

HOUSE DOCKET, NO.

XXXXX

FILED ON: 01/19/2012

HOUSE No. 03887

The Commonwealth of Massachusetts

PRESENTED BY:

Brian S. 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 year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

HOUSE No. 03887

[Pin Slip]

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

An Act making appropriations for the fiscal year 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 year 2012 and to make certain changes in law, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public

[Emergency Preamble Context].

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 2012, 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, 2012. These sums shall be in addition to any amounts
7 previously appropriated and made available for the purposes of those items.

8 SECTION 2.

9 JUDICIARY

10 Massachusetts Legal Assistance Corporation

11 0321-1600 \$1,000,000

12 SECRETARY OF THE COMMONWEALTH

13 Office of the Secretary of the Commonwealth

14 0521-0000 \$101,125

15 TREASURER AND RECEIVER GENERAL

16 Office of the Treasurer and Receiver General

17 0612-0105 \$200,000

18 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

19 Group Insurance Commission

20 1108-5201 \$989,250

21 Appellate Tax Board

22 1310-1000 \$275,000

23 Reserves

24 1599-0026 \$1,000,000

25 1599-1705 \$353,000

26 1599-1709 \$350,258

27 1599-4430 \$5,100,000

28 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

29 Office of the Secretary

30 2000-0100 \$962,000

31 2030-1000 \$727,850

32 Department of Agricultural Resources

33 2511-0100 \$34,361

34 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

35 Department of Veterans Services

36 1410-0010 \$10,000

37 Office of the Secretary

38 4000-0600 \$35,000,000

39 Department of Youth Services

40 4200-0100 \$600,000

| | | |
|----|---|-------------|
| 41 | 4200-0300 | \$1,100,000 |
| 42 | Department of Transitional Assistance | |
| 43 | 4403-2119 | \$140,000 |
| 44 | EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT | |
| 45 | Department of Housing and Community Development | |
| 46 | 7004-0099 | \$10,000 |
| 47 | 7004-0102 | \$230,000 |
| 48 | EXECUTIVE OFFICE OF EDUCATION | |
| 49 | Department of Higher Education | |
| 50 | 7066-0021 | \$1,800,000 |
| 51 | EXECUTIVE OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY | |
| 52 | Department of Criminal Justice Information Services | |
| 53 | 8000-0110 | \$150,000 |
| 54 | Office of the Chief Medical Examiner | |
| 55 | 8000-0122 | \$140,000 |
| 56 | Massachusetts Emergency Management Agency | |
| 57 | 8800-0001 | \$150,000 |

58 Department of Correction

59 8900-0010 \$1,022,263

60 SHERIFFS

61 Hampden Sheriff's Department

62 8910-0102 \$1,811,152

63 Worcester Sheriff's Department

64 8910-0105 \$693,920

65 Middlesex Sheriff's Department

66 8910-0107 \$4,699,590

67 Hampshire Sheriff's Department

68 8910-0110 \$960,444

69 Berkshire Sheriff's Department

70 8910-0145 \$1,410,841

71 Franklin Sheriff's Department

72 8910-0108 \$1,000,000

73 Essex Sheriff's Department

74 8910-0619 \$1,459,679

75 Barnstable Sheriff's Department

76 8910-8200 \$1,800,000

77 Bristol Sheriff's Department

78 8910-8300 \$1,904,189

79 Dukes Sheriff's Department

80 8910-8400 \$183,204

81 Norfolk Sheriff's Department

82 8910-8600 \$3,800,000

83 Plymouth Sheriff's Department

84 8910-8700 \$1,743,757

85 Suffolk Sheriff's Department

86 8910-8800 \$6,100,000

87 SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to
88 provide for an alteration of purpose for current appropriations, and to meet certain requirements
89 of law, the sums set forth in this section are hereby appropriated from the General Fund unless
90 specifically designated otherwise in this section, for the several purposes and subject to the
91 conditions specified in this section, and subject to the laws regulating the disbursement of public
92 funds for the fiscal year ending June 30, 2012. These sums shall be in addition to any amounts
93 previously appropriated and made available for the purposes of those items.

94 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

95 Office of the Secretary of Administration and Finance

96 1106-0065 For the oversight of a sonar study of groundfish in the Atlantic Ocean, including,
97 but not limited to, cod, haddock and yellowtail to be conducted by the Scientific Oversight of the
98 North Atlantic Region project; provided, further, that the secretary shall report on the status of
99 the oversight project to the chairs of the house and senate committees on ways and means on or
100 before April 1, 2012 \$200,000

101 Reserves

102 1599-4282 To provide for certain collective bargaining costs, including the cost of salary
103 adjustments and other economic benefits authorized by the collective bargaining agreements
104 between the Commonwealth of Massachusetts and the Service Employees International Union,
105 Local 509, Units 8 and 10 for fiscal year 2012 \$2,893,000

106 1599-4380 For a reserve to support information technology requirements and improve
107 information technology infrastructure at state agencies and departments; provided that the
108 secretary of administration and finance, in consultation with the chief information officer of the
109 commonwealth, may transfer amounts from this account to items 1100-1700, 2000-1700, 4000-
110 1700, 7002-0017, 7009-1700 and 8000-1700; provided, further that in making transfers, the
111 secretary shall prioritize maintaining existing information technology capacity and necessary
112 improvements to address data security and data access; and provided, further that within 30 days
113 of any transfers from this fund the secretary shall report to the house and senate committees on
114 ways on: (1) amounts transferred from this account by line item, and (2) the methodology used to
115 determine transfers from this account \$20,420,000

116 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

117 Division of Healthcare Finance and Policy

118 4100-0062 For the division of health care finance and policy, which may expend for the
119 migration of health safety net claims adjudication to the executive office of health and human
120 services through its MMIS system, and for the maintenance of that claims adjudication, an
121 amount equal to the amount of federal financial participation received by the state for such
122 activities, not to exceed \$6,000,000; provided, that the federal revenue received for such
123 expenditures shall be deposited in the General Fund and an amount equal to such revenue shall
124 be transferred in this account; and provided further, that notwithstanding any general or special
125 law to the contrary, and for the purpose of accommodating timing discrepancies between the
126 receipt of retained revenues and related expenditures, the division may incur expenses in
127 anticipation of revenue, after written approval from the secretary of administration and finance,
128 and the comptroller shall certify for payment, amounts not to exceed the lower of this
129 authorization or the most recent revenue estimate, as reported in the state accounting system
130 \$6,000,000

131 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

132 Department of Housing and Community Development

133 7004-1000 For a state supplement to the federal Low Income Home Energy Assistance
134 Program 42 U.S.C. section 8621 et seq., for the purpose of assisting low-income elders, working
135 families and other households with the purchase of heating oil, propane, natural gas, electricity
136 and other primary or secondary heating sources; provided, that expenditure of these
137 supplemental funds shall be made in accordance with the state plan submitted by the department

138 of housing and community development for operation of the fiscal year 2012 program, in
139 accordance with federal law; provided, further, that the department shall establish the maximum
140 assistance for which a household shall be eligible commensurate with the increased funding
141 provided in this item; provided, further that any federal funds received for fiscal year 2012 for
142 the Low Income Home Energy Assistance Program that exceed \$163,776,315, shall be used to
143 reimburse the state for expenditures made under this line item, up to the amount appropriated
144 herein \$21,187,407

145 SECTION 3. Section 172 of chapter 6 of the General Laws, as appearing in the 2010 Official
146 Edition, is hereby amended by inserting after the word “more”, in line 184, the following words:-
147 , for 10 years following the disposition thereof, including termination of any period of
148 incarceration or custody.

149 SECTION 4. Section 1 of chapter 29 of the General Laws, as so appearing, is hereby amended
150 by inserting after the figure “131”, in line 37, the following words:— and section 35NN of
151 chapter 10.

152 SECTION 5. Section 3 of chapter 30A of the General Laws, as so appearing, is hereby amended
153 by striking out the fourth paragraph and inserting in place thereof the following paragraph:-
154 A small business impact statement shall be filed with the state secretary on the same day the
155 notice is filed and shall accompany the notice. Notwithstanding section 6, the state secretary
156 shall include the small business impact statement on the electronic website of the state secretary,
157 and the statement may be inspected and copied in the office of the state secretary during business
158 hours.

159 SECTION 6. The definition of “regular compensation” in section 1 of chapter 32 of the General
160 Laws, is hereby amended by striking out the words “; provided, however, that if the employee
161 receives compensation for wages in whatever form from the federal government and such wages
162 were not reported to any employing authority, such wages shall not be counted as regular
163 compensation for the purposes of the benefits provided in this chapter” inserted by section 6 of
164 chapter 176 of the acts of 2011.

165 SECTION 7. Paragraph (g ³/₄) of subdivision (1) of said section 4 of said chapter 32, inserted by
166 section 10 of said chapter 176, is hereby amended by striking out the words “retired member of
167 the Boston Teachers Retirement System” and inserting in place thereof the following words:-
168 member who retired as a teacher from the State-Boston Retirement System.

169 SECTION 8. Paragraph (f) of subdivision (2) of section 5 of said chapter 32, added by section 18
170 of said chapter 176, is hereby amended by striking out the word “excluding” and inserting in
171 place thereof the following word:- from.

172 SECTION 9. Paragraph (ii) of subdivision (4) of said section 5 of said chapter 32, as amended by
173 section 21 of said chapter 176, is hereby further amended by striking out the words “January 1”
174 and inserting in place thereof the following:- April 2.

175 SECTION 10. Section 15 of said chapter 32, as amended by section 31 of said chapter 176, is
176 hereby further amended by adding the following subdivision:-

177 (7) In no event shall any member be entitled to receive a retirement allowance under sections 1
178 to 28, inclusive, which is based upon a salary that was intentionally concealed from or
179 intentionally misreported to the commonwealth or any political subdivision, district, or authority
180 of the commonwealth, as determined by the commission. If a member intentionally concealed

181 compensation from or intentionally misreported compensation to any entity to which the member
182 was required to report the compensation, even if the reporting was not required for purposes of
183 calculating the member's retirement allowance, the member's retirement allowance shall be
184 based only upon the regular compensation actually reported to that entity or the amount reported
185 to the board, whichever is lower. The member shall receive, unless otherwise prohibited by law,
186 a return of any accumulated total deductions paid on amounts in excess of the compensation
187 actually reported, but no interest shall be payable on the accumulated deductions returned to the
188 member.

189 SECTION 11. The definition of "Services" in section 23B of chapter 32, as appearing in section
190 42 of said chapter 176, is hereby amended by inserting after the words "employment
191 agreements" the following words:- contingency fee agreements,.

192 SECTION 12. Section 91 of chapter 32, as most recently amended by section 50 of said chapter
193 176, is hereby amended by striking out the words "first year" and inserting in place thereof the
194 following words:- first 12 months.

195 SECTION 13. Section 6 of chapter 32A of the General Laws, as appearing in the 2010 Official
196 Edition, is hereby amended by inserting after the second sentence the following 2 sentences:-
197 For active and retired employees, their dependents, and their survivors, including municipal
198 subscribers, except as otherwise required by state or federal law, and except effective July 1 of
199 any year, the commission shall not alter the schedule of copayments and deductibles for health
200 plans, or alter any other terms relating to health plans which would require authorization by vote
201 of the commissioners, but, for health plans whose rates change on January 1 instead of July 1, the
202 commission may make such changes effective January 1. If, however, the governor reduces

203 allotments to the commission under section 9C of chapter 29, the commission may make any
204 necessary adjustments to account for the reduction, but the commission shall not alter the
205 contribution ratios provided in the most recent applicable appropriation act.

206 SECTION 14. Subsection (9) of section 8 of chapter 44 of the General Laws, as most recently
207 amended by section 3 of chapter 52 of the acts of 2011, is hereby further amended by striking out
208 the words “as determined by the director” and inserting in place thereof the following words:- ,
209 or such longer period not to exceed 10 years as determined by the director after taking into
210 consideration the ability of the city, town or district to provide other essential public services and
211 pay when due the principal and interest on its debts, the amount of federal and state payments
212 likely to be received for the purpose of the appropriations and such other factors as the director
213 may deem necessary or advisable.

214 SECTION 14A. Section 6F of chapter 62 of the General Laws, as so appearing, is hereby
215 amended by inserting, in line 53, after the word “date.” the following: - In the case of a decedent
216 dying after December 31, 2009 and before January 1, 2011, for property acquired from said
217 decedent within the meaning of section one thousand and fourteen (b) of the Code, the initial
218 basis of such property shall be determined under section one thousand and fourteen of the Code,
219 without reference to sections one thousand fourteen (d) and (f) of the Code; except that in the
220 case of an election by the executor pursuant to § 301(c) of the Tax Relief, Unemployment
221 Insurance Reauthorization, and Job Creation Act of 2010 (P.L. 111-312), the initial basis of
222 property acquired from said decedent shall be determined under section one thousand and twenty
223 two of the Code as amended and in effect on January 1, 2005.

224 SECTION 15. Chapter 68 of the Acts of 2011, in item 1410-0010, is hereby amended by
225 inserting after the words “department of veterans’ services;” the following:- provided further,
226 that not less than \$10,000 shall be expended for the Korean War memorial located in the
227 Charlestown navy yard ;

228 SECTION 16. The first sentence of section 64 of chapter 143 of the General Laws, as so
229 appearing, is hereby amended by striking out, in line 5, the word “shall” and inserting in place
230 thereof the following words:- , attached and detached shall. Furthermore, this change shall be
231 applied retroactively to all certificates of approval administered within the last 12 months.

232 SECTION 17. Chapter 176J of the General Laws is hereby amended by inserting after section 11
233 the following 2 sections:-

234 Section 11A. A select or limited network plan shall continue to provide coverage for medically
235 necessary services that are part of the treatment program for patients, prior to joining the select
236 or limited network, undergoing an active course of treatment or follow up treatment for a chronic
237 disease at a comprehensive cancer center, pediatric hospital or pediatric specialty unit, as defined
238 in section 1 of chapter 118G, that does not participate in a carrier’s select or limited network
239 plan.

240 For services provided under this section, reimbursement shall be based on median in-network
241 rates of that specific provider in such carrier’s private plans in a manner consistent with data
242 filed by such carrier with the division of health care finance and policy; or if the specific
243 provider does not participate in any other plan of the carrier, then based on negotiated rates.

244 Patient cost sharing responsibility for the services sought may not exceed the lowest copayment

245 obligation established by such carrier for the receipt of such services offered through the carrier's
246 select or limited network.

247 Section 11B. Patients receiving an active course of treatment or follow up treatment for a chronic
248 disease at a comprehensive cancer center, pediatric hospital or pediatric specialty unit, as defined
249 in section 1 of chapter 118G, prior to joining a tiered network, shall not pay an amount for
250 patient cost sharing responsibility that exceeds the cost-sharing tier with the second highest
251 patient cost sharing responsibility.

252 SECTION 18. Section 11A of chapter 176J of the General Laws is hereby amended by striking
253 out the first paragraph and inserting in place thereof the following paragraph:-

254 For an insured member who is receiving an active course of treatment or follow up treatment for
255 a chronic disease and is newly enrolled in a select or limited network plan, the carrier shall
256 provide coverage for those medically necessary services that are part of that treatment program
257 provided by a health care provider not participating in a carrier's plan pursuant to section 11 of
258 chapter 176J for the duration of that treatment; provided that: (1) the insured's employer only
259 offers the insured a choice of plans in which the provider is not a participant; (2) said provider is
260 a comprehensive cancer center, pediatric hospital or pediatric specialty unit as defined in section
261 1 of chapter 118G; and (3) said provider is providing the insured with an ongoing course of
262 treatment otherwise not available in-network.

263 SECTION 18A. Chapter 176J of the General Laws is hereby amended by inserting after section
264 13 the following 2 sections:-

265 Section 14. If a medically necessary and covered service is not available to a member within the
266 carrier's provider network, the carrier must cover the services out-of-network, for as long as the
267 service is unavailable in-network.

268 Section 15. Any insurer offering a tiered network plan shall clearly and conspicuously indicate in
269 all promotional and agreement materials, the cost sharing differences for enrollees in the various
270 tiers. The division of insurance shall promulgate regulations for what constitutes clear and
271 conspicuous as well as the potential cumulative effects of these differences.

272 SECTION 19. Section 11B of chapter 176J of the General Laws is hereby repealed.

273 SECTION 20. Section 8 of chapter 45 of the acts of 2005 is hereby repealed.

274 SECTION 21. Section 78 of chapter 123 of the acts of 2006 is hereby repealed.

275 SECTION 22. Section 33 of chapter 112 of the acts of 2010 is hereby repealed.

276 SECTION 23. Item 1108-5201 in section 2 of chapter 68 of the acts of 2011 is hereby amended
277 by striking out the figure "\$1,028,612" and inserting in place thereof, each time it appears, the
278 following figure:- \$2,017,862.

279 SECTION 24. Item 1595-6379 of said section 2 of said chapter 68 is hereby amended by
280 striking out the figure "\$7,806,972" and inserting in place thereof, each time it appears, the
281 following figure:- \$8,808,113.

282 SECTION 25. Item 1599-0026 of said section 2 of said chapter 68 is hereby amended by
283 inserting after the words "aid share for fiscal year 2012" the following words:- ; provided further,
284 that not less than \$1,000,000 shall be expended to fund a pilot program in Norfolk County,
285 including projects of regionalized county government services

286 SECTION 26. Item 1599-1705 in section 2 of chapter 52 of the acts of 2011 is hereby amended
287 by adding the following words:- provided further, that \$353,000 shall be expended for
288 reimbursements to school districts for education transportation cost increases due to the tornado;.

289 SECTION 27. Item 1599-1709 of section 2 of chapter 171 of the acts of 2011 is hereby
290 amended by adding the following words:- ; provided, further that funds shall be transferred to
291 reimburse the town of Hawley for costs associated with repairing a bridge over the Chickley
292 River due to the flooding due to tropical storm Irene.

293 SECTION 28. Item 2000-0100 of section 2 of said chapter 68 is hereby amended by striking out
294 the words “the executive office shall expend not less than \$150,000 for a program of
295 collaborative research with academic institutions that apply satellite and other technologies in an
296 innovative manner to an existing methodological model previously used in other fisheries to
297 assess the biomass of groundfish in the region managed by the New England Fishery
298 Management Council; provided further, that the executive office shall execute a memorandum of
299 agreement with any such academic institution not later than 30 days after the effective date of
300 this act; and provided further, that the memorandum shall require the timely production of
301 information for use in the fisheries management process” and inserting in place thereof the
302 following words:- the executive office shall expend not less than \$1,112,000 for a program of
303 collaborative research with the Massachusetts Maritime Academy that applies sonar technology
304 over significant surface area of the ocean to assess the biomass of groundfish in the region
305 managed by the New England Fishery Management Council.

306 SECTION 29. Item 7004-0099 of said section 2 of said chapter 68 is hereby amended by adding
307 the following words:- ; and provided further that not more than \$10,000 shall be expended on

308 funding the scouting and community center project identified in item 7003-0702 in section 2 of
309 chapter 182 of the acts of 2008.

310 SECTION 30. Item 7004-0101 of section 2 of chapter 68 of the acts of 2011, as amended by
311 section 6 of chapter 171 of the acts of 2011, is hereby further amended by striking out the words
312 “families who appear to be ineligible” and inserting in place thereof the following words:-
313 families who appear to be eligible.

314 SECTION 31. Said section 6 of said chapter 171 of the Acts of 2011 is hereby further amended
315 by striking out the words “provided further, that notwithstanding any general or special law to
316 the contrary, 60 days before promulgating or amending any regulation or policy affecting
317 eligibility, benefits or administration of this program, the department shall file with the house
318 and senate committees on ways and means and the clerks of the senate and house of
319 representatives a report setting forth justification for any such change including, but not limited
320 to, any determination by the secretary of housing and economic development that available
321 appropriations from the program will be insufficient to meet projected expenses;” and inserting
322 in place thereof the following words:-

323 provided further, that notwithstanding any general or special law to the contrary, 60 days before
324 promulgating or amending any regulations, administrative practice or policy that would alter
325 eligibility for or the level of benefits under this program, other than that which would benefit the
326 clients, the department shall file with the house and senate committees on ways and means and
327 the clerks of the senate and house of representatives a report setting forth justification for said
328 changes, including but not limited to any determination by the secretary of housing and

329 economic development that available appropriations from the program will be insufficient to
330 meet projected expenses;.

331 SECTION 32. Section 7 of said chapter 171 of the Acts of 2011 is hereby amended by striking
332 out the last clause and inserting in place thereof the following words:- provided further, that
333 notwithstanding any general or special law to the contrary, 60 days before promulgating or
334 amending any regulations, administrative practice or policy that would alter eligibility for or the
335 level of benefits under this program, other than that which would benefit the clients, the
336 department shall file with the house and senate committees on ways and means and the clerks of
337 the senate and house of representatives a report setting forth justification for said changes,
338 including but not limited to any determination by the secretary of housing and economic
339 development that available appropriations from the program will be insufficient to meet
340 projected expenses;.

341 SECTION 33. Said section 2 of said chapter 68 is hereby further amended by striking out item
342 number “7007-0951” and inserting in place thereof the following item number:- 7007-0952.

343 SECTION 34. Item 8000-0122 of said section 2 of said chapter 68 is hereby amended by
344 striking out the figure “\$1,860,000” and inserting in place thereof, each time it appears, the
345 following figure:- \$2,000,000.

346 SECTION 35. Section 2 of chapter 131 of the acts of 2010 is hereby amended by striking out
347 item number “8400-0100” and inserting in place thereof the following item number:- 8400-0101.

348 SECTION 36. Paragraph (c) of chapter 87 of the acts of 2011 is hereby amended by striking out
349 the words “December 31, 2011” and inserting in place thereof, the words:- July 1, 2012.

350 SECTION 37. Section 4 of chapter 57 of the General Laws, as amended by section 1 of chapter
351 153 of the acts of 2011, is hereby further amended by striking out, under the caption “Plymouth”,
352 the words “First Plymouth. – Consisting of precincts 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14 and 15,
353 of the town of Plymouth, in the county of Plymouth” and inserting in place thereof the following
354 words:- First Plymouth. – Consisting of precincts 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 14 and 15, of the
355 town of Plymouth, in the county of Plymouth.

356 SECTION 38. The last paragraph of section 56 of chapter 176 of the acts of 2011 is hereby
357 amended by striking out the words “April 15, 2012” and inserting in place thereof the following
358 words:- November 30, 2012.

359 SECTION 39. The last paragraph of section 58 of said chapter 176 is hereby amended by
360 striking out the words “March 1, 2012” and inserting in place thereof the following:- November
361 30, 2012.

362 SECTION 40. Paragraph (6) of section 60 of said chapter 176 is hereby amended by striking out
363 the words “under paragraph (4)” and inserting in place thereof the following words:- under
364 paragraph (5).

365 SECTION 41. Notwithstanding any general or special law, rule or regulation to the contrary, the
366 division of insurance shall conduct a review into the network adequacy and cost and quality-
367 effectiveness of insurance products pursuant to section 11 of chapter 176J of the General Laws
368 for the health care needs of children and the health care needs of cancer patients. The division of
369 insurance shall promulgate regulations to ensure the needs of children and cancer patients are
370 being met, consistent with cost and quality goals, and shall submit an annual report of its actions

371 and potential legislative actions to the house and senate committees on ways and means and the
372 joint committee on health care financing by December 31, 2012.

373 SECTION 42. The salary adjustments and other cost items authorized by the following 2011
374 amendments to collective bargaining agreements, for the period from July 1, 2011, to June 30,
375 2014, shall be effective for the purpose of section 7 of chapter 150E of the General Laws:

376 (a) between the commonwealth and National Association of Government Employees for
377 units 1, 3 and 6;

378 (b) between the commonwealth and Alliance/AFSCME for unit 2;

379 (c) between the commonwealth and New England Police Benevolent Association for unit
380 4A;

381 (d) between the Essex sheriff and International Brotherhood of Correction Officers Local
382 R1-71; and

383 (e) between the Plymouth sheriff and Massachusetts Correctional Officers Federated Union
384 Bureau of Criminal Investigation.

385 SECTION 43. Notwithstanding section 14 of chapter 151A of the General Laws, for calendar
386 year 2012, the experience rate of an employer qualifying therefor under subsection (b) of said
387 section 14 of said chapter 151A shall be the rate which appears in column "E" in clause (1) of
388 subsection (i) of said section 14 of said chapter 151A.

389 SECTION 44. Notwithstanding any general or special law to the contrary, the comptroller shall
390 transfer within 10 days of the effective date of this act \$612,893 and the accrued interest on said
391 amount as determined by the comptroller, from the General Fund or from other funds of the

392 Commonwealth to the Marine Recreational Development Fund established pursuant to section
393 35NN of chapter 10 of the General Laws.

394 SECTION 45. Section 10 shall apply to any member under chapter 32 of the General Laws for
395 whom a retirement allowance has not been finally approved before the effective date of this act.

396 SECTION 46. Sections 18 and 19 shall take effect on July 31, 2013.

397 SECTION 47. Section 37 shall take effect as of November 3, 2011.

398 SECTION 48. Section 43 shall take effect as of January 1, 2012.

399 SECTION 49. Chapter 68 of the Acts of 2011 is hereby amended by striking out the clause:-

400 “For the Plymouth sheriff’s office, which may expend for the operation of the office an amount
401 not to exceed \$16,000,000 from revenues received from federal inmate reimbursements” and
402 inserting in place thereof the following:- For the operation of the Plymouth sheriff’s office;
403 provided that the office may expend an amount not to exceed \$13,500,000 from revenues
404 received from federal reimbursements;

405 SECTION 50. Chapter 68 of the Acts of 2011 is hereby amended by striking out the clause:- For

406 the Bristol sheriff’s office, which may expend for the operation of the office an amount not to
407 exceed \$8,460,000 from revenues received from federal inmate reimbursements” and inserting in
408 place thereof the following:- For the operation of the Bristol sheriff’s office; provided that the
409 office may expend an amount not to exceed \$7,710,000 from revenues received from federal
410 reimbursements;

411 SECTION 51. Chapter 2 of the resolves of 2010, as amended by section 91 of chapter 142 of the
412 acts of 2011, is hereby further amended by striking out the last sentence and inserting in place
413 thereof the following:-

414 The commission shall report to the general court the results of its investigation and study and its
415 recommendations, if any, by filing the same with the clerk of the senate and the clerk of the
416 house of representatives not later than July 31, 2012. The commission shall continue to meet on
417 a quarterly basis thereafter, to monitor progress on the subject and to determine whether further
418 action may be required to implement the results of its investigation and study.

419 SECTION 52. Notwithstanding any general or special law to the contrary, the tax expenditure
420 commission established by section 160 of chapter 68 of the acts of 2011 shall examine the issue
421 of tax holidays including, but not limited to a meals tax holiday and furnish a report of their
422 impacts on the state's economy and revenue cost to the commonwealth, its transportation
423 infrastructure and its cities and towns in the form of local aid, including, but not limited to, the
424 current practices of other states, any anticipated change in employment or business growth and
425 ancillary economic activity. The commission shall file the report with the joint committee on
426 revenue by July 31, 2012.

427 SECTION 53. Section 4 of chapter 57 of the General Laws, as most recently amended by
428 chapter 153 of the of the Acts of 2011 is hereby amended by striking and replacing all of the
429 paragraph following "Seventh Suffolk" with the following:

430 Consisting of precincts 8, 9 and 10 of ward 4, sub-precinct 2A of ward 5, precincts 1, 2, 3, 4, 5
431 and 8 of ward 12, precincts 4 and 5 of ward 9, and precinct 1 of ward 21 of the city of Boston, in
432 the county of Suffolk.

433

434 Section 54. Section 2 of chapter 153 of the Acts of 2011 is hereby amended by striking and
435 replacing with the following:

436 Notwithstanding the provisions of any general or special law to the contrary, for the purpose of
437 electing representatives in the general court as provided in section 1, the election commissioners
438 for the city of Boston shall include census blocks census blocks 0102032000, 0102032001,
439 0102032004, 0102032005, 0102033000, 0102033001, 0102033002, 0102033003, and
440 0102033004 in sub-precinct 2A of Ward 5 of the city of Boston. Notwithstanding and general or
441 special law to the contrary, the city of Boston shall divide precinct 2 of Ward 5 along the
442 representative district boundary into 2 sub-precincts. If the polling place for a sub-precinct
443 created under this act is located in the same building as for an existing precinct, no additional
444 election officers need be appointed for such sub-precinct.

445 SECTION 55. Section 1 of chapter 177 of the acts of 2011 is hereby amended by striking out the
446 words “Seventh Congressional District - Consisting of wards 1, 2, 3, precinct 1 of ward 4, ward
447 5, precinct 3 of ward 10 and ward 11 of the city of Cambridge and the cities of Everett and
448 Somerville, all in the county of Middlesex; wards 1 and 2, precincts 7 and 8 of ward 3, ward 4,
449 precincts 1, 2, 6, 7, 8, 9 and 10 of ward 5, precinct 10 of ward 7, wards 8, 9 and 10, precincts 1,
450 2, 3, 4, 5, 6, 7 and 8 of ward 11, ward 12, precincts 1, 2, 4, 5, 6, 8 and 9 of ward 13, wards 14 and
451 15, precincts 1, 3, 4, 6, 8 and 11 of ward 16, wards 17 and 18, precincts 7, 10, 11, 12 and 13 of
452 ward 19, precinct 3 of ward 20, and wards 21 and 22 of the city of Boston and the city of
453 Chelsea, both in the county of Suffolk; and precincts 1, 5, and 10 in the town of Milton and the
454 town of Randolph, both in the county of Norfolk.” and inserting in place thereof the following:

455 Seventh Congressional District - Consisting of wards 1, 2, 3, precinct 1 of ward 4, ward 5,
456 precinct 3 of ward 10 and ward 11 of the city of Cambridge and the cities of Everett and
457 Somerville, all in the county of Middlesex; wards 1 and 2, precincts 7 and 8 of ward 3, ward 4,
458 precincts 1, 2, sub-precinct 2A, 6, 7, 8, 9 and 10 of ward 5, precinct 10 of ward 7, wards 8, 9 and
459 10, precincts 1, 2, 3, 4, 5, 6, 7 and 8 of ward 11, ward 12, precincts 1, 2, 4, 5, 6, 8 and 9 of ward
460 13, wards 14 and 15, precincts 1, 3, 4, 6, 8 and 11 of ward 16, wards 17 and 18, precincts 7, 10,
461 11, 12 and 13 of ward 19, precinct 3 of ward 20, and wards 21 and 22 of the city of Boston and
462 the city of Chelsea, both in the county of Suffolk; and precincts 1, 5, and 10 in the town of
463 Milton and the town of Randolph, both in the county of Norfolk.

464 SECTION 56: Chapter 177 of the acts of 2011 is further amended by inserting after Section 9 the
465 following: Section 9A. Notwithstanding any general or special law to the contrary, for the
466 purpose of electing representatives in the Congress of the United States and delegates and
467 alternate delegates to the national conventions of political parties as provided in section 1, the
468 election commissioners for the city of Boston shall create sub-precinct 2A of ward 5 including
469 census blocks 0102032000, 0102032001, 0102032004, 0102032005, 0102033000, 0102033001,
470 0102033002, 0102033003, and 0102033004, which shall be included within the Seventh
471 Congressional District.