separate support or the custody or support of minors, $100;

for the filing of a complaint in equity, except such as relates to separate support or the custody or support of minors, $240;

for the filing of a petition to partition, to terminate a trust, for specific performance, for filing a complaint to correct birth record, to restrain a personal representative, to terminate a trust, $240;

for the issuance of a subsequent letter, $25;

for care of a burial lot, erection of monument, $60;

for the filing of a petition to render an inventory or account, petition for approval of a compromise, determination of value, order of complete settlement, for the filing of a closing statement, foreign personal representative sworn statement, small estate closing statement, $75;

for the filing of a will for safekeeping, $75; provided, however, that no additional fee shall be charged for filing a will in substitution of a will previously filed and withdrawn;

for the filing of a petition for public administration, for formal removal of personal representative, for the filing of a statement of voluntary administration, $100;

for the filing of a petition for counsel fees, to vacate a formal order, for a general probate petition, for a general petition, except such as relates to custody or support of minors, for a representation of insolvency, $150;

for the filing of a petition to appoint a receiver of the estate of an absentee, for leave to deposit certain funds, $200;

for the filing of a declaration of common trust fund, $400;

for the filing of a petition to appoint a special personal representative, to appoint a trustee, for a general trust petition, for a formal probate of will, adjudication of intestacy and appointment of personal representative, for formal appointment of successor personal representative, for supervised administration, for an informal probate of will or appointment of personal representative, for informal appointment of successor personal representative, $400;

for the filing of a petition for leave to lease real estate, for leave to mortgage real estate, $75;

for the filing of a petition or application for sale of real or personal estate by any fiduciary if the gross value accounted for is $100,000 or less, $100; if the gross value is more than $100,000 but not more than $250,000, $250; if the gross value is more than $250,000 but not more than $500,000, $500; if the gross value is more than $500,000 but not more than $1,000,000, $750; if the gross value is more than $1,000,000, $1000; and

for the amendment of record except such as relates to separate support, adoption or the custody or support of minors, $60;

Notwithstanding this section, no fee shall be charged for the issuance of a temporary restraining order against a spouse related to a complaint for divorce or separate support, for the filing of a complaint for support of a spouse or child pursuant to section 32F of chapter 209, for the filing of a complaint for abuse protection, for the filing of a petition for disabled abuse, elderly abuse, dispense with consent to adoption, the appointment of a guardian, the resignation or termination of a guardian or conservator, the resignation of any fiduciary, to expand, modify or limit the powers of a guardian, grandparent visitation, payment of deposits, for leave to bring suit on a bond or for registration of foreign custody decree.

SECTION 94A. Chapter 276 of the General Laws is amended by inserting after section 87A the following section:-

Section 87B. (a) Prior to the disposition, the court may divert defendants charged with a first offense for having violated section 8 or 53A of chapter 272 to a first offender prostitution solicitation program. The court shall continue the matter while the defendant fulfills the requirements of the program and retain jurisdiction pending the defendant's completion of the program.

(b) The court shall determine if the defendant is eligible to participate in the first offender prostitution prevention program established in this section. The defendant shall not be eligible if the court determines that;

(1) the defendant was previously convicted or admitted to sufficient facts to warrant a finding of guilty for a violation of section 8 or 53A of chapter 272 or a similar offense under the laws of another state;

(2) the defendant was previously admitted to a first offender prostitution prevention program under this section;

(3) the defendant has been charged with a violation of section 8 or 53A of chapter 272 or a similar offense under the laws of another state and is awaiting adjudication of that charge;

(4) the defendant has been charged with, convicted of or admitted to sufficient facts to warrant a finding of guilty of a violation of section 50 or 51 of chapter 265; or

(5) the defendant is a registered sex offender pursuant to chapter 6 or pursuant to the laws of another jurisdiction;

(c) A first offender prostitution solicitation program established pursuant to this section shall:

(1) provide each participant with information, counseling and services relating to: (i) the negative impact of commercial sex and sex trafficking on victims; (ii) the negative impact of commercial sex and sex trafficking on communities;(iii) the health risks to persons involved in prostitution, including the risk of sexually transmitted diseases and issues relating to mental health, substance abuse and sexual addiction; (iv) the legal consequences to the defendant; and

(v) classroom instruction related to the prevention of prostitution and issues related to organized crimes and the sex industry;

(2) employ persons or solicit volunteers; provided, however, that such persons or volunteers may include, but shall not be limited to: (i) health care professionals; (ii) psychologists; (iii) licensed social worker or counselors; (iv) former prostitutes; (v) members of a neighborhood association or community that is adversely affected by the commercial sex trade or trafficking of persons; or (vi) employees of a nongovernmental organization specializing in advocacy or laws related to sex trafficking or human trafficking or in providing services to victims of those offenses;

(3) establish and publish local procedures to promote maximum participation of eligible defendants in programs established in the county or municipality in which the defendants reside.

(4) allow a participant to withdraw from the program at any time before a trial on the merits has been commenced; and

(5) certify to the court that the defendant has successfully completed the requirements of the program or has failed to complete or has withdrawn from the program.

(d) Upon successful completion of the program, the court shall dismiss the charge against the defendant. Upon dismissal, the court may order the record of the defendant sealed. A dismissal under this section shall be considered a first offense in a subsequent prosecution in determining eligibility under subsection (b).

(e) The court shall assess a fee of $750 for participation in the first offender prostitution solicitation program. The court shall not waive the fee but may reduce the fee based on a determination by probation that the defendant is unable to pay the entire fee. The fee shall be distributed as follows:

(1) 1/3 shall be forwarded to the nonprofit organization certified by the commissioner of probation to conduct the program;

(2) 1/3 shall be deposited in the Victims of Human Trafficking Trust Fund established in section 66A of chapter 10; and

(3) 1/3 to the police department responsible for the arrest of the defendant.

(f) The commissioner of probation in consultation with the Anti-Human Trafficking Task Force shall review each nonprofit organization that operates a first offender prostitution solicitation program and certify that the program is operating pursuant to the requirements set forth in subsection (c). The commissioner shall notify the administrative office of the trial court of all programs receiving such certification. Only programs certified by the commissioner shall qualify to operate a program under this section. The commissioner, at his discretion, may decertify a program for good cause at any time and the commissioner shall notify the administrative office of the trial court of such decertification.

SECTION 94B. Item 0511-0000 of section 2 of chapter 38 of the acts of 1995, is hereby amended by striking out, in lines 19 to 22, inclusive the words “provided further, that the citizen

information service be established by the Massachusetts emergency management agency as the official information service to provide information to citizens during emergency declarations".

SECTION 94C. Section 110 of chapter 205 of the acts of 1996 is hereby amended by inserting after the words " properties", in line 3, the following words:- "; provided, however the Boston police department shall have concurrent jurisdiction with the department of the state police in all Massachusetts Port Authority properties located within the city of Boston except those properties exclusive to maritime and aviation operations, and a memorandum of understanding shall be executed, as appropriate and in the interest of public safety, upon consultation with the Massachusetts Port Authority, between the Massachusetts Port Authority, department of state police and the Boston police department that shall include, but not limited to, procedures involving: (i) assignment of officers; (ii) first responder calls and E911 dispatch; (iii) emergencies occurring on Massachusetts Port Authority properties; (iv) criminal investigations of incidents and crimes; and (v) arrests and processing of individuals taken into custody.

SECTION 95. Subsection (2) of section 95 of chapter 173 of the acts of 2008 is hereby amended by striking out the figure "2013", inserted by section 136 of said chapter 68, and inserting in place thereof the following figure:- 2014.

SECTION 95A. Subsection (a) of section 103 of chapter 182 of the acts of 2008 is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

Notwithstanding sections 40E to 40K, inclusive, and sections 52 to 55, inclusive, of chapter 7 of the General Laws or any other general or special law to the contrary, the division of capital asset management and maintenance, on behalf of and in consultation with the department of conservation and recreation, using such competitive proposal process as the division considers necessary or appropriate, may lease and enter into other agreements, for terms not to exceed 25 years with 1 or more operators, for the Ponkapoag Golf Course in the town of Canton so as to provide for the continued use, operation, maintenance, repair and improvement of the golf courses, practice greens, driving range, restaurant and any other structure and associated lands which constitute the facilities of the Ponkapoag Golf Course; provided, however, that the division of capital asset management and maintenance, in consultation with the department of conservation and recreation, shall give priority to a proposal submitted by the town of Canton or by a nonprofit organization within the town of Canton which complies with the requirements of this section. The division of capital asset management and maintenance shall provide the town of Canton with not less than 120 days to determine whether the town shall submit a proposal before soliciting proposals under subsection (b); and provided further, that if the town of Canton executes a lease of the golf course under this section it shall not assign or otherwise transfer the lease to a third party.

SECTION 95B. Subsection (b) of said section 103 of said chapter 182 is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

If no lease agreement is reached with the town of Canton under subsection (a) before April 1, 2013, the division of capital asset management and maintenance, in consultation with and on behalf of the department of conservation and recreation, shall solicit proposals through a request for proposals which shall include key contractual terms and conditions to be incorporated

into the contract including, but not limited to: (1) a comprehensive list of all recreational facilities operated by the responsive bidder or offeror in the last 4 years; (2) other facilities management or experience of the responsive bidder or offeror; (3) a senior citizens' and children's discount program; (4) reservation policies; (5) proposed reasonable rates that ensure continued public access; (6) required financial audits; (7) policies to encourage use of the golf course by persons of all races and nationalities; (8) safety and security plans; (9) seasonal opening and closing dates; (10) hours of operation; (11) holiday recognition; (12) grievance processes; (13) clubhouse license; (14) a provision that the facility shall be maintained as a 36-hole public golf course; (15) a provision that the lessee shall not construct facilities on the grounds of the golf course or any property appurtenant thereto; provided, however, that the lessee may construct facilities with the written approval of the commissioner of conservation and recreation and the majority vote of the board of selectmen in the town of Canton; and (16) a host community agreement between the designated operator and the town of Canton. Any increase in fees, including fees for season passes and club memberships, and any increase in charges for greens' fees or golf cart or club rentals shall be approved in writing by the commissioner of conservation and recreation; provided, however, that in considering any request for an increase in fees, the commissioner shall consider, without limitation: (i) any capital investment made by the contractor or lessee; (ii) the fees and charges at other public golf courses within reasonable proximity; and (iii) the length of time since the last fee increase.

SECTION 95C. The third paragraph of section 104 of said chapter 182 is hereby amended by striking out the words "General Fund" and inserting in place thereof the following words:- "Blue Hills Reservation Trust Fund under section 34C of chapter 92 of the General Laws".

SECTION 95D. The third paragraph of subsection (a) of section 105 of said chapter 182 is hereby amended by striking out the words "General Fund" and inserting in place thereof the following words:- "Blue Hills Reservation Trust Fund under section 34C of chapter 92 of the General Laws".

SECTION 96. Subsection (b) of section 75 of chapter 303 of the acts of 2008 shall not apply in fiscal year 2013.

SECTION 96A. Section 2 of chapter 354 of the acts of 2008 is hereby amended by striking out the words "December 31, 2012" and inserting in place thereof the following words:- December 31, 2016.

SECTION 97. Section 23 of chapter 5 of the acts of 2009 is hereby amended by striking out the figure "2012", inserted by section 137 of said chapter 68, and inserting in place thereof the following figure:- 2013.

SECTION 98. The first sentence of section 152 of chapter 25 of the acts of 2009 is hereby amended by striking out the figure "2013", inserted by section 138 of said chapter 68, and inserting in place thereof the following figure:- 2014.

SECTION 98A. Section 178 of chapter 131 of the acts of 2010 is hereby amended by striking out the date "January 15, 2011" and inserting in place thereof the following date:- October 1, 2012.

SECTION 99. Section 195 of chapter 131 of the acts of 2010 is hereby amended by striking out the figure “2012”, inserted by section 144 of said chapter 68, and inserting in place thereof the following figure:- 2013.

SECTION 100. Section 124 of chapter 359 of the acts of 2010 is hereby amended by striking out the words "and June 30, 2012", inserted by section 145 of said chapter 68, and inserting in place thereof the following words:- , June 30, 2012 and June 30, 2013.

SECTION 100A. Item 9510-0000 of section 2 of chapter 68 of the acts of 2011 is hereby amended by adding the following words:- ; and provided further, that any funds remaining in this item as of June 30, 2012 shall not revert but shall be available for expenditure until December 31, 2012 at which point they shall revert.

SECTION 101. The second sentence of section 174 of said chapter 68 is hereby amended by striking out the words “shall be responsible for negotiating” and inserting in place thereof the following words:- may negotiate.

SECTION 102. Section 189 of said chapter 68 is hereby amended by striking out the figure “2012” and inserting in place thereof the following figure:- 2013.

SECTION 103. Section 220 of said chapter 68 is hereby amended by striking out the figure “2012” and inserting in place thereof the following figure:- 2013.

SECTION 103A. Subsection (a) of chapter 87 of the acts of 2011 is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

The department of public health, in consultation with the executive office of health and human services, shall adopt regulations for the statewide licensure of adult day health programs. The application fee for the issuance or renewal of an adult day health program license shall be determined annually by the secretary of administration and finance under section 3B of chapter 7 of the General Laws. The license shall not be transferable or assignable and shall be issued only for the premises named in the application.

SECTION 104. Section 94 of chapter 142 of the acts of 2011 is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence:- On July 1, 2012, the comptroller shall transfer $2,000,000 from the General Fund to the Substance Abuse Services Fund to expand inpatient treatment facilities and for ongoing case management for individuals civilly committed under said section 35 of said chapter 123; provided, however, that not later than July 15, 2012, the commissioner shall submit a spending plan for the Substance Abuse Services Fund to the secretary of administration and finance, the house and senate committees on ways and means and the clerks of the house of representatives and the senate; and provided further, that upon receipt of the spending plan the comptroller shall transfer $8,000,000 from the General Fund to the Substance Abuse Services Fund.

THERE IS NO SECTION 105.

SECTION 106. (a) Notwithstanding any general or special law to the contrary, the comptroller shall, on or before June 30, 2013, transfer $290,000,000 to the General Fund from the Commonwealth Stabilization Fund; provided, however, the comptroller shall instead transfer

a lesser amount if the secretary of administration and finance so requests in writing. The comptroller, in consultation with the secretary of administration and finance, may take the overall cash flow needs of the commonwealth into consideration in determining the timing of any transfer of funds. The comptroller shall provide a schedule of transfers to the secretary of administration and finance and to the house and senate committees on ways and means.

(b) Notwithstanding clause (a) of section 5C of chapter 29 of the General Laws or any other general or special law to the contrary, during fiscal year 2013 the comptroller shall not transfer 0.5 per cent of the total revenue from taxes in the preceding fiscal year to the Commonwealth Stabilization Fund, as required by said clause (a). However, upon written certification by the secretary of administration and finance that there are sufficient funds to make some or all of the transfer required under said clause (a), the comptroller shall so transfer the amount certified. The comptroller, in consultation with the secretary of administration and finance, may take the overall cash flow needs of the commonwealth into consideration in determining the timing of any transfer of funds under this subsection. The comptroller shall provide a schedule of transfers to the secretary of administration and finance and to the house and senate committees on ways and means.

(c) Notwithstanding any general or special law to the contrary, the comptroller shall, on or before June 30, 2013, transfer the interest earned from the Commonwealth Stabilization Fund during fiscal year 2013 to the General Fund.

SECTION 107. (a) Notwithstanding any general or special law to the contrary, after complying with clause (a) of section 5C of chapter 29 of the General Laws, the comptroller shall dispose of the consolidated net surplus in the budgetary funds for fiscal year 2012 as follows: (i) transfer $15,000,000 from the General Fund to the Massachusetts Life Sciences Investment Fund established by section 6 of chapter 23I of the General Laws; (ii) transfer $20,000,000 from the General Fund to the Health Care Workforce Transformation Trust Fund established in section 2FFFF of chapter 29 of the General Laws; (iii) transfer $27,200,000 from the General Fund to item 4000-0640 of section 2 for the purposes of establishing additional nursing facility supplemental Medicaid rates and $2,800,000 for incentive payments to nursing facilities meeting the criteria determined in the MassHealth nursing facility pay for performance program established in 114.2 CMR 6.00; and (iv) transfer the remaining balance from the General Fund to the Commonwealth Stabilization fund.

(b) All transfers pursuant to this section shall be made from the undesignated fund balances in the budgetary funds proportionally from the undesignated fund balances; provided, however, that no such transfer shall cause a deficit in any of the funds.

SECTION 108. Notwithstanding any general or special law to the contrary, upon receiving a written request from the secretary of administration and finance, the comptroller shall transfer to the General Fund the unexpended balance of a fund, trust fund or other separate account, in existence on April 1, 2012, whether established administratively or by law, including a separate account established under section 6 of chapter 6A of the General Laws or section 4F of chapter 7 of the General Laws. The request shall certify that the secretary, in consultation with the comptroller, has determined this balance not to be necessary for the purposes for which it was made available. The secretary and comptroller shall report to the house and senate committees on ways and means 45 days prior to any such transfer; provided, however, that the

comptroller may submit to the house and senate committees on ways and means not later than October 1, 2012 an alternative plan to further maximize revenue generation from additional trust fund balance transfers to the General Fund.

SECTION 109. Notwithstanding section 5C of chapter 29 of the General Laws or any other general or special law to the contrary, amounts made available to be used as revenue in fiscal year 2013 in accordance with clause (a) of said section 5C of said chapter 29 shall be made available in the General Fund. To the extent balances in the General Fund are insufficient to carry out said clause (a) of said section 5C of said chapter 29, the amount necessary to meet the requirements of said clause (a) of said section 5C of said chapter 29 shall be made available proportionally from the other budgetary funds.

SECTION 110. Notwithstanding any general or special law to the contrary, when the comptroller disposes of the consolidated net surplus for fiscal year 2013 under subsection (a) of section 5C of chapter 29 of the General Laws, the comptroller shall not carry forward 0.5 per cent of the total revenue from taxes in fiscal year 2013.

SECTION 111. The salary adjustments and other cost items authorized by the 2011 amendments to the following collective bargaining agreements, for the period from July 1, 2011 to June 30, 2014, inclusive, shall be effective for the purposes of section 7 of chapter 150E of the General Laws:

(a) between the commonwealth and the Coalition for Public Safety, Unit 5, at the alcoholic beverages control commission;
(b) between the commonwealth and the Massachusetts Organization of State Engineers and Scientists, Unit 9; and
(c) between the commonwealth and Lottery - SEIU Local 888 (Unit LT1).

SECTION 112. The salary adjustments and other cost items authorized by the 2011 amendments to the following collective bargaining agreements, for the period from July 1, 2011 to June 30, 2014, inclusive, shall be effective for the purposes of section 7 of chapter 150E of the General Laws:

(a) between the Essex sheriff and the International Brotherhood of Correction Officers, for Local R1-27 (Unit SE3);
(b) between the Barnstable sheriff and the National Association of Government Employees, for Local 220 (Unit S5B);
(c) between the Barnstable sheriff and the AFL-CIO Council 93, for Local 1462C (Unit S2B);
(d) between the Barnstable sheriff and the Barnstable Correctional Officers Union (Unit S1B);
(e) between the Barnstable sheriff and the International Brotherhood of Correction Officers, for Local 217 (Unit S3B);
(f) between the Barnstable sheriff and the National Association for Government Employees, for Local 58 (Unit S4B);
(g) between the Dukes sheriff and Massachusetts Correctional Officers Federated Union (Unit SD1);

(h) between the Suffolk sheriff and the and American Federation of State Council and Municipal Employees, for Council 3967 and 3642, Suffolk Captains (Unit SS6 and SS5);

(i) between the Essex sheriff and the Essex correction officers (Unit SE2);

(j) between the board of higher education and the Association of Federal, State, County and Municipal Employees, Council 93, Local 1067 (Unit 106);

(k) between the Berkshire sheriff and the International Brotherhood of Correction Officers/AFL-CIO, Local RI-297 (Unit SB1);

(l) between the Berkshire sheriff and the International Union of Electronic, Electrical, Salaried, Machine and Furniture Workers - Communications Workers of America (Unit SB2);

(m) between the Berkshire sheriff's department and the Berkshire County Sheriff's Office Employees Association (Unit SB3);

(n) between the Suffolk sheriff and the National Association of Government Employees, Local 298 (Unit SS2);

(o) between the Middlesex sheriff and the New England Police Benevolent Association/AFL-CIO, Local 500 (Unit SM5);

(p) between the Norfolk sheriff and the National Association of Government Employees, RI-202 (Unit SN1);

(q) between the Suffolk sheriff and the American Federation of State, County and Municipal Employees/AFL-CIO, Council 93, Local RN (Unit SS3);

(r) between the Plymouth county sheriff and the Massachusetts Correctional Officers Federated Union, Emergency Communications Center Unit (Unit SP5);

(s) between the University of Massachusetts and the International Brotherhood of Police Officers (Unit D84), for the Dartmouth campus;

(t) between the University of Massachusetts and the American Federation of Teachers, Local 1895, AFL-CIO, Educational Services Unit (Unit D85), for the Dartmouth campus;

(u) between the University of Massachusetts and the Massachusetts Society of Professors/Faculty Staff Union/MTA/NEA (Units A50 and B40);

(v) between the University of Massachusetts and the University Staff Association/MTA/NEA (Unit A08), for the Amherst campus;

(w) between the University of Massachusetts and the Non-Exempt Supervisors Unit, Unit B/MTA/NEA (Unit A15), for the Amherst campus;

(x) between the University of Massachusetts and the Professional Staff Union/MTA/NEA (Units A52 and B42), for the Amherst and Boston campuses;

(y) between the University of Massachusetts and the Classified Staff Union/MTA/NEA (Units B31 and B32), for the Boston campus;

(z) between the University of Massachusetts and the American Federation of State, County and Municipal Employees, Local 507, AFL-CIO (Unit D82), for the Dartmouth campus;

(aa) between the University of Massachusetts and the Massachusetts Society of Professors/Lowell/MTA/NEA (Unit L90);

(bb) between the University of Massachusetts and the MTA/NEA Clerical/Technical Unit (Unit L92), for the Lowell campus;

(cc) between the University of Massachusetts and the MTA/NEA Maintenance/Trades Unit (Unit L93), for the Lowell campus;

(dd) between the board of higher education and the Massachusetts Teachers Association/National Education Association Associated Professional Administrators (Unit APA);

(ee) between the board of higher education and the Massachusetts Teachers Association/National Education Association State College Faculty (Unit MSC);

(ff) between the board of higher education and the Massachusetts Teachers Association/National Education Association Associated Massachusetts Community Colleges Council (Unit MCC);

(gg) between the commonwealth and the registry of deeds (Unit SC1-6);

(hh) between the University of Massachusetts and the Amherst Council 93, Local 1776, AFL-CIOs (Unit A01), for the Amherst campus;

(ii) between the University of Massachusetts and the Service Employees International Union, Local 888 (Unit L95), for the Lowell campus; and

(jj) between the Suffolk sheriff and the American Federation of State, County and Municipal Employees for Council 93, Local 419 (Unit SS0).

SECTION 113. Notwithstanding any general or special law to the contrary, the department of revenue may retain and expend an amount equal to the expenses including, but not limited to, expert witness fees, incurred by the department in pursuing litigation or negotiation of potential 1-time tax settlements or judgments for the commonwealth from the amount received from such 1-time tax settlements or judgments with a net value over $1,000,000; provided, however, that the amount retained in each fiscal year shall not exceed $2,000,000. Beginning in calendar year 2013, the amount retained and expended by the department in the previous fiscal year shall be certified by the secretary of administration and finance and submitted to the house and senate committees on ways and means annually not later than July 15.

SECTION 114. (a) Whenever the secretary of administration and finance determines that procurement reforms or initiatives have resulted in cost savings for an agency of the executive department during fiscal year 2013, the secretary may reduce allotments under section 9B of chapter 29 of the General Laws to reflect some or all of the amounts saved; provided, however, that allotment reductions based upon procurement savings shall not exceed $30,000,000 and that within 15 days of reducing allotments the secretary shall notify the house and senate committees on ways and means in writing.

(b) If, as of October 1, 2012, the secretary of administration and finance determines that allotment reductions related to procurement reforms or initiatives in fiscal year 2013 will be insufficient to generate $30,000,000, the secretary may submit to the chairs of the house and senate committees on ways and means a cost saving plan to reduce allotments under said section 9B of said chapter 29; provided, however, that no allotment reductions shall be made under this subsection prior to the submission of a cost savings plan.

(c) The total amount of allotment reductions under this section shall not exceed $30,000,000 in fiscal year 2013.

SECTION 115. Notwithstanding any general or special law to the contrary, not later than June 30, 2013, the treasurer shall transfer $10,000,000 from the eminent domain trust fund

established under section 7D of chapter 79 of the General Laws to the Unclaimed Property Fund established in section 9 of chapter 200A of the General Laws.

SECTION 116. Notwithstanding any general or special law to the contrary, the formula for application of funds provided in section 35J of chapter 10 of the General Laws shall not apply in fiscal year 2013.

SECTION 117. Notwithstanding chapter 66A of the General Laws or any other general or special law to the contrary, the Massachusetts Bay Transportation Authority and the regional transit authorities organized under chapter 161B of the General Laws may provide to the executive office of health and human services personal data relative to customers using the authorities' paratransit services for the purposes of securing federal reimbursement and of administering the MassHealth program.

SECTION 118. (a) Notwithstanding any general or special law to the contrary, the Massachusetts Department of Transportation may incur liabilities and make expenditures in fiscal year 2013 in excess of funds available to the department for snow and ice removal; provided, however, that such expenditures shall be approved by the secretary of transportation in consultation with the secretary of administration and finance; provided further, that no expenses shall be made in excess of funds available until $50,000,000 has been expended for snow and ice removal in fiscal year 2013; provided further, that the negative balance of funds available for snow and ice removal shall not exceed $30,000,000 at any time; and provided further, that the state comptroller may certify for payment invoices in excess of funds available to the department.

(b) The department shall, on or before May 1, 2013, report to the executive office for administration and finance and the house and senate committees on ways and means the total amounts budgeted and expended for snow and ice removal; provided, however, that the department shall seek appropriations, as required, to cure deficiencies resulting from the removal of snow and ice for the fiscal year ending June 30, 2013.

SECTION 119. Notwithstanding clause (xiii) of the third paragraph of section 9A of chapter 211B of the General Laws or any other general or special law to the contrary, the court administrator may, from the effective date of this act through April 30, 2013, transfer funds from any item of appropriation within the trial court to any other item of appropriation within the trial court; provided, however, that a transfer under said clause (xiii) of said section 9A of said chapter 211B shall not occur until 10 days after the revised funding schedules have been submitted in writing to the house and senate committees on ways and means; and provided further that the revised funding schedules shall include: (1) the amount of money transferred from any item of appropriation to any other item of appropriation; (2) the reason for the necessity of the transfer; and (3) the date on which the transfer shall be completed.

SECTION 120. The court administrator may execute a memorandum of understanding with any interested sheriff's office to initiate or expand the use of video conferencing technology to conduct various court proceedings for the purposes of improving courtroom efficiency and decreasing inmate transportation costs. The terms of any such agreement shall specify the types of court appearances that may be conducted by video.

In counties where technology is inadequate to conduct appearances through video conferencing technology, the court administrator and the applicable sheriff's office shall jointly file a proposal with the house and senate committees on ways and means detailing the technological upgrades required to institute video conferencing in that county, the amount of funding needed to implement such video conferencing technology in that county and the availability of federal or private grants for such purposes.

The court administrator and the Massachusetts Sheriff's Association shall, not later than February 15, 2013, file a joint report with the house and senate committees on ways and means and the joint committee on the judiciary detailing the number and locations of facilities and courthouses where video conferencing technology is being utilized, the types of appearances being conducted through the use of the technology, the approximate number of inmate transportation trips to and from court that have been eliminated through the use of the technology, the savings associated with the elimination of such inmate transportation and plans to expand the use of the technology into either additional facilities and courthouses or to additional types of appearances.

SECTION 121. Notwithstanding any general or special law to the contrary, the amounts transferred pursuant to subdivision (1) of section 22C of chapter 32 of the General Laws shall be made available for the commonwealth's Pension Liability Fund established in section 22 of said chapter 32. The amounts transferred pursuant to said subdivision (1) of said section 22C of said chapter 32 shall meet the commonwealth's obligations pursuant to said section 22C of said chapter 32, including retirement benefits payable by the state employees' and the state teachers' retirement systems, for the costs associated with a 3 per cent cost-of-living adjustment pursuant to section 102 of said chapter 32, for the reimbursement of local retirement systems for previously authorized cost-of-living adjustments pursuant to said section 102 of said chapter 32 and for the costs of increased survivor benefits pursuant to chapter 389 of the acts of 1984. The state board of retirement and each city, town, county and district shall verify these costs, subject to the rules adopted by the state treasurer. The state treasurer may make payments upon a transfer of funds to reimburse certain municipalities for pensions to retired teachers, including any other obligations which the commonwealth has assumed on behalf of any retirement system other than the state employees' or state teachers' retirement systems and the commonwealth's share of the amounts to be transferred pursuant to section 22B of said chapter 32 and the amounts to be transferred pursuant to clause (a) of the last paragraph of section 21 of chapter 138 of the General Laws. All payments for the purposes described in this section shall be made only pursuant to distribution of monies from the fund, and any distribution and the payments for which distributions are required shall be detailed in a written report filed quarterly by the secretary of administration and finance with the house and senate committees on ways and means and the joint committee on public service in advance of this distribution. Distributions shall not be made in advance of the date on which a payment is actually to be made. The state board of retirement may expend an amount for the purposes of the board of higher education's optional retirement program pursuant to section 40 of chapter 15A of the General Laws. To the extent that the amount transferred pursuant to said subdivision (1) of said section 22C of said chapter 32 exceeds the amount necessary to adequately fund the annual pension obligations, the excess amount shall be credited to the Pension Reserves Investment Trust Fund, established by subdivision (8) of section 22 of said chapter 32, for the purpose of reducing the unfunded pension liability of the commonwealth.

2792 SECTION 122. (a) Notwithstanding any general or special law to the contrary, upon the
2793 request of the board of selectmen in a town, the city council in a city with a plan E form of
2794 government or the mayor in any other city, the department of revenue may recalculate the
2795 minimum required local contribution, as defined in section 2 of chapter 70 of the General Laws,
2796 in the fiscal year ending June 30, 2013. Based on the criteria established in this section, the
2797 department shall recalculate the minimum required local contribution for a municipality's local
2798 and regional schools and shall certify the amounts calculated to the department of elementary
2799 and secondary education.

2800 (b) A city or town that used qualifying revenue amounts in a fiscal year which are not
2801 available for use in the next fiscal year or that shall be required to use revenues for extraordinary
2802 non school-related expenses for which it did not have to use revenues in the preceding fiscal year
2803 or that has an excessive certified municipal revenue growth factor which is also greater than or
2804 equal to 1.5 times the state average municipal revenue growth factor may appeal to the
2805 department of revenue not later than October 1, 2012, for an adjustment of its minimum required
2806 local contribution and net school spending.

2807 (c) If an appeal is determined to be valid, the department of revenue may reduce
2808 proportionately the minimum required local contribution amount based on the amount of
2809 shortfall in revenue or based on the amount of increase in extraordinary expenditures in the
2810 current fiscal year, but no adjustment to the minimum required local contribution on account of
2811 an extraordinary expense in the budget for the fiscal year ending June 30, 2013, shall affect the
2812 calculation of the minimum required local contribution in subsequent fiscal years. Qualifying
2813 revenue amounts shall include, but not be limited to, extraordinary amounts of free cash, overlay
2814 surplus and other available funds.

2815 (d) If upon submission of adequate documentation, the department of revenue determines
2816 that a municipality's appeal regarding an excessive municipal revenue growth factor is valid, the
2817 department shall recalculate the municipal revenue growth factor and the department of
2818 elementary and secondary education shall use the revised growth factor to calculate the
2819 preliminary local contribution, the minimum required local contribution and any other factor that
2820 directly or indirectly uses the municipal revenue growth factor. Any relief granted as a result of
2821 an excessive municipal revenue growth factor shall constitute a permanent reduction in the
2822 minimum required local contribution.

2823 (e) The board of selectmen in a town, the city council in a city with a plan E form of
2824 government, the mayor in any other city or a majority of the member municipalities of a regional
2825 school district which used qualifying revenue amounts in a fiscal year that are not available for
2826 use in the next fiscal year may appeal to the department of revenue not later than October 1,
2827 2012, for an adjustment to its net school spending requirement. If an appeal is determined to be
2828 valid, the department of revenue shall reduce the net school spending requirement based on the
2829 amount of the shortfall in revenue and reduce the minimum required local contribution of
2830 member municipalities accordingly. Qualifying revenue amounts shall include, but not be limited
2831 to, extraordinary amounts of excess and deficiency, surplus and uncommitted reserves.

2832 (f) If the regional school budget has already been adopted by two-thirds of the member
2833 municipalities then, upon a majority vote of the member municipalities, the regional school
2834 committee shall adjust the assessments of the member municipalities in accordance with the

reduction in minimum required local contributions approved by the department of revenue or the department of elementary and secondary education in accordance with this section.

(g) Notwithstanding clause (14) of section 3 of chapter 214 of the General Laws or any other general or special law to the contrary, the amounts determined pursuant to this section shall be the minimum required local contribution described in chapter 70 of the General Laws. The department of revenue and the department of elementary and secondary education shall notify the house and senate committees on ways and means and the joint committee on education of the amount of any reduction in the minimum required local contribution amount.

(h) If a city or town has an approved budget that exceeds the recalculated minimum required local contribution and net school spending amounts for its local school system or its recalculated minimum required local contribution to its regional school districts as provided in this section, the local appropriating authority shall determine the extent to which the community shall avail itself of any relief authorized by this section.

(i) The amount of financial assistance due from the commonwealth in fiscal year 2013 pursuant to chapter 70 of the General Laws or any other law shall not be changed on account of any redetermination of the minimum required local contribution pursuant to this section.

(j) The department of revenue and the department of elementary and secondary education shall issue guidelines to implement their respective duties pursuant to this section.

SECTION 123. Notwithstanding section 1 of chapter 29D of the General Laws or any other general or special law to the contrary, all payments received by the commonwealth in fiscal year 2013 pursuant to the master settlement agreement in Commonwealth of Massachusetts v. Philip Morris, Inc. et. al., Middlesex Superior Court, No. 95-7378, shall be deposited in the General Fund. Notwithstanding section 3 of said chapter 29D to the contrary, the comptroller shall transfer 100 per cent of the earnings generated in fiscal year 2013 from the Health Care Security Trust, as certified under paragraph (f) of said section 3 of said chapter 29D, to the General Fund.

SECTION 124. Notwithstanding any general or special law to the contrary, the department of elementary and secondary education shall adopt regulations to certify district costs related to transportation of homeless students under the federal McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431 et seq. The department shall adopt the regulations required by this section not later than December 1, 2012.

SECTION 125. Notwithstanding section 22N of chapter 7 of the General Laws or any other general or special law to the contrary, the bureau of purchased services within the operational services division shall set prices in fiscal year 2013 for programs under chapter 71B of the General Laws at the same level calculated for fiscal year 2012, except the prices for those programs for extraordinary relief, as defined by the division's regulations; provided, however, that upon the request of a program, the bureau shall determine the minimum price for out-of-state purchasers by identifying the most recent price calculated for the program and applying the estimated rate of inflation, established by October 1 of each year under said section 22N of said chapter 7, in a compounded manner for each fiscal year following the most recent calculated price. The bureau shall accept and process applications for program reconstruction for fiscal year

2013 to be considered for rate adjustment in fiscal year 2014. Programs for which prices in fiscal year 2012 were lower than the full amount permitted by the operational services division may, in fiscal year 2013, change the full prices calculated for fiscal year 2012.

THERE IS NO SECTION 126.

SECTION 127. Notwithstanding any general or special law to the contrary, no state university or the University of Massachusetts that has voted to adopt an in-state tuition retention program under section 42 of chapter 15A of the General Laws or section 8A of chapter 75 of the General Laws, as applicable, shall be required to honor any waiver or scholarship created after the passage of this act, whether created by legislation, by the board of higher education, by a local board of trustees, by collective bargaining or by any other method, unless a specific appropriation is made by the commonwealth to cover the cost of such scholarship.

SECTION 128. Notwithstanding any general or special law to the contrary, the 3-year student charges plans required under section 42 of chapter 15A and section 8A of chapter 75 of the General Laws shall be submitted to the board of higher education and the University of Massachusetts board of trustees, as applicable, not later than March 1, 2013.

SECTION 129. Not later than October 1, 2012, the commissioner of higher education, in consultation with the secretary of education, the president of the University of Massachusetts and the presidents of the state universities shall submit to the board of higher education a report that includes a review of: (1) the effectiveness of all tuition and fee waivers; (2) the merits and feasibility of changing the name of waivers to “scholarships”; (3) the policies governing and costs related to continuing education programs; and (4) the method by which funds will be appropriated to the University of Massachusetts and the state universities that have approved by majority vote to accept section 8A of chapter 75 of the General Laws or section 42 of chapter 15A of the General Laws to cover the value of tuition and fee waivers authorized by the board of higher education, by the board of trustees of the University of Massachusetts, by the boards of trustees of individual state universities and by the campuses of the University of Massachusetts. The report shall examine the extent to which these waivers are being used by the intended beneficiaries, the cost of these waivers to the state universities, the University of Massachusetts and the commonwealth and the relative benefits of maintaining these waivers as compared to providing additional support to students through the scholarship programs authorized in section 16 of said chapter 15A. The report shall include recommendations to the board relative to the extent to which such waiver programs should be continued, modified, discontinued or replaced by providing additional support to the state scholarship program and further recommendations to enable campuses to alter the proportion of student charges that are represented by tuition and fees such that fees represent no more than 25 per cent of total student charges. The report shall also include any recommendations for pertinent regulatory or statutory changes. When the report is submitted to the board of higher education, copies shall also be provided to the joint committee on higher education, the house and senate committees on ways and means, the board of trustees of the University of Massachusetts and the secretary of education.

THERE IS NO SECTION 130.

SECTION 131. Not later than December 31, 2017, the board of higher education shall submit a report to the joint committee on higher education, the house and senate committees on

ways and means and the secretary of education concerning the effect that tuition retention, as established by sections 35, 43, 46 and 75, has had on the finances of the state universities and the University of Massachusetts under section 42 of chapter 15A of the General Laws or section 8A of chapter 75 of the General Laws, as applicable, on the student enrollments at such institutions and on access thereto. The report may present specific recommendations for amending or repealing provisions of this act, and shall be prepared by the board of higher education in consultation with the boards of trustees.

SECTION 131A. The board of higher education, in consultation with the board of trustees of the University of Massachusetts and the board of trustees of each state university, shall study and make recommendations relative to the best method by which to balance the interests of each participating campus and the commonwealth in regard to the payment of fringe costs. The method shall ensure that the state appropriation of each campus that has elected to participate reflects the tuition retained and includes sufficient funding to allow the participating campus to pay the fringe costs. The board of higher education shall submit its report, together with drafts of legislation, to the secretary of education, the secretary of administration and finance, the joint committee on higher education and the house and senate committees on ways and means not later than December 31, 2012.

SECTION 132. If, as a result of the implementation of sections 35, 43, 46 and 75, the appropriation for a state university or the University of Massachusetts is reduced in a fiscal year, after fiscal year 2013, such institution shall have the authority, notwithstanding any limitations in this act, to increase student charges for that fiscal year in order to recover the full amount of the reduction in its appropriation, subject to the approval of the board of higher education or the University of Massachusetts, as applicable. Any such increase shall be in addition to any annual increase in charges authorized under the institution's 3-year student charges plan under section 42 of chapter 15A or section 8A of chapter 75 of the General Laws, as applicable.

SECTION 133. There shall be a special commission to study and make recommendations regarding community college funding and performance data tracking. The commission shall consist of the commissioner of higher education, who shall serve as the chair; the secretary of education; 3 presidents from the community colleges as chosen by the Massachusetts Community College Council of Presidents; the president of the senate or a designee; the speaker of the house of representatives or a designee; the minority leader of the senate or a designee; the minority leader of the house or a designee; a member of the community colleges faculty chosen by the Massachusetts Teachers Association; and 2 persons to be appointed by the governor from the business community representing 2 different geographic regions of the commonwealth.

In examining community college funding and performance data tracking, the special commission shall consider, but not be limited to considering: (i) accurate community college enrollment data; (ii) institutional performance with respect to clearly defined educational goals and metrics; (iii) incentive grants distributed by the board of higher education; and (iv) innovation and institutional action in support of workforce development.

The commission shall make recommendations on the educational goals and metrics for measuring community college performance and shall consider, but not be limited to considering: (i) the number and rate of completion of degrees and certificates awarded annually; (ii) the number of students taking remedial courses; (iii) the transferability of credits among the

community college, to other training institutions and to 4-year higher education institutions; (iv) alignment of degree and certificate programs with existing and emerging business and industry sectors; (v) post-graduate job placement rates; (vi) proficiency of professional degree curriculum in preparing students for post-graduate success; (vii) collaboration with vocational-technical schools and training programs implemented by the community college and vocational-technical schools; and (viii) collaboration with businesses within the geographic region of the community college.

The first meeting of the commission shall take place within 45 days after the effective date of this act. The commission shall file its report with the board of higher education, the chairs of the senate and house committee on ways and means, the chairs of the joint committee on higher education and the executive office for administration and finance not later than December 31, 2012.

SECTION 134. Notwithstanding any general or special law to the contrary, each community college shall coordinate the procurement of goods and services, consolidation of information technology services and platforms and auditing services with at least 5 other institutions of public higher education. Each community college shall submit a plan to the house and senate committees on ways and means and the secretary of administration and finance on the implementation and costs associated with the consolidation of information technology services and platforms by December 31, 2012; provided, however, that a collaboration of institutions may submit a plan on behalf of all of its members. Each community college shall submit an annual report to the house and senate committees on ways and means and the secretary of administration and finance on the cost reductions and increased efficiencies achieved through the collaboration by December 31.

SECTION 135. Notwithstanding any general or special law to the contrary, the term of a member of the board of trustees of a community college shall not be terminated under section 40 prior to the expiration of a member's term or other vacancy under section 21 of chapter 15A of the General Laws.

SECTION 136. Notwithstanding any general or special law to the contrary, the board of higher education shall, within 120 days after the effective date of this act, establish and issue guidelines and procedures for the search, selection, appointment, compensation, evaluation and removal of the presidents of the community colleges.

SECTION 137. (a) Notwithstanding section 53 of chapter 118E of the General Laws, for fiscal year 2013, the executive office of health and human services may determine the extent to which to include within its covered services for adults the federally-optional dental services that were included in its state plan or demonstration program in effect on January 1, 2002 and the dental services that were covered for adults in the MassHealth basic program as of January 1, 2002; provided, that preventive services, extractions and procedure codes D2330 and D2331 shall be covered dental services; provided, however, that notwithstanding any general or special law to the contrary, at least 90 days before restructuring any MassHealth dental benefits, the executive office shall file a report with the executive office for administration and finance and the house and senate committees on ways and means detailing the proposed changes and the anticipated fiscal impact of such changes.

3003 (b) Notwithstanding subsection (a) of section 6 of chapter 118H of the General Laws, for
3004 fiscal year 2013, medically necessary dental services covered through health insurance plans
3005 procured by the board of the commonwealth health insurance connector authority for any
3006 resident with a household income that does not exceed 100 per cent of the federal poverty level
3007 shall include preventative procedures but shall exclude those categories of services that are not
3008 provided through MassHealth.

3009 SECTION 138. Notwithstanding any general or special law to the contrary, the executive
3010 office of health and human services, acting in its capacity as the single state agency under Title
3011 XIX of the Social Security Act and as the principal agency for all of the agencies within the
3012 executive office and other federally-assisted programs administered by the executive office, may
3013 enter into interdepartmental services agreements with the University of Massachusetts medical
3014 school to perform activities that the secretary of health and human services, in consultation with
3015 the comptroller, determines appropriate and within the scope of the proper administration of said
3016 Title XIX and other federal funding provisions to support the programs and activities of the
3017 executive office. The activities may include: (1) providing administrative services including, but
3018 not limited to, providing the medical expertise to support or administer utilization management
3019 activities, determining eligibility based on disability, supporting case management activities and
3020 similar initiatives; (2) providing consulting services related to quality assurance, program
3021 evaluation and development, integrity and soundness and project management; and (3) providing
3022 activities and services for the purpose of pursuing federal reimbursement or avoiding costs, third-
3023 party liability and recouping payments to third parties. Federal reimbursement for any
3024 expenditures made by the University of Massachusetts medical school relative to federally-
3025 reimbursable services the university provides under these interdepartmental service agreements
3026 or other contracts with the executive office shall be distributed to the university and recorded
3027 distinctly in the state accounting system. The secretary may negotiate contingency fees for
3028 activities and services related to pursuing federal reimbursement or avoiding costs and the
3029 comptroller shall certify these fees and pay them upon the receipt of this revenue, reimbursement
3030 or demonstration of costs avoided. Contracts for contingency fees shall not exceed 3 years and
3031 shall not be renewed without prior review and approval by the executive office for administration
3032 and finance. The secretary shall not pay contingency fees in excess of $40,000,000 for state
3033 fiscal year 2013; provided, however, that contingency fees paid to the University of
3034 Massachusetts medical school under an interagency service agreement for recoveries related to
3035 the special disability workload projects shall be excluded from that $40,000,000 limit for fiscal
3036 year 2013. The secretary of health and human services shall submit to the secretary of
3037 administration and finance and the senate and house committees on ways and means a quarterly
3038 report detailing the amounts of the agreements, the ongoing and new projects undertaken by the
3039 university, the amounts expended on personnel and the amount of federal reimbursement and
3040 recoupment payments that the university collected.

3041 SECTION 139. Notwithstanding any general or special law to the contrary, on or before
3042 October 1, 2012 and without further appropriation, the comptroller shall transfer from the
3043 General Fund to the Health Safety Net Trust Fund, established in section 36 of chapter 118G of
3044 the General Laws, in this section called the fund, the greater of $45,000,000 or one-twelfth of the
3045 total expenditures to hospitals and community health centers required pursuant to this act, for the
3046 purposes of making initial gross payments to qualifying acute care hospitals for the hospital
3047 fiscal year beginning October 1, 2012. These payments shall be made to hospitals before, and in

3048 anticipation of, the payment by hospitals of their gross liability to the fund. The comptroller shall
3049 transfer from the fund to the General Fund on or before June 30, 2013, the amount of the transfer
3050 authorized by this section and any allocation of that amount as certified by the director of the
3051 health safety net office.

3052 SECTION 140. Notwithstanding any general or special law to the contrary, MassHealth
3053 shall, not later than August 1, 2012, file a report with the executive office for administration and
3054 finance and the house and senate committees on ways and means identifying savings initiatives
3055 and cash management strategies that the executive office will pursue in fiscal year 2013 in order
3056 to operate the MassHealth program within the amounts appropriated in items 4000-0430, 4000-
3057 0500, 4000-0600, 4000-0700, 4000-0870, 4000-0875, 4000-0880, 4000-0890, 4000-0895, 4000-
3058 0950, 4000-0990, 4000-1400 and 4000-1405 of this act; provided that MassHealth shall notify
3059 the executive office for administration and finance and the house and senate committees on ways
3060 and means not less than 15 days in advance of any deviation from the planned implementation of
3061 savings initiatives and cash management strategies included in this initial report; and provided
3062 further, that MassHealth shall notify the executive office for administration and finance and the
3063 house and senate committees on ways and means not less than 90 days in advance of
3064 implementing any proposed rate cuts to providers or service cuts to members.

3065 SECTION 141. There is hereby established an advisory committee for the purpose of
3066 arranging for and evaluating an independent analysis of the public and private behavioral health
3067 care services available to the residents of the commonwealth.

3068 The advisory committee shall consist of the chairs of the house and senate committees on
3069 ways and means, the joint committee on health care financing, the joint committee on mental
3070 health and substance abuse, or their designees, 1 member of the minority party to be appointed
3071 by the minority leader of the house of representatives, 1 member of the minority party to be
3072 appointed by the minority leader of the senate; and the secretary of health and human services,
3073 the commissioner of mental health, the commissioner of public health, the commissioner of
3074 insurance, and the director of Medicaid, or their designees; and 1 representative from each of the
3075 following organizations: the Association for Behavioral Healthcare; the Massachusetts
3076 Association of Behavioral Health Systems; the Massachusetts College of Emergency Physicians;
3077 the Massachusetts Hospital Association; the Massachusetts League of Community Health
3078 Centers; the Massachusetts Medical Society; the Massachusetts Psychiatric Society; the
3079 Massachusetts Nurses Association; the Service Employees International Union; AFSCME
3080 Council 93; Blue Cross Blue Shield of Massachusetts; the Massachusetts Association of Health
3081 Plans; Health Law Advocates; the National Alliance on Mental Illness of Massachusetts; and the
3082 Massachusetts Society for the Prevention of Cruelty to Children. The advisory committee shall
3083 be co-chaired by 1 advisory committee senate member designated by the senate president and 1
3084 advisory committee house member designated by the speaker of the house of representatives.

3085 Subject to appropriation and upon the appointment of the co-chairs, the advisory
3086 committee shall: (1) convene upon the call of the co-chairs to commission an independent
3087 consultant to evaluate and analyze the public and private behavioral health care services
3088 available to the residents of the commonwealth. The advisory committee shall advise, direct and
3089 consult with the independent consultant on the execution and completion of the analysis. The
3090 analysis shall include, but not be limited to, an account of the following: (a) the availability of
3091 inpatient and outpatient behavioral health care services, including community based supports; (b)

3092 the inpatient capacity of acute and continuing care beds at public and private psychiatric
3093 facilities, including overall bed availability and bed availability for co-morbid and difficult to
3094 place patients, average length of stay and geographic location; (c) the connection between public
3095 and private behavioral health care services; (d) the payment and reimbursement of behavioral
3096 health care services; (e) the implementation of state and federal mental health parity laws; (f) the
3097 prior authorization and adverse determination requirements related to the coverage of behavioral
3098 health care services; (g) the boarding of behavioral health patients in hospital emergency
3099 departments; (h) the use of direct admissions to inpatient behavioral health care services from a
3100 community-based setting; and (i) a review of the Massachusetts Emergency Services Program;
3101 and (2) convene upon the call of the co-chairs to: (a) advise and consult with the independent
3102 consultant on the completion and implementation of the analysis; and (b) review and make
3103 recommendations to the independent consultant on the preliminary findings of the analysis.

3104 Not later than December 28, 2012, the consultant shall provide to the legislature a report
3105 containing: (i) an assessment of the state's inpatient services provided through the department of
3106 mental health; (ii) an estimate of the appropriate number of inpatient mental health beds given
3107 the current number of community placements; and (iii) the anticipated impact of the closure of
3108 Taunton State Hospital on the mental health needs of the southeastern region of the
3109 commonwealth. Until this report is provided, the department of mental health shall not reduce
3110 the number of inpatient beds at Taunton State Hospital. The independent consultant shall report
3111 to the general court the preliminary results of its analysis by filing the same with the clerk of the
3112 house of representatives and the clerk of the senate on or before April 30, 2013. The independent
3113 consultant shall report to the general court the final results of its analysis by filing the same with
3114 the clerk of the house of representatives and the clerk of the senate on or before November 15,
3115 2013. The advisory committee shall file its recommendations based on the final report of the
3116 independent consultant with the clerk of the house of representatives and the clerk of the senate
3117 on or before December 31, 2013.

3118 SECTION 142. Notwithstanding any general or special law to the contrary, nursing
3119 facility and resident care facility rates effective July 1, 2012 under section 7 of chapter 118G of
3120 the General Laws may be developed using the costs of calendar year 2005.

3121 SECTION 143. Notwithstanding any general or special law to the contrary, the nursing
3122 home assessment established in subsection (b) of section 25 of chapter 118G of the General
3123 Laws shall be sufficient in the aggregate to generate $220,000,000 in fiscal year 2013.

3124 SECTION 144. Notwithstanding any general or special law to the contrary, in hospital
3125 fiscal year 2013, the office of the inspector general may continue to expend funds from the
3126 Health Safety Net Trust Fund, established in section 36 of chapter 118G of the General Laws, for
3127 costs associated with maintaining a pool audit unit within the office. The unit shall continue to
3128 oversee and examine the practices in all hospitals including, but not limited to, the care of the
3129 uninsured and the resulting free charges. The inspector general shall submit a report to the house
3130 and senate committees on ways and means on the results of the audits and any other completed
3131 analyses not later than March 1, 2013. For the purposes of these audits, allowable free care
3132 services shall be defined pursuant to said chapter 118G and any regulations adopted thereunder.

3133 SECTION 145. (a) Notwithstanding any general or special law to the contrary, this
3134 section shall facilitate the orderly transfer of certain employees, proceedings, rules and

regulations, property and legal obligations of the department of public health, as the transferor agency, to the department of state police, as the transferee agency.

(b) Subject to appropriation and chapter 22C of the General Laws, the employees of the laboratories of the department of public health that analyze illicit and seized substances for law enforcement purposes, including those employees who immediately before the effective date of this act hold permanent appointment in positions classified under chapter 31 of the General Laws or have tenure in their positions as provided in section 9A of chapter 30 of the General Laws or do not hold such tenure, or hold confidential positions, are hereby transferred to the department of state police, without interruption of service within the meaning of said section 9A of said chapter 30, without impairment of seniority, retirement or other rights of the employee and without reduction in compensation or salary grade, notwithstanding any change in title or duties resulting from such transfers and without loss of accrued rights to holidays, sick leave, vacation and benefits, and without change in union representation or certified collective bargaining unit as certified by the state labor relations commission or in local union representation or affiliation. Any collective bargaining agreement in effect immediately before the transfer date shall continue in effect and the terms and conditions of employment in that agreement shall continue as if the employees had not been so transferred. The transfer shall not impair the civil service status of any such reassigned employee who immediately before the effective date of this act either holds a permanent appointment in a position classified under said chapter 31 or has tenure in a position pursuant to said section 9A of said chapter 30.

Notwithstanding any general or special law to the contrary, all such employees shall continue to retain their right to collectively bargain under chapter 150E of the General Laws and shall be considered employees of the department of state police for the purposes of said chapter 150E.

Nothing in this section shall be construed to confer upon any employee any right not held immediately before the date of said transfer, or to prohibit any reduction of salary grade, transfer, reassignment, suspension, discharge, layoff or abolition of position not prohibited before such date.

(c) All petitions, requests, investigations and other proceedings appropriately and duly brought before the laboratories of the department of public health that analyze illicit and seized substances for law enforcement purposes or duly begun by such laboratories and pending before them prior to the effective date of this act, shall continue unabated and remain in force, but shall be assumed and completed by the department of state police.

(d) All orders, rules and regulations duly made and all approvals duly granted by the laboratories of the department of public health that analyze illicit and seized substances for law enforcement purposes, which are in force immediately before the effective date of this act, shall continue in force and shall thereafter be enforced, until superseded, revised, rescinded or canceled, in accordance with law, by the department of state police or the department of public health.

(e) All books, papers, records, documents, equipment, buildings, facilities, cash and other property, both personal and real, including all such property held in trust, which immediately before the effective date of this act are in the custody of the laboratories of the department of

public health that analyze illicit and seized substances for law enforcement purposes, shall be transferred to the department of state police, to the extent agreed by both departments.

(f) All duly existing contracts, leases and obligations of the laboratories of the department of public health entered into to enable the analysis of illicit and seized substances for law enforcement purposes shall continue in effect, but shall be assumed by the department of state police. No existing right or remedy of any kind shall be lost, impaired or affected by this act.

(g) All references in any general or special law, regulation, contract or other document to the laboratories of the department of public health that analyze illicit and seized substances for law enforcement purposes or to a principal officer thereof shall be taken to refer to the department of state police or to a principal officer of that department.

SECTION 146. (a) Notwithstanding any general or special law to the contrary, this section shall facilitate the orderly transfer of employees, proceedings, rules and regulations, property and legal obligations of the following functions of state government from the bureau of state office buildings, except for functions related to the operation and maintenance of the state house, as the transferor agency, to the division of capital asset management and maintenance, as the transferee agency.

(b) To the extent that employees of the transferor agency, including those who hold permanent appointment in positions classified under chapter 31 of the General Laws or have tenure in their positions as provided by section 9A of chapter 30 of the General Laws or do not hold such tenure, or hold confidential positions, are transferred to the respective transferee agency, such transfers shall be effected without interruption of service within the meaning of said section 9A of said chapter 30 without impairment of seniority, retirement or other rights of the employee and without reduction in compensation or salary grade, notwithstanding any change in title or duties resulting from such reorganization, and without loss of accrued rights to holidays, sick leave, vacation and benefits, and without change in union representation or certified collective bargaining unit as certified by the state division of labor relations or in local union representation or affiliation. Any collective bargaining agreement in effect immediately before the transfer date shall continue in effect and the terms and conditions of employment therein shall continue as if the employees had not been so transferred. The reorganization shall not impair the civil service status of any such reassigned employee who immediately before the effective date of this section 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.

Notwithstanding any other general or special law to the contrary, all such employees shall continue to retain their right to collectively bargain under chapter 150E of the General Laws and shall be considered employees for the purposes of said chapter 150E.

Nothing in this section shall be construed to confer upon any employee any right not held immediately before the date of the transfer or to prohibit any reduction of salary grade, transfer, reassignment, suspension, discharge, layoff or abolition of position not prohibited before such date.

(c) All petitions, requests, investigations and other proceedings appropriately and duly brought before the transferor agency or duly begun by the transferor agency and pending before it before the effective date of this section, shall continue unabated and remain in force, but shall be assumed and completed by the transferee agency.

(d) All orders, rules and regulations duly made and all approvals duly granted by the transferor agency, which are in force immediately before the effective date of this section, shall continue in force and shall thereafter be enforced until superseded, revised, rescinded or canceled, in accordance with law, by the transferee agency.

(e) All books, papers, records, documents, equipment, buildings, facilities, cash and other property, both personal and real, including all such property held in trust, which immediately before the effective date of this section are in the custody of the transferor agency shall be transferred to the transferee agency; provided, however, that this shall not include any property related to the operation and maintenance of the state house including, but not limited to, the community crew transportation vehicle.

(f) All duly existing contracts, leases and obligations of the transferor agency shall continue in effect but shall be assumed by the transferee agency. No existing right or remedy of any character shall be lost, impaired or affected by this section.

SECTION 147. Notwithstanding any general or special law to the contrary, the commissioner of capital asset management and maintenance and the superintendent of the state house shall enter into a memorandum of understanding regarding the negotiation of and participation in bulk purchasing contracts. The memorandum shall ensure the continued participation of the bureau of the state house in all bulk purchasing contracts currently in place under the bureau of state office buildings and shall require the superintendent of the state house or a designee to participate in all such future contract negotiations; provided, further, that the memorandum shall ensure that the state house is a priority in all contracts for mechanical and building maintenance during emergency situations; provided further, that the memorandum shall require the division of capital asset management and maintenance to continue to provide access control cards and parking services currently in place under the bureau of state office buildings for the legislature; provided further, that the memorandum shall require said division to provide to the bureau of the state house engineers and specialists for consultation on projects or in the event of an emergency; and provided further, that the memorandum shall require said division to continue to provide access to equipment currently used by the bureau of state office buildings. The memorandum shall authorize the bureau of the state house to use the division of capital asset management and maintenance's work order management system software at no cost.

SECTION 148. Notwithstanding any general or special law to the contrary, the term of the sitting members of the art commission established in section 19 of chapter 6 of the General Laws shall expire 90 days after the effective date of this section.

The new membership of the art commission shall be appointed under section 20 of chapter 6 of the General Laws. Notwithstanding said section 20 of said chapter 6 to the contrary, initially, of the members to be appointed by the governor, 3 shall be appointed for terms of 2 years, of the members appointed by the senate president, 1 shall be appointed for a term of 3 years and 1 shall be appointed for a term of 4 years and of the members appointed by the speaker

of the house of representatives, 1 shall be appointed for a term of 3 years and 1 shall be appointed for a term of 4 years. The governor, senate president and speaker of the house of representatives shall make these appointments to the commission within 90 days after the effective date of this act.

Nothing in this section shall preclude the reappointment of a sitting member of the art commission.

SECTION 149. The secretary of administration and finance shall ensure the orderly transition of the bureau of state office building employees to the division of capital asset management and maintenance under section 146 and shall maintain the continued, orderly operation of the state house during the transition period.

SECTION 150. Notwithstanding any general or special law to the contrary, no grant applications shall be accepted by the executive office of health and human services under item 4000-0005 of section 2 or by the executive office of education for grants distributed under item 7009-6400 of said section 2 in fiscal year 2013 prior to the competitive selection of an independent program evaluator by each administering agency. The independent evaluator chosen for each program shall provide assistance with the evaluation of grant applications and, to the extent possible, in developing the requirements for grant recipients. The independent evaluator shall be responsible for a multi-year evaluation of each program's implementation and outcomes; provided that the evaluator shall be responsible for evaluation design. Each program shall select an evaluator based on a competitive process. The selected evaluator shall demonstrate: (i) prior experience in evaluating the impact of social programs on low-income urban youth and communities using either random assignment of treatment or regression discontinuity methods; (ii) prior experience in field evaluation; and (iii) demonstrated skill in using quantitative analysis relevant for program evaluation. When selecting an independent evaluator, the administering agency shall consider: (1) a sample of previous similar work; (2) the ability to perform requested services; and (3) a proposed evaluation budget; provided, however, that the administering agency shall give preference to non-profit research organizations. Each administering agency shall develop a request for proposal for program evaluators based on the criteria included in this section not later than August 15, 2012 and shall select an evaluator not later than October 1, 2012. Once selected, evaluators shall assist the administering agency with reviewing, and to the extent possible, developing requests for proposal for grant funds that ensure that grant recipients: (A) fully cooperate with the independent evaluator; (B) commit to seeking the informed consent of program clients and their families to share data relevant to evaluation; and (C) provide access to program and administrative data necessary for evaluation. The evaluators shall provide quarterly progress updates to the house and senate committees on ways and means that shall inform the committees on the progress of implementing the evaluation plan and shall identify in those updates any obstacles encountered in implementing the evaluation plan; provided, however, that the first quarterly report shall detail the evaluation plan for each program, data required for analysis and outcomes measured. The evaluators shall provide an annual report not later than March 15 of each year of the evaluation period to report on relevant findings and analysis.

SECTION 151. Notwithstanding any general or special law to the contrary, the executive office of health and human services shall convene a task force on confidentiality and data

sharing, to improve services provided by the commonwealth to children, youth and families and the delivery of those services.

The task force shall consist of: the secretary of health and human services, who shall serve as chair; the child advocate or a designee; the secretary of education or a designee; the director of Medicaid or a designee; the commissioner of developmental services or a designee; the commissioner of transitional assistance or a designee; the commissioner of children and families or a designee; the commissioner of youth services or a designee; the commissioner of early education and care or a designee; the commissioner of elementary and secondary education or a designee; and 12 persons to be appointed by the governor, 1 of whom shall work in the private sector and have specific expertise in state and federal confidentiality laws and policies, 1 of whom shall have expertise in professional licensure requirements, including codes of conduct and ethics, 1 of whom shall be an information technology expert with experience designing and implementing information technology systems, including electronic medical records, which facilitate improved data collection while also protecting client rights, 1 of whom shall be a researcher who uses data relating to state services provided to children, youth and families, 2 of whom shall be consumers or parents of consumers of services provided by the executive office of health and human services, 4 of whom shall be representatives of a variety of executive office of health and human services providers who have a working knowledge of the programmatic and operational requirements associated with implementing confidentiality requirements and informed consent policies and 2 of whom shall have expertise in providing legal services to children and families seeking state services.

The task force shall: (1) review existing laws, regulations and policies regarding confidential communications and informed consent for the purposes of making recommendations for improving personally identifiable data sharing and improving sharing of de-identified aggregate data for the purposes of program evaluation, programmatic and resource planning and development without compromising a client's rights to confidentiality; and (2) develop recommendations for a data set for personally identifiable data sharing that protects client confidentiality and does not exceed the minimum amount necessary to achieve the goals of: (i) identifying individuals receiving benefits or services from more than 1 agency or entity within the executive office of health and human services; (ii) coordinating or managing the programs, benefits or services in human services agencies available to or received by those individuals and evaluating these programs, benefits or services to identify their effects; (iii) creating and maintaining a nonduplicative client identifier system across all agencies and entities within the executive office of health and human services; and (iv) improving the educational opportunities for children receiving services from agencies within the executive office of health and human services.

The task force shall report the results of its investigation and study, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerks of the senate and house of representatives, who shall forward the same to the joint committee on children, families and persons with disabilities, the joint committee on mental health and substance abuse, the joint committee on public health and the house and senate committees on ways and means on or before January 1, 2013.

SECTION 152. There shall be a special commission to study access to public assistance and state-sponsored services in rural areas. The commission shall consist of 13 members

3346 including: the secretary of health and human services or a designee, who shall serve as the chair;
3347 the commissioner of transitional assistance or a designee; the child advocate or a designee; the
3348 secretary of elder affairs or a designee; the undersecretary of housing and community
3349 development or a designee; the commissioner of early education and care or a designee; a
3350 representative from the Massachusetts League of Community Health Centers; a representative
3351 from Children's Trust Fund; a representative from the Massachusetts Association of Community
3352 Action Centers; a representative from the Massachusetts Model of Community Coalitions; a
3353 representative of Mass Home Care; a representative from a food bank or food pantry located in
3354 the commonwealth, appointed by the governor; and a representative of the Citizens' Housing and
3355 Planning Association.

3356 The commission shall examine the barriers faced by low- to moderate-income individuals
3357 living in rural areas to obtain public assistance and state-sponsored services including, but not
3358 limited to, fuel assistance, child care subsidies, direct cash assistance, emergency housing
3359 services and health and human service programs which provide services to children, families,
3360 persons with disabilities and elders. The commission's analysis shall include, but not be limited
3361 to, the cost of traveling to and from regional offices, the cost of delivering services in rural areas
3362 and the success of outreach efforts in rural communities. The commission shall investigate the
3363 feasibility of coordinating delivery of services between local and state agencies, expanding the
3364 use of technology to increase access to services and eliminating application requirements for in-
3365 person visits to state agencies. The commission shall file the results of its study, together with
3366 drafts of legislation, if any, necessary to carry its recommendations into effect, with the house
3367 and senate committees on ways and means, the joint committee on children, families and persons
3368 with disabilities and the joint committee on elder affairs not later than April 1, 2013.

3369 SECTION 152A. (a) Notwithstanding any general or special law to the contrary, the
3370 executive office of health and human services shall pursue all reasonable efforts to automatically
3371 renew eligible children and families into the MassHealth program, through the adoption of the
3372 express-lane eligibility option created under section 203 of the federal Children's Health
3373 Insurance Program Reauthorization Act of 2009, Public Law 111-3, as it pertains to renewals,
3374 and through the extension of that approach to all children and their eligible parents enrolled in
3375 medical assistance programs under chapter 118E of the General Laws. Specifically, the executive
3376 office shall seek federal authority under the section 1115 demonstration process or the state plan
3377 to automatically re-enroll all children and their eligible parents who are eligible for other state or
3378 federal assistance programs whose eligibility requirements are within the requirements for the
3379 applicable MassHealth program.

3380 (b) The executive office of health and human services shall, not later than January 1,
3381 2014, provide families with renewal forms for all programs administered under said chapter
3382 118E in which the fields have been pre-populated with the most current information known to
3383 the executive office.

3384 (c) There shall be a study committee to investigate the feasibility and cost of continuous
3385 MassHealth eligibility for children under the age of 19. The committee shall consist of the
3386 director of Medicaid or a designee, who shall serve as chair, the secretary of health and human
3387 services or a designee, the secretary of administration and finance or a designee, the house and
3388 senate chairs of the joint committee on health care financing, or a designee of either of them, the
3389 house and senate chairs of the joint committee on health care financing or a designee of either of

3390 them and a representative of health care consumers who shall be appointed by the governor. The
3391 committee shall formulate relevant Medicaid state plan amendments, cost projections and
3392 information technology specifications necessary to implement continuous eligibility for children
3393 not later than June 30, 2014.

3394 (d) Notwithstanding any general or special law to the contrary, the executive office of
3395 health and human services shall conduct an investigation of all federal and state assistance
3396 programs to determine which programs share eligibility requirements with MassHealth and
3397 which could feasibly share data with the MassHealth program for purposes of renewing eligible
3398 children and their eligible parents in MassHealth through the express lane eligibility option
3399 created under the Children's Health Insurance Program Reauthorization Act of 2009, Public Law
3400 111-3. The executive office shall submit a report on the results of its investigation by filing the
3401 same with the clerks of the house of representatives and the senate who shall forward the report
3402 to the house and senate committees on ways and means, the joint committee on health care
3403 financing and the joint committee on children, families and persons with disabilities not later
3404 than April 1, 2013.

3405 SECTION152B. Notwithstanding any general or special law to the contrary, the
3406 department of transitional assistance shall provide benefits in the form of vendor payments with
3407 respect to rent and utilities whenever a determination is made that the grant has not been used in
3408 the best interests of the child or the assistance unit or other chronic misuse of benefits is
3409 occurring; provided, however, that vendor payments shall not be instituted when doing so may
3410 increase the risk of homelessness, decrease the ability to escape domestic abuse or impair the
3411 assistance unit's ability to withhold payment as a reasonable exercise of consumer or tenant
3412 rights when there is a legitimate dispute as to whether the payment is owed. The department of
3413 transitional assistance may presume mismanagement of benefits whenever shelter costs,
3414 including, but not limited to, rent, heat, fuel, and utilities, have regularly not been met without
3415 reasonable cause. At eligibility determinations and redeterminations, the department shall screen
3416 households to determine if they have chronically failed to pay rent and utilities to determine if it
3417 is appropriate to institute or terminate vendor payments and shall refer those households to the
3418 housing consumer education centers and community-based resources for assistance in meeting
3419 their expenses.

3420 SECTION 152C. Notwithstanding any general or special law to the contrary, the
3421 inspector general shall conduct a data match survey involving the case records for households
3422 receiving cash assistance benefits under chapter 18 of the General Laws for the purposes of
3423 uncovering information that is inconsistent with or contradictory to information provided by the
3424 cash assistance benefit recipients. The inspector general shall submit a report that shall include
3425 the results of a further investigation on a statistically valid sample of the cases for which
3426 inconsistent or contradictory information has been found to determine if the household is
3427 receiving benefits for which it is not eligible, and if so, whether the error is due to administrative
3428 error, unintentional program violation or intentional program violation with the house and senate
3429 committees on ways and means on or before December 31, 2012; provided, however, that 60
3430 days before filing the report the inspector general shall provide a draft of the report to the
3431 department of transitional assistance for review and comment and the inspector general shall
3432 include the department's comments with the report when it is made public and filed.

SECTION 152D. Notwithstanding any general or special law to the contrary, the department of transitional assistance shall coordinate with the Massachusetts Bay Transportation Authority and each of the regional transit authorities to ensure that by June 30, 2013, cash assistance funds held on electronic benefits transfer cards are accepted for payment of public transportation fares at electronic fare vending machines.

SECTION 152E. Notwithstanding any general or special law to the contrary, the department of transitional assistance shall report on the projected costs of implementing section 152B to the executive office for administration and finance and the house and senate committees on ways and means not later than November 1, 2012.

SECTION 153. The probate and family court department of the trial court shall submit a report including, but not limited to, a detailed comparison of the fees charged under section 40 of chapter 262 of the General Laws and collected by the court in fiscal year 2011, fiscal year 2012 and fiscal year 2013. The report shall be filed with the house and senate committees on ways and means not later than December 31, 2013.

SECTION 154. Notwithstanding any general or special law to the contrary, subject to appropriation, the Cape Cod Commission, or its designee, shall link existing land use data with newly developed scientific and financial planning data to create a comprehensive, linked model for the purpose of identifying environmentally appropriate and affordable wastewater infrastructure solutions. The model shall identify the appropriate economy of scale for wastewater infrastructure solutions and shall provide estimates of the costs associated with implementing various solutions. The model may be used by communities in the commonwealth to pursue regional wastewater options that satisfy environmental regulatory requirements in the most efficient and cost effective manner and have the potential to preempt future water quality litigation.

The comprehensive model shall be accessible to the public through a web mapping application. The components of the model and the web mapping application shall include, but not be limited to: (i) Cape-wide build-out scenarios and water usage data; (ii) recommendations regarding the appropriate use and costs of a range of technologies in specific circumstances for achieving water quality goals, including natural systems restoration, alternative on-site technologies and more traditional technologies such as satellite, cluster and centralized treatment technologies; (iii) scientific data that supports the calculation of nitrogen loads and estimates the impact of various land use patterns, technologies and other factors on water quality; and (iv) planning level cost estimates of wastewater infrastructure costs to Cape Cod taxpayers and potential rate payers to meet water quality goals. The model shall allow the user to vary land use development patterns, wastewater infrastructure technologies and tax and rate structures to understand the environmental and financial implications of various decisions related to wastewater planning. The comprehensive model shall be completed not later than June 30, 2013.

SECTION 155. Notwithstanding any general or special law to the contrary, all secretariats, departments and agencies required to submit reports under this act shall file their reports by the dates required in this act via electronic means to the chairs of any committees named as recipients as well as with the clerks of the senate and house of representatives; provided, however, that the house and senate clerks shall develop procedures and requirements for secretariats, departments and agencies for the preparation of the reports to facilitate their

collection and storage and such reports shall be made available to the public on the general court's website.

SECTION 155A. The inspector general, in consultation with the attorney general, shall enter into a contract with a third party to audit all affordable housing projects' cost certifications submitted after January 1, 2004 that were built through the comprehensive permit process as outlined in sections 20 to 23, inclusive, of chapter 40B of the General Laws. The third party shall be hired through a competitive bidding process, be a certified public accountant licensed and in good standing with the commonwealth and meet minimum professional qualifications, as determined by the inspector general.

All audits performed through this section shall be conducted under the American Institute of Certified Public Accountants auditing standards; provided, however, that in the event of any conflict between the American Institute of Certified Public Accountants auditing standards and housing policy guidance or regulations issued by the department of housing and community development or any subsidizing agency on or after November 30, 2006, such policy guidance or regulation shall control. The audits performed under this section may include, but shall not be limited to, a review of the submitted cost certification, agreements between the developer and the municipality, site eligibility letters issued by the subsidizing agencies, purchase and sales agreements, any and all documentation relating to the real estate appraisal of the relevant property under the applicable rules in place at the time that the cost certification relative to such property occurred, all reported expenses and revenues and all documentation relating to the purchase, sale or lease of all constructed units.

At the request of the third party, the inspector general may summons the production of all records, reports, audits, reviews, papers, books, documents, recommendations, correspondence and any other data and material relevant to any matter under audit or investigation, under section 9 of chapter 12A of the General Laws.

The findings of every audit, including any evidence of illegal or fraudulent activities, or instances in which the actual realized profit of an individual project exceeds 20 per cent, shall be presented immediately upon completion to the inspector general, the attorney general and the department of housing and community development for review. The inspector general may take whatever further action is considered necessary, under section 10 of said chapter 12A.

The attorney general may recover monies owed to the host communities. The third party hired to conduct the initial audit may receive a pre-determined percentage of all recovered monies, not to exceed 10 per cent, with the balance being returned to the host community.

SECTION 155B. Notwithstanding any general or special law to the contrary, the Quincy district courthouse in the city of Quincy shall be designated and known as the Francis X. Bellotti Courthouse. The division of capital asset management and maintenance shall erect and maintain suitable markers bearing the designation in compliance with the standards of the division.

SECTION 155C. Notwithstanding any general or special law or rule or regulation or performance standard to the contrary, and in order to: increase access to the Yarmouth waterfront; to promote the increase, preservation and restoration of salt water marshes, wetlands and wetland vegetation; to provide quicker public safety response; to provide the area's first permanent boat waste pump-out facility; to reduce fuel spills by providing the area's first fully contained fuel station; to educate the public in habitat

restoration and creation; and provide other improvements beneficial to the public interest, the legislature finds that the Yarmouth Marina Project located on Parker's River at the site of the former drive-in theater on Route 28 in the town of Yarmouth demonstrates an overriding public interest and shall be exempt from any department of environmental protection review under the Wetlands Protection Act and a Water Quality Certification under the Massachusetts Clean Waters Act (401 Water Quality Certification Program); provided, however, that the town shall mitigate any disturbance of wetland vegetation by aggressive attempts at restoration or rehabilitation of an area or areas of distressed wetland vegetation of a total area of not less than twice the area of wetland vegetation disturbed.

SECTION 155D. Notwithstanding any other general or special law to the contrary, the department of environmental protection shall evaluate the feasibility, cost, advantages and disadvantages of obtaining from the United States Environmental Protection Agency, to the extent permitted by federal law, delegated authority over National Pollutant Discharge Elimination System programs. The department shall file a report detailing its findings, together with any legislative recommendations necessary to obtaining such authority, with the clerks of the senate and the house of representatives not later than July 1, 2013.

SECTION 155E. Notwithstanding any general or special law to the contrary, there shall be a commission to develop recommendations for promoting recycling and reducing the generation of solid waste. The examination shall include, but shall not be limited to, determining the fiscal and environmental costs and benefits of an expansion of the so-called "bottle bill" referenced in section 321 of chapter 94. The commission shall include the following members: the secretary of energy and environmental affairs, who shall serve as chair; the commissioner of the department of environmental protection; 2 members chosen by the senate president; 1 member chosen by the senate minority leader; 2 members chosen by the speaker of the house; 1 member chosen by the house minority leader; 1 who is a member of the Massachusetts Beverage Association; 1 who is a member of the Sierra Club; 1 who is a member of the Massachusetts Audobon Society; and 1 who is a member of the MASSPIRG.

The commission shall file the results of its study, together with drafts of legislation, if any, necessary to carry out its recommendations, by filing the same with the clerks of the house of representatives and the senate who shall forward a copy of the study to the house and senate committees on ways and means, the joint committee on telecommunication, utilities and energy and the joint committee on environment, natural resources and agriculture not later than January 1, 2013.

SECTION 155F. Notwithstanding any general or special law to the contrary, the department of housing and community development may provide not more than $10,000,000 to eligible entities that administer the federal Low Income Home Energy Assistance Program described in item 7004-2033 of section 2D to allow such eligible entities to begin start-up operations of said program to provide advanced funding not later than 30 days after the start of the fiscal year; provided, that said department and such eligible entities may expend a portion of these funds for approved administrative costs consistent with the current or prior year's state plan submitted by said department under the federal program; provided further, that said department and such eligible entities may, after November 1, 2012, expend a portion of these funds to assist low-income elders, working families and other households with the purchase of heating oil, propane and natural gas and electricity and other primary or secondary heating sources; provided further, that funds expended for this purpose shall be transferred from the General Fund; and

provided further, that such advanced funding shall be subject to the federal reimbursement of funds under said item 7004-2033 of said section 2D.

SECTION 155G. The court administrator shall amend the relevant complaint forms for chapters 208, 209, 209A, 209C and 258E of the General Laws or prescribe a new form to incorporate a petition for an order under section 11 of said chapter 209A, which shall be in such form and language to permit a plaintiff to prepare and file a complaint pro se.

SECTION 155H. The inspector general shall expend funds from the Health Safety Net Trust Fund, established in section 36 of chapter 118G of the General Laws, to conduct a study and review of the Massachusetts Medicaid program. The study shall include, but not be limited to, a review of the program's eligibility requirements, utilization, claims administration and compliance with federal mandates. The inspector general shall report any preliminary findings to the secretary of health and human services and the house and senate committees on ways and means on or before October 30, 2012, and issue a final report on or before March 1, 2013.

SECTION 155I. Notwithstanding any general or special law to the contrary, there shall be a special commission for the purpose of studying and making recommendations relative to services for unaccompanied homeless youth age 22 and younger, with the goal of ensuring a comprehensive and effective response to the unique needs of this population. The focus of the commission's work shall include, but not be limited to: (i) an analysis of the barriers to serving unaccompanied youth who are gay, lesbian, bisexual or transgender; (ii) an analysis of the barriers to serving unaccompanied youth under 18 years of age; (iii) an assessment of the impact of mandated reporting requirements on unaccompanied youths' access to services; (iv) the commonwealth's ability to identify and connect with unaccompanied youth; and (v) recommendations to reduce identified barriers to serving this population including, but not limited to, extending the time for certain categories of mandated reporters to file reports and establishing special licensure provisions to allow service providers to serve homeless youth under 18 years of age. The commission, in formulating its recommendations, shall take account of best practices and policies in other states and jurisdictions.

The commission shall include 25 members: the secretary of health and human services or a designee, who shall serve as chair; the commissioner of children and families or a designee; the commissioner of elementary and secondary education or a designee; the commissioner of public health or a designee; the commissioner of mental health or a designee; the director of Medicaid or a designee; the commissioner of transitional assistance or a designee; the undersecretary of housing and community development or a designee; 2 members of the senate appointed by the senate president; 2 members of the house appointed by the speaker; 3 youth who have experienced homelessness appointed by the office of the child advocate; 3 direct service providers who work with unaccompanied homeless youth appointed by the governor; and 1 representative from each of the following organizations: the Massachusetts Coalition for the Homeless, the Task Force on Youth Aging Out, the Massachusetts Appleseed Center for Law and Justice, MassEquality, the Massachusetts Housing and Shelter Alliance, the Massachusetts Transgender Political Coalition and the Boston Alliance of Gay, Lesbian Bisexual and Transgender Youth.

The commission shall submit a report to the governor, the speaker, the senate president, the joint committee on children, families and persons with disabilities and the office of the child

3605 advocate not later than March 31, 2013. The report shall set forth the commission's findings and
3606 any recommendations for regulatory or legislative action with a timeline for implementation,
3607 cost estimates and finance mechanisms. Thereafter, the commission shall submit a report by
3608 December 31, annually, to the governor, the speaker, the senate president, the joint committee on
3609 children, families and persons with disabilities and the office of the child advocate, detailing the
3610 extent of homelessness among unaccompanied youth within the commonwealth and the progress
3611 made toward implementing the commission's recommendations, along with other efforts to
3612 address the needs of this population.

3613 SECTION155J. There shall be a special commission to enhance the health of children
3614 and women which shall advise the commissioner of public health and the public health council
3615 on the current and future roles that lactation and breastfeeding counseling and the education of
3616 pregnant and nursing mothers may play in the containment of health care costs and the
3617 enhancement of the health of women and children. The commission shall consist of: the
3618 commissioner of public health, or a designee, who shall serve as chair; the house chair of the
3619 joint committee on public health, or a designee; the senate chair of the joint committee on public
3620 health, or a designee; an obstetrician designated by the Massachusetts Chapter of the American
3621 College of Obstetricians and Gynecologists; a pediatrician designated by the American Academy
3622 of Pediatrics; a representative from Blue Cross Blue Shield of Massachusetts; a representative
3623 from the Massachusetts Association of Health Plans; a representative from the Massachusetts
3624 Hospital Association; a representative from the Massachusetts League of Community Health
3625 Centers; a representative from the Massachusetts Women and Infants Program; a representative
3626 from the Healthy Children Project; a representative from the Massachusetts Nurses Association;
3627 a representative from the Association of Women's Health, Obstetrical and Neonatal Nurses; and
3628 a representative from the women's legislative caucus.

3629 SECTION 155K. Notwithstanding any general or special law to the contrary, the
3630 executive office of health and human services shall conduct a procurement to select an entity to
3631 conduct an analysis of the children with complex care needs in the MassHealth program. The
3632 goal of the procurement shall be to: (i) identify a suitable vendor to partner with the executive
3633 office to identify all children with complex care needs in the MassHealth program, understand
3634 the services, service providers and medical resources utilized and current costs of serving these
3635 children; and (ii) to analyze the suitability of their current primary or majority care settings
3636 relative to the goals of the Patient-Centered Medical Home Initiative and the goal of providing
3637 the highest quality care most efficiently by managing care and utilization of services. The
3638 analysis conducted pursuant to the procurement shall group the patients by primary diagnosis,
3639 including mental health diagnoses, or other clinical profile characteristics and assess the current
3640 medical home capabilities of primary care providers for the relevant patients in each category, by
3641 geographic region. The executive office shall not award any money or other compensation with
3642 the contract. The request for proposals shall be released by October 1, 2012 and the vendor shall
3643 be selected by November 30, 2012.

3644 The chosen entity shall submit a report of its findings to the executive office, the division
3645 of insurance, the joint committee on health care finance, the house and senate committees on
3646 ways and means and the house and senate clerks, for public availability, not later than August 31,
3647 2013. The report shall include: (a) recommendations for how children with complex care needs
3648 could be served in keeping with the goals of the Patient-Centered Medical Home Initiative; (b)

recommendations for appropriate quality benchmarks for their care or recommendations regarding the development of such metrics; (c) an analysis of potential federal and external funding sources; and (d) an analysis of care models and financial arrangements used for complex children in other states.

SECTION 155L. Notwithstanding any general or special law to the contrary, the primary care workforce development and loan forgiveness grant program at community health centers, established under the Health Care Workforce Transformation Fund, shall be administered by the Massachusetts League of Community Health Centers during fiscal year 2013.

SECTION 155M. Within 90 days after the effective date of this act, the state secretary shall send written notice to each corporation organized under chapter 156D or chapter 157B of the General Laws of the requirement that any such corporation shall file, as applicable, articles of organization that contain the information required in subclause (2) of clause (g) of section 10 of said chapter 157B.

SECTION 155N. Notwithstanding any general or special law to the contrary, the division of capital asset management and maintenance, in consultation with the executive office of energy and environmental affairs, shall review its cleanup plan for the site of the former Medfield State Hospital and report on whether it: (i) is based on a standard of unrestricted use for the site; (ii) fully complies with all state and federal environmental regulations and standards; (iii) fully complies with the recommendations regarding flood plain restoration and management as described in the September 2011 Massachusetts Climate Change Adaptation Report; and (iv) addresses the concerns of the town of Medfield and surrounding communities in the Charles River watershed. The division shall report its findings and any reasons for noncompliance or failure to address the concerns of the town of Medfield and surrounding communities in the Charles River watershed to the clerks of the senate and the house of representatives not later than October 1, 2012.

SECTION 155O. The state treasurer shall upon certification by the Massachusetts gaming commission continue to make quarterly distributions to each city and town within which racing meetings are conducted as required by section 18D of chapter 58 of the General Laws.

SECTION 155P. Notwithstanding any general or special law to the contrary, there shall be a commission on operating under the influence, which shall investigate and report on the feasibility and advisability of amending the laws on impaired driving to provide enhanced penalties for repeat violations of those laws including, but not limited to, proper categorization of repeat offenses with respect to new offenses occurring before the disposition of prior offenses. The commission shall make recommendations, if appropriate, to make improvements and reduce recidivism.

The commission shall, with the assistance of the Massachusetts sentencing commission, the office of the commissioner of probation and the committee for public counsel services, determine the frequency of cases in which multiple offenses result in a single conviction or in concurrent sentences. The commission shall also consider corresponding laws in other jurisdictions including, but not limited to, the use of penalties involving suspension, revocation or limitation of driving privileges and the use of enhanced programs on alcohol or controlled substance education, treatment or rehabilitation.

The commission shall be comprised of the commissioner of probation or a designee, the president of the Massachusetts District Attorneys Association or a designee, the chief counsel of the committee for public counsel services or a designee and a representative of the Massachusetts Bar Association.

The commission shall file a report of its study, including its recommendations and drafts of any legislation necessary to carry those recommendations into effect, with the clerks of the senate and house of representatives on or before December 1, 2012

SECTION 155Q. Notwithstanding any general or special law to the contrary, on July 1, 2012, the comptroller shall transfer $5,000,000 from the General Fund to the Massachusetts Community Preservation Trust Fund established in section 9 of chapter 44B of the General Laws.

SECTION 155R. The department of elementary and secondary education shall submit a report reviewing the extent to which public school personnel are required to prepare and submit reports and data that are mandated by state and federal laws, regulations and past practices to determine whether the reports and data are a valuable part of improving student achievement.

The department shall examine mandated reports and submissions of data required by state and federal laws, regulations or administrative directives. The department's analysis shall include, but not be limited to, an examination of the value of such reports in improving student achievement, reducing the achievement gap, identifying those which are duplicative or redundant and proposing recommendations that may include, but shall not be restricted to, elimination, modification or refinement of those reports and data which are required, or a listing of federal requirements that are duplicative, redundant or inadequately focused on the achievement gap. The report shall also include a description of all current efforts by the department to improve their business relationship with local education authorities, including the use of technology to ease reporting requirements and to simplify grant application processes.

The department shall work in consultation with the American Federation of Teachers, the Massachusetts Association of School Committees, the Massachusetts Association of School Superintendents, the Massachusetts Elementary School Principals' Association, the Massachusetts Secondary School Administrators' Association, the Massachusetts Parent-Teachers Association, the Massachusetts Teachers Association and the members of the Mass Partners for Public Schools in preparing the report.

The department shall file the results of its study, together with drafts of legislation, if any, necessary to carry out its recommendations, by filing the same with the clerks of the house of representatives and the senate who shall forward a copy of the study to the house and senate committees on ways and means and the joint committee on education not later than July 31, 2013.

SECTION 155S. (a) As used in this section, the following terms shall have the following meanings unless the context clearly requires otherwise:

"Board of directors", the board of directors of the North Shore Community Assistance Corporation created by this section

"Board of higher education", the board of higher education established pursuant to section 4 of chapter 15A of the General Laws.

"Board of trustees", the board of trustees of the North Shore Community College.

"Code", the Internal Revenue Code of 1986, as may be amended, from time to time.

"College", the North Shore Community College or, if the North Shore Community College shall be dissolved or fails to qualify either as a political subdivision of the commonwealth or an educational institution exempt from federal income tax under Section 501(c)(3) of the Code, then such other educational institution of higher learning established and operating in the commonwealth as shall be designated by the board of higher education, which is either such a political subdivision or such an exempt organization.

"Corporation", the North Shore Community College Assistance Corporation established in subsection (b).

"Educational institution", an educational organization within the meaning of section 170(b) (I)(A)(ii) of the Code.

(b) There shall be a body politic and corporate to be known as the North Shore Community College Assistance Corporation. The corporation shall not be a public agency or state agency as those terms are described in chapter 7 of the General Laws. The corporation shall be governed by a board of directors consisting of: the chairman of the board of trustees of the college, the president of the college, the mayor of the city of Lynn, the president of the Lynn city council, the director of the Economic Development and Industrial Corporation of Lynn, or a successor thereto, 3 members to be appointed by the governor, at least 1 of whom shall be experienced in the financial aspects of real estate development and management and at least 1 of whom shall be experienced in planning, 1 member to be appointed by the Lynn Chamber of Commerce, or a successor thereto, and 6 members appointed by the president of the college, at least 2 of whom shall be experienced in higher education administration.

(c) The appointed members of the board of directors shall serve 3-year terms. Of those initially appointed by the governor, 1 shall be appointed for 1 year, 1 shall be appointed for 2 years and 1 shall be appointed for 3 years. Of those initially appointed by the president of the college, 2 shall be appointed for 1 year, 2 shall be appointed for 2 years and 3 shall be appointed for 3 years. The individual initially appointed by the Lynn Chamber of Commerce shall be appointed for 2 years. Vacancies arising from other than the expiration of the term shall be filled by the person designated as the appointing authority for the initial appointment. Directors shall serve without compensation but may be reimbursed for expenses necessarily incurred in the performance of their duties.

(d) The board of directors from time to time shall elect from among themselves a chairman, a vice chairman and a secretary. The secretary shall be the custodian of all books, documents and papers of the corporation and its minute book and seal. Unless otherwise provided in by-laws adopted by the board of directors, the number of directors required to constitute a quorum shall be a majority of the directors then in office. If a quorum is present, a majority of the directors may take any action on behalf of the board of directors, except to the

extent that a larger number is required by this section, or other applicable laws or by by-laws adopted by the board of directors.

(e) The purposes of the corporation shall be to: (i) promote the orderly growth and development of the college; and (ii) to assist the college in securing physical and financial resources necessary for the acquisition and development of sites for use by the college. In furtherance of such purposes, the corporation shall, subject only to the restrictions and limitations hereinafter provided, have the following powers:

(1) to make and execute contracts and any other instruments necessary or convenient for the exercise of its powers or the discharge of its duties and incur liabilities for any other purposes of the corporation;

(2) to have a corporate seal which it may alter at its pleasure;

(3) to adopt by-laws for the regulation of its affairs;

(4) to accept, acquire, receive, take and hold by bequest, devise, grant, gift, purchase, exchange, lease, transfer, judicial order or decree or otherwise, for any of its objects and purposes, any property both real and personal, reasonably related to the acquisition and development of sites for use by the college and to develop such sites including, but not limited to, the construction, renovation, operation and maintenance of buildings thereon;

(5) to sue or be sued; provided, however, that a director or officer of the corporation shall not be liable for the performance of the director’s duties if the director acts in compliance with section 6C of chapter 180 of the General Laws;

(6) to sell, convey, mortgage, lease, transfer, exchange or otherwise dispose of any such property, both real and personal, as the objects and purposes of the corporation may require;

(7) to borrow money and, from time to time, to make, accept, endorse, execute and issue promissory notes, bills of exchange and other obligations of the corporation for monies borrowed or in payment for property acquired or for any of the other purposes of the corporation and to secure the payment of any such obligation by mortgage, pledge, deed, agreement or other instrument of trust or other lien upon, assignment of or agreement in regard to all or any part of the property rights or privileges of the corporation, whether now owned or hereafter to be acquired;

(8) to receive stocks, bonds, donations and gifts and to otherwise raise money for the corporation's purposes;

(9) to elect, appoint and employ officers, agents and employees, to fix their compensation and define their duties and obligations and to indemnify corporate personnel;

(10) to enter into agreements or other transactions with any person including, without limitation, any governmental instrumentalities or agencies in connection with any of its powers or duties and any governmental agency may enter into such agreements or other transactions with the corporation; and

(11) to do all acts and things necessary or convenient to the exercise of any power or the discharge of any duty provided for in this subsection.

(f) The corporation shall be an institution for higher education solely for the purposes such term is used in chapter 614 of the acts of 1968. Any acquisition of property by purchase, lease or otherwise by the corporation shall be deemed a project as such term is used in said chapter 614. The corporation shall be fully eligible to receive any assistance from the Massachusetts Health and Education Facilities Authority established in said chapter 614 in the same manner as any other institution for higher education.

(g) (1) The corporation shall assess the space needs of the college on a regular basis and may acquire sites for use by the college. The corporation may lease or rent land or space in any facility under the control of the corporation to any entities other than the college only after making a determination that the college does not have a foreseeable need for such space or land for the term of the lease or rental agreement.

(2) The corporation shall not sell, convey, transfer, exchange or otherwise dispose of any real property without notifying, in writing and consulting with, the board of trustees and the board of higher education and, after such consultation, making a determination that such sale, conveyance, transfer or exchange is in the best interests of the college. Any such sale, conveyance, transfer or exchange shall require a vote of 2/3 of the members of the board of directors.

(h) The college or any state agency or entity acting on the college's behalf may enter into an agreement to rent, lease or otherwise utilize any facility owned by or under the control of the corporation. The corporation shall be paid rent and costs for such facilities at a rate agreed to by the corporation and college or state agency or entity entering into an agreement on the college's behalf; provided, however, that such amount shall not exceed the fair market value for the use of such facilities at the time the agreement is made. Subject to such limitation, the college's determination to rent, lease or otherwise utilize any facility owned or under the control of the corporation and any agreement related thereto shall not be subject to chapter 7 of the General Laws.

(i) (1) The corporation shall not engage in any activities which are not in furtherance of its corporate purposes or to support or benefit any organization other than the college and all of the powers granted under this section to the corporation shall be exercised in a manner consistent therewith.

(2) Notwithstanding any other provision of this section, neither the directors and officers of the corporation nor the corporation shall participate in any prohibited transaction within the meaning of Section 503 of the Code, nor shall the corporation be operated at any time for the primary purpose of carrying on a trade or business for profit.

(j) Subject to this section, the corporation shall use or distribute all property from time to time held by the corporation solely in the furtherance of its corporate purposes in such manner as the board of directors shall determine. No part of the assets or net earnings, if any, of the corporation shall inure to the benefit of, or be distributable to, its directors or officers or private individuals, except that the corporation may pay reasonable compensation for services rendered

and make payments and distributions in furtherance of its corporate purposes. The corporation shall not directly or indirectly participate in or intervene in, including the publishing or distributing of statements, any political campaign on behalf of or in opposition to any candidate for public office. No substantial part of the activities of the corporation shall be for the carrying on of propaganda or otherwise attempting to influence legislation, except to the extent the corporation makes expenditures for purposes of influencing legislation in conformity with the requirements of Section 501(h) of the Code. If the corporation is deemed to be a private foundation as defined in Section 509 of the Code, chapter 68A of the General Laws shall apply to it.

(k) (1) The operation and maintenance of projects by the corporation shall constitute the performance of an essential governmental function and the corporation shall not be required to pay any taxes or special, betterment or other assessments within the commonwealth including, without limitation, taxes on real or personal property and any ad valorem taxes, upon any property owned, constructed, acquired, leased or used by it under this section. The corporation shall not be subject to any taxes based upon or measured by income which may be enacted by the commonwealth. Obligations issued by the corporation under this section and any income derived therefrom, including any sale, exchange or transfer of such obligation, shall be free from taxation within the commonwealth.

(2) Land, buildings and tangible personal property of the corporation if leased to the extent permitted under this section for any activity or transaction entered into by the lessee for financial profit or gain shall be taxed or assessed by the city of town in which such land, buildings and tangible personal property is situated to the lessees thereof respectively in the same manner as such land, buildings and tangible personal property would be taxed or assessed to such lessees if they were owners thereof, except as follows:

(A) the payment of the tax or assessment shall not be enforced by any lien upon or sale of such land or buildings, but for the purpose of enforcing the payment of such taxes or assessments by such lessees to the city or town in which such land or buildings are situated, a sale of the leasehold interest therein may be made by the collector of the city or town in the manner provided by law for selling real estate for the nonpayment of real estate taxes;

(B) such land, buildings and tangible personal property leased to any political subdivision of the commonwealth or to any public charity described in section 8 of chapter 12 of the General Laws for its charitable purposes shall not be taxed or assessed to any such lessees;

(C) in lieu of taxes and any betterment or special assessments, the city of Lynn may determine a sum to be paid to it annually in any year or period of years, such sum to be in any year equal to or less than the amount that would be levied at the then current tax rate upon the then current assessed value of such real estate, including buildings and other structures, the valuation for each year being reduced by all abatements thereon; provided, however, that no amount shall be due prior to the first year in which the corporation has leased some portion of the real property to a third party and has received rental payments for fees in return therefor and any amount so due shall be prorated based upon the percentage of the property for which rental payments or fees have been received;

(D) if any such lessee is subject to the excise levied under sections 30 to 42B, inclusive, of chapter 63 of the General Laws, such tangible personal property shall be treated as though it were owned by such lessee for the purposes of such excise and it shall be valued at 8 times its annual rental rate, unless and to the extent that such property is treated by the lessee as owned by it for federal income tax purposes, in which case, its value shall be its adjusted basis, as defined in the applicable provisions of the Code; and

(E) all tangible property, real or personal, so leased shall be considered tangible property owned or rented and used in the commonwealth by such lessee for the purposes of section 38 of chapter 63 of the General Laws.

(l)(1) The corporation shall not exercise any of the following powers, duties, actions, responsibilities or authorities in the absence of review and comment by the inspector general and such review and comment shall be provided within 2 weeks after submission by the corporation of a plan setting forth the power, duty, action, responsibility or authority proposed to be taken:

(A) entering into a contract requiring an annual expenditure in excess of $100,000 by the corporation; provided, however, that the corporation may enter into those contracts necessary to acquire sites, without further review by the inspector general, but pursuant to a memorandum of understanding with the secretary of administration and finance with respect to the acquisition, renovation, operation and potential disposition of sites;

(B) borrowing monies such that the outstanding amount of monies borrowed by the corporation exceeds $100,000;

(C) entering into a contract requiring the sale of an asset of the corporation purchased with monies appropriated by the commonwealth; and

(D) entering into a contract requiring the sale of all or substantially all of the assets of the corporation.

(2) In carrying out this section, the inspector general shall have access to all the corporation's records, reports, audits, reviews, papers, books, documents, recommendations, correspondence, including information relative to the purchase of services or anticipated purchase of services from any contractor by the corporation, and any other data and material that is maintained by or available to the corporation which in any way relates to the programs and operations with respect to which the inspector general has duties and responsibilities under this section, except any record to which section 18 of chapter 66 of the General Laws applies.

(3) The inspector general may request such information, cooperation and assistance from the corporation as may be necessary for carrying out his duties and responsibilities under this section. Upon receipt of such request, the person in charge of the corporation's governing body shall furnish to the inspector general or the inspector general’s authorized agent or representative such information, cooperation and assistance, including information relative to the purchase of services or anticipated purchase of services from any contractor by the corporation, except any record to which said section 18 of said chapter 66 applies. The inspector general may make such investigation, audits and reports relating to the administration of the programs and operations of the corporation as are in the judgment of the inspector general necessary and may conduct an examination of any documents of the corporation to prevent or detect fraud, waste and abuse in

the expenditure of public funds. The inspector general shall have direct and prompt access to the head of the corporation when necessary for any purpose pertaining to the performance of such person's duties and responsibilities under this section. The inspector general may request the production, on a voluntary basis, of testimony or documents from any individual firm or nongovernmental entity which relate to his duties and responsibilities under this section.

(4) The inspector general may require, by summons, the production of all records, reports, audits, reviews, papers, books, documents, recommendations, correspondence and any other data and material relevant to any matter under audit or investigation pursuant to the this section, except records to which said section 18 of said chapter 66 apply. Such summons shall be served in the same manner as a summons for the production of documents in civil cases issued on behalf of the commonwealth and all laws relative to the issuance of summonses shall apply to a summons issued pursuant to this section. Any justice of the superior court department of the trial court may, upon application by the inspector general, issue an order to compel the production of records, reports, audits, reviews, papers, books, documents, recommendations, correspondence and any other data and material as aforesaid. Any failure to obey such order may be punished by such court as contempt. Any summons issued pursuant to this section shall not be made public by the inspector general or any officer or employee of the inspector general's office and no documents provided pursuant to this section shall be made public until such time as it is necessary for the inspector general to do so in the performance of the inspector general's duties under this section. The production of such books and papers pursuant to a summons issued under this subsection shall be governed by the same provisions with reference to secrecy which govern proceedings of a grand jury. Disclosure of such production, attendance and testimony may be made to such members of the staff of the inspector general as is deemed necessary by the inspector general to assist the inspector in the performance of the duties and responsibilities under this section and such members of the staff may be present at the production of records.

(5) The corporation shall submit annually an audited financial statement to the house and senate committees on ways and means and the joint committee on higher education.

(m) Upon dissolution of the corporation after payment of all of the liabilities of the corporation or due provision therefor, all of the assets of the corporation shall be distributed to the board of higher education, to be held in trust for the benefit and purposes of the college, and shall not inure to the benefit of or be distributed to any private individual.

SECTION155T. There shall be a long-term services and supports advisory committee to advise the general court, the office of Medicaid and other state agencies on opportunities to improve health care cost and quality through community-based, long-term care services. The commission shall consist of the following 16 members and shall be jointly chaired by a member of the house of representatives and a member of the senate: 2 representatives of the house of representatives, 1 of whom shall be chosen by the minority leader; 2 representatives of the senate, 1 of whom shall be chosen by the minority leader; the director of the office of medicaid or a designee; the secretary of elder affairs or a designee; the commissioner of health care finance and policy or a designee; the commissioner of public health or a designee; the secretary of administration and finance or a designee; and 7 appointees of the governor, 2 of whom shall be consumer representatives and 5 of whom shall be representatives of community-based, long-term care providers, of which at least 2 are for-profit entities and all of which represent services approved by the Medicaid State Plan.

The advisory committee shall evaluate the effect of long-term services and supports on reducing health care costs and improving health care quality and shall recommend opportunities to improve or expand existing long-term services and support programs including, but not limited to, implementation of value-based purchasing strategies and the development and deployment of an electronic community care record for community-based, long-term care services. The committee shall report the results of its study, together with drafts of legislation, if any, necessary to carry out its recommendations, by filing the same with the clerks of the house of representatives and the senate who shall forward a copy of the study to the house and senate committees on ways and means and the joint committee on health care financing not later than January 15, 2013.

SECTION 155U. Notwithstanding any general or special law to the contrary, the division of health care finance and policy shall study the cost and frequency of emergency room utilization for dental conditions and shall develop a procedure code for emergency room dental services. The division shall file a report of its findings with the house and senate committees on ways and means not later than December 31, 2012.

SECTION 155V. There shall be a commission to evaluate and make recommendations on an equitable method for awarding funding for the upkeep, maintenance or repair of veteran or war memorials within the commonwealth. The commission shall be known as the Massachusetts Veteran and War Memorials Commission.

The commission shall consist of 5 members: 1 of whom shall be appointed by the governor, who shall serve as chair; 1 of whom shall be appointed by the president of the senate; 1 of whom shall be appointed by the speaker of the house of representatives; the adjutant general of the national guard, or a designee; and the secretary of the department of veterans' services, or a designee. Members of the commission shall not receive compensation for their services. No designee shall be a member of the legislature.

The commission shall report its recommendations to the department of veterans' services and the house and senate committees on ways and means not later than March 1, 2013. This report shall not affect funding for war memorials in fiscal year 2013.

SECTION 155W. Notwithstanding subsection (g) of section 3 of chapter 152 of the acts of 1997 to the contrary, in addition to the construction and development of an expansion to the hotel located in the northeast corner of the convention center development area, as defined in said chapter 152, not more than 7 additional hotels may be constructed and developed within a BCEC Hotel Zone, so called, within the city of Boston. The BCEC Hotel Zone shall include the portion of the convention center finance district located south of Summer street and east of Fort Point Channel, provided that (i) such hotels shall include not more than a total of 2700 rooms, including not more than 1 additional headquarters hotel, so called, with not more than 1200 rooms; and (ii) the developer or operator of each such hotel shall enter into a contract with the Massachusetts Convention Center Authority with provisions regarding the cooperative marketing, pricing and use of such hotels to encourage the use of the Boston convention and exhibition center and incorporating community input from the neighborhoods surrounding the BCEC Hotel Zone.

4016 SECTION 155X. In accordance with section 38N of chapter 190 of the acts of 1982,
4017 capital facility projects described in the report titled "Top 5 Initiative - Phase 1 Feasibility Study
4018 and Program," dated May 16, 2012 and filed with the clerks of the senate and house of
4019 representatives and the senate and house committees on ways and means, are hereby authorized.
4020 Said capital facility projects and the acquisition of lands for the purpose of said projects are
4021 facilities of the authority and may be funded under clause (iv) of subsection (c) of section 10 of
4022 chapter 152 of the acts of 1997.

4023 SECTION 155Y. Notwithstanding any special law to the contrary, any corporation
4024 engaged in the business of building or repairing boats may attach a single license plate registered
4025 and issued by the registry of motor vehicles to a trailer owned by such corporation for use to
4026 transport boats on public ways.

4027 SECTION 155Z. Notwithstanding any general or special law to the contrary, the
4028 attorney general may review the compensation of any officer, director or senior manager acting
4029 in an executive capacity for any public charity required to register under section 8E of chapter 12
4030 of the General Laws and to file annual reports under section 8F of said chapter 12 to consider the
4031 appropriate compensation levels, given the nature and mission of such public charity. In so
4032 doing, the attorney general may examine the compensation standards of not-for-profit public
4033 charities, both within the commonwealth and nationwide. For the purposes of this section,
4034 compensation shall include salary, bonus payments, incentive payments, deferred compensation,
4035 severance payments, below market rate loans and the lease or rental of real estate, personal
4036 property or any vehicle. The attorney general shall report the findings of this review, which may
4037 include recommendations relative to excessive compensation, to the clerks of the senate and the
4038 house of representatives by December 31, 2012.

4039 SECTION 155AA. Pursuant to section 19Y of chapter 175 of the General Laws, a
4040 majority of directors of a mutual company as defined in section 19G of said chapter 175 shall be
4041 independent directors not later than January 1, 2017.

4042 SECTION 155BB. Pursuant to section 19Y of chapter 175 of the General Laws, a
4043 mutual company as defined in section 19G of said chapter 175 shall have a compensation
4044 committee composed entirely of independent directors not later than January 1, 2017.

4045 SECTION155CC. The division of health care finance and policy, in consultation with
4046 the department of public health, shall conduct and complete an analysis of the impact on health
4047 care costs of the use of discounts, rebate, product voucher or other reduction for biological
4048 products and prescription drugs authorized under this act. The report shall include, but not be
4049 limited to: (i) a comparison of any change in utilization of generic versus brand name
4050 prescription drugs; (ii) the effect on patient adherence to prescribed drugs; (iii) patient access to
4051 innovative therapies; and (iv) an analysis of the impact on commercial health insurance
4052 premiums and on premiums associated with the group insurance commission.

4053 The division shall file a report of its findings with the clerks of the senate and house of
4054 representatives, the house and senate committees on ways and means and the joint committee on
4055 health care financing not later than December 31, 2015.

SECTION 155DD. The special commission established in section 36 of chapter 45 of the acts of 2005 is hereby revived and continued. The commission shall report to the general court the results of its investigation and study and its recommendations, if any, by filing the same with the clerks of the senate and house of representatives not later than June 30, 2013.

SECTION 155EE. The registrar of motor vehicles shall investigate and report on any compliance issues with the implementation of the federal REAL ID Act of 2005 occurring on January 15, 2013, as it relates to the issuance of licenses to operate motor vehicles. The registrar shall file the report, accompanied by any legislative recommendations, with the clerks of the house of representatives and senate and the chairs of the joint committee on public safety on or before January 1, 2013.

SECTION 155FF. (a) Notwithstanding any general or special law to the contrary, the MassHealth program within the executive office of health and human services shall, not later than July 31, 2013, use the federal Systematic Alien Verification for Entitlements, or SAVE system, to verify the immigration status of all persons who apply for benefits with an alien admission number or alien file number.

Consistent with federal and state law and notwithstanding the previous paragraph, the SAVE system may be incorporated into a system for the executive office of health and human services and all agencies organized therein, to determine common eligibility standards for applicants. Nothing in this section shall be construed to prevent the development of a system of common eligibility standards that includes additional agencies outside the executive office of health and human services, provided that such system shall include the use of the SAVE system.

(b) The executive office of health and human services or the executive office for administration and finance shall, not later than March 1, 2013, report to the senate and house committees on ways and means the status of the implementation of the federal Systematic Alien Verification for Entitlements, or SAVE system, to verify the immigration status of all persons who apply for benefits with an alien admission number or alien file number.

(c) Annually, on or before February 1, the executive office of health and human services shall report to the senate and house committees on ways and means and the executive office for administration and finance: (i) the amount of money recovered from recipients, providers or other vendors who fraudulently received benefits or payments under chapter 118E of the General Laws and (ii) the costs incurred by the executive office of health and human services to verify the immigration status through the SAVE system.

SECTION 155GG. The registrar shall promulgate regulations pursuant to the sixth sentence of section 2 of chapter 90 no later than January 1, 2013.

SECTION 155HH. Section 77A shall apply to registrations issued or renewed on or after January 1, 2013.

SECTION 155II. Notwithstanding any general or special law to the contrary, sections 2 and 3 of chapter 30C of the General Laws shall not apply to public employers, contractors and subcontractors with fewer than 500 employees.

SECTION 155JJ. Notwithstanding any general or special law to the contrary, sections 2 and 3 of chapter 30C of the General Laws shall not apply to public employers, contractors and subcontractors with fewer than 100 employees.

SECTION 156. The requirements of section 42 of chapter 15A of the General Laws shall apply to academic years beginning on or after July 1, 2013; provided, however, that in implementing the requirements of subsection (b) of said section 42 of said chapter 15A, the initial 3-year plan shall be submitted to the board of higher education beginning in the academic year beginning on or after July 1, 2013; and provided further that the board of education shall review the plans of each state university for the academic year beginning on or after July 1, 2013. For subsequent academic years, the board shall develop procedures to provide for the review of state university plans on a staggered basis, so that the board may review a smaller number of plans each year. These procedures may include provisions requiring a state university to submit an updated plan before the approval period of such state university's initial plan has expired in order to accommodate a staggered schedule.

Notwithstanding section 42 of chapter 15A of the General Laws, the 3-year student charges proposals for the Massachusetts College of Art and Design and the Massachusetts Maritime Academy shall include provisions for performance measurement standards and admissions standards specific to the respective missions of Massachusetts College of Art and Design and Massachusetts Maritime Academy that are consistent with the performance measurements systems and admission standards in effect on the effective date of this act.

SECTION 156A. The foundation budget review commission established in section 4 of chapter 70 of the General Laws shall file its initial recommendations with the clerks of the senate and house of representatives under said section 4 of said chapter 70 not later than June 30, 2013; provided, however, that the commission may issue an initial interim report before that date.

SECTION 156B. The updates to the searchable website which are required to be implemented under subsection (h) of section 14C of chapter 7 of the General Laws shall be completed not later than December 31, 2015.

SECTION 157. Section 8A of chapter 75 of the General laws shall apply to academic years beginning on or after July 1, 2013; provided, however, that in implementing the requirements of subsection (b) of said section 8A of said chapter 75, the initial 3-year plan shall be submitted to the University of Massachusetts board of trustees beginning in the academic year beginning on or after July 1, 2013.

SECTION 157A. The routine childhood immunizations surcharge assessment required under section 4 of chapter 118I of the General Laws shall take effect on July 1, 2013.

SECTION 157B. Section 73 shall take effect on July 1, 2013.

SECTION 158. Sections 57 to 71, inclusive, shall apply to all Community Preservation Fund appropriations approved by a city or town's legislative body on or after the effective date of acceptance of sections 3 to 7, inclusive, of chapter 44B of the General Laws in any such city or town.

SECTION 159. Sections 4, 8 to 14, inclusive, 18, 19, 146, 147 and 149 shall take effect on October 31, 2012.

SECTION 159A. Section 33A shall take effect 180 days after the effective date of this act.SECTION 160. Sections 55, 77, 78 shall take effect on December 1, 2012.

SECTION 160A. Section 152B shall take effect on July 1, 2013.

SECTION 160B. Section 155II is hereby repealed.

SECTION 160C. Section 155JJ is hereby repealed.

SECTION 160D. Section 160B shall take effect on September 1, 2013.

SECTION 160E. Section 160C shall take effect on September 1, 2014

SECTION 161. Except as otherwise specified, this act shall take effect on July 1, 2012.