

HOUSE No. 2037

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 14, 2007.

The committee on Ways and Means, to whom was referred the message from His Excellency the Governor submitting requests for making appropriations for the fiscal year 2007 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 2033), reports, in part, recommending that the accompanying bill (House, No. 2037) ought to pass

[Appropriations: \$22,020,105.00;
Revenue Offsets: \$22,400,000.00;
Net Appropriations: \$379,895.00].

For the committee,

ROBERT A. DeLEO.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2007 TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN OTHER ACTIVITIES AND PROJECTS.

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
2 general appropriation act and other appropriation acts for fiscal
3 year 2007, the sums set forth in section 2 are hereby appropriated
4 from the General Fund unless specifically designated otherwise in
5 this act or in those appropriation acts, for the several purposes and
6 subject to the conditions specified in this act or in those appropri-
7 ation acts, and subject to the laws regulating the disbursement of
8 public funds for the fiscal year ending June 30, 2007. These sums
9 shall be in addition to any amounts previously appropriated and
10 made available for the purposes of those items.

1 SECTION 2.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Office of the Secretary.

1599-2006 3,000,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

Department of Transitional Assistance.

4403-2120 2,742,949

4408-1000 4,075,294

Department of Public Health.

4513-1010 900,000

EXECUTIVE OFFICE OF PUBLIC SAFETY.

Department of State Police.

8100-0006 4,500,000

Military Division.

8700-0001 1,095,240

1 SECTION 2A. To provide for certain unanticipated obligations
2 of the commonwealth, to provide for an alteration of purpose for
3 current appropriations, and to meet certain requirements of law,
4 the sums set forth in this section are hereby appropriated from the
5 General Fund unless specifically designated otherwise in this
6 section, for the several purposes and subject to the conditions
7 specified in this section, and subject to the laws regulating the dis-
8 bursement of public funds for the fiscal year ending June 30,
9 2007. These sums shall be in addition to any amounts previously
10 appropriated and made available for the purposes of those items.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Office of the Secretary.

1599-4216 For a reserve to meet the fiscal year 2007 costs of salary
adjustments and other economic benefits authorized by
the collective bargaining agreement between the board of
higher education and the Massachusetts Community Col-
lege Council, and to meet the fiscal year 2007 costs of
salary adjustments and other economic benefits necessary
to provide equal adjustments and benefits to employees
employed in confidential positions which otherwise would
be covered by this agreement; provided, that the personnel
administrator, with the approval of the secretary of admin-
istration and finance, shall determine such adjustments
and benefits for such confidential employees in accord-
ance with the collective bargaining agreement then in
effect which otherwise would cover these positions; and
provided further, that the secretary may transfer from the
sum appropriated in this item to other items of appropria-
tion and allocations thereof for fiscal year 2007 amounts
that are necessary to meet these costs where the amounts
otherwise available are insufficient for the purpose, in
accordance with a transfer plan which shall be filed in
advance with the house and senate committees on ways
and means 3,228,802

1599-4217 For a reserve to meet the fiscal year 2007 costs of salary
adjustments and other economic benefits authorized by
the collective bargaining agreement between the board of
higher education and the Association of Professional
Administrators, MTA/NEA, and to meet the fiscal year
2007 costs of salary adjustments and other economic ben-
efits necessary to provide equal adjustments and benefits
to employees employed in confidential positions which
otherwise would be covered by this agreement; provided,
that the personnel administrator, with the approval of the
secretary of administration and finance, shall determine
such adjustments and benefits for such confidential

employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2007 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means.....

682,270

1599-4218 For a reserve to meet the fiscal year 2007 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the commonwealth and the Service Employees International Union, Local 888, at the North, Middle and South Berkshire Registry of Deeds, the American Federation of State, County and Municipal Employees, Council 93, Local 653, at the Essex North and South Registry of Deeds, the American Federation of State, County and Municipal Employees, Council 93, Local 414, at the Middlesex South Registry of Deeds, the Office and Professional Employees International Union, Local 6, at the Middlesex South Registry of Deeds, the Office and Professional Employees International Union, Local 6, at the Middlesex North Registry of Deeds, the Office and Professional Employees International Union, Local 6, at the Hampden Registry of Deeds, the Service Employees International Union, Local 888, at the Suffolk Registry of Deeds, the Service Employees International Union, Local 888, at the Worcester North Registry of Deeds, and to meet the fiscal year 2007 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine such adjustments and benefits for such confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2007 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means

238,809

1599-4219 For a reserve to meet the fiscal year 2007 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Franklin sheriff's department and the International Brotherhood of Teamsters, Local 404, and to meet the fiscal year 2007 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which oth-

erwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine such adjustments and benefits for such confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2007 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means

85,447

1599-4220 For a reserve to meet the fiscal year 2007 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Middlesex sheriff's department and the Middlesex Sheriff's Superior Officers Association, and to meet the fiscal year 2007 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine such adjustments and benefits for such confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2007 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means.....

147,116

1599-4221 For a reserve to meet the fiscal year 2007 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Middlesex sheriff's department and the Teamsters Local 122, and to meet the fiscal year 2007 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine such adjustments and benefits for such confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2007 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accor-

	dance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means	13,671
1599-4222	For a reserve to meet the fiscal year 2007 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Hampshire sheriff's department and the Sheriff's Office Treatment Association, and to meet the fiscal year 2007 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine such adjustments and benefits for such confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2007 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means	28,495
1599-4223	For a reserve to meet the fiscal year 2007 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Hampshire sheriff's department and the Non-Uniform Correctional Association, and to meet the fiscal year 2007 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine such adjustments and benefits for such confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2007 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means	56,632
1599-4224	For a reserve to meet the fiscal year 2007 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Hampshire sheriff's department and the Hampshire Sheriff's Office Jail and House of Correction Supervisory Correctional Officers Association, and to meet the fiscal year 2007 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which	

otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine such adjustments and benefits for such confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2007 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means.....

38,977

1599-4225 For a reserve to meet the fiscal year 2007 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Hampshire sheriff's department and the Law Enforcement and Security Union, United Food and Commercial Workers Union, and to meet the fiscal year 2007 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine such adjustments and benefits for such confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2007 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means

116,495

1599-4226 For a reserve to meet the fiscal year 2006 and 2007 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Plymouth county sheriff and the International Brotherhood of Correctional Officers R1-227, and to meet the fiscal year 2006 and 2007 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine such adjustments and benefits for such confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2007 amounts that are necessary to

	meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means	146,892
1599-4227	For a reserve to meet the fiscal year 2006 and 2007 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Dukes county sheriff and the Massachusetts Correction Officers Federated Union, Units A and B, and to meet the fiscal year 2006 and 2007 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine such adjustments and benefits for such confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2007 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means	53,167
1599-4228	For a reserve to meet the fiscal year 2006 and 2007 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Norfolk county sheriff and the County Correctional Officer Association, Supervisory and Non-Supervisory Units, and to meet the fiscal year 2006 and 2007 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine such adjustments and benefits for such confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2007 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means	869,849

1 SECTION 3. Section 31 of chapter 9 of the General Laws as
2 appearing in the 2004 Official Edition, is hereby amended by
3 striking out the last two sentences and inserting in place thereof
4 the following:—

5 From March 15, 2003 through June 30, 2011, all surcharges on
6 fees collected pursuant to this section shall be forwarded the Reg-
7 isters Technology Fund established in Section 2JJJ of Chapter 29.
8 From July 1, 2011, all of the surcharges shall be forwarded to the
9 general fund as provided in Section 2 of said Chapter 29.

1 SECTION 4. Section 3 of chapter 40A of the General Laws, as
2 most recently amended by section 36 of the chapter 123 of the
3 Acts of 2006, is hereby amended by striking out the first para-
4 graph and inserting in place thereof the following paragraph:—

5 No zoning ordinance or by-law shall regulate or restrict the use
6 of materials, or methods of construction of structures regulated by
7 the state building code, nor shall any such ordinance or by-law
8 prohibit, unreasonably regulate, or require a special permit for the
9 use of land for the primary purpose of commercial agriculture,
10 aquaculture, silviculture, horticulture, floriculture or viticulture,
11 nor prohibit, unreasonably regulate or require a special permit for
12 the use, expansion, reconstruction or construction of structures
13 thereon for the primary purpose of commercial agriculture, aqua-
14 culture, silviculture, horticulture, floriculture or viticulture,
15 including those facilities for the sale of produce, wine and dairy
16 products, provided that either during the months of June, July,
17 August and September of every year or during the harvest season
18 of the primary crop raised on land of the owner or lessee, 25 per
19 cent of such products for sale, based on either gross sales dollars
20 or volume, have been produced by the owner or lessee of the land
21 on which the facility is located, or at least 25 per cent of such
22 products for sale, based on either gross annual sales or annual
23 volume, have been produced by the owner or lessee of the land on
24 which the facility is located and at least an additional 50 per cent
25 of such products for sale, based upon either gross annual sales or
26 annual volume, have been produced in Massachusetts on land,
27 other than that on which the facility is located, used for the pri-
28 mary purpose of commercial agriculture, aquaculture, silviculture,
29 horticulture, floriculture or viticulture, whether by the owner or
30 lessee of the land on which the facility is located or by another,
31 except that all such activities may be limited to parcels of 5 acres
32 or more in area not zoned for agriculture, aquaculture, silvicult-
33 ture, horticulture, floriculture or viticulture. For such purposes,

34 land divided by a public or private way or a waterway shall be
35 construed as 1 parcel. No zoning ordinance or bylaw shall exempt
36 land or structures from flood plain or wetlands regulations estab-
37 lished pursuant to general law. For the purposes of this section,
38 the term “agriculture” shall be as defined in section 1A of
39 chapter 128, and the term horticulture shall include the growing
40 and keeping of nursery stock and the sale thereof. Said nursery
41 stock shall be considered to be produced by the owner or lessee of
42 the land if it is nourished, maintained and managed while on the
43 premises.

1 SECTION 5. Item 9700-0100 of section 2 of chapter 45 of the
2 acts of 2005, as amended by section 122 of chapter 122 of the acts
3 of 2006, is hereby further amended by striking out the words
4 “February 15, 2007” and inserting in place thereof the following
5 words:— September 1, 2007.

1 SECTION 6. Said item 9700-0100 of said section 2 of said
2 chapter 45 of the acts of 2005, as amended by section 123 of
3 chapter 122 of the acts of 2006, is hereby further amended by
4 striking out the words “April 1, 2007” and inserting in place
5 thereof the following:— October 15, 2007.

1 SECTION 7. Said item 9700-0100 of said section 2 of said
2 chapter 45 of the acts of 2005, is hereby further amended by
3 inserting the following words:— and provided further, that for the
4 purpose of the programs appropriated funds may be expended
5 through October 15, 2007.

1 SECTION 8. Item 1599-2006 of section 2A of chapter 58 of the
2 acts of 2006 is hereby amended by striking out the words “and the
3 division of insurance” and inserting in place thereof the
4 following:— division of unemployment assistance and the divi-
5 sion of insurance; provided further, that the secretary shall transfer
6 not more than \$3,000,000 from this item to the division of unem-
7 ployment assistance to support development and implementation
8 costs associated with carrying out the division's responsibilities
9 under section 188 of chapter 149 of the General Laws;

1 SECTION 9. Item 1108-5200 of section 2 of chapter 139 of the
2 acts of 2006 is hereby amended by striking out the figure
3 “\$976,037,643” and inserting in place thereof the following
4 figure:— \$966,037,643.

1 SECTION 10. Item 4403-2000 of said section 2 of said
2 chapter 139 is hereby amended by striking out the figure
3 “\$296,555,455” and inserting in place thereof the following
4 figure:— \$289,555,455.

1 SECTION 11. Item 4513-1010 of said section 2 of said
2 chapter 139 is hereby amended by striking out the words “The
3 department of public health may expend not more than \$3,500,000
4 in revenue received from the collection of federal financial partic-
5 ipation for early intervention services delivered to Medicaid-eli-
6 gible children by developmental educators and professionals in
7 related disciplines;” and inserting in place thereof the
8 following:— The department of public health may expend not
9 more than \$4,400,000 in revenue received from the collection of
10 federal financial participation for early intervention services
11 delivered to Medicaid-eligible children by developmental educa-
12 tors and professionals in related disciplines;

1 SECTION 12. Item 7007-0900 of said section 2 of said
2 chapter 139 is hereby amended by striking out the words “; pro-
3 vided further, that said office shall grant not less than \$5,000,000
4 to the Massachusetts International Marketing Partnership Incorpo-
5 rated, the business entity awarded the contract pursuant to section
6 60 of chapter 141 of the acts of 2003 for the express purpose of
7 implementing the strategic marketing and promotional program to
8 recover the commonwealth's lost international market share”.

1 SECTION 13. Item 7061-9010 of said section 2 of said
2 chapter 139 of the acts of 2006 is hereby amended by striking at
3 the end thereof the words “and provided further, that if the amount
4 appropriated is insufficient to fully fund all reimbursements
5 required by said section 89, the department shall fully reimburse
6 the cost of said per pupil capital needs component and shall pro-
7 rate the tuition reimbursements calculated under said subsection
8 (oo)” and inserting in place thereof the following:—

9 ;provided further, that if the amount appropriated is insufficient
10 to fully fund all reimbursements required by said section 89, the
11 department shall fully reimburse the cost of said per pupil capital
12 needs component and shall pro-rate the tuition reimbursements
13 calculated under said subsection (oo); and provided further, that,
14 if the amount appropriated is sufficient to fully fund all reim-
15 bursements required by said section 89, and additional funds
16 remain available for appropriation, funds shall be expended from
17 this item to provide one time payments to ensure that no charter
18 school receives less funding in fiscal year 2007 than it would have
19 received had tuition been calculated pursuant to subsection (nn) of
20 section 89 of chapter 71 of the General Laws and Chapter 70 of
21 the General Laws as in effect prior to passage of this act

1 SECTION 14. Item 8100-0006 of said section 2 of said
2 chapter 139 is hereby amended by striking the words “provided,
3 that the department may expend up to \$15,500,000 in revenues
4 collected from fees charged for private police details and for the
5 costs of administering such details;” and inserting in place thereof
6 the following:— provided, that the department may expend up to
7 \$20,000,000 in revenues collected from fees charged for private
8 police details and for the costs of administering such details;

1 SECTION 15. Section 1 of chapter 153 of the acts of 2006 is
2 hereby amended by striking out the second sentence and inserting
3 in place thereof the following sentence:— This retention shall not
4 be subject to chapter 7 or chapter 30 of the General Laws.

1 SECTION 16. Said chapter 153 is hereby further amended by
2 striking out section 3 and inserting in place thereof the following
3 section:—
4 Section 3. Once the interstate highway route 90 connector
5 tunnel is re-opened, there shall be appropriated \$20 million from
6 the General Fund for a comprehensive critical infrastructure safety
7 audit of all tunnels part of the metropolitan highway system. The
8 executive office of transportation shall retain the services of an
9 independent inspection firm or consultant to conduct such audit.
10 Such retention shall not be subject to chapter 7 or Chapter 30 of
11 the General Laws. The governor, after consultation with the exec-

12 utive office of transportation, shall have the authority to order the
13 closure of any tunnel deemed unsafe for travel.

1 SECTION 17. Notwithstanding any general or special law to
2 the contrary, the comptroller shall transfer any remaining appro-
3 priated funds for fiscal year 2007 in item 7004-0000 to item 0411-
4 1000, as of the effective date of this act.

1 SECTION 18. Notwithstanding any general or special law to
2 the contrary, employees covered by the terms of the collective
3 bargaining agreements in item 1599-4131 of section 2A of
4 chapter 192 of the acts of 2006 who, after July 7, 2002, retired or
5 otherwise terminated employment, or the beneficiary of such an
6 employee who died after July 7, 2002, shall be paid, not later than
7 30 days after the effective date of this act, a lump sum amount
8 equal to the difference between: (a) the salary specified in the rel-
9 evant agreement; and (b) the salary each received for the time
10 they were employed during the period July 1, 2001 through July 6,
11 2002; provided, however, that notwithstanding chapter 32 of the
12 General Laws, the amount of the retirement allowance paid under
13 said chapter 32 to an employee who prior to retirement was cov-
14 ered by the terms of the collective bargaining agreements in said
15 items 1599-4131 of said section 2A and who retired after July 7,
16 2002, shall be calculated as though the employee's regular com-
17 pensation for any period of employment from July 1, 2001
18 through July 6, 2002 had been received by the employee in accor-
19 dance with such agreement and appropriate retirement deductions
20 withheld. Appropriate adjustments shall be made to an employ-
21 ee's retirement allowance, including payments retroactive to the
22 effective date of retirement.

23 Employees covered by the terms of the collective bargaining
24 agreements in item 1599-4133 of section 2A of chapter 192 of the
25 acts of 2006 who, after July 1, 2002, retired or otherwise termi-
26 nated employment, or the beneficiary of such an employee who
27 died after July 1, 2002, shall be paid, not later than 30 days after
28 the effective date of this act, a lump sum amount equal to the dif-
29 ference between: (a) the salary specified in the relevant agree-
30 ment; and (b) the salary each received for the time they were
31 employed during the period July 1, 2001 through June 30, 2002;

32 provided, however, that notwithstanding chapter 32 of the General
33 Laws, the amount of the retirement allowance paid under said
34 chapter 32 to an employee who prior to retirement was covered by
35 the terms of the collective bargaining agreements in said item
36 1599-4133 of said section 2A and who retired after June 30, 2002,
37 shall be calculated as though the employee's regular compensation
38 for any period of employment from July 1, 2001 through July 1,
39 2002 had been received by the employee in accordance with such
40 agreement and appropriate retirement deductions withheld.
41 Appropriate adjustments shall be made to an employee's retire-
42 ment allowance, including payments retroactive to the effective
43 date of retirement.

1 SECTION 19. This act shall take effect upon its passage.