

HOUSE DOCKET, NO.

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FILED ON: 10/04/2011

HOUSE No. 03735

The Commonwealth of Massachusetts

PRESENTED BY:

Brian Dempsey

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

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

An Act making appropriations for the fiscal years 2011 and 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

HOUSE No. 03735

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on House, No. 3695, reported, in part, a Bill making appropriations for the fiscal years 2011 and 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3735).

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act making appropriations for the fiscal years 2011 and 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects.

Whereas, the deferred operation of this act would tend to defeat its purpose, which is forthwith to make supplemental appropriations for fiscal years 2011 and 2012 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

- 1 SECTION 1. To provide for supplementing certain items in the general appropriation act and
- 2 other appropriation acts for fiscal year 2011, the sums set forth in section 2 are hereby
- 3 appropriated from the General Fund unless specifically designated otherwise in this act or in
- 4 those appropriation acts, for the several purposes and subject to the conditions specified in this

5 act or in those appropriation acts, and subject to the laws regulating the disbursement of public
6 funds for the fiscal year ending June 30, 2011. These sums shall be in addition to any amounts
7 previously appropriated and made available for the purposes of those items. Notwithstanding
8 any general or special law to the contrary, appropriations made in section 2 shall not revert and
9 shall be available for expenditure until June 30, 2012.

10 SECTION 2.

11 JUDICIARY

12 Trial Court

13 0330-0300 \$12,000,000

14 DISTRICT ATTORNEY

15 Worcester District Attorney

16 0340-0400 \$98,066

17 Hampden District Attorney

18 0340-0500 \$252,843

19 0340-0501 \$45,000

20 Northwestern District Attorney

21 0340-0600 \$102,909

22 Norfolk District Attorney

23	0340-0700	\$115,203
24	0340-0701	\$11,453
25	SECRETARY OF THE COMMONWEALTH	
26	0521-0000	\$61,501
27	0521-0012	\$1,113
28	TREASURER & RECEIVER GENERAL.	
29	Office of the Treasurer and Receiver General.	
30	0612-0105	\$200,000
31	MASSACHUSETTS CULTURAL COUNCIL.	
32	0640-0300	\$750,000
33	STATE AUDITOR	
34	Office of the State Auditor	
35	0710-0000	\$874,830
36	ATTORNEY GENERAL	
37	Office of the Attorney General	
38	0810-0000	\$671,665
39	INSPECTOR GENERAL	

40 Office of the Inspector General

41 0910-0200 \$709,394

42 OFFICE OF THE STATE COMPTROLLER

43 Office of the State Comptroller

44 1599-3384 \$2,000,000

45 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

46 Office of the Secretary of Administration and Finance

47 1599-4227 \$3,813,028

48 EXECUTIVE OFFICE OF EDUCATION

49 Department of Early Education and Care

50 3000-7050 \$200,000

51 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

52 Office of the Secretary of Health and Human Services

53 4000-0300 \$3,000,000

54 4000-0500 \$6,000,000

55 Department of Transitional Assistance

56 4403-2000 \$8,200,000

57 Department of Public Health

58 4510-0100 \$2,313,560

59 4516-1000 \$300,000

60 4512-0103 \$500,000

61 4580-1000 \$850,000

62 Department of Children and Families

63 4800-0015 \$1,580,000

64 4800-1100 \$650,000

65 Department of Mental Health

66 5046-0000 \$3,000,000

67 EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

68 Department of Career Services

69 7003-0605 \$800,000

70 7003-0702 \$250,000

71 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

72 Massachusetts Marketing Partnership

73 7008-0900 \$52,000

74 Massachusetts Tourism Fund.....100%

75 EXECUTIVE OFFICE OF EDUCATION

76 Department of Elementary and Secondary Education

77 7035-0006 \$48,000

78 Department of Higher Education

79 7066-0021 \$500,000

80 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

81 Department of Elder Affairs

82 9110-1660 \$107,000

83 SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to
84 provide for an alteration of purpose for current appropriations, and to meet certain requirements
85 of law, the sums set forth in this section are hereby appropriated from the General Fund unless
86 specifically designated otherwise in this section, for the several purposes and subject to the
87 conditions specified in this section, and subject to the laws regulating the disbursement of public
88 funds for the fiscal year ending June 30, 2011. These sums shall be in addition to any amounts
89 previously appropriated and made available for the purposes of those items. Notwithstanding any
90 general or special law to the contrary, appropriations made in section 2A shall not revert and
91 shall be available for expenditure until June 30, 2012.

92 DITRICT ATTORNEY

93 Berkshire District Attorney

94 0340-1100 For costs associated with the expansion of the Berkshire District Attorney's Office

95 and relocation of the State Police Detective Unit \$194,134

96 OFFICE OF THE STATE COMPTROLLER

97 Office of the State Comptroller

98 1599-3393 For a reserve for the Hayes settlement \$5,000,000

99 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

100 Office of the Secretary of Administration and Finance

101 1599-0029 For a reserve to meet the fiscal year 2012 costs of employee training and other

102 economic benefits authorized by the collective bargaining agreement between the

103 commonwealth and service employees international union local 1199; provided, that the

104 secretary of administration and finance may transfer from the sum appropriated in this item to

105 other items of appropriation amounts that are necessary to meet these costs where the amounts

106 otherwise available are insufficient for the purpose; and provided further, that funds under this

107 item shall not revert but shall be made available for expenditure until June 30, 2012

108 \$1,000,000

109 1599-1706 For a reserve for the state share of costs to certain municipalities relating to the

110 June 1, 2011 storms; provided, that the comptroller shall transfer funds made available in this

111 item to municipalities for this purpose upon the written request of the secretary of administration

112 and finance \$10,000,000

113 1599-1707 For a reserve for the state share of costs to certain municipalities and municipal
114 lighting plants as identified by the Federal Emergency Management Agency for Emergency
115 Declaration 3296 relating to the December 2008 severe winter storm, for the counties of
116 Berkshire, Bristol, Essex, Franklin, Hampden, Hampshire, Middlesex, Suffolk and Worcester;
117 provided, that the comptroller shall transfer funds made available in this item to municipalities
118 for this purpose upon the written request of the secretary of administration and finance
119 \$6,200,000

120 1599-1708 For a reserve for the state share of costs to certain municipalities identified by the
121 Federal Emergency Management Agency for Emergency Declaration 1895-DR relating to the
122 March 2010 severe flood, for the counties of Bristol, Essex, Middlesex, Norfolk, Plymouth,
123 Suffolk, and Worcester Counties; provided, that the comptroller shall transfer funds made
124 available in this item to municipalities for this purpose upon the written request of the secretary
125 of administration and finance \$2,783,277

126 1599-2013 For a reserve for costs associated with the Commonwealth's defense in the case of
127 Connor B., et al v. Patrick, et al, civil action No. 3:10-cv30073; provided, that the secretary may
128 transfer from the sum appropriated in this item to other items of appropriation amounts that are
129 necessary to meet these costs where the amounts otherwise available are insufficient for the
130 purpose. \$2,500,000

131 1599-3381 For a reserve to pay attorneys' fees in the lawsuit known as Hutchinson v. Patrick,
132 pending in the United States District Court. \$745,000

133 1599-4204 For a reserve to meet the fiscal year 2011 and 2012 costs of salary adjustments
134 and other economic benefits authorized by the collective bargaining agreement between the
135 Commonwealth and the State Police Association of Massachusetts \$4,509,518

136 1599-4252 For a reserve to meet the fiscal year 2011 and 2012 costs of salary adjustments
137 and other economic benefits authorized by the collective bargaining agreement between the
138 commonwealth and the Coalition for Public Safety, Unit 5 \$140,000

139 1599-4343 For a reserve to meet the fiscal year 2011 and fiscal year 2012 costs of salary
140 adjustments and other economic benefits authorized by the collective bargaining agreement
141 between the Suffolk county sheriff's department and the County Correction Officers/AFSCME
142 Local 414 \$293,950

143 1599-4421.. For a reserve to meet the fiscal year 2011 costs of salary adjustments and other
144 economic benefits authorized by the collective bargaining agreement between the Board of
145 Higher Education and the Massachusetts Teachers Association/National Education Association
146 Associated Massachusetts Community Colleges Council, and to meet the fiscal year 2011 costs
147 of salary adjustments and other economic benefits necessary to provide equal adjustments and
148 benefits to employees employed in confidential positions which otherwise would be covered by
149 this agreement; provided, that the personnel administrator, with the approval of the secretary of
150 administration and finance, shall determine these adjustments and benefits for the confidential
151 employees in accordance with the collective bargaining agreement then in effect which otherwise
152 would cover these positions; provided further, that the secretary may transfer from the sum
153 appropriated in this item to other items of appropriation and allocations thereof for fiscal year
154 2011 amounts that are necessary to meet these costs where the amounts otherwise available are

155 insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance
156 with the house and senate committees on ways and means; and provided further, that any
157 unexpended funds from this item shall not revert and shall be made available for expenditure
158 until June 30, 2012 \$3,422,000

159 1599-4430 For a reserve to meet the fiscal year 2011 and 2012 costs of salary adjustments
160 and other economic benefits authorized by the collective bargaining agreement between the
161 commonwealth and NAGE local 229 \$1,300,000

162 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

163 Office of the Secretary of Health and Human Services

164 4000-0114 For the purposes of establishing an EOHHS pilot program that would link
165 increased training to modest pay increases in order to reduce turnover rates; provided, that
166 EOHHS shall issue regulations for the administration and distribution of such funds and shall
167 submit said regulations to the House and Senate Committees on Ways and Means \$1,000,000

168 4000-0265 For a primary care workforce development grant program at community health
169 centers, for the purpose of enhancing recruitment and retention of primary care physicians and
170 other clinicians at community health centers throughout the Commonwealth; provided, the grants
171 shall be administered by a designee selected by the Secretary of Health and Human Services by
172 December 1, 2011 in consultation with the General Court; provided, that in awarding such grants
173 priority will be given to health centers serving medically underserved areas; provided further,
174 that the funds may be matched by other public and private funds; and provided, further, that the
175 designee selected by the secretary shall maximize all sources of public and private funds
176 \$1,000,000

177 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

178 Department of Housing and Community Development

179 7004-0002 For Friends of the Homeless in the city of Springfield to alleviate the increased

180 caseload resulting from the June 1, 2011, storms . \$100,000

181 EXECUTIVE OFFICE OF EDUCATION

182 Department of Elementary and Secondary Education

183 7052-0006 For grants and reimbursements to cities, towns, regional school districts and counties

184 under chapter 645 of the acts of 1948 and chapter 70B of the General Laws, for (a) educational,

185 engineering, and architectural services for school districts, (b) surveys made of school building

186 needs and conditions, (c) matching stabilization fund payments, (d) costs of leasing buildings for

187 vocational programs and originally equipping and furnishing said buildings for vocational

188 programs, and (e) payments associated with admission to a regional school district

189 \$19,076

190 SECTION 2C.I. For the purpose of making available in fiscal year 2012 balances of

191 appropriations which otherwise would revert on June 30, 2011, the unexpended balances of the

192 maintenance appropriations listed below, not to exceed the amount specified below for each

193 item, are hereby re-appropriated for the purposes of and subject to the conditions stated for the

194 corresponding item in section 2 of the general appropriation act for fiscal year 2011. However,

195 for items which do not appear in section 2 of the general appropriation act, the amounts in this

196 section are re-appropriated for the purposes of and subject to the conditions stated for the

197 corresponding item in section 2 or 2A of this act or in prior appropriation acts. Amounts in this

198 section are re-appropriated from the fund or funds designated for the corresponding item in
199 section 2 of the general appropriation act; provided, however, that for items which do not appear
200 in section 2 of the general appropriation act, the amounts in this section are re-appropriated from
201 the fund or funds designated for the corresponding item in section 2 or 2A of this act or in prior
202 appropriation acts. The sums re-appropriated in this section shall be in addition to any amounts
203 available for said purposes including amounts appropriated in sections 2, 2A and 2E of this act.

204 JUDICIARY

205 Committee for Public Counsel Services.

206 0321-1510 \$7,807,455

207 TREASURER AND RECEIVER-GENERAL

208 Lottery Commission

209 0640-0000 \$815,000

210 SHERIFFS

211 Essex Sheriff's Department

212 8910-0619 \$21,578

213 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

214 Office of the Secretary of Administration and Finance

215 1100-1560 \$440,693

216 1599-0016 \$110,000

217	1599-4281	\$10,000
218	1599-4282	\$10,000
219	1599-4283	\$10,000
220	1599-4284	\$10,000
221	Department of Children and Families	
222	4800-0038	\$500,000
223	4800-0041	\$2,500,000
224	4800-1100	\$2,000,000
225	Massachusetts Commission for the Deaf and Hard of Hearing	
226	4125-0100	\$90,000
227	EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY	
228	Office of the Secretary of Public Safety and Security	
229	8000-0600	\$6,500
230	Department of State Police	
231	8100-1001	\$2,700,000
232	Military Division	
233	8700-0001	\$200,000

234 Parole Board

235 8950-0001 \$500,000

236 LEGISLATURE

237 Senate

238 9500-0000 For the operation of the senate \$490,971

239 House of Representatives

240 9600-0000 For the operation of the house of representatives \$1,068,325

241 Joint Legislative Expenses

242 9700-0000 For the joint operations of the legislature \$234,807

243 SECTION 2C.II. For the purpose of making available in fiscal year 2012 balances of retained
244 revenue and intragovernmental chargeback authorizations which otherwise would revert on June
245 30, 2011, the unexpended balances of the authorizations listed below, not to exceed the amount
246 specified below for each item, are hereby re-authorized for the purposes of and subject to the
247 conditions stated for the corresponding item in section 2 or 2B of the general appropriation act
248 for fiscal year 2009. However, for items which do not appear in section 2 or 2B of the general
249 appropriation act, the amounts in this section are re-authorized for the purposes of and subject to
250 the conditions stated for the corresponding item in section 2, 2A, or 2B of this act or in prior
251 appropriation acts. Amounts in this section are re-authorized from the fund or funds designated
252 for the corresponding item in section 2 or 2B of the general appropriation act; however, for items
253 which do not appear in section 2 or 2B of the general appropriation act, the amounts in this

254 section are re-authorized from the fund or funds designated for the corresponding item in section
255 2, 2A, or 2B of this act or in prior appropriation acts. The sums re-authorized in this section
256 shall be in addition to any amounts available for those purposes.

257 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

258 Office of the Secretary of Public Safety and Security

259 8000-0004 \$3,000,000

260 Municipal Police Training Committee

261 8200-0222 \$48,000

262 SECTION 2E. The sums set forth in this section are hereby appropriated for transfer from the
263 General Fund to the trust funds named within each item unless specifically designated otherwise
264 in this section, for the purposes and subject to the conditions specified in this section and subject
265 to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2011.
266 Items in this section shall not be subject to allotment under section 9B of chapter 29 of the
267 General Laws or reduction under section 9C of said chapter 29, without express authorization
268 from the general court. Notwithstanding section 19A of said chapter 29, any transfer under this
269 section shall be made by the comptroller in accordance with a transfer schedule to be developed
270 for each item by the comptroller, after consulting with the appropriate agency secretary, the
271 secretary of administration and finance and the state treasurer. The schedule for each
272 appropriation shall provide for transfers in increments considered appropriate to meet the cash
273 flow needs of each fund and all transfers under the schedule shall be completed not later than
274 June 30, 2011. Not later than 7 days after the schedules receive final approval by the comptroller,

275 they shall be reported to the house and senate committees on ways and means. Notwithstanding
276 any general or special law to the contrary, appropriations made in section 2E shall not revert and
277 shall be available for expenditure until June 30, 2012.

278 OFFICE OF THE STATE COMPTROLLER

279 Office of the State Comptroller

280 1595-6583 For an operating transfer to the Infrastructure Development Fund \$37,950,000

281 1595-6585 For an operating transfer to the Low Income Housing Tax Credit Fund

282 \$9,500,000

283 EXECUTIVE OFFICE OF EDUCATION

284 Department of Higher Education

285 7066-0035 For the support of the science, technology, engineering, and mathematics grant

286 fund established by section 2MMM of chapter 29 of the General Laws \$500,000

287 SECTION 3. To provide for supplementing certain items in the general appropriation act and
288 other appropriation acts for fiscal year 2012, the sums set forth in section 3 are hereby
289 appropriated from the General Fund unless specifically designated otherwise in this act or in
290 those appropriation acts, for the several purposes and subject to the conditions specified in this
291 act or in those appropriation acts, and subject to the laws regulating the disbursement of public
292 funds for the fiscal year ending June 30, 2012. These sums shall be in addition to any amounts
293 previously appropriated and made available for the purposes of those items.

294 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

295 Department of Developmental Services

296 5920-2000 \$5,000,000

297 5920-3000 \$5,500,000

298 Department of Youth Services

299 4200-0300 \$1,600,000

300 EXECUTIVE OFFICE OF EDUCATION

301 Department of Elementary and Secondary Education

302 7035-0002 \$3,000,000

303 SECTION 4. Chapter 7A of the General Laws is hereby amended by adding the following

304 section: -

305 Section 19. (a) As used in this section the following words shall, unless the context clearly

306 requires otherwise, have the following meanings:

307 "Debt", a delinquent state tax or non-tax debt certified by the treasurer and receiver general or a

308 federal non-tax debt certified by a federal official including, but not limited to, fines, fees,

309 penalties and other non-tax assessments imposed by or payable to the commonwealth or federal

310 government that are finally determined to be due and owing.

311 "Federal official", a unit or official of the federal government charged with the collection of non-

312 tax liabilities payable to the federal government and with the authority to enter into the offset

313 agreement.

314 "Offset agreement", the agreement between the comptroller and the Secretary of the Treasury
315 authorized by this section.

316 "Person", an individual, vendor, contractor, partnership, society, association, joint stock
317 company, limited liability company, corporation, estate, receiver, trustee, assignee and any other
318 person acting in a fiduciary or representative capacity whether appointed by a court or otherwise,
319 or any combination of the foregoing.

320 "Refund", an overpayment of any tax that is returned or credited to the taxpayer pursuant to
321 sections 30, 31A, 36, 36A, 37 or 39 of chapter 62C, or sections 27 or 27A of chapter 65, or
322 section 6 of chapter 65A or any other general or special law that authorizes such a return or
323 credit.

324 "State payments", refunds and any vendor or contractor payments made by the commonwealth to
325 any person, including expense reimbursements to an employee of the commonwealth, provided,
326 however, that "state payments" shall not include salary, wages, pension and any other type, class
327 or amount of payment that the comptroller determines to impact health or welfare benefits of the
328 citizens of the commonwealth.

329 (b) Notwithstanding any other general or special law to the contrary, the comptroller may enter
330 into an offset agreement with the Secretary of the Treasury to participate in a reciprocal Treasury
331 Offset Program pursuant to 31 U.S.C. section 3716 for the collection of any debts owed to the
332 commonwealth or to state agencies from federal payments to vendors, contractors and taxpayers.
333 The offset agreement may provide for the United States to submit non-tax debts owed to federal
334 agencies for offset against state payments otherwise due and owing to taxpayers, vendors and

335 contractors providing goods or services to the commonwealth, its departments, agencies or
336 institutions.

337 (c) Pursuant to the offset agreement, a federal official may: (1) provide certification to the
338 comptroller the existence of a person's delinquent, non-tax debt owed by the person to the federal
339 government by providing: (i) the full name and address of the person and any other names
340 known to be used by the person; (ii) the social security number or federal tax identification
341 number; (iii) the amount of the federal non-tax debt; (iv) a statement certifying that the debt is
342 past due, that due process has been provided and that the debt is legally enforceable in the
343 amount certified, which may be provided in procedures for certifying payments in the agreement;
344 and (v) any other information pursuant to the agreement; (2) request the comptroller to withhold
345 any state payment to which the person is entitled; and (3) retain a portion of the proceeds of any
346 federal administrative setoff authorized by the federal offset program.

347 (d) As permitted by the offset agreement, the comptroller shall: (1) determine if a person for
348 whom a certification is received is due a state payment; (2) withhold a state payment that is due a
349 person whose name has been certified by a federal official; (3) notify the person of the amount
350 withheld in satisfaction of a debt certified by a federal official; (4) pay to the federal official the
351 lesser of the entire state payment or the amount certified and pay any refund or state payment in
352 excess of the certified amount to the person less any fee pursuant to subsection (f);

353 (e) The comptroller may certify to a federal official a person's delinquent debt owed to the
354 commonwealth by providing the federal official: (1) the full name and address of the person and
355 any other names known to be used by the person; (2) the social security number or federal tax
356 identification number; (3) the amount of the liability; (4) a statement certifying that the debt is

357 past due, that due process has been provided and that the debt is legally enforceable in the
358 amount certified, which may be provided in procedures for certifying payments in the agreement;
359 and (5) Any other information required by state statute or regulation applicable to the collection
360 of the debt by offset of federal payments.

361 (f) The comptroller may request that the federal official withhold any federal vendor or other
362 federal payment pursuant to the offset agreement to which the person is entitled
363 the entire federal payment or the amount certified and pay any refund or federal payment in
364 excess of the certified amount to the person less any fee pursuant to subsection (g);

365 (g) The comptroller shall establish a reasonable administrative fee to be charged to the person for
366 the provision of the state offset of a federal debt or the federal offset of a state debt. The fee is a
367 separate debt and may be withheld from any refund, reimbursement or other monies held for the
368 person. The comptroller may charge the person who is the subject of federal offset of a state
369 debt, a fee equal to the fee authorized in this paragraph. Any state administrative fees may be
370 retained by the comptroller, without further appropriation, for the costs of the offset program,
371 including reporting, and for costs associated with other revenue generation and cost savings
372 initiatives as determined by the comptroller.

373 (h) The comptroller may enter into interagency agreements with other state agencies for the
374 purpose of protecting a person's return information pursuant to chapter 62C and regulations
375 promulgated thereunder and collecting debts, fees and penalties due the commonwealth, its
376 departments, agencies or institutions.

377 (i) If an individual filed a joint income tax return and the debt certified by a federal official is not
378 the liability of both parties to the joint income tax return, the comptroller may not withhold or

379 pay to the federal official that portion of the income tax refund attributable to the individual not
380 owing the debt. The comptroller and the commissioner of revenue shall adopt procedures
381 notifying parties to a joint income tax return of a proposed offset of a state income tax refund for
382 a debt certified by a federal official and shall allow the parties to such return 60 days to assert in
383 writing that a portion of the income tax refund is attributable to the individual not owing the
384 debt. If no such assertion by a party to the joint return is made within 60 days of notice, all of
385 the income tax refund shall be deemed attributable to the individual owing the debt.

386 SECTION 5. Subsection (a) of section 2RR of chapter 29 of the General Laws, as amended by
387 section 93 of chapter 3 of the acts of 2011, is hereby further amended by adding the following
388 sentence:- For the purpose of accommodating discrepancies between the receipt of revenues and
389 related expenditures, the director of career services may incur obligations and the comptroller
390 may certify payment amounts not to exceed the most recent revenue estimate submitted by the
391 department and approved by the comptroller; provided, however, that the fund shall be in
392 balance by the close of each fiscal year.

393 SECTION 6. Section 32 of chapter 29 of the General Laws, as appearing in the 2010 Official
394 Edition, is hereby amended by striking out the first and second sentences and inserting in place
395 thereof the following 2 sentences:- Any check issued by the state treasurer or by any agent or
396 agency of the commonwealth, other than checks issued in payment of obligations of the state
397 board of retirement, the teachers' retirement board and the MassHealth program, which is not
398 presented for payment within 1 year after its date, shall be payable only at the office of the state
399 treasurer. Any check issued on behalf of the MassHealth program, which is not presented for
400 payment within 180 days after its date, shall be payable only at the office of the state treasurer.

401 SECTION 7. Section 2 of chapter 30A of the General Laws, as appearing in the 2010 Official
402 Edition, is hereby amended by striking out the fourth paragraph and inserting in place thereof the
403 following paragraph:-

404 A small business impact statement shall be filed with the state secretary on the same day the
405 notice is filed and shall accompany the notice. Notwithstanding section 6, the state secretary
406 shall include the small business impact statement on the electronic website of the state secretary,
407 and the statement may be inspected and copied in the office of the state secretary during business
408 hours.

409 SECTION 8. Section 3 of said chapter 30A of the General Laws, as so appearing, is hereby
410 amended by striking out the fourth paragraph and inserting in place thereof the following
411 paragraph:-

412 A small business impact statement shall be filed with the state secretary on the same day the
413 notice is filed and shall accompany the notice. Notwithstanding section 6, the state secretary
414 shall include the small business impact statement on the electronic website of the state secretary,
415 and the statement may be inspected and copied in the office of the state secretary during business
416 hours.

417 SECTION 9. Section 108L of chapter 41 of the General Laws, as so appearing, is hereby
418 amended by striking out, in lines 3 to 5, the words “, uniformed members of the department of
419 state police appointed under said section ten, state police detectives appointed under section ten
420 of said chapter twenty-two C”.

421 SECTION 10. The fifth paragraph of said section 108L of said chapter 41, as so appearing, is
422 hereby amended by striking out the third sentence.

423 SECTION 11. Section 6I of chapter 62 of the General Laws, as so appearing, is hereby amended
424 by striking out, in line 54, the figure “\$10,000,000” and inserting in place thereof the following
425 figure:- \$20,000,000.

426 SECTION 12. Said section 6I of said chapter 62, as so appearing, is hereby further amended by
427 striking out the figure “\$20,000,000”, inserted by section 10, and inserting in place thereof the
428 following figure:- \$10,000,000.

429 SECTION 13. Section 1 of chapter 62D of the General Laws, as appearing in the 2010 Official
430 Edition, is hereby amended by inserting after the figure “29”, in line 29, the following words:- ,
431 or any federal agency as certified by a federal official to the comptroller pursuant to section 19 of
432 chapter 7A.

433 SECTION 14. Section 13 of said chapter 62D of the General Laws, as so appearing, is hereby
434 amended by inserting after the figure “29”, in line 15, the following words:- , or any federal
435 agency as certified by a federal official to the comptroller pursuant to section 19 of chapter 7A.

436 SECTION 15. Section 31H of chapter 63 of the General Laws, as so appearing, is hereby
437 amended by striking out, in line 56, the figure “\$10,000,000” and inserting in place thereof the
438 following figure:- \$20,000,000.

439 SECTION 16. Said 31H of said chapter 63, as so appearing, is hereby further amended by
440 striking out the figure “\$20,000,000”, inserted by section 14, and inserting in place thereof the
441 following figure:- \$10,000,000.

442 SECTION 17. Section 92 of chapter 71 of the General Laws is hereby amended by striking out
443 subsection (r), added by section 74 of chapter 68 of the acts of 2011.

444 SECTION 18. Section 35 of chapter 123 of the General Laws, as appearing in the 2010 Official
445 Edition, is hereby amended by striking out the fourth paragraph and inserting in place thereof the
446 following paragraph:-

447

448 If, after a hearing, the court based upon competent testimony, which shall include, but not be
449 limited to, medical testimony, finds that a person is an alcoholic or substance abuser and there is
450 a likelihood of serious harm as a result of a person's alcoholism or substance abuse, the court
451 may order such person to be committed for a period not to exceed 30 days; provided, however,
452 that if, after a hearing, the court finds that a person is a substance abuser, who is addicted to 1 or
453 more controlled substances including, but not limited to, heroin, OxyContin, hydrocodone,
454 oxycodone, crack cocaine, methamphetamine or other controlled substance having an addiction-
455 forming or addiction-sustaining liability, the court, in its discretion, may order such person to be
456 committed for a period not to exceed 90 days, followed by 1 year of case management. During a
457 person's commitment they may voluntarily discuss their path to addiction, including but not
458 limited to prescription drug abuse. Such commitment shall be for inpatient care in public or
459 private facilities approved by the department of public health under chapter 111B for the care
460 and treatment of alcoholism or substance abuse. The person may be committed to the
461 Massachusetts correctional institution at Bridgewater, if a male, or at Framingham, if a female,
462 provided that there are not suitable facilities available under said chapter; and provided, further,
463 that the person so committed shall be housed and treated separately from convicted criminals. A
464 person so committed may be released prior to the expiration of the period of commitment upon
465 written determination by the superintendent that release of said person will not result in a
466 likelihood of serious harm. Such written determination by the superintendent shall contain the

467 reasons for the superintendent's decision to release said person and shall be signed and dated by
468 the superintendent. Said person shall be encouraged to consent to further treatment and shall be
469 allowed voluntarily to remain in the facility for such purposes. The department of mental health,
470 in conjunction with the department of public health, shall maintain a roster of public and private
471 facilities available, together with the number of beds currently available, for the care and
472 treatment of alcoholism or substance abuse and shall make it available to the district courts of the
473 commonwealth on a monthly basis.

474 SECTION 19. Section 1 of chapter 176J of the General Laws, as so appearing, is hereby
475 amended by striking out the definition of "Eligible individual" and inserting in place thereof the
476 following definition:-

477 "Eligible individual," an individual who is a resident of the commonwealth and who is not
478 seeking individual coverage to replace an employment-based health plan for which the individual
479 or individual's qualified dependent is eligible, which provides coverage that is at least actuarially
480 equivalent to minimum creditable coverage; provided, however, that any person enrolled in an
481 individual health benefit plan before September 30, 2011 shall be considered an eligible
482 individual so long as such person continues to be a resident of the commonwealth and maintains
483 enrollment in an individual health benefit plan.

484 SECTION 20. The first paragraph of subsection (d) of section 6 of chapter 176J of the General
485 Laws, as so appearing, is hereby amended by adding the following sentence:-

486 The commissioner shall have discretion to apply waivers to the presumptive disapproval process
487 requirements under this section to carriers who receive 80 per cent of more of their income from
488 government programs.

489 SECTION 21. The last paragraph of subsection (a) of section 11 of chapter 176J of the General
490 Laws, as so appearing, is hereby amended by adding the following sentence:-

491 The commissioner shall have discretion to apply waivers to the 12 per cent requirement under
492 this section to carriers who receive 80 per cent or more of their income from government
493 programs.

494 SECTION 22. Subsection (c) of section 2A of chapter 211D of the General Laws, as appearing
495 in section 112 of chapter 68 of the acts of 2011, is hereby amended by adding the following
496 paragraph:-

497 Upon request by the department of children and families, the commissioner of probation shall
498 provide to the department a copy of a person's indigency intake form, final assessment of
499 financial circumstances, and any report certifying that the person either continues to meet or no
500 longer meets the definition of indigency prepared by the chief probation officer in accordance
501 with this section. The department shall use these forms and reports for the purpose of
502 completing eligibility determinations under Title IV-E of the Social Security Act and for no other
503 purpose. The commissioner of probation and the commissioner of children and families shall
504 jointly determine the process by which the department of children and families shall obtain and
505 maintain these forms and reports. The department of children and families shall not make, and
506 shall prohibit, any dissemination of such information for any purpose other than those set forth in
507 this paragraph.

508 SECTION 23. The last paragraph of chapter 2 of the resolves of 2010 is hereby amended by
509 striking out the words "September 28, 2011" and inserting in place thereof the following words:-
510 January 31, 2012.

511 SECTION 24. Chapter 192 of the acts of 2007 is hereby amended by striking out sections 5 to
512 11, inclusive, and inserting in place thereof the following 4 sections:-

513 Section 5. As used in sections 5 to 11, inclusive, the following words shall, unless the context
514 clearly requires otherwise, have the following meanings:-

515 “Corps members”, individuals who commit to service in the commonwealth corps pursuant to
516 this act.

517 “Corps projects”, programs established pursuant to this act to satisfy unmet community needs.

518 “Corps sponsors”, non-profit and public entities that participate in corps projects.

519 “Massachusetts Service Alliance,” or “MSA”, the non-profit organization which administers the
520 commonwealth corps program.

521 “Unmet community needs”, needs including, but not limited to, those pertaining to education,
522 public health, public safety, the environment and other human needs in underserved populations
523 and areas in the commonwealth.

524 Section 6. (a) Subject to the receipt of adequate funding by the commonwealth or other sources,
525 there shall be a commonwealth corps.

526 (b) The commonwealth corps shall be composed of corps members who will commit to no more
527 than 12 months of full-time, part-time or flex-time service to the commonwealth to address
528 unmet community needs.

529 (c) Corps members shall be residents of the commonwealth who are at least 18 years of age.

530 Members shall be the responsibility of the corps sponsors with support from the MSA. Corps

531 members shall undertake meaningful service projects addressing unmet community needs in
532 areas including, but not limited to, the environment, education, health and basic human services
533 and may serve full or part-time; but, members having direct contact with minor children or
534 vulnerable adults shall be required to pass a background check.

535 (d) The MSA and the corps sponsors shall, to the extent practicable, ensure that corps members
536 are placed with corps projects that match their interests, geographic constraints, skills and
537 abilities. Corps sponsors may enroll individuals who choose to defer a stipend to serve as a corps
538 member. Corps sponsors shall seek to enroll individuals who are economically, geographically,
539 ethnically, socially, physically or educationally diverse.

540 (e) A corps member shall not be subject to chapter 31 or section 9A of chapter 30. Corps
541 members shall not be considered to be an employee of the commonwealth entitled to the benefit
542 of chapter 152, nor shall a corps member be considered to be an employee of the commonwealth
543 for any other purpose.

544 Section 7. (a) The MSA shall administer the commonwealth corps and in so doing shall: (1)
545 provide the personnel necessary to carry out the purposes of this chapter; (2) recruit corps
546 sponsors; (3) coordinate among agencies of the commonwealth and other organizations using
547 community service and volunteerism as a strategy to assist in the solution of local, regional and
548 statewide problems; (4) initiate studies and analyses of proposed and implemented service and
549 volunteer projects, which will aid in solving local, regional and statewide problems; (5)
550 recommend expansion of corps opportunities to address all community needs, such as education,
551 environment, public safety, public health and employment and training; (6) encourage the
552 corporate community of the commonwealth to become an active partner in the support, advocacy

553 and promotion of community service and volunteer opportunities in the commonwealth; (7)
554 develop a grant application and selection process using the criteria set forth in subsection (b) for
555 non-profit organizations and public entities, including schools and educational institutions,
556 seeking to participate in the commonwealth corps; (8) review grant applications from non-profit
557 organizations and public entities, including schools and educational institutions and selecting
558 grant awardees; (9) establish criteria and procedures for recruiting residents of the
559 commonwealth who are 18 years or older to serve as corps members; (10) establish procedures
560 for matching and placing corps members with corps projects; (11) establish personnel policies
561 and procedures for corps members; (12) determine the appropriate financial match support levels
562 by private business, community groups, foundations, public agencies and individuals; (13) assist
563 corps sponsors in the development of scholarships and matching funds from private businesses,
564 community groups, foundations, public agencies and individuals in order to support a portion of
565 a corps member's stipend and benefits; and (14) monitor corps members and corps sponsors for
566 compliance with all state and federal laws and funding agreements.

567 (b) The MSA shall give projects meeting the following criteria preference: (1) projects
568 addressing a well-established unmet community need; (2) projects articulating measurable goals,
569 including an assessment of the impact on the corps members and on the targeted community; (3)
570 projects providing services to communities and organizations throughout the commonwealth; (4)
571 projects not using corps members to replace previously budgeted positions or to reduce overtime,
572 hours of work or opportunities for advancement for employees or members of corps sponsors;
573 and (5) projects falling within 1 or both of the following categories: (i) direct service projects
574 that give corps members opportunities to provide direct services addressing unmet community
575 needs including, but not limited to, tutoring or mentoring, providing health care education,

576 providing services to the homeless, enhancing historic, cultural, and natural resources of the
577 commonwealth, enhancing environmental restoration, enhancing emergency preparedness and
578 response; or (ii) volunteer-generating projects that give corps members the opportunity to recruit,
579 train and support volunteers to participate in civic projects and to meet unmet community needs.

580 Section 8. The MSA shall file with the governor, on or before January 1 and on or before July 1
581 of each year, a report, which shall include but not be limited to the following: (1) a financial
582 statement summarizing its expenditures and available funds; (2) the number of projects and
583 proposed placements submitted to it; (3) the number of volunteers assigned to corps sponsors; (4)
584 the number of hours served by corps members; (5) the number of beneficiaries served by corps
585 projects; (6) a description of corps projects and a summary of the work completed; (7) a measure
586 of outputs and outcomes; and (8) information on other pertinent service data as may be
587 determined by the governor.

588 SECTION 25. Section 2 of chapter 131 of the acts of 2010 is hereby amended by striking out the
589 figure “0340-0101” and inserting in place thereof the following figure:- 0340-0198.

590 SECTION 26. Said section 2 of said chapter 131 is hereby further amended by striking out the
591 figure “0340-0201” and inserting in place thereof the following figure:-0340-0298.

592 SECTION 27. Said section 2 of said chapter 131 is hereby further amended by striking out the
593 figure “0340-0301” and inserting in place thereof the following figure:- 0340-0398.

594 SECTION 28. Said section 2 of said chapter 131 is hereby further amended by striking out the
595 figure “0340-0401” and inserting in place thereof the following figure:- 0340-0498.

596 SECTION 29. Said section 2 of said chapter 131 is hereby further amended by striking out the
597 figure “0340-0501” and inserting in place thereof the following figure:- 0340-0598.

598 SECTION 30. Said section 2 of said chapter 131 is hereby further amended by striking out the
599 figure “0340-0601” and inserting in place thereof the following figure:-0340-0698.

600 SECTION 31. Said section 2 of said chapter 131 is hereby further amended by striking out the
601 figure “0340-0701” and inserting in place thereof the following figure:- 0340-0798.

602 SECTION 32. Said section 2 of said chapter 131 is hereby further amended by striking out the
603 figure “0340-0801” and inserting in place thereof the following figure:- 0340-0898.

604 SECTION 33. Said section 2 of said chapter 131 is hereby further amended by striking out the
605 figure “0340-0901” and inserting in place thereof the following figure:- 0340-0998.

606 SECTION 34. Said section 2 of said chapter 131 is hereby further amended by striking out the
607 figure “0340-1001” and inserting in place thereof the following figure:- 0340-1098.

608 SECTION 35. Said section 2 of said chapter 131 is hereby further amended by striking out the
609 figure “0340-1101” and inserting in place thereof the following figure:- 0340-1198.

610 SECTION 36. Said section 2 of said chapter 131 is hereby further amended by striking out the
611 figure “0699-0016” and inserting in place thereof the following figure:- 0699-0014.

612 SECTION 37. Said section 2 of said chapter 131 is hereby further amended by striking out the
613 figure “0699-2004” and inserting in place thereof the following figure:- 0699-2005.

614 SECTION 38. Said section 2 of said chapter 131 is hereby further amended by striking out the
615 figure “0810-0007” and inserting in place thereof the following figure:- 0810-0098.

616 SECTION 39. Said section 2 of said chapter 131 is hereby further amended by striking out the
617 figure “8000-0000” and inserting in place thereof the following figure:- 8000-0600.

618 SECTION 40. Said section 2 of said chapter 131 is hereby further amended by striking out the
619 figure “8100-0000” and inserting in place thereof the following figure:- 8100-1001.

620 SECTION 41. Said section 2 of said chapter 131 is hereby further amended by striking out the
621 figure “8100-0011” and inserting in place thereof the following figure:- 8100-0018.

622 SECTION 42. Item 8910-8310 of said section 2 of said chapter 131 is hereby amended by
623 striking out the figure "\$8,460,000", inserted by section 39B of chapter 9 of the acts of 2011,
624 wherever it appears, and inserting in place thereof in each instance the following figure:-
625 \$9,955,000

626 SECTION 43. Subsection (a) of section 32A of chapter 288 of the acts of 2010, as inserted by
627 section 103 of chapter 359 of the acts of 2010, is hereby amended by adding at the end thereof
628 the following sentence:-

629 The commissioner shall have discretion to apply waivers to the 12 per cent requirement under
630 this section to carriers who receive 80 per cent or more of its income from government programs.

631 SECTION 44. Section 34 of chapter 409 of the acts of 2010 is hereby amended by striking out
632 the figure “2011” and inserting in place thereof the following figure:- 2012.

633 SECTION 45. Section 2 of chapter 68 of the acts of 2011 is hereby amended by striking out the
634 figure “0340-0101” and inserting in place thereof the following figure:- 0340-0198.

635 SECTION 46. Said section 2 of said chapter 68 is hereby further amended by striking out the
636 figure “0340-0201” and inserting in place thereof the following figure:-0340-0298.

637 SECTION 47. Said section 2 of said chapter 68 is hereby further amended by striking out the
638 figure “0340-0301” and inserting in place thereof the following figure:- 0340-0398.

639 SECTION 48. Said section 2 of said chapter 68 is hereby further amended by striking out the
640 figure “0340-0401” and inserting in place thereof the following figure:- 0340-0498.

641 SECTION 49. Said section 2 of said chapter 68 is hereby further amended by striking out the
642 figure “0340-0501” and inserting in place thereof the following figure:- 0340-0598.

643 SECTION 50. Said section 2 of said chapter 68 is hereby further amended by striking out the
644 figure “0340-0601” and inserting in place thereof the following figure:-0340-0698.

645 SECTION 51. Said section 2 of said chapter 68 is hereby further amended by striking out the
646 figure “0340-0701” and inserting in place thereof the following figure:- 0340-0798.

647 SECTION 52. Said section 2 of said chapter 68 is hereby further amended by striking out the
648 figure “0340-0801” and inserting in place thereof the following figure:- 0340-0898.

649 SECTION 53. Said section 2 of said chapter 68 is hereby further amended by striking out the
650 figure “0340-0901” and inserting in place thereof the following figure:- 0340-0998.

651 SECTION 54. Said section 2 of said chapter 68 is hereby further amended by striking out the
652 figure “0340-1001” and inserting in place thereof the following figure:- 0340-1098.

653 SECTION 55. Said section 2 of said chapter 68 is hereby further amended by striking out the
654 figure “0340-1101” and inserting in place thereof the following figure:- 0340-1198.

655 SECTION 56. Said section 2 of said chapter 68 is hereby further amended by striking out the
656 figure “0699-0016” and inserting in place thereof the following figure:- 0699-0014.

657 SECTION 57. Said section 2 of said chapter 68 is hereby further amended by striking out the
658 figure “0699-2004” and inserting in place thereof the following figure:- 0699-2005.

659 SECTION 58. Said section 2 of said chapter 68 is hereby further amended by striking out the
660 figure “0810-0007” and inserting in place thereof the following figure:- 0810-0098.

661 SECTION 59. Said section 2 of said chapter 68 is hereby further amended by striking out the
662 figure “8000-0000” and inserting in place thereof the following figure:- 8000-0600.

663 SECTION 60. Said section 2 of said chapter 68 is hereby further amended by striking out the
664 figure “8100-0000” and inserting in place thereof the following figure:- 8100-1001.

665 SECTION 61. Said section 2 of said chapter 68 is hereby further amended by striking out the
666 figure “8100-0011” and inserting in place thereof the following figure:- 8100-0018.

667 SECTION 62. Item 0330-0300 of said section 2 of said chapter 68 is hereby amended by striking
668 out the words “ the chief justice for administration and management shall submit a report to the
669 joint committee on the judiciary and the house and senate committees on ways and means 90
670 days prior to the temporary closure or temporary relocation of courthouses; provided further, that
671 said report shall include, but not be limited to, the transfer of personnel, the reallocation of
672 resources, the impact on other courthouses resulting from the temporary closure of said court and
673 other factors that may affect implementation of said temporary closure;” and inserting in place
674 thereof the following words:- no courthouse shall be closed, nor any session within a
675 courthouse, and no proposed courthouse or session closure by the chief justice for administration
676 and management of the trial court shall take effect until such closure is approved by the court
677 administrator; provided, however, that prior to any such closure the court administrator
678 appointed pursuant to chapter 211B of the general laws shall file with the joint committee on the

679 judiciary, the house and senate committees on ways and means, and the clerks of the house and
680 senate 90 days prior to the temporary closure or temporary relocation of courthouses or sessions
681 a plan to close certain courthouses or certain sessions which shall include the specific reasons for
682 such closure, the cost savings, a plan to provide services to citizens affected by such closure; the
683 transfer of personnel, the reallocation of resources, the impact on other courthouses resulting
684 from the temporary closure of said court or session and other factors that may affect
685 implementation of any closure.

686 SECTION 63. Item 0332-0100 of said section 2 of said chapter 68 is hereby amended by striking
687 out the words:- “\$33,750,000 may be expended from fees charged and collected pursuant to
688 section 3 of chapter 90C of the General Laws, section 22 of chapter 218 of the General Laws,
689 sections 2, 4A, 4B, 4C, 39 and 40 of chapter 262 of the General Laws and section 87A of chapter
690 276 of the General Laws; provided further, that the first \$34,350,000” and inserting in place
691 thereof the following words:- \$30,750,000 may be expended from fees charged and collected
692 pursuant to section 3 of chapter 90C of the General Laws, section 22 of chapter 218 of the
693 General Laws, sections 2, 4A, 4B, 4C, 39 and 40 of chapter 262 of the General Laws and section
694 87A of chapter 276 of the General Laws; provided further, that the first \$26,350,000.

695 SECTION 64. Item 0333-0002 of said section 2 of said chapter 68 is hereby amended by striking
696 out the figure “\$7,000,000” and inserting in place thereof the following figure:- \$9,000,000.

697 SECTION 65. Item 0334-0001 of said section 2 of said chapter 68 is hereby amended by striking
698 out the figure “\$1,100,000” and inserting in place thereof the following figure:- \$2,100,000.

699 SECTION 66. Item 0337-0002 of said section 2 of said chapter 68 is hereby amended by striking
700 out the words “that in fiscal year 2012 the department shall proportionately reduce the amount

701 allocated to the CASA programs as appearing in items 0337-0300, 0337-0400, 0337-0600, 0337-
702 0700, and 0337-0900 of section 2 of chapter 182 of the acts of 2008” and inserting in place
703 thereof the following words:- the department shall expend funds for the CASA programs as
704 appearing in items 0337-0300, 0337-0400, 0337-0600, 0337-0700, and 0337-0900 of section 2 of
705 chapter 182 of the acts of 2008, provided, however, that the department may reduce funding to
706 each item by not more than 50 per cent.

707 SECTION 67. Item 0640-0010 of said section 2 of said chapter 68 is hereby amended by
708 inserting after the words “state lottery program” the following words:- provided further, that not
709 more than \$200,000 may be expended for programs that promote the treatment of compulsive
710 gambling.

711 SECTION 68. Section 2 of said chapter 68 is further amended by striking out item 1750-0105
712 and inserting in place thereof the following item:-

713 1750-0105 For the cost of workers’ compensation paid to public employees; provided, that
714 the secretary of administration and finance shall charge other items or state agencies for costs
715 incurred on behalf of these state agencies; provided further, that the secretary may transfer
716 workers’ compensation-related fringe benefit assessments from federal grants and trust accounts
717 to this item; provided further, that no funds shall be expended from this item that would cause
718 the item to be deficient; provided further, that the secretary shall provide projected costs of
719 workers compensation costs incurred by agencies in fiscal year 2012 to the house and senate
720 committees on ways and means no later than March 2, 2012; provided further, that in accordance
721 with chapter 177 of the acts of 2001, the secretary of administration and finance shall charge
722 state agencies in fiscal year 2012 as provided in this item for workers’ compensation costs,

723 including related administrative expenses incurred on behalf of the employees of the agencies;
724 provided further, that administrative expenses shall be allocated; provided further, that the
725 personnel administrator shall administer the charges on behalf of the secretary, and may establish
726 such rules and procedures as deemed necessary to implement this item; provided further, that the
727 personnel administrator shall: (1) notify agencies regarding the chargeback methodology to be
728 used in fiscal year 2012; (2) notify agencies of the amount of their estimated workers
729 compensation charges for the fiscal year; and (3) require agencies to encumber funds in an
730 amount sufficient to meet the estimated charges; provided further, that the estimated charges for
731 each agency in the fiscal year shall be not less than the amount of the actual workers'
732 compensation costs, including related administrative expenses, incurred by each such agency in
733 fiscal year 2012 and may include such additional amounts as the human resources division finds
734 necessary under regulations adopted under this item; provided further, that the division may
735 adopt a program of incentives for agencies to reduce agencies' claims; provided further, that for
736 any agency that fails within 30 days of the effective date of this act to encumber funds sufficient
737 to meet the estimated charges, the comptroller shall so encumber funds on behalf of that agency;
738 provided further, that the personnel administrator shall: (1) determine the amount of the actual
739 workers' compensation costs incurred by each agency in the preceding month, including related
740 administrative expenses; (2) notify each agency of the amounts; and (3) charge the amounts to
741 each agency's accounts as estimates of the costs to be incurred in the current month; provided
742 further, that notwithstanding any general or special law to the contrary, any balance remaining in
743 the Intergovernmental Service Fund, at the close of fiscal year 2012 shall be transferred to the
744 General Fund; provided further, that any unspent balance at the close of fiscal year 2011 in an
745 amount not to exceed 5 per cent of the amount authorized shall remain in the Intergovernmental

746 Service Fund and is hereby re-authorized for expenditures for such item in fiscal year 2012;
747 provided further, that the personnel administrator may expend in fiscal year 2012 for hospital,
748 physician, benefit, and other costs related to workers' compensation for employees of state
749 agencies, including administrative expenses; and provided further, that such expenditures may
750 include payments for medical services provided to claimants in prior fiscal years, as well as
751 compensation benefits and associated costs for prior fiscal years\$57,040,378

752 SECTION 69. Item 1750-0102 of said section 2 of said chapter 68 is hereby amended by striking
753 out the figure "\$2,056,966", each time it appears, and inserting in place thereof, in each instance,
754 the following figure:- \$2,700,000.

755 SECTION 70. Item 3000-7050 of said section 2 of said chapter 68 is hereby amended by
756 inserting after the words "individualized education plans" the following words:- ; and provided
757 further that \$200,000 shall be expended for the purpose of developing and implementing a
758 kindergarten readiness assessment system that shall use evidence-based formative assessment
759 tools to measure the developmental status, age-appropriate progress, and school readiness of
760 each child in kindergarten including those with high needs, inform classroom teaching practices,
761 and identify key areas for intervention; provided further that the kindergarten readiness
762 assessment system shall be aligned with Massachusetts' learning standards and curriculum
763 guidelines; provided further, that the kindergarten readiness assessment system shall be a
764 component of the Commonwealth's early learning and development assessment system that
765 measures children's growth across all developmental domains from pre-kindergarten entry
766 through second grade as part of the statewide longitudinal data system.

767 SECTION 71. Item 4000-0300 of said section 2 of said chapter 68 is hereby amended by adding
768 the following words:- ; and provided further, that funds may be expended for the purposes of
769 implementing the federal Systematic Alien Verification for Entitlements, or SAVE, system.

770 SECTION 72. Said section 2 of said chapter 68 is hereby further amended by striking out item
771 4100-0059.

772 SECTION 73. Item 4100-0060 of said section 2 of said chapter 68 is hereby amended by striking
773 out the words “between July 1, 2011 and December 31, 2011”.

774 SECTION 74. Said item 4100-0060 of said section 2 of said chapter 68 is hereby further
775 amended by striking out the figure “\$10,578,754” and inserting in place thereof the following
776 figure:- \$21,157,507.

777 SECTION 75. Said item 4100-0060 of said section 2 of said chapter 68 is hereby further
778 amended by striking out the words “one-half” in lines 10 and 24, each time it appears.

779 SECTION 76. Said item 4100-0060 of said section 2 of said chapter 68 is hereby further
780 amended by striking out the words “provided further, that the division and executive office may
781 consult with hospitals regarding such transition” and inserting in place thereof the following
782 words:- provided further, that the division and the executive office shall consult with the
783 Massachusetts Hospital Association, Inc. and hospitals regarding such transition; provided
784 further, that prior to the implementation of the transition, the division and the executive office
785 shall (1) perform parallel and round-trip claims processing tests with hospitals to ensure that the
786 MMIS system performs effectively compared to the existing health and safety net claims
787 adjudication system and (2) report on the detailed results of said claims processing tests to the
788 house and senate committees on ways and means.

789 SECTION 77. Item 7035-0006 of section 2 of chapter 68 of the acts of 2011 is hereby amended
790 by adding after the word “item” the following clause:- ; provided further that funds may be
791 expended to reimburse municipalities for the cost of transporting students under section 7C of
792 chapter 74 of the General Laws.

793 SECTION 78. Item 7066-0025 of section 2 of chapter 68 of the acts of 2011 is hereby amended
794 by adding the following words:- ; and provided further, that funds from this item may be
795 expended through August 31, 2012.

796 SECTION 79. Said section 2 of said chapter 68 is hereby amended by striking out item 8100-
797 0011 and inserting in place thereof the following item:-

798 8100-0011 For the department of state police, which may expend an amount not to exceed
799 \$4,100,000 for certain police activities provided pursuant to agreements authorized in this item;
800 provided, that for fiscal year 2012, the colonel of state police may enter into service agreements
801 with the commanding officer or other person in charge of a military reservation of the United
802 States located in the Massachusetts Development Finance Agency, established in chapter 23G of
803 the General Laws; provided further, that such agreements shall establish the responsibilities
804 pertaining to the operation and maintenance of police services including, but not limited to: (a)
805 provisions governing payment to the department for the cost of regular salaries, overtime,
806 retirement, and other employee benefits; and (b) provisions governing payment to the department
807 for the cost of furnishings and equipment necessary to provide such police services; provided
808 further, that the department may charge any recipients of police services for the cost of such
809 services, as authorized by this item; provided further, that the department may retain the revenue
810 so received and expend such revenue as necessary pursuant to this item to provide the agreed

811 level of services; provided further, that the colonel may enter into service agreements as may be
812 necessary to enhance the protection of persons, as well as assets and infrastructure located within
813 the commonwealth, from possible external threat or activity; provided further, that such
814 agreements shall establish the responsibilities pertaining to the operation and maintenance of
815 police services including, but not limited to: (a) provisions governing payment to the department
816 for the cost of regular salaries, overtime, retirement, and other employee benefits; and (b)
817 provisions governing payment to the department for the cost of training and /or equipment
818 necessary to provide such police services; provided further, that the department may charge any
819 recipients of police services for the cost of such services, as authorized by this item; provided
820 further, that the department may retain the revenue so received and expend such revenue as
821 necessary pursuant to this item to provide the agreed level of services; provided further, that the
822 colonel may expend from this item costs associated with joint federal and state law enforcement
823 activities from federal reimbursements received therefore; and provided further, that
824 notwithstanding any general or special law to the contrary, for the purposes of accommodating
825 discrepancies between the receipt of retained revenues and related expenditures, the department
826 may incur expenses and the comptroller may certify for payment amounts not to exceed the
827 lower of this authorization or the most recent revenue estimate as reported in the state accounting
828 system \$4,100,000.

829 SECTION 80. Said section 2 of said chapter 68 is hereby further amended by striking out item
830 8100-0515 and inserting in place thereof the following item:-

831 8100-0515 For trainee salary, salary-related and medical expenses, including mental and
832 medical health screening, and for the operating and clerical costs associated with the

833 Massachusetts State Police Academy for the purpose of hiring and training state police recruits to
834 maintain the strength of the department of state police.....\$2,000,000

835 SECTION 81. Item 8900-0010 of said section 2 of said chapter 68 is hereby amended by striking
836 out the words “amounts collected” and inserting in place thereof the following words:- to the
837 comptroller the amounts to be transferred from the Commonwealth Transportation Fund to the
838 department of correction revenue source 9000.

839 SECTION 82. Section 190 of said chapter 68 is hereby amended by striking out the words “the
840 secretary of education, or a designee thereof” and inserting in place thereof the following words:-
841 the secretary of education, who shall serve as chair.

842 SECTION 83. Section 198 of said chapter 68 is hereby amended by striking out the first
843 sentence and inserting in place thereof the following sentence:-

844

845 Notwithstanding any general or special law to the contrary, 50 per cent of any of the unexpended
846 and unencumbered balances of appropriations on June 30, 2011, or \$65,000,000, whichever is
847 less, shall be distributed to cities and towns in proportion to the amount by which each
848 municipality’s Unrestricted General Government Aid in fiscal year 2011 exceeds such aid in
849 fiscal year 2012.

850 SECTION 84. The executive office of health and human service shall provide to each
851 beneficiary age 65 and over a one-time notice of options available for enrollment in voluntary
852 programs including Program of All Inclusive Care for the Elderly plans, MassHealth Senior Care
853 Options, Frail Elder Home and Community Based Waiver Program and any other voluntary

854 elected benefit to which the beneficiary is entitled to supplement or replace such beneficiary's
855 MassHealth benefits. The executive office shall include in the notice the names and contact
856 information for the program providers, general contact information for the division and a general
857 description of the benefits of joining particular programs. The notice shall be written in clear and
858 simple language and shall include instructions for requesting a copy of such notice in a language
859 other than English. The notice shall include a method for the beneficiary to request from the
860 executive office additional information on any program described in the notice. Before the
861 content and format of the annual notice is finalized, the executive office shall forward the
862 proposed draft for review and comment to the program providers. The executive office shall
863 work with the program providers and other appropriate stakeholders to assess whether, and to
864 what extent, barriers to program enrollment shall be alleviated through modifications to the
865 program or the enrollment process.

866 SECTION 85. Notwithstanding any general or special law to the contrary, at the request of the
867 committee for public counsel services, with written approval of the secretary of administration
868 and finance, the comptroller shall allow the transfer of funds at any time from item 0321-1510 to
869 item 0321-1520 for the purpose of reducing any deficiency in the latter appropriation. All such
870 transfers, in aggregate, shall not exceed \$3,200,000 and shall be effective for fiscal year 2011.

871 SECTION 86. Notwithstanding any general or special law to the contrary, any unexpended
872 funding made available under item 7003-0701 of section 2 of chapter 131 of the acts of 2010
873 shall not revert, but shall remain available for expenditure from the Workforce Training Trust
874 Fund, established by section 2RR of chapter 29 of the General Laws.

875 SECTION 87. Notwithstanding any general or special law to the contrary, the budget director
876 for the executive office of administration and finance may waive up to \$86,000 in costs that
877 would otherwise be collected by the state comptroller from the Massachusetts developmental
878 disabilities council under sections 5D and 6B of chapter 29 of the General Laws. The waiver
879 shall be in writing and the budget director shall provide copies to the house and senate
880 committees on ways and means. The waiver shall be solely for the purpose of state match
881 funding for federal grant awards received from the National Association of Councils on
882 Developmental Disabilities. The waiver shall be effective until June 30, 2012.

883 SECTION 88. There shall be established and set up on the books of the commonwealth a fund to
884 be known as the state low income housing tax credit fund. The commissioner of revenue shall
885 serve as the fund's trustee. Funds made available for this fund shall only be used for the purpose
886 of offsetting General Fund costs associated with the state low income housing tax credit claimed
887 annually by eligible taxpayers in the commonwealth. By June 30 of every fiscal year during
888 which this fund is effective, the commissioner shall determine the projected costs to the state of
889 the state low income housing tax credit within the fiscal year and request that the comptroller
890 transfer funding from the fund to the General Fund in an amount not to exceed the projected
891 costs, but no such transfer shall be processed without the written approval of the secretary of
892 administration and finance. The aggregate amount of transferred funds for all fiscal year during
893 which the fund is effective shall not exceed \$9,500,000. The fund shall remain in effect until
894 June 30, 2014.

895 SECTION 89. There shall be established and set up on the books of the commonwealth a fund to
896 be known as the Infrastructure Development Fund. The secretary of housing and economic
897 development shall serve as the fund's trustee. The fund is created for purpose of creating jobs

898 and stimulating economic development in the commonwealth through infrastructure-related
899 investments made by the secretary of housing and economic development in consultation with
900 the secretary of transportation. Allowable purposes of this fund shall include shovel-ready
901 infrastructure projects including, but not limited to, transit and highway projects, business
902 expansion and redevelopment use and other related projects found by the secretary of housing
903 and economic development to create economic opportunity and jobs both directly and indirectly
904 across the state. All projects listed herein must be under contract within 90 days of the effective
905 date of this act and must commence construction in the spring of 2012. Funds may be used by
906 the secretary of housing and economic development to support matching funds for certain capital
907 expenditures which are sponsored by higher education institutions for scientific or technology
908 research and development. No funds shall be expended from this fund, including any spending
909 by the secretary of housing and economic development for the oversight of the fund, without the
910 written approval of the secretary of administration and finance. This fund shall remain in effect
911 until June 30, 2013.

912 Projects that are eligible under this fund include, up to \$5,000,000 for infrastructure supporting
913 downtown redevelopment in the city of Quincy; up to \$1,250,000 for Main Street streetscape
914 improvements in the town of Bourne; up to \$3,000,000 for infrastructure to support the
915 redevelopment of the Dever School in the city of Taunton; up to \$2,000,000 for the Acushnet
916 Avenue International Marketplace in the city of New Bedford; up to \$1,200,000 for the
917 reconstruction of Dicks Brook culvert and downtown streetscape improvements in the town of
918 Barre; up to \$2,500,000 for rehabilitation of downtown parking structure in the city of Pittsfield;
919 up to \$1,300,000 for downtown revitalization and streetscape improvements in the town of
920 Randolph; up to \$1,000,000 for Everett Avenue reconstruction in the city of Chelsea; up to

921 \$2,500,000 for downtown revitalization and sewer improvements in the town Easton; up to
922 \$2,200,000 for construction of a public way from route 202 to Campus road providing additional
923 access to Holyoke Community College in the city of Holyoke; up to \$1,250,00 for road and
924 infrastructure improvements to support downtown revitalization in the town of Amesbury; up to
925 \$1,550,000 for Commerce Way improvements in the town of Plymouth; up to \$2,000,000 for
926 infrastructure improvements to support redevelopment of Greylock Glen in the town of Adams;
927 up to \$1,000,000 for the restoration of rail crossing and the towns of Hopedale and Milford; up
928 to \$2,000,000 for the Route 1 water main relocation in the town of Saugus; up to \$1,200,000 for
929 the Merrimack Street parking facility, rail trail and streetscape improvements for the city of
930 Haverhill; up to \$1,200,000 for South End streetscape improvements in the city of Springfield;
931 up to \$1,500,000 for public infrastructure improvements at Northwest Park in the town of
932 Burlington; up to \$500,000 for the Ingelside Park revitalization in the town of Winthrop; up to
933 \$500,000 for a senior center in the town of Rockland; up to \$1,800,000 for further renovation of
934 the Houghton's Pond Park and athletic fields in the Town of Milton; and up to \$1,500,000 for
935 downtown streetscape improvements in the city of Brockton.

936 SECTION 90. The special commission established in section 160 of chapter 131 of the acts of
937 2010 is hereby revived and continued. The commission shall report its findings with the clerks of
938 the house of representatives and the senate and the house and senate committees on ways and
939 means not later than December 30, 2011. The report shall include recommendations for
940 improving services for people with acquired or traumatic brain injury, the cost of maintaining or
941 establishing those services and any legislation necessary to implement or allow for the
942 development or expansion of services for the target population.

943 SECTION 91. The special commission established in section 181 of chapter 240 of the acts of
944 2010 is hereby revived and continued. The commission shall complete a written report detailing
945 any factors to be considered in the index and any financial measures that would be necessary for
946 implementation to the governor, the clerks of the senate and house of representatives, the joint
947 committee on tourism, arts and cultural development and the joint committee on education not
948 later than June 30, 2012.

949 SECTION 92. Notwithstanding any general or special law to the contrary, prior to calculating
950 the consolidated net surplus for the fiscal year ending June 30, 2011, the comptroller shall
951 transfer \$350,000,000 to the Commonwealth Stabilization Fund, established in section 2H of
952 chapter 29 of the General Laws, from the undesignated balance in the operating funds.

953 SECTION 93. Notwithstanding any general or special law to the contrary, in fiscal year 2012
954 the department of elementary and secondary education shall assess on a sending school district
955 school choice tuition amounts for any unpaid fiscal year 2011 innovation school tuition amount.

956 SECTION 94. There shall be established and set up on the books of the commonwealth a fund to
957 be known as the Substance Abuse Services Fund. The commissioner of public health shall serve
958 as the fund's trustee. Funds made available for this fund shall be used to expand inpatient
959 treatment facilities and ongoing case management for individuals civilly committed under
960 section 35 of chapter 123 of the General Laws. Upon the submission of a spending plan for this
961 fund to the secretary of administration and finance, the house and senate committees on ways
962 and means and the clerks of the house and the senate, the comptroller shall transfer \$10,000,000
963 from the General Fund to the Substance Abuse Services Fund. In developing the spending plan,
964 the commissioner shall hold at least 1 public hearing and shall consult with the commissioner of

965 mental health, the administrator of the trial court, a representative of the Massachusetts Medical
966 Society, a representative of the Massachusetts Organization for Addiction Recovery and a
967 representative of the Massachusetts Association for Behavioral Health Care. The commissioner
968 shall submit a draft spending plan to the house and senate committee on ways and means 45 days
969 prior to the submission of the final plan. This fund shall be in effect until June 30, 2013.

970 SECTION 95. Notwithstanding any general or special law to the contrary, if as of January 15,
971 2012, tax revenues as estimated under section 5B of chapter 29 of the general laws meet or
972 exceed \$20,615,000,000, there shall be established and set up on the books of the commonwealth
973 a human salary reserve fund. Provided that upon the establishment of this fund, the comptroller
974 shall transfer \$10,000,000 from the general fund to the human service salary reserve fund.
975 Provided that any funds transferred under this section shall be used to provide one time salary
976 bonuses to personnel earning less than \$40,000 in annual compensation who are employed by
977 private human service providers that deliver human and social services under contracts with
978 departments within the executive office of health and human services and the executive office of
979 elder affairs.

980 SECTION 96. Notwithstanding any general or special law to the contrary, the department of
981 public health shall produce a report relative to deaths caused by the mosquito-borne eastern
982 equine encephalitis virus (EEEV). The report shall include, but not be limited to, the following
983 information: the procedures undertaken by the department in the months preceding September 1,
984 2011, to evaluate any threats to the public health caused by EEEV; the risk of transmission of
985 EEEV to humans; and the factors weighed by the department when issuing a certification of
986 public health hazard to initiate aerial application of mosquito control spray in Norfolk, Bristol
987 and Plymouth counties. The department of public health shall consult with the state reclamation

988 and mosquito control board, the department of agricultural resources, the department of
989 conservation and recreation, and the department of environmental protection in producing this
990 report. The department of public health shall report its findings by filing the same with the clerks
991 of the senate and the house of representatives, the senate and house chairs of the joint committee
992 on public health, and the senate and house chairs of the joint committee on the environment,
993 natural resources, and agriculture not later than 60 days after the passage of this act.

994 SECTION 97. Sections 11 and 15 shall take effect on January 1, 2013.

995 SECTION 98. Sections 12 and 16 shall take effect on January 1, 2015.