Senate, No. 2060, printed as amended

[SENATE, May 21, 2009 -- Text of the Senate amendments to the House Bill making appropriations for the fiscal year 2010 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4401)]

In the Year Two Thousand and Nine

SECTION 1.To provide for the maintenance of the several departments, boards, commissions and institutions and other services, and for certain permanent improvements and to meet certain requirements of law, the sums set forth in sections 2, 2B, 2D and 3, for the several purposes and subject to the conditions specified in sections 2, 2B, 2D and 3, are hereby appropriated from the General Fund unless specifically designated otherwise, subject to the provisions of law regulating the disbursement of public funds and the approval thereof for the fiscal year ending June 30, 2010. All sums appropriated under this act, including supplemental and deficiency budgets, shall be expended in a manner reflecting and encouraging a policy of nondiscrimination and equal opportunity for members of minority groups, women and handicapped persons. All officials and employees of an agency, board, department, commission or division receiving monies under this act shall take affirmative steps to ensure equality of opportunity in the internal affairs of state government, as well as in their relations with the public, including those persons and organizations doing business with the commonwealth. Each agency, board, department, commission or division, in spending appropriated sums and discharging its statutory responsibilities, shall adopt measures to ensure equal opportunity in the areas of hiring, promotion, demotion or transfer, recruitment, layoff or termination, rates of compensation, in-service or apprenticeship training programs and all terms and conditions of employment.

SECTION 1A. In accordance with Articles LXIII and CVII of the Articles of Amendment to the Constitution of the Commonwealth and section 6D of chapter 29 of the General Laws, it is hereby declared that the amounts of revenue set forth in this section by source for the respective funds of the commonwealth for the fiscal year ending June 30, 2010 are necessary and sufficient to provide the means to defray the appropriations and expenditures from such funds for said fiscal year as set forth and authorized in sections 2 and 2B. The comptroller shall keep a distinct account of actual receipts from each such source by each such fund to furnish the executive office for administration and finance and the house and senate committees on ways and means with quarterly statements comparing such receipts with the projected receipts set forth herein and to include a full statement comparing such actual and projected receipts in the annual report for said fiscal year pursuant to section 13 of chapter 7A of the General Laws. The quarterly and annual reports shall also include detailed statements of any other sources of revenue for the budgeted funds in addition to those specified in this section.

Fiscal Year 2010 Revenue by Source and Budgeted Fund (in Millions)

Source	All Budgeted Funds*	General Fund	Highway Fund	Other**
Alcohol. Bev.	70.4	70.4	0.0	0.0
Cigarettes	485.6	485.6	0.0	0.0
Corporations	1,514.1	1,514.1	0.0	0.0
Deeds	117.0	117.0	0.0	0.0
Estate Inheritance	276.5	276.5	0.0	0.0
Financial Institutions	351.2	351.2	0.0	0.0
Income	11,432.0	11,432.0	0.0	0.0
Insurance	399.3	399.3	0.0	0.0
Motor Fuels	651.4	0.0	650.5	0.9
Public Utilities	72.3	72.3	0.0	0.0
Room Occupancy	115.1	74.8	0.0	40.3
Sales-Regular	2,883.0	2,883.0	0.0	0.0
Sales-Meals	649.0	649.0	0.0	0.0
Sales-Motor Vehicles	489.0	489.0	0.0	0.0
Miscellaneous	3.2	3.2	0.0	0.0
UI Surcharges	20.9	0.0	0.0	20.9
Total Consensus Tax Revenues:	**19,530.0**	**18,817.4**	**650.5**	**62.1**
Transfer to School Modernization and Reconstruction Trust (SMART) Fund for School Building Authority	(640.7)	(640.7)		
Transfer to MBTA State and Local Contribution Fund	(767.1)	(767.1)		
Transfer to Pension Reserves Investment Trust Fund for Pension Contribution	(1,376.6)	(1,376.6)		
Total Consensus Tax Revenue for Budget:	**16,745.6**	**16,033.0**	**650.5**	**62.1**

Revenue Changes				
Annualized Value of Additional Auditors	26.0	26.0	0.0	0.0
Adjustment to Consensus Revenue	(1,541.7)	(1,541.7)	0.0	0.0
Total Taxes Available for Budget:	**15,229.9**	**14,517.3**	**650.5**	**62.1**
Non-Tax Revenue				
Federal Reimbursements	8,064.3	8,058.2	0.8	5.3
Departmental Revenue	2,630.3	2,081.0	527.5	21.9
Consolidated Transfers	465.1	843.3	(77.1)	(301.1)
GRAND TOTAL	**26,389.7**	**25,499.8**	**1,101.7**	**(211.8)**

* Includes revenue deposited into and transfers out of the Workforce Training Fund, Mass Tourism Fund, Inland Fish and Game Fund, and Stabilization Fund.
** Includes tax revenue of $20.9 M into the Workforce Training Fund, $40.3 M into the Mass Tourism Fund and $0.9 M into the Inland Fish and Game Fund

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

Non-Tax Revenue: Department Summary

Revenue Source		Unrestricted Non-Tax	Restricted Non-Tax	Total Non-Tax
Judiciary				
Supreme Judicial Court		$2,760,900	$0	$2,760,900
Committee for Public Counsel		$0	$750,000	$750,000
Appeals Court		$440,697	$0	$440,697
Trial Court		$78,061,750	$56,000,000	$134,061,750
	TOTALS :	**$81,263,347**	**$56,750,000**	**$138,013,347**
District Attorneys				
District Attorney's Association		$0	$1,580,958	$1,580,958
	TOTALS :	**$0**	**$1,580,958**	**$1,580,958**
Secretary of the Commonwealth				
Secretary of the Commonwealth		$194,948,640	$30,000	$194,978,640
	TOTALS :	**$194,948,640**	**$30,000**	**$194,978,640**
Treasurer and Receiver-General				
Office of the Treasurer		$241,390,683	$0	$241,390,683
State Lottery Commission		$181,230,578	$768,608,566	$949,839,144
	TOTALS :	**$422,621,261**	**$768,608,566**	**$1,191,229,827**
Attorney General				
Office of the Attorney General		$18,867,581	$600,000	$19,467,581
	TOTALS :	**$18,867,581**	**$600,000**	**$19,467,581**
State Ethics Commission				
State Ethics Commission		$32,466	$0	$32,466
	TOTALS :	**$32,466**	**$0**	**$32,466**
Inspector General				
Office of the Inspector General		$0	$404,250	$404,250
	TOTALS :	**$0**	**$404,250**	**$404,250**
Office of Campaign and Political Finance				
Office of Campaign and Political Finance		$55,500	$0	$55,500
	TOTALS :	**$55,500**	**$0**	**$55,500**

Revenue Source	Unrestricted Non-Tax	Restricted Non-Tax	Total Non-Tax
Massachusetts Commission Against Discrimination			
Massachusetts Commission Against Discrimination	$158,196	$2,000,054	$2,158,250
TOTALS :	**$158,196**	**$2,000,054**	**$2,158,250**
Office of the State Comptroller			
Office of the State Comptroller	$466,191,927	$0	$466,191,927
TOTALS :	**$466,191,927**	**$0**	**$466,191,927**
Executive Office for Administration and Finance			
Executive Office for Administration and Finance	$50,000,000	$0	$50,000,000
Secretary of Administration and Finance	($1,253,083,219)	$1,000,000	($1,252,083,219)
Division of Capital Asset Management & Maintenance	$7,056,867	$16,550,000	$23,606,867
Bureau of State Office Buildings	$164,842	$0	$164,842
Civil Service Commission	$20,000	$0	$20,000
Group Insurance Commission	$566,055,095	$850,000	$566,905,095
Division of Administrative Law Appeals	$60,502	$0	$60,502
George Fingold Library	$1,000	$5,000	$6,000
Department of Revenue	$175,401,789	$6,547,280	$181,949,069
Appellate Tax Board	$1,937,037	$300,000	$2,237,037
Human Resources Division	$3,000	$3,501,760	$3,504,760
Operational Services Division	$691,492	$2,258,000	$2,949,492
Information Technology Division	$0	$595,695	$595,695
Public Employee Retirement Administration	$179	$0	$179
TOTALS :	**($451,691,416)**	**$31,607,735**	**($420,083,681)**
Executive Office of Energy & Environmental Affairs			
Executive Office of Energy & Environmental	$5,191,899	$275,000	$5,466,899
Department of Environmental Protection	$39,427,944	$903,817	$40,331,761
Department of Fish and Game	$15,004,755	$217,989	$15,222,744
Department of Agricultural Resources	$5,927,815	$0	$5,927,815
Department of Conservation and Recreation	$18,087,824	$8,857,116	$26,944,940
Department of Public Utilities	$11,006,153	$2,375,000	$13,381,153
Department of Energy Resources	$3,245,535	$0	$3,245,535
TOTALS :	**$97,891,925**	**$12,628,922**	**$110,520,847**
Department of Early Education and Care			
Department of Early Education and Care	$210,392,934	$0	$210,392,934
TOTALS :	**$210,392,934**	**$0**	**$210,392,934**

Revenue Source	Unrestricted Non-Tax	Restricted Non-Tax	Total Non-Tax
Executive Office of Health and Human Services			
Department of Veterans' Services	$15,188	$300,000	$315,188
Secretary of Health and Human Services	$5,195,783,309	$225,100,000	$5,420,883,309
Division of Health Care Finance and Policy	$240,250,677	$0	$240,250,677
Mass Commission for the Blind	$2,800,874	$0	$2,800,874
Massachusetts Rehabilitation Commission	$3,050,526	$0	$3,050,526
Mass Commission for the Deaf	$153,846	$165,000	$318,846
Chelsea Soldiers' Home	$11,963,847	$330,661	$12,294,508
Holyoke Soldiers' Home	$11,765,694	$365,000	$12,130,694
Department of Youth Services	$1,211,426	$0	$1,211,426
Department of Transitional Assistance	$501,915,554	$2,450,000	$504,365,554
Department of Public Health	$142,744,370	$56,447,166	$199,191,536
Department of Children and Families	$197,251,332	$3,156,812	$200,408,144
Department of Mental Health	$101,807,501	$125,000	$101,932,501
Department of Developmental Services	$420,561,754	$150,000	$420,711,754
Department of Elder Affairs	$1,185,114,638	$0	$1,185,114,638
TOTALS :	**$8,016,390,536**	**$288,589,639**	**$8,304,980,175**
Executive Office of Transportation & Public Works			
Secretary of Transportation	$706,602	$27,344	$733,946
Massachusetts Aeronautics Commission	$410,749	$0	$410,749
Mass Highway	$8,252,926	$500,000	$8,752,926
Registry of Motor Vehicles	$522,215,172	$6,393,906	$528,609,078
TOTALS :	**$531,585,449**	**$6,921,250**	**$538,506,699**
Board of Library Commissioners			
Board of Library Commissioners	$2,000	$0	$2,000
TOTALS :	**$2,000**	**$0**	**$2,000**
Executive Office of Housing & Economic Development			
Department of Housing & Community Development	$2,602,560	$2,329,213	$4,931,773
Department of Business Development	$100	$0	$100
Office of Consumer Affairs and Business	$1,000,000	$500,000	$1,500,000
Division of Banks	$17,921,502	$5,000,000	$22,921,502
Division of Insurance	$70,779,741	$0	$70,779,741
Division of Professional Licensure	$15,372,616	$0	$15,372,616
Division of Standards	$2,024,269	$418,751	$2,443,020
State Racing Commission	$2,999,131	$0	$2,999,131
TOTALS :	**$112,699,919**	**$8,247,964**	**$120,947,883**

Revenue Source	Unrestricted Non-Tax	Restricted Non-Tax	Total Non-Tax
Executive Office of Labor & Workforce Development			
Department of Workforce Development	$259,105	$0	$259,105
Department of Labor	$1,627,962	$252,850	$1,880,812
Division of Industrial Accidents	$22,987,775	$0	$22,987,775
Division of Labor Relations	$5,892	$0	$5,892
TOTALS :	**$24,880,734**	**$252,850**	**$25,133,584**
Department of Elementary and Secondary Education			
Department of Elementary and Secondary Education	$7,686,000	$0	$7,686,000
TOTALS :	**$7,686,000**	**$0**	**$7,686,000**
Department of Higher Education			
University of Massachusetts	$47,142,280	$0	$47,142,280
Bridgewater State College	$3,043,997	$0	$3,043,997
Fitchburg State College	$3,171,228	$0	$3,171,228
Framingham State College	$2,478,160	$0	$2,478,160
Massachusetts College of Liberal Arts	$371,415	$0	$371,415
Salem State College	$3,511,560	$0	$3,511,560
Westfield State College	$2,749,770	$0	$2,749,770
Worcester State College	$2,793,692	$0	$2,793,692
Massachusetts Maritime Academy	$318	$0	$318
Berkshire Community College	$289,833	$0	$289,833
Bristol Community College	$715,101	$0	$715,101
Cape Cod Community College	$594,030	$0	$594,030
Greenfield Community College	$347,661	$0	$347,661
Holyoke Community College	$999,417	$0	$999,417
Mass Bay Community College	$1,168,852	$0	$1,168,852
Massasoit Community College	$979,538	$0	$979,538
Mount Wachusett Community College	$421,978	$0	$421,978
Northern Essex Community College	$782,537	$0	$782,537
North Shore Community College	$889,664	$0	$889,664
Quinsigamond Community College	$520,316	$0	$520,316
Springfield Technical Community College	$1,041,234	$0	$1,041,234
Roxbury Community College	$243,750	$529,843	$773,593
Middlesex Community College	$594,522	$0	$594,522
Bunker Hill Community College	$1,467,443	$0	$1,467,443
TOTALS :	**$76,318,296**	**$529,843**	**$76,848,139**

Revenue Source	Unrestricted Non-Tax	Restricted Non-Tax	Total Non-Tax
Executive Office of Public Safety and Security			
Executive Office of Public Safety and Security	$100,000	$0	$100,000
Office of the Chief Medical Examiner	$0	$1,700,000	$1,700,000
Criminal History Systems Board	$8,216,685	$0	$8,216,685
Department of State Police	$800,242	$22,916,200	$23,716,442
Criminal Justice Training Council	$1,500	$900,000	$901,500
Department of Public Safety	$18,787,316	$1,946,997	$20,734,313
Department of Fire Services	$12,003,861	$25,000	$12,028,861
Merit Rating Board	$20,000	$0	$20,000
Military Division	$2,500	$1,400,000	$1,402,500
Emergency Management Agency	$669,198	$0	$669,198
Department of Corrections	$11,292,933	$5,600,000	$16,892,933
Parole Board	$1,000,000	$600,000	$1,600,000
TOTALS :	**$52,894,235**	**$35,088,197**	**$87,982,432**
Sheriffs			
Sheriff's Department Hampden	$796,136	$1,914,460	$2,710,596
Sheriff's Department Worcester	$132,000	$0	$132,000
Sheriff's Department Middlesex	$166,000	$950,000	$1,116,000
Sheriff's Department Franklin	$846,500	$2,600,000	$3,446,500
Sheriff's Department Hampshire	$30,000	$250,000	$280,000
Sheriff's Department Essex	$643,362	$2,000,000	$2,643,362
Sheriff's Department Berkshire	$40,000	$1,250,000	$1,290,000
Sheriff's Department Association	$0	$344,790	$344,790
Sheriff's Department Barnstable	$4,948,448	$250,000	$5,198,448
Sheriff's Department Bristol	$4,089,663	$6,500,000	$10,589,663
Sheriff's Department Dukes	$1,047,541	$0	$1,047,541
Sheriff's Department Nantucket	$7,031,251	$2,500,000	$9,531,251
Sheriff's Department Norfolk	$870,517	$0	$870,517
Sheriff's Department Plymouth	$4,562,765	$16,000,000	$20,562,765
Sheriff's Department Suffolk	$14,999,189	$8,000,000	$22,999,189
TOTALS :	**$40,203,372**	**$42,559,250**	**$82,762,622**
Total Non-Tax Revenue :	**$9,903,392,902**	**$1,256,399,478**	**$11,159,792,380**

SECTION 2

JUDICIARY.

Supreme Judicial Court.

0320-0003 For the operation of the supreme judicial court, including salaries of the chief justice and the 6 associate justices $7,965,766

0320-0010 For the operation of the clerk's office of the supreme judicial court for Suffolk county..... $1,174,133

0321-0001 For the operation of the commission on judicial conduct $402,657

0321-0100 For the services of the board of bar examiners $1,111,341

Committee for Public Counsel Services.

0321-1500 For the operation of the committee for public counsel services, as authorized by chapter 211D of the General Laws; provided, that the committee shall submit a report to the clerks of the house of representatives and senate and the house and senate committees on ways and means not later than February 1, 2010, that shall include, but not be limited to, the following: (a) the number of clients assisted by the committee in the prior fiscal year; (b) any proposed expansion of legal services delineated by type of service, target population and cost; (c) the total number of persons who received legal services by the committee, by type of case and geographic location; (d) the costs for services rendered per client, by type of case and geographic location; (e) the amount paid, if any, to the committee by clients for services rendered by type of case and geographic location; (f) the average cost for services rendered by the committee by type of case; and (g) the average number of hours spent per attorney or staff per type of case$28,645,024

0321-1510 For compensation paid to private counsel assigned to criminal and civil cases under subsection (b) of section 6 of chapter 211D of the General Laws, pursuant to section 11 of said chapter 211D; provided, that not more than $2,000,000 of the sum appropriated in this item may be expended for services rendered before fiscal year 2010.....$125,370,957

0321-1518 For the chief counsel for the committee for public services which may expend an amount not to exceed $750,000 from revenues collected from fees charged for attorney representation of indigent clients..... $750,000

0321-1520 For fees and costs as defined in section 27A of chapter 261 of the General Laws, as ordered by a justice of the appeals court or a justice of a department of the trial court of the commonwealth on behalf of indigent persons, as defined in said section 27A of said chapter 261; provided, that not more than $1,000,000 of the sum appropriated in this item may be expended for services rendered before fiscal year 2010..... $13,532,500

0321-1600 For the Massachusetts Legal Assistance Corporation to provide legal representation for indigent or otherwise disadvantaged residents of the commonwealth; provided, that the corporation shall submit a report to the house and senate committees on ways and means not later than January 29, 2010 that shall include, but not be limited to, the following: (a) the number of persons whom the programs funded by the corporation assisted in the prior fiscal year; (b) any proposed expansion of legal services delineated by type of service, target population, and cost; and (c) the total number of indigent or otherwise disadvantaged residents of the commonwealth who received services of the corporation, by type of case and geographic location; and provided further, that the corporation may contract with any organization for the purpose of providing the representation $8,000,000

0321-2000 For the operation of the mental health legal advisors committee and for certain programs for the indigent mentally ill, established pursuant to section 34E of chapter 221 of the General Laws $707,599

0321-2100 For the Massachusetts correctional legal services committee $877,016

0321-2205 For the expenses of the social law library located in Suffolk county $1,506,704

Appeals Court.

0322-0100 For the appeals court, including the salaries, traveling allowances and expenses of the chief justice, recall judges and the associate justices..... $10,827,256

Trial Court.

0330-0101 For the salaries of the justices of the 7 departments of the trial court; provided, that the chief justice for administration and management shall provide written notification to the house and senate committees on ways and means of any transfer of funds from this item to any other item of appropriation within 30 days of the transfer..... $49,836,452

0330-0300 For the central administration of the trial court, including costs associated with trial court non-employee services, trial court dental and vision health plan agreement, jury expenses, trial court law libraries, statewide telecommunications, private and municipal court rental and leases, operation of courthouse facilities, rental of county court facilities, witness fees, printing expenses, equipment maintenance and repairs, court interpreter program, insurance and chargeback costs, the Massachusetts sentencing commission, alternative dispute resolution services, permanency mediation services, court security and judicial training; provided, that 50 per cent of all fees payable pursuant to Massachusetts Rules of Criminal Procedure 15(d) and 30(c)(8) shall be paid from this item; provided further, that notwithstanding section 9A of chapter 30, or any other general or special law to the contrary, the rights afforded to a veteran, pursuant to said section 9A of said chapter 30, shall also be afforded to any such veteran, who holds a trial court office or position in the service of the commonwealth not classified under chapter 31, other than an elective office, an appointive office for a fixed term or an office or position under section 7 of chapter 30, and who: (1) has held the office or position for not less than 1 year; and (2) has 30 years of total creditable service to the commonwealth, as defined in chapter 32; provided further, that the trial court shall submit a report to the victim and witness assistance board detailing the amount of assessments imposed within each court by a justice or clerk-magistrate during the previous calendar year pursuant to section 8 of chapter 258B of the General Laws; provided further, that the report shall include, but not be limited to, the number of cases in which the assessment was reduced or waived by a judge or clerk-magistrate within the courts; and provided further, that the report shall be submitted to the victim and witness assistance board on or before January 11, 2010 .....$196,762,543

0330-3333 For the chief justice for administration and management which may expend for the operation of the trial court an amount not to exceed $27,000,000 from fees charged and collected pursuant to section 3 of chapter 90C, chapter 185, section 22 of chapter 218 and sections 2, 4A, 4B, 4C, 39 and 40 of chapter 262 of the General Laws; provided, that a schedule detailing the full allotment of said $27,000,000 shall be submitted to the house and senate committees on ways and means not later than February 1, 2010; provided further, that the first $53,000,000 of revenue received from the fees shall be deposited in the General Fund and not retained; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the chief justice may incur expenses and the comptroller shall certify for payments amounts not to exceed the lower of one half of this authorization or the most recent revenue estimate, as reported in the state accounting system..... $27,000,000

0330-3334 For the chief justice for administration and management which may expend for the operation of the department an amount not to exceed $29,000,000 from fees charged and collected under section 87A of chapter 276 of the General Laws; provided, that a schedule detailing the full allotment of said $29,000,000 shall be submitted to the house and senate committees on ways and means not later than February 1, 2010..... $29,000,000

0330-3337 For additional expenses associated with the operation of the trial court; provided, that a schedule detailing all transfers shall be submitted to the house and senate committees on ways and means not later than February 1, 2010 ..... $11,192,192

Superior Court Department.

0331-0100 For the operation of the superior court department; provided, that funds shall be expended for the medical malpractice tribunals in accordance with section 60B of chapter 231 of the General Laws; and provided further, that the clerk of the court shall have responsibility for the internal administration of his office, including personnel, staff services and record keeping $21,740,332

District Court Department.

0332-0100 For the operation of the district court department, including a civil conciliation program $36,312,991

Probate and Family Court Department.

0333-0002 For the operation of the probate and family court department $19,673,841

Land Court Department.

0334-0001 For the operation of the land court department $2,214,118

Boston Municipal Court Department.

0335-0001 For the operation of the Boston municipal court department $7,172,575

Housing Court Department.

0336-0002 For the operation of the housing court department $3,975,411

Juvenile Court Department.

0337-0002 For the operation of the juvenile court department $10,881,680

Office of the Commissioner of Probation.

0339-1001 For the office of the commissioner of probation and trial court office of community corrections; provided, that notwithstanding any general or special law, rule or regulation to the contrary, the commissioner, subject to appropriation, shall have exclusive authority to appoint, dismiss, assign and discipline probation officers, associate probation officers, probation officers-in-charge, assistant chief probation officers and chief probation officers; provided further, that the associate probation officers shall only perform in-court functions and shall assume the in-court duties of the currently employed probation officers who shall be reassigned within the probation service subject to collective bargaining agreements to perform intensive, community-based supervision of probationers, including the provisions of intensive supervision and community restraint services; provided further, that funds from this item shall be expended for the costs associated with full implementation of chapters 303 and 418 of the acts of 2006 to ensure effective supervision of probationers who are monitored through global positioning system bracelets; provided further, that no funds shall be expended from this line item to cover the costs of building leases; provided further, that the office shall enter into an interagency service agreement with the department of revenue to verify income data and to utilize the department's wage reporting and bank match system for the purpose of weekly tape-matching, for the purposes of determining an individual's eligibility for appointment of indigent counsel, as defined in chapter 211D of the General Laws; provided further, that the office shall submit quarterly reports to the house and senate committees on ways and means detailing the progress of eligibility verification with the department; provided further, that the report shall include, but not be limited to, the number of individuals to be found

misrepresenting assets, revenue generated through collection of indigent client fees, the average indigent client fee that each court division collects per case since the effective date of this act, recommendations on improvements in verifying eligibility for counsel and other pertinent information to ascertain the effectiveness of verification; provided further, that the intensive supervision and community corrections programs shall include, but not be limited to, tracking, community service, educational assistance, drug and alcohol testing and treatment, curfew enforcement, home confinement, day reporting, means-tested fines, restitution, and community incapacitation or restraint; and provided further, that the number of placements in the programs shall not exceed a daily average goal of 5,000 intensively-supervised probationers.....$153,331,833

Office of the Jury Commissioner.

0339-2100 For the office of the jury commissioner in accordance with chapter 234A of the General Laws $2,412,913

Suffolk District Attorney.

0340-0100 For the Suffolk district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program, the domestic violence unit and the children's advocacy center; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer $15,188,357

0340-0101 For the overtime costs of state police officers assigned to the Suffolk district attorney's office $337,431

General Fund.....70.00%
Highway Fund.....30.00%

Middlesex District Attorney.

0340-0200 For the Middlesex district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association no later than February 1 , 2010, summarizing the number and types of criminal cases

managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer….. ..... $13,038,535

0340-0201 For the overtime costs of state police officers assigned to the Middlesex district attorney's office $491,890

General Fund.....70.00%
Highway Fund.....30.00%

Eastern District Attorney.

0340-0300 For the Eastern district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500; provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; and provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private

law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program $8,011,057

0340-0301 For the overtime costs of state police officers assigned to the Eastern district attorney's office $480,334

General Fund.....70.00%
Highway Fund.....30.00%

Worcester District Attorney.

0340-0400 For the Worcester district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer $8,466,451

0340-0401 For the overtime costs of state police officers assigned to the Worcester district attorney's office $393,809

General Fund.....70.00%
Highway Fund.....30.00%

0340-0410 For the analysis of narcotic drug synthetic substitutes, poisons, drugs, medicines and chemicals at the University of Massachusetts Medical School in order to support the law enforcement efforts of the district attorneys, the state police and municipal police departments..... $400,000

Hampden District Attorney.

0340-0500 For the Hampden district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof,

which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer $7,623,079

0340-0501 For the overtime costs of state police officers assigned to the Hampden district attorney's office $323,713

General Fund.....70.00%
Highway Fund.....30.00%

Hampshire/Franklin District Attorney

0340-0600 For the Hampshire/Franklin district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in said fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class,

the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer $4,746,396

0340-0601 For the overtime costs of state police officers assigned to the Hampshire/Franklin district attorney's office $280,236

General Fund.....70.00%
Highway Fund.....30.00%

Norfolk District Attorney.

0340-0700 For the Norfolk district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer $7,810,091

0340-0701 For the overtime costs of state police officers assigned to the Norfolk district attorney's office $406,958

General Fund.....70.00%
Highway Fund.....30.00%

Plymouth District Attorney.

0340-0800 For the Plymouth district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable

pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer $6,774,559

0340-0801 For the overtime costs of state police officers assigned to the Plymouth district attorney's office $409,373

General Fund.....70.00%
Highway Fund.....30.00%

Bristol District Attorney.

0340-0900 For the Bristol district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer $7,048,574

0340-0901 For the overtime costs of state police officers assigned to the Bristol district attorney's office $310,779

General Fund.....70.00%
Highway Fund.....30.00%

Cape and Islands District Attorney.

0340-1000 For the Cape and Islands district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided further, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that the office shall submit a report to the executive director of the Massachusetts' district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer $3,445,389

0340-1001 For the overtime costs of state police officers assigned to the Cape and Islands district attorney's office $265,462

General Fund.....70.00%
Highway Fund.....30.00%

Berkshire District Attorney.

0340-1100 For the Berkshire district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program, the drug task force and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but

not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer $3,354,920

0340-1101 For the overtime costs of state police officers assigned to the Berkshire district attorney's office $204,882

General Fund.....70.00%
Highway Fund.....30.00%

DISTRICT ATTORNEYS' ASSOCIATION.

0340-2100 For the Massachusetts District Attorneys' Association which may expend for its operation an amount not to exceed $1,580,958 in revenues collected from voluntary contributions from the 11 district attorneys of the commonwealth; provided, that each district attorney shall submit a report to the Massachusetts District Attorneys Association and the house and senate committees on ways and means delineating all funds expended for the purpose of implementing the case management and tracking system not later than January 30, 2010; provided further, that the report shall include, but not be limited to: an analysis of the total cost of the district attorneys' computer network; the total cost incurred by each district attorney's office; a detailed list of all hardware and software leased, owned or operated by each district attorney; a plan for any purchases to be made in the remainder of fiscal year 2009; and a detailed summary of any policies implemented to contain the costs of the network by either the Massachusetts District Attorneys Association or the individual district attorneys' offices; and provided further, that the association shall submit a report to the house and senate committees on ways and means not later than January 31, 2010, detailing, by district attorney's office, sources and amounts of revenue, including, but not limited to, federal and state grants that were received in fiscal year 2009 ..... $1,580,958

0340-8908 For the costs associated with maintaining the Massachusetts District Attorneys Association's wide area network $1,246,779

EXECUTIVE.

0411-1000 For the offices of the governor, the lieutenant governor and the governor's council; provided, that the amount appropriated in this item may be used at the discretion of the governor for the payment of extraordinary expenses not otherwise provided for and for transfer to appropriation accounts where the amounts otherwise available may be insufficient; provided further, that funds may be expended for the governor's commission on mental retardation; and provided further, that the advisory council on Alzheimer's disease and related disorders, as established in the office of the governor by section 379 of chapter 194 of the acts of 1998 and section 80 of chapter 236 of the acts of 2000, shall continue during fiscal year 2010 ..... $4,952,646

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

SECRETARY OF THE COMMONWEALTH.

Office of the Secretary of the Commonwealth.

0511-0000 For the operation of the office of the secretary; provided, that the office shall submit a report detailing staffing patterns for each program operated by the office; provided further, that the report shall include, but not be limited to, actual and functional job titles by program and compensation rates and lengths of service for each employee; provided further, that the office shall submit the report not later than February 1, 2010, to the house and senate committees on ways and means; provided further, that the secretary may transfer funds between items 0540-0900, 0540-1000, 0540-1100, 0540-1200, 0540-1300, 0540-1400, 0540-1500, 0540-1600, 0540-1700, 0540-1800, 0540-1900, 0540-2000 and 0540-2100 pursuant to an allocation schedule filed with the house and senate committees on ways and means not less than 30 days before the transfer; provided further, that each register of deeds using electronic record books shall ensure that all methods of electronically recording instruments conform to any regulation or standard established by the secretary of state or the records conservation board; and provided further, that those regulations shall be issued not later than June 30, 2010 ..... $6,355,331

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

0511-0200 For the operation of the state archives division $389,815

0511-0230 For the operation of the records center $37,337

0511-0250 For the operation of the archives facility $310,478

0511-0260 For the operation of the commonwealth museum $251,220

0511-0270 For the secretary of state who may contract with the University of Massachusetts Donahue Institute to provide the commonwealth with technical assistance on United States census data and to prepare annual population estimates $2,073,736

0511-0420 For the operation of the address confidentiality program $145,308

0517-0000 For the printing of public documents $800,000

0521-0000 For the operation of the elections division, including preparation, printing and distribution of ballots and for other miscellaneous expenses for primary and other elections; provided, that the secretary of state may award grants for voter registration and education; provided further, that the registration and education activities may be conducted by community-based voter registration and education organizations; and provided further, that the secretary shall submit a report to the house and senate committees on ways and means not later than February 1, 2010, detailing the amount appropriated for the purposes of providing reimbursements for the costs of extended polling hours from this item to each city or town $3,179,907

0521-0001 For the operation of the central voter registration computer system; provided, that an annual report detailing voter registration activity shall be submitted to the house and senate committees on ways and means on or before February 1, 2010 ..... $3,809,248

0524-0000 For providing information to voters $271,871

0526-0100 For the operation of the Massachusetts historical commission $750,000

0527-0100 For the operation of the ballot law commission $11,018

0528-0100 For the operation of the records conservation board $35,119

0540-0900 For the registry of deeds located in Lawrence in the former county of Essex $1,103,998

0540-1000 For the registry of deeds located in Salem in the former county of Essex $2,933,894

0540-1100 For the registry of deeds in the former county of Franklin $487,561

0540-1200 For the registry of deeds in the former county of Hampden $1,827,990

0540-1300 For the registry of deeds in the former county of Hampshire $511,582

0540-1400 For the registry of deeds located in Lowell in the former county of Middlesex $1,208,477

0540-1500 For the registry of deeds located in Cambridge in the former county of Middlesex $3,128,511

0540-1600 For the registry of deeds located in Adams in the former county of Berkshire..... $278,586

0540-1700 For the registry of deeds located in Pittsfield in the former county of Berkshire..... $474,287

0540-1800 For the registry of deeds located in Great Barrington in the former county of Berkshire..... $234,535

0540-1900 For the registry of deeds in the former county of Suffolk..... $1,950,823

0540-2000 For the registry of deeds located in Fitchburg in the former county of Worcester..... $726,432

0540-2100 For the registry of deeds located in the city of Worcester in the former county of Worcester $2,345,612

TREASURER AND RECEIVER-GENERAL.

Office of the Treasurer and Receiver General.

0610-0000 For the office of the treasurer and receiver-general; provided, that the treasurer shall provide computer services required by the teachers' retirement board; provided further, that the treasurer's office shall submit a report to the victim and witness assistance board which details the amount of assessments transmitted to the treasurer during the previous calendar year on a monthly basis from the courts, the registrar of motor vehicles and the sheriff or superintendent of any correctional facility pursuant to section 8 of chapter 258B; provided further, that the report shall be submitted to the board on or before January 30, 2010; provided further, that funds may be expended for the payment of bank fees; provided further, that payments shall be made to public safety employees killed in the line of duty pursuant to section 100A of chapter 32 of the General Laws; provided further, that financial assistance shall be made available to injured firefighters; and provided further, that the treasurer's office shall pay half of the administrative costs of the municipal finance oversight board from this item..... $9,599,373

0610-0050 For the administration of the alcoholic beverages control commission in its efforts to regulate and control the conduct and condition of traffic in alcoholic beverages; provided, that said commission shall maintain at least 1 chief investigator and other investigators for the purpose of regulating and controlling the traffic of alcoholic beverages; provided further, that said commission shall work and cooperate with the Alcohol, Tobacco, and Firearms division of the United States Department of Justice and other relevant federal agencies to assist in its efforts to regulate and control the traffic of alcoholic beverages; and provided further, that the commission is directed to seek out matching federal dollars and to apply for federal grants that may be available to assist in the enforcement of laws pertaining to the traffic of alcoholic beverages..... $2,057,305

0610-0140 For the purpose of funding administrative, transactional and research expenses associated with maintaining and increasing the interest earnings on the Commonwealth's General and Stabilization Fund investments..... $22,250

0610-2000 For payments made to veterans pursuant to section 16 of chapter 130 of the acts of 2005; provided, that the office of the state treasurer may expend not more than $150,000 for costs incurred in the administration of these payments..... $3,155,604

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

Lottery Commission.

0640-0000 For the operation of the state lottery commission and arts lottery; provided, that no funds shall be expended from this item for any costs associated with the promotion or advertising of lottery games; provided further, that positions funded by this item shall not be subject to chapters 30 and 31 of the General Laws; and provided further, that 25 per cent of the amount appropriated herein shall be transferred quarterly from the State Lottery Fund to the General Fund..... $77,172,416

0640-0005 For the costs associated with the continued implementation of monitor games; provided, that any sums expended on promotional activities shall be limited to point-of-sale promotions and agent newsletters; and provided further, that 25 per cent of the amount appropriated in this item shall be transferred quarterly from the State Lottery fund to the General Fund $2,875,484

0640-0010 For the promotional activities associated with the state lottery program; provided, that 25 per cent of the amount appropriated in this item shall be transferred quarterly from the State Lottery Fund to the General Fund $2,000,000

0640-0096 For the purpose of the commonwealth's fiscal year 2010 contributions to the health and welfare fund established pursuant to the collective-bargaining agreement between the lottery commission and the service employees international union, Local 254, AFL-CIO; provided, that the contributions shall be paid to the trust fund on such basis as the collective bargaining agreement provides; and provided further, that 25 per cent of the amount appropriated in this item shall be transferred quarterly from the State Lottery Fund to the General Fund..... $355,945

MASSACHUSETTS CULTURAL COUNCIL.

0640-0300 For the services and operations of the council, including grants to or contracts with public and non-public entities; provided, that notwithstanding any general or special law to the contrary, the council may expend the amounts herein appropriated for the purposes of the council as provided in sections 52 to 58, inclusive, of chapter 10 of the General Laws in amounts and at times as the council may determine pursuant to section 54 of said chapter 10; provided further, that 25 per cent of the amount appropriated herein shall be transferred quarterly from the Arts Lottery Fund to the General Fund; provided further, that any funds expended from this item for the benefit of schoolchildren shall be expended for the benefit of all Massachusetts schoolchildren and on the same terms and conditions; provided further, that the council shall not expend funds from this item for any grant or contract recipient that, in any program or activity for Massachusetts schoolchildren, does not apply the same terms and conditions to all such schoolchildren; provided further, that funds appropriated herein shall be used to assist cultural organizations in augmenting or initiating endowments to promote the financial stability of the organizations and the assistance shall be in the form of challenge grants to the organizations; provided further, that in order to receive a grant a cultural organization shall raise an amount at least equal to the amount of the grant for the organization's endowment; provided further, that funds provided by the grants shall, in perpetuity, be used solely to provide free or reduced rate public programs or services to citizens of the commonwealth; provided further, that a grant made under this program shall not exceed $100,000; provided further, that a person employed under this item shall be considered an employee within the meaning of section 1 of chapter 150E of the General Laws and shall be placed in the appropriate bargaining unit; and provided further, that funds shall be provided for the Local Cultural Council Grant Program $9,692,945

Debt Service

0699-0015 For the payment of interest, discount and principal on certain bonded debt and the sale of bonds of the commonwealth; provided, that notwithstanding any general or special law to the contrary, the state treasurer may make payments pursuant to section 38C of chapter 29 of the General Laws from this item, items 0699-9100, 0699-2004 and item 0699-0016; provided further, that the

payments shall pertain to the bonds, notes, or other obligations authorized to be paid from each item; provided further, that notwithstanding any general or special law to the contrary, the comptroller may transfer the amounts that would otherwise be unexpended on June 30, 2010, from item 0699-0015 to items 0699-9100, 0699-2004 and 0699-0016 or from items 0699-9100, 0699-2004 and 0699-0016 to item 0699-0015 which would otherwise have insufficient amounts to meet debt service obligations for the fiscal year ending June 30, 2010; provided further, that each amount transferred shall be charged to the funds as specified in the item to which the amount is transferred; and provided further, that payments on bonds issued pursuant to section 2O of said chapter 29 shall be paid from this item and shall be charged to the Infrastructure sub-fund of the Highway Fund $1,870,000,000

General Fund 60.0%
Highway Fund 40.0%

0699-0016 For the payment of interest, discount and principal on certain indebtedness incurred under chapter 233 of the acts of 2008 for financing the accelerated bridge program $12,000,000

Highway Fund 100.0%

0699-2004 For the payment of interest, discount and principal on certain indebtedness which may be incurred for financing the central artery/third harbor tunnel funding shortfall $91,719,000

Highway Fund 100.0%

0699-9100 For the payment of costs associated with any bonds, notes or other obligations of the commonwealth, including issuance costs interest on bonds, bond and revenue anticipation notes, commercial paper, and other notes pursuant to sections 47 and 49B of chapter 29 of the General Laws and for the payment to the United States pursuant to section 148 of the Internal Revenue Code of 1986 of any rebate amount or yield reduction payment owed with respect to any bonds or notes or other obligations of the commonwealth; provided, that the treasurer shall certify to the comptroller a schedule of the distribution of costs among the various funds of the commonwealth; provided further, that the comptroller shall charge costs to the funds in accordance with the schedule; and provided further, that any deficit in this item at the close of the fiscal year ending June 30, 2010 shall be charged to the various funds or to the General Fund or Highway Fund debt service reserves $52,104,529

0699-9101 For the purpose of depositing with the trustee under the trust agreement authorized in section 10B of chapter 11 of the acts of 1997, an amount to be used to pay the interest due on notes of the commonwealth issued pursuant to section 9 of said chapter 11 and secured by the Federal Highway Grant Anticipation Note Trust Fund $36,694,000

Highway Fund 100.0%

STATE AUDITOR.

Office of the State Auditor.

0710-0000 For the office of the state auditor, including the review and monitoring of privatization contracts in accordance with sections 52 to 55, inclusive, of chapter 7 of the General Laws and shared oversight of the central artery/third harbor tunnel project $15,137,016

0710-0100 For the operation of the division of local mandates $391,384

0710-0200 For the operation of the bureau of special investigations; provided, that the office shall file quarterly reports with the house and senate committees on ways and means detailing the total amount of fraudulently obtained benefits identified by the bureau of special investigations of the office of the state auditor, the total value of settlement restitution payments, actual monthly collections, and any circumstances that produce shortfalls in collections $1,647,654

0710-0225 For the operation of the Medicaid audit unit within the division of audit operations in an effort to prevent and to identify fraud and abuse in the MassHealth system; provided, that the federal reimbursement for any expenditure from this item shall not be less than 50 per cent; and provided further, that the division shall submit a report no later than December 1, 2009 to the house and senate committee on ways and means detailing all findings on activities and payments made through the MassHealth system $790,702

ATTORNEY GENERAL.

Office of the Attorney General.

0810-0000 For the office of the attorney general, including the administration of the local consumer aid fund, the operation of the anti-trust division, all regional offices, a high-tech crime unit and the victim and witness compensation program; provided, that the victim and witness compensation program shall be administered in accordance with chapters 258B and 258C of the General Laws; provided further, that the attorney general shall submit to the general court and the secretary for administration and finance a report detailing the claims submitted to the state treasurer for payment under item 0810-0004 indicating both the number and costs for each category of claim; and provided further that funds may be expended to continue youth violence prevention initiatives…. $23,452,981

0810-0004 For compensation to victims of violent crimes; provided, that notwithstanding chapter 258C of the General Laws, if a claimant is 60 years of age or older at the time of the crime and is not employed or receiving unemployment compensation, such claimant shall be eligible for compensation in accordance with said chapter 258C even if the claimant has suffered no out-of-pocket loss; provided further, that compensation to such claimant shall be limited to a maximum of $50; and provided further, that notwithstanding any general or special law to the contrary, victims of the crime of rape shall be notified of all available services designed to assist rape victims including, but not limited to, the provisions outlined in section 5 of chapter 258B of the General Laws $2,188,340

0810-0007 For the overtime costs of state police officers assigned to the attorney general; provided, that costs associated with those officers shall not be funded from item 8100-0007; and provided further, that expenditures shall not be made on or after the effective date of this act which would cause the commonwealth's obligation for the purpose of this item to exceed the amount appropriated in this item $463,869

General Fund.....70.00%
Highway Fund.....30.00%

0810-0013 For the office of the attorney general which may expend for a false claims program an amount not to exceed $650,000 from revenues collected from enforcement of the false claims law; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $650,000

0810-0014 For the operation of the department of public utilities proceedings unit, pursuant to section 11E of chapter 12 of the General Laws; provided, that notwithstanding any general or special law to the contrary, the amount assessed under said section 11E of said chapter 12 of the General Laws, shall equal the amount expended from this item; and provided further, that funds shall be expended for the expenses of legal and technical personnel and associated administrative and travel expenses relative to participation in regulatory proceedings at the Federal Energy Regulatory Commission on behalf of Massachusetts ratepayers $2,355,145

0810-0021 For the operation of the Medicaid fraud control unit; provided, that the federal reimbursement for

any expenditure from this item shall not be less than 75 per cent of the expenditure; provided further, that funds shall continue to be used specifically for the investigation and prosecution of abuse, neglect, mistreatment and misappropriation based on referrals from the department of public health pursuant to section 72H of chapter 111 of the General Laws; provided further, that the unit shall provide training for all investigators of the department's division of health care quality responsible for the investigations on a periodic basis pursuant to a comprehensive training program to be developed by the division and the unit; and provided further, that training shall include instruction on techniques for improving the efficiency and quality of investigations of abuse, neglect, mistreatment and misappropriation pursuant to said section 72H of said chapter 111 ..... $3,467,021

0810-0045 For the labor law enforcement program pursuant to subsection (b) of section 1A of chapter 23 of the General Laws; provided, that notwithstanding any general or special law to the contrary, a non-management position funded by this item shall be considered a job title in a collective bargaining unit as prescribed by the labor relations commission and shall be subject to chapter 150E of the General Laws..... $3,497,227

0810-0201 For the costs incurred in administrative or judicial proceedings on insurance as authorized by section 11F of chapter 12 of the General Laws; provided, that funds made available in this item may be used to supplement the automobile insurance fraud unit and the workers' compensation fraud unit of the office of the attorney general; provided further, that funds shall be expended for costs associated with health insurance rate hearings; and provided further, that notwithstanding any general or special law to the contrary, the amount assessed for these costs shall be equal to the amount expended from this item..... $1,539,942

0810-0338 For the investigation and prosecution of automobile insurance fraud; provided, that notwithstanding any general or special law to the contrary, the amount assessed for these costs shall be equal to the amount appropriated by this item $438,506

0810-0399 For the investigation and prosecution of workers' compensation fraud; provided, that notwithstanding any general or special law to the contrary, the amount assessed for these costs shall be equal to the amount appropriated by this item; provided further, that the attorney general shall investigate and prosecute, when appropriate, employers who fail to provide workers' compensation insurance in accordance with the laws of the commonwealth; and provided further, that the unit shall investigate and report on all companies not in compliance with chapter 152 of the General Laws $284,456

Victim and Witness Assistance Board.

0840-0100 For the operation of the victim and witness assistance board; provided, that the board shall submit a comprehensive report compiled from the information required of and submitted to the office by the trial court, the registry of motor vehicles and the state treasurer relative to the collection of assessments for the previous calendar year under section 8 of chapter 258B of the General Laws; and provided further, that the report shall be submitted to the house and senate committees on ways and means on or before February 15, 2010..... $549,090

0840-0101 For the salaries and administration of the SAFEPLAN advocacy program, to be administered by the Massachusetts office of victim assistance; provided, that the office shall submit to the house and senate committees on ways and means, not later than February 1, 2010, a report detailing the effectiveness of contracting for the program including, but not limited to, the number and type of incidents to which the advocates responded, the type of services and service referrals provided by the domestic violence advocates, the cost of providing such services and the extent of coordination with other service providers and state agencies $772,500

STATE ETHICS COMMISSION.

0900-0100 For the operation of the state ethics commission $1,731,123

OFFICE OF THE INSPECTOR GENERAL.

0910-0200 For the operation of the office of the inspector general $2,330,836

0910-0210 For the office of the inspector general which may expend revenues collected up to a maximum of $404,250 from the fees charged to participants in the Massachusetts public purchasing official certification program and the certified public manager program for the operation of such programs; provided, that for the purpose of accommodating discrepancies between the receipts of retained revenues and related expenditures, the office of the inspector general may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $404,250

OFFICE OF CAMPAIGN AND POLITICAL FINANCE.

0920-0300 For the operation of the office of campaign and political finance $1,221,696

MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION.

0940-0100 For the office of the commission, including the processing and resolution of cases pending before the commission that were filed on or before July 1, 2005; provided, that on or before November 2, 2009, the commission shall submit to the house and senate committees on ways and means a report on the total number of all currently pending cases and the total number of the cases in the investigation, conciliation, post-probable cause and pre-public hearing and post-hearing stages; provided further, that the commission shall file an update of the report with the committees on or before March 1, 2010; provided further, that the commission shall identify in the reports the number of cases in which the commission has determined there is probable cause to believe that a violation of chapter 151B of the General Laws has been committed in a case in which the Massachusetts Bay Transportation Authority is named as a respondent; provided further, that the commission shall report to the house and senate committees on ways and means, on or before November 2, 2009, the number of cases pending before the commission in which a state agency or state authority is named as a respondent, specifying those cases in which the Massachusetts Bay Transportation Authority is named as a respondent, and the number of cases in which there is probable cause to believe that a violation of said chapter 151B has been committed; provided further, that the commission shall include in the report the total number of new cases filed in fiscal year 2009 and the total number of cases closed by the commission in fiscal year 2009; provided further, that funds made available in this item shall be in addition to funds available in item 0940-0101; provided further, that all positions, except clerical, shall be exempt from chapter 31 of the General Laws; and provided further, that the commission shall pursue the highest allowable rate of federal reimbursement $2,293,587

0940-0101 For the Massachusetts commission against discrimination which may expend not more than $1,930,054 from revenues from federal reimbursements received for the purposes of the United States Department of Housing and Urban Development fair housing type 1 program and the equal opportunity resolution contract program during fiscal year 2010 and federal reimbursements received for these and other programs in prior years; provided, that notwithstanding any general or special law to the contrary, the commission may also expend revenues generated through the collection of fees and costs so authorized; and provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the commission may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $1,930,054

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

COMMISSION ON THE STATUS OF WOMEN.

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

OFFICE OF THE STATE COMPTROLLER.

1000-0001 For the office of the state comptroller; provided, that the amount of any federal funds and grant receipts credited and expended from this item shall be reported to the house and senate committees on ways and means; provided further, that the comptroller shall maintain a special federal and non-tax revenue unit which shall operate under policies and procedures developed in conjunction with the secretary for administration and finance; provided further, that the comptroller shall provide quarterly reports to the house and senate committees on ways and means which shall include for each state agency for which the commonwealth is billing, the eligible state services and the full-year estimate of revenues and revenues collected; provided further, that notwithstanding any general or special law to the contrary, the comptroller shall deduct $1,000 from any item of appropriation in section 2 in which a reporting requirement is stipulated within such item and which report is not filed within 10 days of the stated due date; provided further, that all amounts deducted shall be deposited into the General Fund and the comptroller shall notify the house and senate committees on ways and means of all amounts so deducted; provided further, that notwithstanding any general or special law to the contrary, the comptroller may enter into contracts with private vendors to identify and pursue cost avoidance opportunities for programs of the commonwealth and to enter into interdepartmental service agreements with state agencies, as applicable, for such purpose; provided further, that 60 days before entering into any interdepartmental service agreement the comptroller shall notify the house and senate committees on ways and means; provided further, that the notification shall include, but not be limited to, a description of the project, the purpose and intent of the interdepartmental service agreement, a projection of the costs avoided in the current fiscal year, a copy of the contract with the private vendor including the proposed rate of compensation and any previous agreements related or similar to the new agreement with the above information; provided further, that payments to private vendors on account of such cost avoidance projects shall be made only from such actual cost savings as have been certified in writing to the house and senate committees on ways and means by the comptroller and the budget director as attributable to such cost avoidance projects; provided further, that the comptroller may establish such procedures, in consultation with the budget director and the affected departments, as he deems appropriate and necessary to accomplish the purpose of this item; and provided further, that the comptroller shall submit a report on such projects as a part of his annual report pursuant to section 12 of chapter 7A of the General Laws $8,056,789

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Office of the Secretary.

1100-1100 For the office of the secretary and the administration of the fiscal affairs division; provided, that the secretary shall conduct an ongoing review of affirmative action steps taken by the various agencies, boards, departments, commissions or divisions to determine whether such agencies, boards, departments, commissions or divisions are complying with the commonwealth's policies of nondiscrimination and equal opportunity; provided further, that whenever noncompliance is determined by the secretary, the secretary shall hold a public hearing on the matter and report his resulting recommendations to the head of the relevant agency, board, department, commission or division, to the governor and to the Massachusetts Commission Against Discrimination; provided further, that the secretary shall report on the status of each agency, board, department, commission or division receiving monies under this item, including supplemental and deficiency budgets, as to compliance or noncompliance with affirmative action policies to the chairs of the house and senate committees on ways and means, the joint committee on public service and the joint committee on labor and workforce development on or before December 1, 2009; and provided further, that agencies within the executive office may, with the prior approval of the secretary, streamline and improve administrative operations pursuant to interdepartmental service agreements $3,153,173

1100-1700 For the provision of information technology services within the executive office for administration and finance $31,058,555

Division of Capital Asset Management and Maintenance.

1102-3205 For the division of capital asset management and maintenance which may expend for the maintenance and operation of the Massachusetts information technology center, the state transportation building and the Springfield state office building an amount not to exceed $16,250,000 in revenues collected from rentals, commissions, fees, parking fees and any other sources pertaining to the operations of said facilities; provided, that notwithstanding any general or special law to the contrary, and for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system..... $16,250,000

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

Bureau of State Office Buildings.

1102-3301 For the operation of the bureau and for the maintenance and operation of buildings under the jurisdiction of the state superintendent of state office buildings; provided, that the bureau shall retain jurisdiction over all contracts, purchases and payments for materials and services required in the operation of the bureau..... $5,716,546

1102-3302 For the purposes of utility costs and associated contracts for the properties managed by the bureau of state office buildings..... $6,428,590

1102-3307 For state house accessibility coordination, including communications access to public hearings and meetings..... $196,166

Office on Disability.

1107-2400 For the Massachusetts office on disability..... $547,637

Disabled Persons Protection Commission.

1107-2501 For the disabled persons protection commission; provided, that the commission shall facilitate compliance by the department of mental health and the department of developmental services with uniform investigative standards; provided further, that the commission shall report to the house and senate committees on ways and means no later than the last day of each quarter on the number of claims of abuse by caretakers made by employees or contracted service employees of the departments of developmental services and mental health, and the Massachusetts rehabilitation commission; provided further, that the report shall include: (a) the number of claims found to be substantiated; (b) the number of claims found to be unsubstantiated; and (c) the number of claims found to be falsely reported as a result of intentional and malicious action; and provided further, that the commission shall ensure that all calls received by the commission's 24-hour hotline are capable of being recorded, that all persons who call the hotline are immediately informed that all calls are routinely recorded and that each such person is provided with the opportunity to elect that the call not be recorded $2,222,665

Civil Service Commission.

1108-1011 For the civil service commission; provided, that the General Fund shall be reimbursed for the appropriation herein through a fee charged on a per claim basis; provided further, that said commission shall develop and implement regulations to implement said reimbursement to the General Fund; and provided further, that the civil service commission may assess a fee upon the appointing authority when inappropriate action has occurred $426,014

Group Insurance Commission.

1108-5100 For the administration of the group insurance commission; provided, that the commission shall generate the maximum amounts allowable under the federal Consolidated Omnibus Budget Reconciliation Act, as amended, and from reimbursements allowed by sections 8, 10B, 10C and 12 of chapter 32A of the General Laws $2,704,328

1108-5200 For the commonwealth's share of the group insurance premium and plan costs incurred in fiscal year 2010; provided, that notwithstanding any general or special law to the contrary, funds in this item shall not be available during the accounts payable period of fiscal year 2010, and any unexpended balance in this item shall revert to the General Fund on June 30, 2010; provided further, that the secretary of administration and finance shall charge the division of unemployment assistance and other departments, authorities, agencies and divisions which have federal or other funds allocated to them for this purpose for that portion of insurance premiums and plan costs as the secretary determines should be borne by such funds and shall notify the comptroller of the amounts to be transferred, after similar determination, from the several state or other funds and the amounts received in payment of all such charges or transfers shall be credited to the General Fund; provided further, that funds may be expended from this item for the commonwealth's share of group insurance premium and plan costs provided to employees and retirees in prior fiscal years; provided further, that the group insurance commission shall report quarterly to the house and senate committees on ways and means the amounts expended from this item for prior year costs; provided further, that the group insurance commission shall obtain reimbursement for premium and administrative expenses from other agencies and authorities not funded by state appropriation; provided further, that the secretary of administration and finance may charge all agencies for the commonwealth's share of the health insurance costs incurred on behalf of any employees of those agencies who are on leave of absence for a period of more than 1 year; provided further, that the amounts received in payment for the charges shall be credited to the General Fund; provided further, that notwithstanding section 26 of chapter 29 of the General Laws, the commission may negotiate, purchase and execute contracts before July 1 of each year for policies of group insurance as authorized by chapter 32A of the General Laws; provided further, that notwithstanding chapter 150E of the General Laws and as provided in section 8 of said chapter 32A and for the purposes of section 14 of said chapter 32A, the commonwealth's share of the group insurance premium for state employees who retired before July 1, 1994, shall be 90 per cent, and the commonwealth's share of the group insurance premium for state employees who retired on or after July 1, 1994, shall be 85 per cent; provided further, that the commonwealth's share of the group insurance premium for active employees upon retirement shall be 85 per cent; provided further, that the commonwealth's share of the group insurance premiums for active state employees and their dependants shall be 75 per cent; provided further, that the commission shall notify the house and senate committees on ways and means by March 15 of each year of the cost of the commonwealth's projected share of group insurance premiums for the next fiscal year; and provided further, that the group insurance commission may pay premium and plan costs for municipal employees and retirees who are enrolled in the group insurance commission's health plans pursuant to the commission's regulations..... $893,000,000";

1108-5201 For the costs incurred by the group insurance commission associated with providing municipal health insurance coverage pursuant to section 19 of chapter 32B of the General Laws; provided, that the commission may expend revenues in an amount not to exceed $850,000 from the revenue received from administrative fees associated with providing municipal health insurance coverage pursuant to said section 19 of said chapter 32B; and provided further, that notwithstanding any

general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the commission may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system $850,000

1108-5350 For elderly governmental retired employee premium payments $526,789

1108-5400 For the costs of the retired municipal teachers' premiums and the audit of such premiums $77,844,056

1108-5500 For the costs, notwithstanding chapter 32A of the General Laws to the contrary, of dental and vision benefits for those active employees of the commonwealth, not including employees of authorities and any other political subdivision, who are not otherwise provided those benefits pursuant to a separate appropriation or the terms of a contract or collective bargaining agreement; provided, that the employees shall pay 15 per cent of the monthly premium established by the commission for the benefits $7,972,656

Division of Administrative Law Appeals.

1110-1000 For the operation of the division of administrative law appeals, established in section 4H of chapter 7 of the General Laws; provided, that the division shall maintain, to the fullest extent practicable, a complete physical and technological separation from any agency, department, board, commission or program whose decisions, determinations or actions may be appealed to it; provided further, that every decision issued by a commissioner or other head of an agency, or his designee, following the issuance of a recommended decision by an administrative law judge of the division shall be an agency decision subject to judicial review pursuant to chapter 30A of the General Laws; and provided further, that funds shall be expended for the processing and adjudication of all pending and newly-filed department of environmental protection appeals $1,102,462

George Fingold Library.

1120-4005 For the administration of the library. $866,742

1120-4006 For the George Fingold Library which may expend revenues collected up to a maximum of $5,000 from the fees charged for copying services; provided, that the library shall submit a report that details revenue collected and expenditures made to the house and senate committees on ways and means on or before January 1, 2010 ..... $5,000

Department of Revenue.

1201-0100 For the operation of the department of revenue, including tax collection administration and audits of certain foreign corporations; provided, that the department may allocate funds to the office of the attorney general for the purpose of the tax prosecution unit; provided further, that the department may charge the expenses for computer services, including the cost of personnel and other support costs provided to the child support enforcement unit, from this item to item 1201-0160, consistent with the costs attributable to said unit; provided further, that the department shall provide to the general court access to the municipal data bank; provided further, that notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by this account shall be positions requiring the services of an incumbent, on either a full-time or less than full-time basis, beginning no earlier than December 1 and ending no later than November 30; and provided further, that seasonal positions funded by this account shall not be filled by an incumbent for more than 10 months within a 12-month period $88,539,813

1201-0118 For the operation of the division of local services $5,484,518

1201-0130 For the department of revenue which may expend for the operation of the department not more than $17,280,000 from revenues collected by the additional auditors for an enhanced audit program; provided, that the auditors shall: (1) discover and identify persons who are delinquent either in the

filing of a tax return or the payment of a tax due and payable to the commonwealth; (2) obtain such delinquent returns; and (3) collect such delinquent taxes for a prior fiscal year; provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, that the department shall submit quarterly reports to the house and senate committees on ways and means that shall include, but not be limited to, the following: (1) the amount of revenue produced from these additional auditors; and (2) the amount of revenue produced by this item in fiscal years 2006, 2007, 2008 and 2009 ..... $17,280,000

1201-0160 For the child support enforcement unit; provided, that the department may allocate funds appropriated herein to the department of state police, the district courts, the probate and family courts, the district attorneys and other state agencies for the performance of certain child support enforcement activities, and those agencies may expend the funds for the purposes of this item; provided further, that all such allocations shall be reported quarterly to the house and senate committees on ways and means upon the allocation of the funds; provided further, that the federal receipts associated with the child support computer network shall be drawn down at the highest possible rate of reimbursement and deposited into a revolving account to be expended for the network; provided further, that federal receipts associated with child support enforcement grants shall be deposited into a revolving account to be drawn down at the highest possible rate of reimbursement and to be expended for the grant authority; provided further, that the department shall file quarterly reports with the house and senate committees on ways and means, detailing the balance, year-to-date and projected receipts and year-to-date and projected expenditures, by subsidiary, of the child support trust fund established pursuant to section 9 of chapter 119A of the General Laws; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system for federal incentives and said network in accounts 1201-0161, 1201-0410, and 1201-0412 ..... $40,530,864

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

1232-0100 For the administration of the underground storage tank program and the Underground Storage Tank Petroleum Cleanup Fund Administrative Review Board under chapter 21J of the General Laws; provided that funds appropriated in this item may be used for underground storage tank remediation reimbursements under said chapter 21J; provided further, that funds may be used for grants to municipalities for the removal and replacement of underground storage tanks, under section 4 of said chapter 21J and section 37A of chapter 148 of the General Laws; provided further, that in the prioritization of claims, consideration shall be given to claimants who own not more than 2 dispensing facilities; and provided further, that the board shall submit to the house and senate committees on ways and means a report on the status of the underground storage program, including, but not limited to, the number of municipal grants made for the removal and replacement of underground storage tanks and the reimbursements for remediated petroleum spills; provided further, that the report shall detail how many tanks are out of compliance with said chapter 21J; and provided further, that the report shall be submitted not later than February 15, 2010 ..... $17,729,011

1233-2000 For the tax abatement program for certain veterans, widows, blind persons and the elderly; provided, that cities and towns shall be reimbursed for the abatements granted pursuant to clauses

Seventeenth, Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E, Thirty-seventh, Thirty-seventh A, Forty-first, Forty-first B, Forty-first C, Forty-first C 1/2 and Fifty-second of section 5 of chapter 59 of the General Laws; provided further, that the commonwealth shall reimburse each city or town that accepts said clause Forty-first B or said clause Forty-first C for additional costs incurred in determining eligibility of applicants under those clauses in an amount not to exceed $2 per exemption granted; and provided further, that for reimbursements to cities and towns for additional exemptions from the motor vehicle excise granted pursuant to the seventh paragraph of section 1 of chapter 60A of the General Laws..... $25,301,475

1233-2350 For the distribution to cities and towns of the balance of the State Lottery Fund in accordance with clause (c) of the second paragraph of section 35 of chapter 10 of the General Laws, and additional aid to municipalities, as provided for in section 3;.....$864,882,390

1233-2400 For reimbursements to cities and towns in lieu of taxes on state-owned land pursuant to sections 13 to 17, inclusive, of chapter 58 of the General Laws..... $27,270,000

Appellate Tax Board.

1310-1000 For the operation of the appellate tax board $1,809,270

1310-1001 For the appellate tax board which may expend revenues up to a maximum of $300,000 from fees collected; provided, that in order to accommodate discrepancies between the receipt of retained revenues and related expenditures, the board may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $300,000

Reserves.

1599-0025 For the secretary of administration and finance to provide the commonwealth's customers with the convenience of expanded access to internet payment options and to improve revenue collections and cash flow; provided, that the secretary may expend an amount not to exceed $1,000,000 collected from payments made electronically to subsidize the costs associated with processing those payments; and provided further, that the secretary, in consultation with the comptroller, may enter into agreements with state agencies to provide for an electronic transaction fee subsidy, which shall be structured to expire after 3 years..... $1,000,000

1599-0050 For Route 3 North contract assistance payments $9,625,000

Highway Fund.....100.0%

1599-0093 For contract assistance to the water pollution abatement trust for debt service obligations of the trust, pursuant to sections 6, 6A and 18 of chapter 29C of the General Laws..... $67,900,000

1599-1970 For a reserve for the Massachusetts Turnpike Authority for costs incurred in fiscal year 2007 for the operation and maintenance of the Central Artery Ted Williams Tunnel Project pursuant to chapter 235 of the acts of 1998..... $25,000,000

Highway Fund.....100.0%

1599-3234 For the commonwealth's South Essex sewerage district debt service assessment..... $89,763

1599-3384 For a reserve for the payment of certain court judgments, settlements and legal fees in accordance with regulations promulgated by the comptroller which were ordered to be paid in the current fiscal year or a prior fiscal year; provided, that the comptroller shall report quarterly to the house and senate committees on ways and means on the amounts expended from this item..... $7,500,000

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

1599-6425 For a reserve to support municipal regionalization; provided, that the funds in this item shall be used to provide grants and technical assistance to districts and municipalities, including councils on government, counties and regional planning authorities that are applying on behalf of 2 or more municipal entities, in the areas of planning, feasibility, transitional costs and related subject areas to promote cost effective and efficient delivery of local services by regionalization of services including, but not limited to, equipment, hardware, facilities, staff and operations; provided further, that the secretary of administration and finance shall promulgate regulations to implement this item not later than September 1, 2009; and provided further, that grants and technical assistance shall only be provided to support regionalization of services that results in cost savings..... $2,000,000

1599-7286 For a reserve to provide grants to municipalities with limited capacity to benefit from section 2A of chapter 64L of the General Laws; provided, that only cities and towns that have fewer than 3 restaurants shall be eligible for grants from this item; provided further, that grants to cities and towns under this item shall be distributed under a formula to be promulgated by regulation by the division of local services in the department of revenue, which shall promulgate regulations not later than September 1, 2009; provided further, that the formula shall limit the size of grants to be distributed to cities or towns with not more than 2 restaurants to the amount that city or town could generate if it accepted said section 2A of said chapter 64L; provided further, that the formula shall ensure that grant amounts shall not exceed the revenue derived by a similarly situated city or town that takes a vote under said section 2A of said chapter 64L; and provided further, that such regulations shall include a determination as to whether all communities with populations over 5,000 will be eligible to participate in this program.....$500,000

Division of Human Resources.

1750-0100 For the operation of the human resources division and the costs of administration, training, and customer support related to the commonwealth's human resources and compensation management system; provided, that the information technology division shall continue a chargeback system for its bureau of computer services, including the operation of the commonwealth's human resources and compensation management system, which complies with the requirements of section 2B; provided further, that the division shall be responsible for the administration of examinations for state and municipal civil service titles, establishment of eligible lists, certification of eligible candidates to state and municipal appointing authorities, technical assistance in selection and appointment to state and municipal appointing authorities; provided further, that notwithstanding clause (n) of section 5 of chapter 31 of the General Laws or any other general or special law to the contrary, the secretary of administration and finance shall charge a fee of not less than $50 to be collected from each applicant for a civil service examination; provided further, that the division shall administer a program of state employee unemployment management, including, but not limited to, agency training and assistance; provided further, that the division shall administer the statewide classification system, including, but not limited to, maintaining a classification pay plan for civil service titles within the commonwealth in accordance with generally accepted compensation standards and reviewing appeals for reclassification; provided further, that the secretary of administration and finance shall file with the house and senate committees on ways and means the amounts of any economic benefits necessary to fund any incremental cost items contained in any collective bargaining agreements with the various classified public employees' unions; provided further, that the nature and scope of economic proposals contained in those agreements shall include all fixed percentage or dollar-based salary adjustments, non-base payments or other forms of compensation and all supplemental fringe benefits resulting in any incremental costs; and provided further, that any employee of the commonwealth who chooses to participate in a bone marrow donor program shall be granted a leave of absence with pay to undergo the medical procedure and for associated physical recovery time, but this leave shall not exceed 5 days $3,146,717

1750-0102 The human resources division may expend not more than $3,501,760 from revenues collected from fees charged to applicants for civil service and non-civil service examinations, fees charged for the implementation of the medical and physical fitness standards program established pursuant to

sections 61A and 61B of chapter 31 of the General Laws and chapter 32 of the General Laws, and fees charged for the costs of goods and services rendered in administering training programs; provided, that the division shall collect from participating non-state agencies, political subdivisions, and the general public fees sufficient to cover all costs of the programs, including, but not limited to, a fee to be collected from each applicant for a civil service examination or non-civil examination, notwithstanding clause (n) of section 5 of chapter 31 of the General Laws or any other general or special law to the contrary; provided, that the personnel administrator shall charge a fee of not less than $50 to be collected from each applicant who participates in the physical ability test; provided further, that the human resources division shall submit a semi-annual report to the house and senate committees on ways and means detailing all expenditures on the program including, but not limited to, the costs of personnel, consultants, administration of the wellness program, establishment of standards and any other related costs of the program; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $3,501,760

1750-0119 For payment of workers' compensation benefits to certain former employees of Middlesex and Worcester counties; provided, that the division shall routinely recertify the former employees pursuant to current workers' compensation procedures $61,264

1750-0300 For the commonwealth's contributions in fiscal year 2010 to health and welfare funds established pursuant to certain collective bargaining agreements; provided, that the contributions shall be calculated as provided in the applicable collective bargaining agreement and shall be paid to the health and welfare trust funds on a monthly basis or on such other basis as the applicable collective bargaining agreement provides $27,700,000

Operational Services Division.

1775-0100 For the operation of the operational services division, including the affirmative market program; provided, that the division shall expend funds for the purpose of achieving savings pursuant to this act $743,779

1775-0115 For the operational services division; provided, that the division may expend for the purpose of procuring, managing and administering statewide contracts an amount not to exceed $900,000 from revenue collected from the statewide contract administrative fee; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the operational services division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system, including the costs of personnel $900,000

1775-0124 For the operational services division; provided, that the division may expend an amount not to exceed $500,000 from revenue collected in the recovery of cost-reimbursement and non-reimbursable over billing and recoupment for health and human service agencies and as a result of administrative reviews, as determined during the division's audits and reviews of providers pursuant to section 274 of chapter 110 of the acts of 1993; and provided further, that the division may only retain revenues collected in excess of $207,350 ..... $500,000

1775-0600 For the operational services division; provided, that the division may expend not more than $805,000 in revenues from the sale of state and federal surplus personal property and the disposal of surplus motor vehicles, including, but not limited to, state police vehicles from vehicle accident and damage claims and from manufacturer warranties, rebates and settlements for the payment, expenses and liabilities for the acquisition, warehousing, allocation and distribution of surplus property and the purchase of motor vehicles; provided further, that the division shall evaluate the use of technology, the internet, and online auctions to enhance the sales of surplus vehicles and submit a report of its findings to the house and senate committees on ways and means, and the

house and senate committees on post audit and oversight on or before October 1, 2009; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the operational services division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system, including the costs of personnel $805,000

1775-0700 For the operational services division; provided, that the division may expend not more than $53,000 in revenues collected in addition to the amount authorized in item 1775-1000 of section 2B for printing, photocopying, related graphic art or design work and other reprographic goods and services provided to the general public, including all necessary incidental expenses $53,000

Information Technology Division.

1790-0100 For the operation of the information technology division; provided, that the division shall continue a chargeback system for its bureau of computer services including the operation of the commonwealth's human resources and compensation management system, which complies with the requirements of section 2B; provided further, that the division shall develop a formula to determine the cost that will be charged to each agency for its use of the human resources and compensation management system; provided further, that the division may coordinate with any state agency or state authority which administers a grant program to develop a statewide grant information page on the commonwealth's official world wide web site, that shall include all necessary application forms and a grant program reference in a format that is retrievable and printable; provided further, that the division shall continue conducting audits and surveys to identify and realize savings in the acquisition and maintenance of communications lines; provided further, that the commissioner shall file an annual status report with the house and senate committees on ways and means by May 31, 2010, with actual and projected savings and expenditures for the audits in the fiscal year ending June 30, 2010; provided further, that the state comptroller shall establish accounts and procedures as he deems appropriate and necessary to assist in accomplishing the purposes of this item; provided further, that any planned information technology development project or purchase by any agency under the authority of the governor for which the total projected cost exceeds $200,000, including the cost of any related hardware, software, or consulting fees, and regardless of fiscal year or source of funds, shall be reviewed and approved by the chief information officer before such agency may obligate funds for the project or purchase; provided further, that the chief information officer may establish rules and procedures necessary to implement this item; and provided further, that the division shall file a report with the house and senate committees on ways and means not later than December 15, 2009 that shall include, but not be limited to, the following: (a) financial statements detailing savings realized from the consolidation of information technology services within each executive office; (b) the number of personnel assigned to the information technology services within each executive office; and (c) efficiencies that have been achieved from the sharing of resources $4,690,244

1790-0300 For the information technology division which may expend not more than $595,695 from revenues collected from the provision of computer resources and services to the general public for the costs of the bureau of computer services, including the purchase, lease or rental of telecommunications lines, services and equipment $595,695

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS.

Office of the Secretary.

2000-0100 For the operation of the office of the secretary of energy and environmental affairs, including the water resources commission, the hazardous waste facility site safety council, the coastal zone management program, environmental impact reviews conducted pursuant to chapter 30 of the General Laws and the mosquito-borne disease vector control chapter program..... $6,382,555

2000-1700 For the operation of information technology services within the executive office of energy and environmental affairs, including the office of geographic and environmental information

established in section 4B of chapter 21A of the General Laws..... $9,246,775

2001-1001 For the secretary of energy and environmental affairs who may expend not more than $55,000 from fees charged to entities other than political subdivisions of the commonwealth for the distribution of digital cartographic and other data for the review of environmental notification forms pursuant to sections 61 to 62H, inclusive, of chapter 30 of the General Laws $55,000

2010-0100 For recycling and related purposes consistent with the recycling plan of the solid waste master plan which includes municipal equipment, a municipal recycling incentive program, recycled product procurement, guaranteed annual tonnage assistance, recycling transfer stations, source reduction and technical assistance, consumer education and participation campaign, municipal household hazardous waste program, the recycling loan program, research and development, recycling market development and recycling business development, and the operation of the Springfield materials recycling facility; provided, that funds may be expended for a recycling industry reimbursement program pursuant to section 241 of chapter 43 of the acts of 1997..... $514,001

2010-0200 For redemption centers; provided, that the department of environmental protection shall expend the funds appropriated in this item for a program to preserve the continuing ability of redemption centers to maintain operations in pursuit of the commonwealth's recycling goals consistent with section 323 of chapter 94 of the General Laws; provided further, that for the purposes of this item and said chapter 94, a redemption center shall be any business registered with the commonwealth whose primary purpose is the redemption of reusable beverage containers; provided further, that the program shall take into consideration the volume of redeemables per redemption center, the length of time the center has been in operation, the number of returnables redeemed quarterly by the centers, the submission by the centers of documentation of their redeemed returnables to the department and the costs of transportation, packing, storage and labor; and provided further, that a redemption center shall be eligible for the funds if registered with the commonwealth as of April 1, 2003 ..... $475,000

2020-0100 For toxics use reduction technical assistance and technology in accordance with chapter 21I of the General Laws..... $688,204

2030-1000 For the operation of the office of environmental law enforcement; provided, that officers shall provide monitoring pursuant to the National Shellfish Sanitation Program; provided further, that the department shall maintain and operate the boat registration and titling offices in Hyannis and Fall River; and provided further, that funds from this item shall not be expended for the purposes of item 2030-1004..... $9,677,607

2030-1004 For environmental police private details; provided, that the office may expend revenues of up to $220,000 collected from the fees charged for private details; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $220,000

Department of Public Utilities.

2100-0012 For the operation of the department of public utilities; provided, that notwithstanding the second sentence of the first paragraph of section 18 of chapter 25 of the General Laws, the assessments levied for fiscal year 2010 under said first paragraph shall be made at a rate sufficient to produce $7,346,593..... $7,346,593

2100-0013 For the operation of the transportation division $461,489

2100-0014 For the department of public utilities which may expend for the operation of the energy facilities sitting board an amount not to exceed $75,000 from application fees collected in fiscal year 2010 and prior fiscal years from utility companies $75,000

2100-0015 For the department of public utilities which may expend for the operation of the transportation division an amount not to exceed $2,300,000 from unified carrier registration fees collected in fiscal year 2010 and prior fiscal years from motor carrier companies $2,300,000

Department of Environmental Protection.

2200-0100 For the operation of the department of environmental protection, including the environmental strike force, the office of environmental results and strategic planning, the bureau of resource protection, the Senator William X. Wall experimental station and a contract with the University of Massachusetts for environmental research; provided, that section 3B of chapter 7 of the General Laws shall not apply to fees established pursuant to section 18 of chapter 21A of the General Laws $29,754,601

2200-0102 For the department of environmental protection which may expend an amount not to exceed $903,817 from revenues collected from fees collected from wetland permits; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; provided further, that the department shall submit a report by January 12, 2010, on implementation of the wetlands fee, the amount of the fee increase and the revenue that has been collected; and provided further, that the wetlands fees that shall be deposited into the General Fund shall not be lower than the amount deposited at the end of fiscal year 2004..... $903,817

2210-0100 For the implementation and administration of chapter 21I of the General Laws; provided, that the department shall submit a report to the house and senate committees on ways and means not later than February 1, 2010 detailing the status of the department's progress in meeting the statutory and regulatory deadlines associated with said chapter 21I and detailing the number of full-time equivalent positions assigned to various implementation requirements of said chapter 21I $831,182

2220-2220 For the administration and implementation of the federal Clean Air Act, including the operating permit program, the emissions banking program, the auto-related state implementation program, the low emission vehicle program, the non-auto-related state implementation program, and the commonwealth's commitments under the New England Governors/Eastern Canadian Premiers Action Plans for reducing acid rain deposition and mercury emissions..... $983,303

2220-2221 For the administration and implementation of the operating permit and compliance program required under the federal Clean Air Act..... $1,957,473

2250-2000 For the purpose of state implementation of the federal Safe Drinking Water Act under section 18A of chapter 21A of the General Laws $1,585,845

2260-8870 For the expenses of the hazardous waste cleanup and underground storage tank programs, notwithstanding section 4 of chapter 21J of the General Laws..... $15,419,520

2260-8872 For the brownfields site audit program..... $1,456,260

2260-8881 For the operation of the board of registration of hazardous waste site cleanup professionals, notwithstanding section 19A of chapter 21A of the General Laws..... $342,117

Department of Fish and Game.

2300-0100 For the office of the commissioner; provided, that the commissioner's office shall assess and receive payments from the division of marine fisheries, the division of fisheries and wildlife, the public access board, the riverways program, and all other programs under the control of the department of fish and game; provided further, that the purpose of those assessments shall be to cover appropriate administrative costs of the department including, but not limited to, payroll, personnel,

legal and budgetary costs; provided further, that the amount and contribution from each division or program shall be determined by the commissioner of fish and game; and provided further, that the department shall file a report with the house and senate committees on ways and means not later than October 1, 2009 that details the level of assessments to each department under the control of the office of the commissioner in fiscal years 2008 and 2009 ..... $678,762

2300-0101 For a program of riverways protection, restoration and promotion of public access to rivers, including grants to public and nonpublic entities; provided, that the positions funded in this item shall not be subject to chapter 31 of the General Laws $433,179

2310-0200 For the administration of the division of fisheries and wildlife, including expenses of the fisheries and wildlife board, the administration of game farms and wildlife restoration projects, for wildlife research and management, the administration of fish hatcheries, the improvement and management of lakes, ponds and rivers, for fish and wildlife restoration projects, the commonwealth's share of certain cooperative fisheries and wildlife programs, and for certain programs reimbursable under the federal Aid to Fish and Wildlife Restoration Act; provided, that funds from this item shall be made available to the University of Massachusetts Amherst for the purposes of wildlife and fisheries research in an amount not to exceed the amount received in fiscal year 2009 for such research; provided further, that the department may expend the amount necessary to restore anadromous fish in the Connecticut and Merrimack river systems; provided further, that expenditures for such programs shall be contingent upon prior approval of the proper federal authorities for reimbursement of at least 75 per cent of the amount so expended; and provided further, that funds shall be expended for the natural heritage and endangered species program $9,206,561

Inland Fisheries and Game Fund.....100.0%

2310-0306 For the hunter safety training program $401,130

Inland Fisheries and Game Fund.....100.0%

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

Inland Fisheries and Game Fund.....100.0%

2310-0317 For the waterfowl management program pursuant to section 11 of chapter 131 of the General Laws $45,000

Inland Fisheries and Game Fund.....100.0%

2320-0100 For the administration of the public access board, including the maintenance, operation, and improvement of public access land and water areas; provided, that positions funded in this item shall not be subject to chapter 31 of the General Laws $513,182

2330-0100 For the operation of the division of marine fisheries, including expenses of the Annisquam river marine research laboratory, marine research programs, a commercial fisheries program, a shellfish management program, including coastal area classification, mapping and technical assistance, and for the operation of the Newburyport shellfish purification plant and shellfish classification program; provided, that funds shall be expended on a recreational fisheries program to be reimbursed by federal funds; and provided further, that the division shall continue to develop strategies to improve federal regulations governing the commercial fishing industry so as to promote sustainable fisheries..... $4,720,397

2330-0120 For the division of marine fisheries for a program of enhancement and development of marine

recreational fishing and related programs and activities, including the cost of equipment maintenance, staff and the maintenance and updating of data $567,563

2330-0121 For the division of marine fisheries to utilize reimbursable federal sportfish restoration funds to further develop marine recreational fishing and related programs, including the costs of activities that increase public access for marine recreational fishing, support research on artificial reefs, and otherwise provide for the development of marine recreational fishing; provided, that the division of marine fisheries may expend revenues up to $217,989 collected from federal sportfish restoration funds and from the sale of materials which promote marine recreational fishing $217,989

Department of Agricultural Resources.

2511-0100 For the operation of the department of agricultural resources, including the division of administration, the expenses of the board of agriculture, the division of dairy services, division of regulatory services, the division of animal health, the division of agricultural technical assistance, the division of crop management and inspectional services, including a program of laboratory services at the University of Massachusetts Amherst, the pesticides board, and the division of agricultural development and fairs; provided, that funds may be expended for the statewide 4-H program $4,783,708

2511-0105 For the purchase of supplemental foods for the emergency food assistance program within the feeding America nationally-certified food bank system of Massachusetts; provided, that the funds appropriated herein shall reflect the feeding America allocation formula, to benefit the 4 regional food banks in the commonwealth; and provided further, that the department may assess an administrative charge not to exceed 2 per cent of the total appropriation herein $12,000,000

2511-3002 For the integrated pest management program $287,945

Department of Conservation and Recreation.

2800-0100 For the operation of the department of conservation and recreation; provided, that said department shall enter into an interagency service agreement with the department of state police to provide police coverage on department of conservation and recreation properties and parkways; provided further, that the department of state police shall reimburse said department of conservation and recreation for costs incurred by said department including, but not limited to, vehicle maintenance and repairs, the operation of department of state police buildings and other related costs; provided further, that notwithstanding any general or special law to the contrary, all offices and positions of the division performing construction activities for the department of conservation and recreation shall be subject to classification under sections 45 to 50, inclusive, of chapter 30 of the General Laws; provided further, that notwithstanding section 3B of chapter 7 of the General Laws, the department shall establish or renegotiate fees, licenses, permits, rents and leases, and to adjust or develop other revenue sources to fund the maintenance, operation, and administration of the department; provided further, that an annual report shall be submitted to the house and senate committees on ways and means regarding fee adjustments not later than February 15, 2010; provided further, that no funds shall be expended from this item for personnel overtime costs; provided further, that the department of conservation and recreation shall provide the house and senate committees on ways and means with a 30-day notice before any intersubsidiary transfers or interagency service agreements and the reason for said transfer; provided further, that the amount transferred pursuant to interagency service agreements shall not increase from fiscal year 2009; and provided further, that any employee paid from this item as of August 1, 2004, that was included in the report required from said item in chapter 149 of the acts of 2004, and any employees assigned to that item after August 1, 2004, shall not be paid from any other item of appropriation $4,740,855

2800-0101 For the watershed management program to operate and maintain reservoirs, watershed lands and related infrastructure of the department and the office of water resources in the department of conservation and recreation; provided, that funds shall be paid to the town of Clinton under section

8 of chapter 307 of the acts of 1987 as compensation for the use of certain land; provided further, that the amount of the payment shall be charged to the General Fund and shall not be included in the amount of the annual determination of fiscal year charges to the Massachusetts Water Resources Authority assessed to the authority under the General Laws; and provided further, that funds shall be expended for the flood control activities undertaken by the Thames river valley communities of Massachusetts in conjunction with the state of Connecticut $1,323,586

2800-0401 For a program to provide stormwater management for all properties and roadways under the care, custody and control of the department of conservation and recreation; provided, that the department shall develop and implement a stormwater management program in compliance with federal and state stormwater management requirements; provided further, that the department shall inventory all existing stormwater infrastructure, assess its current stormwater practices, analyze long term capital and operational needs, and develop a stormwater management plan to comply with federal and state regulatory requirements; and provided further, that in order to protect public safety and to protect water resources for water supply, recreational and ecosystem uses, the department shall immediately implement interim stormwater management practices including, but not limited to, street sweeping, inspection and cleaning of catch basins, and emergency repairs to roadway drainage..... $731,258

2800-0501 For the operation of the beaches, pools and spray pools under the control of the department of conservation and recreation; provided, that the seasonal hires of the department of conservation and recreation's parks, beaches, pools and spray pools be paid from this item; provided further, that all beaches, pools and spray pools shall remain open and staffed from Memorial Day through Labor Day; provided further, that the beaches, pools and spray pools shall be fully maintained; provided further, that the department shall file quarterly reports with the house and senate committee on ways and means relative to the seasonal staffing levels at all of the department's facilities, which shall include, but not be limited to, the following: (a) the number of seasonal employees assigned to each facility; (b) the total amount of funding spent on seasonal employees at each facility; (c) the total amount of funding spent on each facility; and (d) the services and materials provided to each facility; provided further, that no funds from this item shall be expended for year-round seasonal employees; provided further, that seasonal employees who are hired before the second Sunday before Memorial Day and whose employment continues beyond the Saturday following Labor Day and who received health insurance benefits in fiscal year 2009 shall continue to receive such benefits in fiscal year 2010 during the period of their seasonal employment; provided further, that no expenditures shall be made from this item other than for the purposes identified in this item; provided further, that notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by this item shall be positions requiring the services of an incumbent, on either a full-time or less than full-time basis beginning not earlier than April 1 and ending not later than November 30, or beginning not earlier than September 1 and ending not later than April 30; and provided further, that notwithstanding said section 1 of said chapter 31, seasonal positions funded by this item shall not be filled by an incumbent for more than 8 months within a 12-month period $13,135,383

2800-0700 For the office of dam safety; provided, that the department shall, in collaboration with the department of environmental protection and the department of fish and game, establish and maintain a comprehensive inventory of all dams, and develop a coordinated permitting and regulatory approach to dam removal for stream restoration and public safety; and provided further, that the department shall file a report with the house and senate committees on ways and means not later than December 14, 2009, that shall include, but not be limited to, the following: (a) the number of staff that are assigned from this item and their job title; (b) the number of dam inspections that are scheduled for fiscal year 2010; and (c) the number of dams that are in need of repair or replacement $427,428

2810-0100 For the operation of the department's state and urban parks; provided, that funds appropriated in this item shall be used to operate all of the division's parks, parkways, boulevards, roadways, bridges, and related appurtenances under the care, custody, and control of the division, flood control activities of the division, reservations, campgrounds, beaches and pools and for the oversight of rinks, to protect and manage the division's lands and natural resources, including the forest and

parks conservation services and the bureau of forestry development; provided further, that the crossing guards located at department of conservation and recreation intersections shall continue to perform the duties where state police previously performed such duties; provided further, that the parkways, boulevards, roadways, bridges and related appurtenances under the care and custody of the metropolitan district commission in fiscal year 2003 shall remain solely under the jurisdiction, custody and care of the department of conservation and recreation; provided further, that no funds from this item shall be made available for payment to true seasonal employees; provided further, that the rinks under the control of the department shall remain open and staffed for the full rink season; provided further, that the department may issue grants to public and nonpublic entities from this item; and provided further, that the department shall file quarterly reports with the house and senate committees on ways and means relative to the staffing levels at all state and urban parks, which shall include, but not be limited to, the following: (a) the number of staff assigned to each park; (b) the total number of visitors to each park; (c) the total acreage of each park; and (d) the amount of funding spent on each park; and provided further, that funds may be expended for the purposes set out in item 2800-9004 of section 2 of chapter 182 of the acts of 2008 $46,683,361

2810-2041 For the division of state parks and recreation which may expend not more than $5,682,326 from revenue collected from fees charged by the division, including revenues collected from campsite reservation transactions from the automated campground reservation and registration program for additional expenses, upkeep and improvements to the parks and recreation system and for the personnel costs of seasonal employees; provided, that no funds from this item shall be expended for the costs of full-time equivalent personnel; provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; provided further, that no expenditures made in advance of the receipts shall be permitted to exceed 75 per cent of the amount of revenues projected by the first quarterly statement required by section 1B; provided further, that the comptroller shall notify the house and senate committees on ways and means at the time subsequent quarterly statements are published of the variance between actual and projected receipts in each such quarter and the implications of that variance for expenditures made; and provided further, that the division may issue grants to public and nonpublic entities from this item..... $5,682,326

2820-0101 For the costs associated with the department's park rangers specific to the security of the state house; provided, that funds appropriated in this item shall only be expended for the costs of security and park rangers at the state house..... $1,541,621

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

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

2820-2000 For the expenses of maintaining the parkways within the division of urban parks and recreation, including the costs of personnel and snow and ice removal expenses; provided, that the department of conservation and recreation shall take all measures to ensure that the department's snow and ice control efforts are efficient and cost effective; provided further, that the secretary of energy and environmental affairs shall submit to the house and senate committees on post audit and oversight and the house and senate committees on ways and means a report detailing a snow emergency plan

for roads, bridges and sidewalks under the care of the department of conservation and recreation by January 15, 2010; and provided further, that the secretary of energy and environmental affairs shall submit to the house and senate committees on post audit and oversight and the house and senate committees on ways and means a report not later than September 1, 2009, which shall include, but not be limited to, the following: (a) a list of amounts paid from state appropriations for snow and ice control efforts for fiscal years 2008 and 2009; and (b) any other information that said secretary determines is necessary to account for and explain the extraordinary expenditure of state appropriations for the control and removal of snow and ice..... $2,444,988

2820-3001 For the division of urban parks and recreation which may expend not more than $1,000,000 from revenue collected from skating rink fees and rentals for the operation and maintenance, including personnel costs, of 4 rinks between September 1, 2009, and April 30, 2010, for an expanded and extended rink season; provided, that when assigning time for the use of its rinks, the division shall give priority to those which qualify under applicable state and federal law as nonprofit organizations or as a public school $1,000,000

2820-4420 For the operation and maintenance of the Ponkapoag golf course; provided, that the division of urban parks and recreation may expend not more than $1,100,000 from revenue collected from fees generated by the golf course; provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenue and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, that notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by this item shall be positions requiring the services of an incumbent on either a full-time or less than a full-time basis beginning not earlier than April 1 and ending not later than November 30..... $1,100,000

2820-4421 For the operation and maintenance of the Leo J. Martin golf course; provided, that the division of urban parks and recreation may expend not more than $824,790 from revenue collected from fees generated by the golf course; provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenue and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, that notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by this item shall be positions requiring the services of an incumbent on either a full-time or less than a full-time basis beginning not earlier than April 1 and ending not later than November 30..... $824,790

2820-9005 For the operation of street lighting on the division of urban parks and recreation parkways; provided, that no expenditure shall be made other than in the GG object class; provided further, that the department of conservation and recreation shall take all measures to further ensure that said department's street lighting efforts are efficient and cost effective; and provided further, that said department shall implement a plan to achieve efficiencies and reduce lighting costs..... $3,315,033

Department of Energy Resources.

7006-1001 For the residential conservation service program under chapter 465 of the acts of 1980, and the commercial and apartment conservation service program pursuant to section 11A of chapter 25A of the General Laws..... $199,326

7006-1003 For the operation of the department of energy resources; provided, that notwithstanding any general or special law to the contrary, the amount assessed under section 11H of chapter 25A of the General Laws shall be equal to the amount expended from this item $2,946,122

Department of Early Education and Care.

3000-1000 For the administration of the department of early education and care and the costs of field operations and licensing provided through the department; provided, that the department shall report on the

first business day of each month to the joint committee on education, the joint committee on children, families and persons with disabilities, the house and senate committees on ways and means, and the secretary of administration and finance on the unduplicated number of children on waiting lists for state-subsidized early education and care programs and services, including supportive child care services; provided further, that notwithstanding chapter 66A of the General Laws, the department of early education and care, the lead agencies of community partnership councils, the child care resource and referral agencies, the department of elementary and secondary education, the department of transitional assistance, the department of children and families and the department of public health may share with each other personal data regarding the parents and children who receive services provided under early education and care programs administered by the commonwealth for waitlist management, program implementation and evaluation, reporting, and policy development purposes; provided further, that funds from this item shall be expended to implement a plan for a workforce development system in collaboration with the board and commissioner of higher education, pursuant to section 5 of chapter 15D of the General Laws; and provided further, that as part of the implementation of said workforce development plan, the department shall expend funds for the development of core competencies for those working with children in early education programs $11,944,704

3000-2000 For regional administration and coordination of services provided by child care resource and referral agencies; provided, that funding for activities shall include, but not be limited to, administrative costs of these agencies, program coordination and support, voucher management, outreach to hard-to-reach populations, intake and eligibility services for families seeking financial assistance to enroll in early education and care programs, resource and referral for families with disabilities in child care programs, maintenance of the department's centralized waiting list for state-subsidized early education and care, and walk-in services for homeless families $9,782,724

3000-2050 For the administration of the Children's Trust Fund; provided, that the department shall not exercise any supervision or control with respect to the board..... $1,154,572

3000-3050 For supportive early education and care associated with the family stabilization program; provided, that funds from this item shall only be expended for early education and care costs of children with active cases at the department of children and families; provided further, that the department of early education and care, in collaboration with the department of children and families, shall maintain a centralized list detailing the number of children eligible for services in this item, the number of supportive slots filled, and the number of supportive slots available; provided further, that no waiting list for the services shall exist; provided further, that all children eligible for services under this item shall receive those services; provided further, that if the department determines that available appropriations for this program will be insufficient to meet projected expenses, the commissioner shall file with the house and senate committees on ways and means and the secretary of administration and finance, a report detailing the amount of appropriation needed to address such deficiency; and provided further, that the commissioner of early education and care may transfer funds to this item from items 3000-1000, 3000-4050 and 3000-4060, as necessary, pursuant to an allocation plan, which shall detail by object class the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means 15 days before the transfer $77,836,888

3000-4050 For financial assistance for families currently involved with or transitioning from transitional aid to families with dependent children to enroll in an early education and care program; provided, that early education and care shall be available to former participants who are working for up to 1 year after termination of their temporary assistance benefits; provided further, that post-transitional early education and care benefits shall be provided to participants who are working for up to 1 year after the transitional period; provided further, that all early education and care providers that are part of a public school system shall accept vouchers funded through this item; provided further, that the department may provide early education and care benefits to parents who are under 18 years of age, who are currently enrolled in a job training program, and who would qualify for benefits under chapter 118 of the General Laws but for the deeming of the grandparents' income; provided further, that all teens eligible for year-round, full-time early education and care services shall be participating in school, education, work and training-related activities or a combination

thereof for at least the minimum number of hours required by regulations; provided further, that recipients of temporary assistance shall not be charged fees for care provided under this item; provided further, that early education and care slots funded from this item shall be distributed geographically in a manner that provides fair and adequate access to early education and care for all eligible individuals; provided further, that informal early education and care benefits may be funded from this item; provided further, that not more than $2 per child per hour shall be paid for the services; provided further, that the commissioner of early education and care may transfer funds to this item from items 3000-1000 and 3000-4060, as necessary, pursuant to an allocation plan, which shall detail by object class the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means at least 30 days before the transfer; and provided further, that not more than 3 per cent of any item may be transferred in fiscal year 2010 .....$116,232,279

3000-4060 For income-eligible early education and care programs; provided, that $10,419,089, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, shall fund child care benefits for working families; provided further, that the department shall inform said families that benefits may expire on June 30, 2011; provided further, that teen parents at risk of becoming eligible for transitional aid to families with dependent children may be paid from this item; provided further, that informal early education and care benefits for families meeting income-eligibility criteria may be funded from this item; provided further, that not more than $2 per child per hour shall be paid for the services; provided further, that early education and care slots funded from this item shall be distributed geographically in a manner that provides fair and adequate access to early education and care for all eligible individuals; provided further, that all early education and care providers that are part of a public school system shall accept early education and care vouchers from recipients funded through this appropriation; provided further, that the commissioner of early education and care may transfer funds to this item from items 3000-1000 and 3000-4050, as necessary, pursuant to an allocation plan, which shall detail by object class the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means at least 30 days before the transfer; provided further, that not more than 3 per cent of any item may be transferred in fiscal year 2010; provided further, that said plan shall be forwarded to the house and senate chairs of the joint committee on education, the chairs of the house and senate ways and means committees, and the secretary of administration and finance; and provided further, that any payment made under any such grant with a school district shall be deposited with the treasurer of such city, town, or regional school district and held as a separate account and shall be expended by the school committee of such city, town, or regional school district without municipal appropriation, notwithstanding any general or special law to the contrary.....$283,991,567

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

3000-5075 For the Massachusetts Universal Pre-Kindergarten Program; provided, that funds from this item shall be expended on grants to improve the quality of and expand access to preschool programs and services to children from the age of 2 years and 9 months until they are kindergarten eligible, through a mixed system of service delivery, including public, private, non-profit and for-profit preschools, child care centers, nursery schools, preschools operating within public and private schools and school districts, head start programs, independent and system-affiliated family child care homes; provided further, that funds shall be awarded directly to programs; provided further, that in awarding grant funds under this program, preference shall be given to establishing preschool classrooms in towns and cities with schools and districts at risk of or determined to be under-performing in accordance with sections 1J and 1K of chapter 69 of the General Laws, schools and districts which have been placed in the accountability status of identified for improvement, corrective action, or restructuring pursuant to departmental regulations, or which have been designated commonwealth priority schools or commonwealth pilot schools pursuant to said regulations, schools or districts with a high percentage of students scoring in levels 1 and 2 on the MCAS exams, or programs which serve children not less than 50 per cent of whom are from families earning at or below 85 per cent of the state median income; provided further, that funds may also be used to leverage and enhance community-wide capacity building efforts within

statewide parameters established by the board; provided further, that any newly-funded programs designated as Massachusetts Universal Pre-Kindergarten Program participants shall have been accredited by the National Association for the Education of Young Children, the New England Association of Schools and Colleges, the National Association of Family Child Care or a Child Development Associate (CDA) credential or higher; provided further, that programs receiving grant funds may use the funds to enhance teacher and staff quality and compensation, enhance program ability to interpret and use assessment data effectively, enhance developmentally-appropriate practice, incorporate ancillary services into the program, facilitate or provide access to wrap-around services for working families, or to increase capacity to expand access to age-eligible children on the centralized waitlist maintained by the department; provided further, that preference shall be given in awarding grants to those programs which demonstrate affordability for middle class and working class parents according to standards to be developed by the department; and provided further, that any payment made under any such grant with a school district shall be deposited with the treasurer of such city, town, or regional school district and held as a separate account and shall be expended by the school committee of such city, town, or regional school district without municipal appropriation, notwithstanding any general or special law to the contrary $8,000,000

3000-6000 For the establishment of a statewide network of supports for early education and care programs to advance the quality of their services to children; provided, that supports funded through this item shall include, but not be limited to, curriculum development, child assessment systems, activities that encourage providers to obtain associate and bachelor degrees, payment of fees and direct assistance to programs seeking accreditation by agencies approved by the board, and professional development courses; provided further, that eligible recipients for such grants shall include, but not be limited to, community partnership councils, municipal school districts, regional school districts, educational collaboratives, head start programs, licensed child care providers, and child care resource and referral centers; provided further, that supports funded through this item shall be in alignment with the quality requirements of the Massachusetts Universal Pre-Kindergarten Program and the development of the quality rating and improvement system; provided further, that the department shall encourage and support early childhood education and care providers to obtain associate and bachelor degrees through professional development programs; provided further, that $990,661, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, shall be expended for quality expansion; and provided further, that $573,722, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, shall be expended for activities that improve the quality of infant and toddler care $15,645,251

3000-6075 For early childhood mental health consultation services in early education and care programs; provided, that preference shall be given to those services designed to limit the number of expulsions and suspensions from these programs; and provided further, that eligible recipients for these grants shall include community partnership councils, municipal school districts, regional school districts, educational collaboratives, head start programs, licensed child care providers, child care resource and referral centers and other qualified entities..... $1,000,000

3000-7000 For statewide neonatal and postnatal home parenting education and home visiting programs for at-risk newborns to be administered by the Children's Trust Fund; provided, that services shall be made available statewide to parents under the age of 21 years; and provided further, that notwithstanding any general or special law to the contrary, priority for such services shall be given to low-income parents..... $11,188,407

3000-7050 For grants to local entities to provide services to children from birth to school age and their parents including early literacy services $3,000,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

Office of the Secretary.

4000-0050 For the operation of the personal care attendant quality workforce council established under section 29 of chapter 118G of the General Laws..... $187,751

4000-0112 For matching grants to the Massachusetts Alliance of Boys & Girls Clubs, YMCA and YWCA organizations, nonprofit community centers and youth development programs to be administered by the executive office of health and human services ……..$1,500,000

4000-0265 For a primary care workforce development and loan forgiveness grant program at community health centers, for the purpose of enhancing recruitment and retention of primary care physicians and other clinicians at community health centers throughout the commonwealth; provided, that the grant program shall be administered by the Massachusetts League of Community Health Centers in consultation with the secretary of health and human services and relevant member agencies; provided further, that the funds shall be matched by other public and private funds; and provided further, that the League shall work with said secretary and said agencies to maximize all sources of public and private funds..... $850,000

4000-0300 For the operation of the executive office, including the operation of the managed care oversight board; provided, that the executive office shall provide technical and administrative assistance to agencies under the purview of the secretariat receiving federal funds; provided further, that the executive office and its agencies, when contracting for services on the islands of Martha's Vineyard and Nantucket, shall take into consideration the increased costs associated with the provision of goods, services and housing on said islands; provided further, that the executive office shall monitor the expenditures and completion timetables for systems development projects and enhancements undertaken by all agencies under the purview of the secretariat, and shall ensure that all measures are taken to make such systems compatible with one another for enhanced interagency interaction; provided further, that the executive office shall continue to develop and implement the common client identifier; provided further, that the executive office shall ensure that any collaborative assessments for children receiving services from multiple agencies within the secretariat shall be performed within existing resources; provided further, that funds appropriated in this item shall be expended for administrative and contracted services related to the implementation and operation of programs authorized by chapter 118E of the General Laws; provided further, that funds may be expended for the operation of the office of health equity within the executive office of health and human services; provided further, that subject to appropriation, the executive office of health and human services may employ such additional staff or consultants as it may deem necessary; provided further, that the office may prepare an annual health disparities report card with regional disparities data, evaluate effectiveness of interventions, and replicate successful programs across the commonwealth; provided further, that the office shall work with a disparities reduction program with a focus on supporting efforts by community-based health agencies and community health workers to eliminate racial and ethnic health disparities, including efforts addressing social factors integral to such disparities provided further, that in consultation with the division of health care finance and policy, no rate increase shall be provided to existing Medicaid provider rates without taking all measures possible under Title XIX of the Social Security Act to ensure that rates of payment to providers do not exceed the rates that are necessary to meet only those costs which must be incurred by efficiently and economically operated providers in order to provide services of adequate quality; provided further, that expenditures for the purposes of each item appropriated for programs authorized by chapter 118E of the General Laws shall be accounted for in the Massachusetts management accounting and reporting system not more than 10 days after the expenditures have been made by the Medicaid management information system; provided further, that no expenditures shall be made that are not federally reimbursable, including those related to Titles XIX or XXI of the Social Security Act or the MassHealth demonstration waiver approved under section 1115(a) of said Social Security Act or the community first section 1115 demonstration waiver, whether made by the executive office or another commonwealth entity, except as specifically authorized herein, or unless made for cost containment efforts, the purposes and amounts of which have been submitted to the executive office of administration and finance and the house and senate committees on ways and means 30 days prior to making such expenditures; provided further, that the executive office may continue to

recover provider overpayments made in the current and prior fiscal years through the Medicaid management information system, and that these recoveries shall be considered current fiscal year expenditure refunds; provided further, that the executive office may collect directly from a liable third party any amounts paid to contracted providers under said chapter 118E for which the executive office later discovers another third party is liable if no other course of recoupment is possible; provided further, that no funds shall be expended for the purpose of funding interpretive services directly or indirectly related to a settlement or resolution agreement with the office of civil rights or any other office, group or entity; provided further, that interpretive services currently provided shall not give rise to enforceable legal rights for any party or to an enforceable entitlement to interpretive services; provided further, that notwithstanding any general or special law to the contrary, the executive office shall require the commissioner of mental health to approve any prior authorization or other restriction on medication used to treat mental illness in accordance with written policies, procedures and regulations of the department of mental health; provided further, that not later than September 1, 2009, the executive office of health and human services shall submit a report to the house and senate committees on ways and means detailing planned fiscal year 2010 expenditures by the executive office as funded by chargebacks to the 17 executive office cluster agencies; provided further, that any projection of deficiency in item 4000-0430, 4000-0500, 4000-0600, 4000-0700, 4000-0870, 4000-0875, 4000-0880, 4000-0890, 4000-0891, 4000-0895, 4000-0950, 4000-0990, 4000-1400 or 4000-1405 shall be reported to the house and senate committees on ways and means not less than 90 days before the projected exhaustion of funding; and provided further, that any unexpended balance in these accounts shall revert to the General Fund on June 30, 2010 ..... $96,806,480

4000-0301 For the costs of MassHealth provider and member audit and utilization review activities including, but not limited to, eligibility verification, disability evaluations, provider financial and clinical audits and other initiatives intended to enhance program integrity..... $1,747,904

4000-0320 The executive office of health and human services may expend for medical care and assistance rendered in the current year an amount not to exceed $225,000,000 from the monies received from recoveries and collections of any current or prior year expenditures; provided, that notwithstanding any general or special law to the contrary, the balance of any personal needs accounts collected from nursing and other medical institutions upon a medical assistance member's death and held by the executive office for more than 3 years may be credited to this item $225,000,000

4000-0355 For the operation of a health care quality and cost council established in section 16K of chapter 6A of the General Laws to promote high-quality, cost-effective, patient-centered care; provided, that the council shall file quarterly reports with the house and senate committees on ways and means delineating the progress made pursuant to the goals stated in said section 16K of said chapter 6A $946,256

4000-0360 For the health care quality and cost council established pursuant to section 16K of chapter 6A of the General Laws; provided, that the council may expend an amount not to exceed $100,000 from the monies received from the sale of data reports $100,000

4000-0430 For the CommonHealth program to provide primary and supplemental medical care and assistance to disabled adults and children under sections 9A, 16 and 16A of chapter 118E of the General Laws; provided, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years; provided further, that the executive office shall maximize federal reimbursement for state expenditures made on behalf of such adults and children; provided further, that children shall be determined eligible for the medical care and assistance if they meet the disability standards as defined by the executive office, which standards shall be no more restrictive than the standards in effect on July 1, 1996; and provided further, that the executive office shall process CommonHealth applications within 45 days of receipt of a completed application or within 90 days if a determination of disability is required $103,393,987

4000-0500 For health care services provided to medical assistance recipients under the executive office's primary care clinician/mental health and substance abuse plan or through a health maintenance organization under contract with the executive office and for MassHealth benefits provided to

children, adolescents and adults under clauses (a) to (d), inclusive, and clause (h) of subsection (2) of section 9A of chapter 118E of the General Laws and section 16C of said chapter 118E; provided, that no funds shall be expended from this item for children and adolescents under clause (c) of said subsection (2) of said section 9A of said chapter 118E whose family incomes, as determined by the executive office, exceed 150 per cent of the federal poverty level; provided further, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years; provided further, that expenditures from this item shall be made only for the purposes expressly stated herein ; provided further, that funds may be expended from this item to enhance the ability of hospitals, community health centers and primary care clinicians to serve populations in need more efficiently and effectively; provided further, that the executive office shall maximize federal reimbursements for state expenditures made to these providers; provided further, that in conjunction with the new Medicaid management information system, said executive office shall continue to study the feasibility of modifying its claim payment system, in collaboration with the MassHealth behavioral health contractor, to routinely process for payment valid claims for medically-necessary covered medical services to eligible recipients with psychiatric and substance abuse diagnoses on a timely basis in an effort to avoid delay and expenses incurred by lengthy appeals processes; provided further, that rates of payment from the Commonwealth Care and the Medicaid managed Care Plans to acute care hospitals shall be subject to negotiation between those health plans and hospitals; provided further, that the Commonwealth Care and the Medicaid Managed Care Plan rates for acute care hospitals shall not be promulgated by regulation nor stipulated in the MassHealth Request For Applications (RFA); provided further, that the executive office of health and human services, in order to promote continuity of patient care and access to cost-effective health care services, may require an acute care hospital, as a condition of participating in the Medicaid program, to accept Medicaid fee-for-service rates of reimbursement for out-of-network care delivered to MassHealth and Commonwealth Care members enrolled in a Medicaid managed care organization that does not have a contract with said hospital; provided further, that the executive office shall incorporate no greater than $30 million in total savings attributable directly to the implementation of said requirement; and provided further, that notwithstanding any general or special law to the contrary, the secretary of health and human services shall not, without prior written or verbal consent, reassign the behavioral health benefit of any eligible person to a managed care plan under contract with the office of MassHealth if the benefit is already managed by MassHealth's specialty behavioral health managed care contractor $3,470,718,878

Executive Office of Elder Affairs.

4000-0600 For health care services provided to MassHealth members who are seniors, and for the operation of the senior care options program under section 9D of chapter 118E of the General Laws; provided, that funds may be expended from this item for health care services provided to these recipients in prior fiscal years; provided further, that funds shall be expended for the 'community choices' initiative; provided further, that no payment for special provider costs shall be made from this item without the prior written approval of the secretary of administration and finance; provided further, that benefits for this demonstration project shall not be reduced below the services provided in fiscal year 2009; provided further, that the eligibility requirements for this demonstration project shall not be more restrictive than those established in fiscal year 2009; provided further, that notwithstanding any general or special law to the contrary, funds shall be expended from this item for the purpose of maintaining a personal needs allowance of $72.80 per month for individuals residing in nursing homes and rest homes who are eligible for MassHealth, Emergency Aid to the Elderly Disabled and Children program or Supplemental Security Income; provided further, care management under section 3 of chapter 211 of the acts of 2006 shall be implemented through Aging & Disability Resource Consortiums, which shall include a combination of 1 or more Aging Services Access Points and Independent Living Centers, the pre-admission counseling and assessment program as required by the third paragraph of section 9 of chapter 118E of the General Laws, shall be implemented through the development of said aging and disability resource consortiums; provided further, that notwithstanding any general or special law to the contrary, for any nursing home or non-acute chronic disease hospital that provides kosher food to its residents, the department, in consultation with the division, in recognition of the unique special innovative program status granted by the executive office, shall continue to make the standard payment rates

established in fiscal year 2006 to reflect the high dietary costs incurred in providing kosher food; provided further, that notwithstanding any general or special law to the contrary, nursing facility rates effective July 1, 2009 may be developed using the costs of calendar year 2005; provided further, that funds shall be expended for the purpose of a housing with services demonstration project known as the 'Caring Homes' initiative designed to delay or prevent nursing home placement by providing care-giving services to an elder; provided further, that under said demonstration project, eligible MassHealth enrollees shall be able to live in the home of an individual or relative, with the exception of spouses and dependent children, to provide for their long-term support, pursuant to regulations promulgated by said executive office; and provided further, that the secretary of elder affairs and the director of the office of Medicaid shall provide a monthly report to the secretary of administration and finance and to the house and senate committees on ways and means showing Medicaid nursing facility utilization in the current fiscal year compared to Medicaid nursing facility utilization in the same period for the prior fiscal year; $2,142,253,485

4000-0640 For nursing facility Medicaid rates; provided, that notwithstanding any general or special law to the contrary, in fiscal year 2010 the division of health care finance and policy shall establish nursing facility Medicaid rates that cumulatively total $288,500,000 more than the annual payment rates established by the division under the rates in effect as of June 30, 2002; provided further, that funds shall be expended in an amount not less than that appropriated in fiscal year 2009 for purposes of reimbursing nursing facilities for up to 10 bedhold days for patients of the facility on medical and non-medical leaves of absence; provided further, that an amount for expenses related to the collection and administration of section 25 of chapter 118G of the General Laws shall be transferred to the division of health care finance and policy; and provided further, that the payments made pursuant to this item shall be allocated in an amount sufficient to implement section 622 of chapter 151 of the acts of 1996 .....$288,500,000

Executive Office of Health and Human Services.

4000-0700 For health care services provided to medical assistance recipients under the executive office's health care indemnity/third party liability plan and medical assistance recipients not otherwise covered under the executive office's managed care or senior care plans, and for MassHealth benefits provided to children, adolescents and adults under clauses (a) to (d), inclusive and clause (h) of subsection (2) of section 9A and section 16C of chapter 118E of the General Laws; provided, that no payments for special provider costs shall be made from this item without the prior written approval of the secretary of administration and finance; provided further, that funds shall be expended from this item to enhance the ability of hospitals, community health centers and primary care clinicians to serve populations in need more efficiently and effectively; provided further, that the executive office shall maximize federal reimbursements for state expenditures made to these providers; provided further, that no funds shall be expended from this item for children and adolescents under clause (c) of said subsection (2) of said section 9A of said chapter 118E whose family incomes, as determined by the executive office, exceed 150 per cent of the federal poverty level; provided further, that children who have aged out of the custody of the department of children and families shall be eligible for benefits until they reach age 21; provided further, that funds shall be expended from this item for members who qualify for Early Intervention services; provided further, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years; provided further, that notwithstanding the foregoing, funds may be expended from this item for the purchase of third party insurance including, but not limited to, Medicare for any medical assistance recipient; provided further, that the executive office may reduce MassHealth premiums or copayments or offer other incentives to encourage enrollees to comply with wellness goals; provided further, that the executive office shall not, in fiscal year 2010, fund programs relating to case management with the intention of reducing length of stay for neonatal intensive care unit cases; provided further, that the division and the executive office of health and human services shall establish a new rate methodology to cover the cost of care provided by any facility licensed by the department of public health as a chronic disease hospital providing services solely to children and adolescents as follows: (1) the rate of reimbursement for any such facility shall be developed collaboratively through an agreement among the office of Medicaid, the division of healthcare finance and policy and any such facility; (2) the

reimbursement rate for any such facility shall incorporate the following components: (a) utilization of the reimbursement methodology used by the division and the executive office of health and human services to determine payments for Medicaid disproportionate share pediatric hospitals in effect in 2007 utilizing the most recently filed 403 cost report with the division and the payments received from Medicaid- eligible patients for the base period; (b) a per diem rate for inpatient and a payment on account factor for outpatient shall be established which reimburses the full unrecovered cost, including capital; and (c) the rates shall be inflated over the base period by the applicable Medicare market basket inflation factors; and (3) notwithstanding any general or special law to the contrary, in no event shall the rates of payment be lower than the rates in effect for such facility in the prior fiscal year; and provided further, that funds may be expended from this item for activities relating to disability determinations or utilization management and review, including patient screenings and evaluations, regardless of whether such activities are performed by a state agency, contractor, agent or provider.....$1,618,491,229

4000-0870 For health care services provided to adults participating in the medical assistance program pursuant to clause (g) of subsection (2) of section 9A of chapter 118E of the General Laws; provided, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years.....$155,139,729

4000-0875 For the provision of benefits to eligible women who require medical treatment for either breast or cervical cancer in accordance with section 1902(a)(10)(A)(ii)(XVIII) of the Breast and Cervical Cancer Prevention and Treatment Act of 2000, Public Law 106-354, and in accordance with section 10D of chapter 118E of the General Laws; provided, that the executive office shall provide those benefits to women whose income, as determined by the executive office, does not exceed 250 per cent of the federal poverty level, subject to continued federal approval; provided further, that eligibility for the benefits shall be extended solely for the duration of the cancerous condition; provided further, that before the provision of any benefits covered by this item, the executive office shall require screening for either breast or cervical cancer at the comprehensive breast and cervical cancer early detection program operated by the department of public health, in accordance with item 4570-1512 of section 2D; and provided further, that funds may be expended from this item for health care services provided to these recipients in prior fiscal years..... $4,189,558

4000-0880 For MassHealth benefits under clause (c) of subsection (2) of section 9A and section 16C of chapter 118E of the General Laws for children and adolescents whose family incomes as determined by the executive office are above 150 per cent of the federal poverty level; provided, that funds may be expended from this item for health care services provided to the children and adolescents in prior fiscal years $205,717,702

4000-0890 For the cost of health insurance premium subsidies paid to employees of small businesses participating in the insurance reimbursement program under section 9C of chapter 118E of the General Laws..... $47,608,920

4000-0891 For the cost of health insurance subsidies paid to employers participating in the insurance reimbursement program under section 9C of chapter 118E of the General Laws; provided, that the executive office shall directly market the program to private human service providers that deliver human and social services under contract with departments within the executive office and the executive office of elder affairs for the purpose of mitigating health insurance costs to the employers and their employees; provided further, that the executive office of health and human services shall report quarterly to the house and senate committees on ways and means and the executive office of administration and finance monthly expenditure data for the program, including the total number of employers participating in the program, the percentage of the employers who purchased health insurance for employees prior to participating in the program and total monthly expenditures delineated by payments to small employers and self-employed persons for individual, 2-person family and family subsidies; and provided further, that the executive office of health and human services shall seek federal reimbursement for the payments to employers..... $4,531,091

4000-0895 For the healthy start program to provide medical care and assistance to pregnant women and infants

residing in the commonwealth pursuant to section 10E of chapter 118E of the General Laws; provided, that the executive office shall, not later than February 16, 2010, report to the house and senate committees on ways and means on the population served by the program delineated by the federal poverty level; and provided further, that funds may be expended from this item for health care services provided to these persons in prior fiscal years $17,200,673

4000-0950 For the purposes of administrative and program expenses associated with the children's behavioral health initiative, in accordance with the settlement agreement in the case of Rosie D. et al. v. Romney, United States District Court for the District of Massachusetts civil action No. 01-30199-MAP, to provide comprehensive, community-based behavioral health services to children suffering from severe emotional disturbances; provided, that the secretary of health and human services shall report quarterly to the house and senate committees on ways and means relative to implementation of the initiative; and provided further, that such quarterly reports shall include, but not be limited to, details of the implementation plan, results of the scheduled plan to date, including a schedule detailing commencement of services and associated costs by service type, and an analysis of compliance with the terms of the settlement agreement to date..... $68,000,000

4000-0990 For the children's medical security plan to provide primary and preventive health services for uninsured children from birth through age 18; provided, that the executive office shall prescreen enrollees and applicants for Medicaid eligibility; provided further, that no applicant shall be enrolled in the program until the applicant has been denied eligibility for the MassHealth program; provided further, that the MassHealth benefit request shall be used as a joint application to determine the eligibility for both MassHealth and the children's medical security plan; provided further, that the executive office shall maximize federal reimbursements for state expenditures made on behalf of the children; provided further, that the executive office shall expend all necessary funds from this item to ensure the provision of the maximum benefit levels for this program, as authorized by section 10F of chapter 118E of the General Laws; provided further, that the maximum benefit levels for this program shall be made available only to those children who have been determined by the executive office to be ineligible for MassHealth benefits; and provided further, that funds may be expended from this item for health care services provided to these persons in prior fiscal years $14,186,651

4000-1400 For the purposes of providing MassHealth benefits to persons with a diagnosis of human immunodeficiency virus with incomes up to 200 per cent of the federal poverty level; provided, that funds may be expended from this item for health care services provided to these persons in prior fiscal years $18,078,571

4000-1405 For the operation of a program of preventive and primary care for chronically unemployed persons who are not receiving unemployment insurance benefits and who are not eligible for medical assistance but who are determined by the executive office of health and human services to be long-term unemployed; provided, that such persons shall meet the eligibility requirements of the MassHealth program established in section 9A of chapter 118E of the General Laws; provided further, that persons eligible under subsection (7) of section 16D of said chapter 118E shall also be eligible to receive benefits under this item; provided further, that the income of such persons shall not exceed 100 per cent of the federal poverty level; provided further, that said eligibility requirements shall not exclude from eligibility persons who are employed intermittently or on a non-regular basis; provided further, that the provision of care to such persons under this program may, taking into account capacity, continuity of care, and geographic considerations, be restricted to certain providers; provided further, that the secretary may limit or close enrollment if necessary in order to ensure that expenditures from this item do not exceed the amount appropriated herein; provided further, however, that no such limitation shall be implemented unless the secretary has given 90 days notice to the house and senate committees on ways and means and the joint committee on health care financing; and provided further, that funds may be expended from this item for health care services provided to recipients in prior fiscal years.....$324,450,151

4000-1420 For the purposes of making payment to the federal Centers for Medicare and Medicaid Services in compliance with Title XIX of the Social Security Act.....$268,630,683

4000-1700 For the provision of information technology services within the executive office of health and human services..... $88,823,931

Office for Refugees and Immigrants.

4003-0122 For a Citizenship for New Americans Program to assist legal permanent residents in the commonwealth in becoming citizens of the United States; provided, that the office for refugees and immigrants shall administer the program; provided further, that the program funded by this item shall provide assistance to persons who are within 3 years of eligibility to become citizens of the United States; provided further, that services shall be designed to include: ESOL/civics classes, citizenship application assistance, interview preparation and support services including, but not limited to, interpretation and referral services; provided further, that persons who would qualify for benefits under chapter 118A of the General Laws but for their status as legal non-citizens shall be given highest priority for services; and provided further, that persons who currently receive state-funded benefits which could be replaced, in whole or in part, by federally-funded benefits if these persons become citizens, shall be given priority for services $250,000

Division of Health Care Finance and Policy.

4100-0060 For the operation of the division and the administration of the Health Safety Net Trust Fund established in section 36 of chapter 118G of the General Laws; provided, that notwithstanding any general or special law to the contrary, the assessment authorized pursuant to section 5 of said chapter 118G for the estimated expenses of the division shall include in fiscal year 2010 the estimated expenses, including indirect costs, of the division, and shall be equal to the amount appropriated in this item less amounts projected to be collected in fiscal year 2010 from: (a) filing fees; (b) fees and charges generated by the division's publication or dissemination of reports and information; and (c) federal financial participation received as reimbursement for the division's administrative costs; provided further, that the assessed amount shall not be less than 65 per cent of the total expenses appropriated for the division and the health safety net office; provided further, that the division shall promulgate regulations requiring all hospitals receiving payments from the Health Safety Net Trust Fund to report to the division the following utilization information: the number of inpatient admissions and outpatient visits by age category, income category, diagnostic category and average charge per admission; provided further, that the division shall submit quarterly reports to the house and senate committees on ways and means compiling said data; provided further, that the division, in consultation with the executive office of health and human services, shall not promulgate any increase in Medicaid provider rates without taking all measures possible under Title XIX of the Social Security Act or any successor federal statute to ensure that rates of payment to providers do not exceed such rates as are necessary to meet only those costs incurred by efficiently and economically operated providers in order to provide services of adequate quality; provided further, that the division shall meet the reporting requirements of section 25 of chapter 203 of the acts of 1996; provided further, that funds may be expended for the purposes of a survey and study of the uninsured and underinsured in the commonwealth, including the health insurance needs of the residents of the commonwealth; provided further, that said study shall examine the overall impact of programs administered by the executive office of health and human services on the uninsured, the underinsured, and the role of employers in assisting their employees in affording health insurance pursuant to section 23 of chapter 118G of the General Laws; provided further, that the division shall publish annual reports on the financial condition of hospitals and other health care providers through the Health Benchmarks project website, in collaboration with the executive office of health and human services, the office of the attorney general, and the University of Massachusetts; provided further, that the division shall submit to the house and senate committees on ways and means and the joint committee on health care financing not later than December 8, 2009 a report detailing utilization of the Health Safety Net Trust Fund; provided further, that the report shall include: (a) the number of persons in the commonwealth whose medical expenses were billed to the Health Safety Net Trust Fund in fiscal year 2009; (b) the total dollar amount billed to the Health Safety Net Trust Fund in fiscal year 2009; (c) the demographics of the population using the Health Safety Net Trust Fund; and (d) the types of services paid for out of the Health Safety Net Trust Fund in fiscal year 2009; provided further, that the division shall include in the report an analysis on hospitals'

responsiveness to enrolling eligible individuals into the MassHealth program upon the date of service rather than charging those individuals to the Health Safety Net Trust Fund; provided further, that the division shall include in the report possible disincentives the state could provide to hospitals to discourage such behavior; provided further, that notwithstanding any general or special law or rule or regulation to the contrary, the division shall not allow any exceptions to the usual and customary charge defining rule as defined in 114.3 CMR 31.02, for the purposes of drug cost reimbursement to eligible pharmacy providers for publicly-aided and industrial accident patients; provided further, that the division is hereby authorized to change the pricing standard used by said division when determining the rate of payment to pharmacy providers for prescribed drugs for publicly-aided or industrial accident patients if such a change would financially benefit the commonwealth; provided further, that within 6 months of the publication date of the federal upper limits for multiple source drugs by the federal Centers for Medicare and Medicaid Services, the division shall submit a report to the secretary of administration and finance and the house and senate committees on ways and means on the savings realized by the MassHealth Pharmacy Program for the first 3 months that the federal upper limits for multiple source drugs are in place; provided further, that using said data, the division shall also estimate the program savings for the remainder of fiscal year 2010; provided further, that the division, after consultation with the secretary and the chairs of the senate and house committees on ways and means, may adjust pharmacy dispensing fees for multiple source prescription drugs to compensate for any reduction as a result of the upper limits implemented under the Deficit Reduction Act of 2005; provided further, that the division shall examine the factors that contribute to the cost increases of the health care delivery system and strategies employed by the provider community to reduce cost growth; provided further, that in preparing its report, the division shall conduct a public hearing on the matter; and provided further, that the division shall submit its findings to the joint committees on health care financing and the house and senate committees on ways and means not later than February 16, 2010..... $17,449,078

OFFICE OF DISABILITIES AND COMMUNITY SERVICES.

Massachusetts Commission for the Blind.

4110-0001 For the office of the commissioner; provided, that amounts appropriated to the commission in fiscal year 2010 that extend or expand services beyond the level of services provided in fiscal year 2009 shall not annualize above those amounts in fiscal year 2011..... $1,014,054

4110-1000 For the community services program; provided, that the Massachusetts commission for the blind shall work in collaboration with the Massachusetts commission for the deaf and hard of hearing to provide assistance and services to the deaf-blind community through the deaf-blind community access network..... $3,834,864

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

4110-2000 For the turning 22 program of the commission; provided, that the commission shall work in conjunction with the department of developmental services to secure the maximum amount of federal reimbursements available for the care of turning 22 clients..... $10,663,291

4110-3010 For a program of vocational rehabilitation for the blind in cooperation with the federal government; provided, that no funds from federal vocational rehabilitation grants or state appropriation shall be deducted for pensions, group health and life insurance, or any other such indirect costs of federally reimbursed state employees; provided further that the department may expend one-third of the amount appropriated for the purpose of providing comprehensive rehabilitation training in the Commonwealth for vocational development, including computer technology skills and independent living skills for blind adults $3,045,455

Massachusetts Rehabilitation Commission.

4120-1000 For the operation of the commission; provided, that amounts appropriated to the commission in

fiscal year 2010 that extend or expand services beyond the level of services provided in fiscal year 2009 shall not annualize above those amounts in fiscal year 2011; provided further, that the commissioner shall report quarterly to the house and senate committees on ways and means and the secretary of administration and finance on the number of clients served and the amount expended on each type of service; provided further, that upon the written request of the commissioner of revenue, the commission shall provide lists of individual clients to whom, or on behalf of whom, payments have been made for the purpose of verifying eligibility and detecting and preventing fraud, error and abuse in the programs administered by the commission; and provided further, that the lists shall include client names and social security numbers and payee names and other identification, if different from a client's..... $472,928

4120-2000 For vocational rehabilitation services operated in cooperation with the federal government; provided, that no funds from the federal vocational rehabilitation grant or state appropriation shall be deducted for pensions, group health and life insurance or any other such indirect cost of federally-reimbursed state employees; and provided further, that the commissioner, in making referrals to service providers, shall take into account the client's place of residence and the geographic proximity of the nearest provider to the residence..... $10,599,024

4120-3000 For employment assistance services; provided, that vocational evaluation and employment services for severely disabled adults may be provided..... $3,170,817

4120-4000 For independent living assistance services $11,946,137

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

4120-4010 For the turning 22 program of the commission..... $801,551

4120-5000 For homemaking services..... $5,508,257

4120-6000 For head injured services; provided, that the commission shall work with the executive office of health and human services to maximize federal reimbursement for clients receiving head injured services..... $11,209,371

Massachusetts Commission for the Deaf and Hard of Hearing.

4125-0100 For the operation of and services provided by the Massachusetts commission for the deaf and hard of hearing $5,169,020

4125-0105 The commission may expend for the purpose of after-hours emergency interpreter referral services an amount not to exceed $165,000 from revenues collected from users of the department's emergency interpreter referral hotline..... $165,000

Department of Veterans' Services.

1410-0010 For the operation of the department of veterans' services; provided, that the department may fund a housing specialist from this item; provided further, that the department may expend funds for the Glory 54th Brigade; provided further, that the secretary of veterans' affairs shall submit a report to the joint committee on veterans' and federal affairs and the house and senate committees on ways and means not later than December 31, 2009, on the secretariat's implementation of and the outreach efforts of the "welcome home bill"; and provided further, that the report shall include the participation rates for service, hindrances to enrollment for the program, and recommendations, including any necessary statutory or other changes to increase the number of service men and women who apply for such service..... $2,159,172

1410-0012 For services to veterans, including the maintenance and operation of outreach centers; provided, that any program or its successor that received funds from this item in chapter 182 of the acts of 2008 shall receive funds in fiscal year 2010; provided further, that the centers shall provide counseling to incarcerated veterans and to Vietnam era veterans and their families who may have been

exposed to agent orange; and provided further, that these centers shall also provide services to veterans who were discharged after September 11, 2001, and their families $1,738,686

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

1410-0018 The department may expend not more than $300,000 for the maintenance and operation of Agawam and Winchendon veterans' cemeteries from revenue collected from fees, grants, gifts or other contributions to the cemeteries $300,000

1410-0100 For the revenue maximization project of the executive office of elder affairs to identify individuals eligible for veterans' pensions who are currently receiving home health care services $98,000

1410-0250 For homelessness services for veterans; provided, that any program or its successor that received funds from this item in chapter 182 of the acts of 2008 shall receive funds in fiscal year 2010 ..... $2,083,073

1410-0251 For the maintenance and operation of homeless shelters and transitional housing for veterans at the New England Center for Homeless Veterans located in the city of Boston..... $2,164,543

1410-0400 For the payment of annuities to certain disabled veterans and the parents and un-remarried spouses of certain deceased veterans made pursuant to section 6B of chapter 115 of the General and for reimbursing cities and towns for money paid for veterans' benefits and for payments to certain veterans under section 6 of chapter 115 of the General Laws; provided, that the department shall take reasonable steps to terminate payments upon the death of a recipient; provided further, that the department shall prorate annuity payments to ensure that the total payments in fiscal year 2010 shall not exceed the amount appropriated herein; provided further, that the secretary of veterans' services shall file with the house and senate committees on ways and means a report detailing the number of applications received for annuities offered under this program at the end of each fiscal quarter; provided further, that notwithstanding any general or special law to the contrary, 100 per cent of the amounts of veterans' benefits paid by cities and towns to residents of a soldiers' home shall be paid by the commonwealth to the several cities and towns; provided further, that notwithstanding any general or special law to the contrary, the secretary of veterans' services shall continue a training program for veterans' agents and directors of veterans' services in cities and towns; provided further, that the department of veterans' services shall provide such training in several locations across the commonwealth; provided further, that training will be provided annually and on an as needed basis to veterans services organizations to make them aware of the provision of said chapter 115 and all other benefits to which a veteran or the veteran's dependents may be entitled; provided further, that any person applying for veterans' benefits to pay for services available under chapter 118E of the General Laws, shall also apply for medical assistance under said chapter 118E to minimize cost of the commonwealth and its municipalities; provided further, that veterans' agents shall complete applications authorized by the executive office under said chapter 118E for any veteran, widow and dependent applying for medical assistance under said chapter 115; provided further, that the veterans' agent shall file the application for the veteran or dependent for assistance under said chapter 118E; provided further, that the executive office shall act on all said chapter 118E applications and advise the applicant and the veterans' agent of the applicant's eligibility for said chapter 118E health care; provided further, that the veterans' agent shall advise the applicant of the right to assistance for medical benefits under said chapter 115 pending approval of the application for assistance under said chapter 118E by the executive office; provided further, that the secretary may supplement health care pursuant to said chapter 118E with health care coverage under said chapter 115 if he determines that supplemental coverage is necessary to afford the veteran or dependent sufficient relief and support; provided further, that payments to or on behalf of a veteran or dependent pursuant to said chapter 115 shall not be considered income for the purposes of determining eligibility under said chapter 118E; and provided further, that benefits awarded pursuant to section 6B of said chapter 115 shall be considered countable income..... $46,808,760

1410-0630 For the administration of the veterans' cemeteries in the towns of Agawam and Winchendon $864,237

Soldiers' Home in Massachusetts.

4180-0100 For the maintenance and operation of the Soldiers' Home in Massachusetts located in the city of Chelsea, including a specialized unit for the treatment of Alzheimer's disease patients; provided, that graduates from the LPN school of nursing shall work in state-operated facilities for at least 1 year; provided further, that no fee, assessment or other charge shall be imposed upon or required of any person for any outpatient treatment, admission or hospitalization which exceeds the amount of fees charged in fiscal year 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B; and provided further, that no charge or contract shall be made with any alternate vendor to provide pharmacy services other than the state office of pharmacy services $25,963,213

4180-1100 The Soldiers' Home in Massachusetts may expend not more than $330,661 in revenues for facility maintenance and patient care, including personnel costs; provided, that 60 per cent of all revenues generated pursuant to section 2 of chapter 90 of the General Laws through the purchase of license plates with the designation VETERAN by eligible veterans of the commonwealth, upon compensating the registry of motor vehicles for the cost associated with the license plates, shall be deposited into and for the purposes of this retained revenue account of the Soldiers' Home; provided further, that the Soldiers' Home may accept gifts, grants, donations and bequests; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the Soldiers' Home may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $330,661

Soldiers' Home in Holyoke.

4190-0100 For the maintenance and operation of the Soldiers' Home in Holyoke, including the adult day care program, the Maguder House and the Chapin Mansion; provided, that no fee, assessment or other charge shall be imposed upon or required of any person for any outpatient treatment, admission or hospitalization which exceeds the amount of fees charged in fiscal year 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B; and provided further, that no charge or contract shall be made with any alternate vendor to provide pharmacy services other than the state office of pharmacy services $19,438,450

4190-0102 The Soldiers' Home in Holyoke may expend for the outpatient pharmacy program an amount not to exceed $110,000 from co-payments which it may charge to users of the program; provided, that no co-payments shall be imposed or required of any person which exceed the level of co-payments charged in fiscal year 2009..... $110,000

4190-0200 The Soldiers' Home in Holyoke may expend not more than $25,000 from fees collected from veterans in its care for the purposes of providing television and telephone services to residents and an amount not to exceed $5,000 from revenues received from the licensing of the property for placement of aerial antennas; provided, that fees from the use of telephones and televisions shall only be expended for payments to vendors for said services..... $30,000

4190-1100 For the Soldiers' Home in Holyoke which may expend not more than $225,000 for facility maintenance and patient care, including personnel costs; provided, that 40 per cent of all revenues generated pursuant to section 2 of chapter 90 of the General Laws through the purchase of license plates with the designation VETERAN by eligible veterans of the commonwealth, upon compensating the registry of motor vehicles for the cost associated with the license plates, shall be deposited into and for the purposes of this retained revenue account of the Soldiers' Home; provided further, that the Soldiers' Home may accept gifts, grants, donations, and bequests; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the Soldiers' Home may incur expenses and the comptroller may certify for payment

amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $225,000

Department of Youth Services.

4200-0010 For the administration of the department of youth services; provided, that the department shall continue to collaborate with the department of elementary and secondary education in order to align curriculum at the department of youth services with the statewide curriculum frameworks and to ease the reintegration of youth from facilities at the department of youth services into regular public school settings; and provided further, that the department shall continue to execute its education funding initiative $4,628,100

4200-0100 For supervision, counseling and other community-based services provided to committed youths in nonresidential care programs of the department; provided, that the commissioner may transfer up to 7 per cent of the amount appropriated in this item to items 4200-0200 and 4200-0300; and provided further, that 30 days before any such transfer is made, the commissioner shall file with the secretary of administration and finance and to the house and senate committees on ways and means a plan showing the amounts to be transferred and the reason for the proposed transfer $21,816,501

4200-0200 For pretrial detention programs, including purchase-of-service and state-operated programs; provided, that the commissioner may transfer up to 7 per cent of the amount appropriated herein to items 4200-0100 and 4200-0300; and provided further, that 30 days before any transfer is made, the commissioner shall file with the secretary of administration and finance and the house and senate committees on ways and means a plan showing the amounts to be transferred and the reason for the proposed transfer $24,710,796

4200-0300 For secure facilities, including purchase-of-service and state-operated programs incidental to the operations of the facilities; provided, that funds shall be expended to address the needs of the female population; provided further, that funds shall be expended to address suicide prevention; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B; provided further, that no charge or contract shall be made with alternate vendors to provide pharmacy services other than the state office of pharmacy services; provided further, that the commissioner may transfer up to 7 per cent of the amount appropriated in this item to items 4200-0100 and 4200-0200; and provided further, that 30 days before any such transfer is made, the commissioner shall file with the secretary of administration and finance and the house and senate committees on ways and means a plan showing the amounts to be transferred and the reason for the proposed transfer..... $99,826,675

4200-0500 For the department of youth services' education system; provided, that funds shall be expended for the enhancement of salaries for teachers..... $2,500,000

OFFICE OF CHILDREN, YOUTH AND FAMILY SERVICES.

Department of Transitional Assistance.

4400-1000 For the central administration of the department of transitional assistance; provided, that all costs associated with verifying disability for all programs of the department shall be paid from this item; provided further, that the department shall submit on a monthly basis to the house and senate committees on ways and means and the secretary of administration and finance a status report on program expenditures, savings and revenues, error rate measurements, and public assistance caseloads and benefits; provided further, that the department shall collect all out-of-court settlement restitution payments; provided further, that the restitution payments shall include, but not be limited to, installment and lump sum payments; provided further, that notwithstanding any general or special law to the contrary, unless otherwise expressly provided, federal reimbursements received for the purposes of the department, including reimbursements for administrative, fringe and overhead costs, for the current fiscal year and prior fiscal years, shall be credited to the General Fund; provided further, that an application for assistance under chapter 118

of the General Laws shall be deemed an application for assistance under chapter 118E of the General Laws; provided further, that if assistance under said chapter 118 is denied, the application shall be transmitted by the department to the executive office of health and human services for a determination of eligibility under said chapter 118E; provided further, that the department shall, to the extent feasible within the appropriation provided, provide for extended office hours; provided further, that the department shall accomplish the staffing of these extended office hours to the maximum extent possible through the use of flex-time that will allow workers to modify their working hours to accommodate their specific personal and family needs; and provided further, that the department shall, to the extent feasible within the appropriation provided, continue and expand the program of placing workers at community and human service organizations for the purposes of facilitating supplemental nutrition assistance program applications and redeterminations $52,727,596

4400-1001 For programs to increase the commonwealth's participation rate in the supplemental nutrition assistance program and other federal nutrition programs; provided, that the work of department employees paid for from this item shall be restricted to processing supplemental assistance nutrition program applications; provided further, that the department shall not require supplemental assistance nutrition program applicants to provide re-verification of eligibility factors previously verified and not subject to change; provided further, that notwithstanding any general or special law to the contrary, the department shall require only 1 signature from supplemental assistance nutrition program applicants; provided further, that the department shall fund a unit staffed by department employees to respond to supplemental assistance nutrition program inquiries, and arrange for and conduct telephone interviews for initial supplemental assistance nutrition program applications from this item; provided further, that the department shall fund a system to image and catalogue eligibility documents electronically from this item; and provided further, that funds shall be expended for supplemental assistance nutrition program outreach..... $2,408,431

4400-1025 For domestic violence specialists at local area offices $740,979

4400-1100 For the payroll of the department's caseworkers; provided, that only employees of bargaining unit eight shall be paid from this item..... $54,607,404

4401-1000 For employment and training services, including support services, for recipients of benefits provided under the transitional aid to families with dependent children program; provided, that funds shall be expended for the Young Parents Program; and provided further, that certain parents who have not yet reached the age of 18 years, including those who are ineligible for transitional aid to families with dependent children and who would qualify for benefits under chapter 118 of the General Laws but for the deeming of the grandparents' income, shall be eligible to receive services $23,042,578

4401-1101 For the department of transitional assistance which may expend not more than $2,450,000 from federal bonuses and from reimbursements received from the United States Department of Agriculture for supplemental nutrition assistance program outreach and employment and training programs and any enhanced funding or bonuses; provided, that the department may expend such revenue for employment and training services provided to recipients of transitional aid to families with dependent children $2,450,000

4403-2000 For a program of transitional aid to families with dependent children; provided, that notwithstanding any general or special law to the contrary, benefits under the program of transitional aid to families with dependent children shall be paid only to citizens of the United States and to non-citizens for whom federal funds may be used to provide benefits; provided further, that notwithstanding any general or special law or any provisions of this act to the contrary, no benefits under this item shall be made available to illegal or undocumented aliens; provided further, that the need standard shall be equal to the standard in effect in fiscal year 2009 unless the department determines that a reduction in the monthly payment standard should be implemented before the end of the fiscal year to keep program expenditures within the amounts appropriated in this item; provided further, that the payment standard shall be equal to the need standard; provided further, that the payment

standard for families who do not qualify for an exempt category of assistance under subsection (e) of section 110 of chapter 5 of the acts of 1995, or any successor statute, shall be 2.75 per cent below the otherwise applicable payment standard, in fiscal year 2010, pursuant to the state plan required under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996; provided further, that the department shall notify parents under the age of 20 receiving benefits from the program of the requirements found in clause (2) of subsection (i) of said section 110 of said chapter 5 of the acts of 1995, or any successor statute; provided further, that a $40 per month rent allowance shall be paid to all households incurring a rent or mortgage expense and not residing in public housing or subsidized housing; provided further, that a nonrecurring children's clothing allowance in the amount of $150 shall be provided to each child eligible under this program in September 2009; provided further, that the children's clothing allowance shall be included in the standard of need for the month of September 2009; provided further, that benefits under this program shall not be available to those families in which a child has been removed from the household pursuant to a court order after a care and protection hearing under chapter 119 of the General Laws, nor to adult recipients otherwise eligible for transitional aid to families with dependent children but for the temporary removal of the dependent child or children from the home by the department of children and families in accordance with department procedures; provided further, that notwithstanding section 2 of chapter 118 of the General Laws, or any other general or special law to the contrary, the department shall render aid to pregnant women with no other eligible dependent children only if it has been medically verified that the child is expected to be born within the month the payments are to be made or within the 3 month period after the month of payment, and who, if the child had been born and was living with her in the month of payment would be categorically and financially eligible for transitional aid to families with dependent children benefits; provided further, that certain families that suffer a reduction in benefits due to a loss of earned income and participation in retrospective budgeting may receive a supplemental benefit to compensate them for the loss; provided further, that the department provided further, that the department shall review its disability standards to determine the extent to which they reflect the current medical and vocational criteria and report on the proposed revisions by December 1, 2009, to the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities on the results of that review before any changes to the standards are proposed; provided further, that no funds from this item shall be expended by the department for child care or transportation services for the employment and training program; provided further, that no funds from this item shall be expended by the department for family reunification benefits or informal child care; provided further, that the department shall provide oral and written notification to all recipients of their child care benefits at the time of application and on a semi-annual basis; provided further, that the notification shall include the full range of child care options available, including center-based child care, family-based child care, and in-home relative child care; provided further, that the notification shall detail available child care benefits for current and former recipients, including employment and training benefits and transitional benefits; provided further, that the notice shall further advise recipients of the availability of supplemental nutrition assistance program benefits; provided further, that in promulgating, amending or rescinding its regulations with respect to eligibility for, or levels of benefits under the program, the department shall take into account the amounts available to it for expenditure by this item so as not to exceed the appropriation; provided further, that notwithstanding any general or special law to the contrary, 60 days before promulgating any eligibility or benefit changes, the commissioner shall file with the house and senate committees on ways and means and with the clerks of the senate and house of representatives a detailed and comprehensive report setting forth the text of, basis, and reasons for the proposed changes; and provided further, that the report shall state the department's most accurate assessment of the probable effects of benefit or eligibility changes upon recipient families $308,076,608

4403-2007 For a nutritional benefit program for low-income workers; provided, that benefits shall be provided only to those for whom receiving these benefits will improve the work participation rate under the federal program of temporary assistance for needy families $1,200,000

4403-2119 For the provision of structured settings as provided in subsection (i) of section 110 of chapter 5 of the acts of 1995, or any successor statute, for parents under the age of 20 who are receiving benefits under the transitional aid to families with dependent children program..... $6,576,576

4405-2000 For the state supplement to the supplemental security income program for the aged and disabled, including a program for emergency needs for supplemental security income recipients; provided, that the expenses of special grant recipients residing in rest homes, as provided in section 7A of chapter 118A of the General Laws, may be paid from this item; provided further, that the department, in collaboration with the executive office of health and human services, may fund an optional supplemental living arrangement category under the supplemental security income program that makes payments to persons living in assisted living residences certified under chapter 19D of the General Laws who meet the income and clinical eligibility criteria established by the department and the office; provided further, that the optional category of payments shall only be administered in conjunction with the Medicaid group adult foster care benefit; and provided further, that reimbursements to providers for services rendered in prior fiscal years may be expended from this item.....$222,310,783

4408-1000 For a program of cash assistance to certain residents of the commonwealth, entitled emergency aid to the elderly, disabled and children found by the department to be eligible for the aid under chapter 117A of the General Laws and regulations promulgated by the department and subject to the limitations of appropriation therefore; provided, that benefits under this item shall only be provided to residents who are citizens of the United States or qualified aliens or non-citizens otherwise permanently residing in the United States under color of law and shall not be provided to illegal or undocumented aliens; provided further, that the individual shall not be a subject to sponsor income deeming or related restrictions; provided further, that the payment standard shall equal the payment standard in effect under the general relief program in fiscal year 1991; provided further, that the department may provide benefits to persons age 65 or older who have applied for benefits under chapter 118A of the General Laws, to persons suffering from a medically-determinable impairment or combination of impairments which is expected to last for a period as determined by department regulations and which substantially reduces or eliminates such individuals' capacity to support themselves and which has been verified by a competent authority, to certain persons caring for a disabled person, to otherwise eligible participants in the vocational rehabilitation program of the Massachusetts rehabilitation commission and to dependent children who are ineligible for benefits under both chapter 118 of the General Laws and the separate program created by section 210 of chapter 43 of the acts of 1997 and parents or other caretakers of dependent children who are ineligible under said chapter 118 and under said separate program; provided further, that no ex-offender, person over age 45 without a prior work history or person in a residential treatment facility shall be eligible for benefits under this program unless the person otherwise meets the eligibility criteria described in this item and defined by regulations of the department; provided further, that no person incarcerated in a correctional institution shall be eligible for benefits under the program; provided further, that no funds shall be expended from this item for the payment of expenses associated with any medical review team, other disability screening process or costs associated with verifying disability for this program; provided further, that the department shall adopt emergency regulations under chapter 30A of the General Laws to implement the changes to this program required by this item promptly and within the appropriation; provided further, that in initially implementing the program for this fiscal year, the department shall include all eligibility categories permitted in this item at the payment standard in effect for the former general relief program in fiscal year 1991; provided further, that in promulgating, amending or rescinding its regulations with respect to eligibility or benefits, including the payment standard, medical benefits and any other benefits under this program, the department shall take into account the amounts available to it for expenditure by this item so as not to exceed the amount appropriated in this item; provided further, that the department may promulgate emergency regulations under chapter 30A of the General Laws to implement these eligibility or benefit changes or both; provided further, that nothing in this item shall be construed as creating any right accruing to recipients of the former general relief program; provided further, that reimbursements collected from the Social Security Administration on behalf of former clients of the emergency aid to the elderly, disabled and children program or unprocessed payments from the program that are returned to the department shall be credited to the General Fund; provided further, that notwithstanding any general or special law to the contrary, the funds made available in this item shall be the only funds available for the program, and the department shall not spend funds for the program in excess of the amount made available in this item; and provided further,

that, notwithstanding any general or special law to the contrary, 60 days before implementing any eligibility or benefit changes, the commissioner shall file with the clerks of the house of representatives and the senate a determination by the secretary of health and human services that available appropriations for the program will be insufficient to meet projected expenses and a report setting forth the proposed changes..... $84,658,966

OFFICE OF HEALTH SERVICES.

Department of Public Health.

4510-0040 The department may expend for services provided to regulate marketing activities of pharmaceutical and medical device companies an amount not to exceed $840,000 from fees collected under chapter 111N of the General Laws $840,000

4510-0100 For the administration and operation of the department, including the personnel support of programmatic staff within the department..... $18,575,757

4510-0110 For community health center services $1,000,000

4510-0600 For an environmental and community health hazards program, including control of radiation and nuclear hazards, consumer products protection, food and drugs, lead poisoning prevention in accordance with chapter 482 of the acts of 1993, lead-based paint inspections in day care facilities, inspection of radiological facilities, licensing of x-ray technologists and the administration of the bureau of environmental health assessment pursuant to chapter 111F of the General Laws, the 'Right-to-Know' law; provided, that the department shall file a report with the house and senate committees on ways and means, the joint committee on public health, and the joint committee on health care financing, on the status of local health inspections of food establishments, consistent with the department of public health food safety regulations and a report on the current waiting list for indoor air inspections by October 1, 2009 ..... $3,160,567

4510-0615 The department may expend not more than $75,000 from assessments collected under section 5K of chapter 111 of the General Laws for services provided to monitor, survey and inspect nuclear power reactors; provided, that the department may expend not more than $1,499,783 from fees collected from licensing and inspecting users of radioactive material within the commonwealth under licenses presently issued by the Nuclear Regulatory Commission; provided further, that the revenues may be used for the costs of both programs, including the compensation of employees; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $1,574,783

4510-0616 The department may expend not more than $1,000,000 for a drug registration and monitoring program from revenues collected from fees charged to registered practitioners, including physicians, dentists, veterinarians, podiatrists and optometrists for controlled substance registration; provided, that funds may be expended from this item for the costs of personnel; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $1,000,000

4510-0710 For the operation and administration of the division of health care quality, the office of patient protection, and the statewide infection prevention and control program; provided, that funds may be expended for the operation of the Betsy Lehman Center for patient safety; provided further, that the division shall be responsible for assuring the quality of patient care provided by the commonwealth's health care facilities and services, and for protecting the health and safety of patients who receive care and services in nursing homes, rest homes, clinical laboratories, clinics, institutions for the mentally retarded and the mentally ill, hospitals and infirmaries, including the inspection of ambulance services; provided further, that investigators shall conduct investigations

of abuse, neglect, mistreatment and misappropriation; provided further, that all investigators in the division of health care quality responsible for the investigations shall receive training by the Medicaid fraud control unit in the office of the attorney general; provided further, that the division shall continue a comprehensive training, education and outreach program for nursing home administrators and managers and other supervisory personnel in long-term care to improve the quality of care in long-term care facilities; and provided further, that the program shall promote the use of best practices, models of quality care giving and the culture of workforce retention within the facilities and shall focus on systemic ways to reduce deficiencies $9,297,610

4510-0715 For the operation of a center for primary care recruitment and placement to improve access to primary care services; provided, that funds may be expended for primary care workforce development and loan forgiveness grant program $500,000

4510-0716 For the operation of an evidence-based outreach and education program designed to provide information and education on the therapeutic and cost-effective utilization of prescription drugs to physicians, pharmacists and other health care professionals authorized to prescribe and dispense prescription drugs $250,000

4510-0721 For the operation and administration of the board of registration in nursing $1,256,313

4510-0722 For the operation and administration of the board of registration in pharmacy $333,135

4510-0723 For the operation and administration of the board of registration in medicine and the committee on acupuncture $1,812,024

4510-0725 For the operation and administration of certain health boards of registration, including the boards of registration in dentistry, nursing home administrators, physician assistants, perfusionists, genetic counselors and respiratory care $362,004

4510-0726 For the board of registration in medicine, including the physician profiles program; provided, that the board may expend revenues not to exceed $300,000 from new revenues associated with increased license and renewal fees $300,000

4510-0790 For regional emergency medical services; provided, that no funds shall be expended in the AA object class; and provided further, that the regional emergency medical services councils, designated under 105 CMR 170.101 and the C-MED medical emergency communications centers that were in existence on January 1, 1992, shall remain the designated councils and C-MED communications centers $955,855

4510-0810 For a statewide sexual assault nurse examiner program and pediatric sexual assault nurse examiner program for the care of victims of sexual assault; provided, that funds shall be expended to support children's advocacy centers; and provided further, that the program shall operate under specific statewide protocols and by an on-call system of nurse examiners $3,507,700

4512-0103 For human immunodeficiency virus and acquired immune deficiency syndrome services and programs; provided, that particular attention shall be paid to direct funding proportionately to each of the demographic groups afflicted by HIV/AIDS; and provided further, that no funds from this item shall be expended for disease research in fiscal year 2010 ..... $35,335,527

4512-0106 For the department of public health which may expend for the human immunodeficiency virus and acquired immune deficiency syndrome drug assistance program an amount not to exceed $1,500,000 from revenues received from pharmaceutical manufacturers participating in the section 340B rebate program of the Public Health Service Act, administered by the federal Health Resources and Services Administration and Office of Pharmacy Affairs $1,500,000

4512-0200 For the division of substance abuse services, including a program to reimburse driver alcohol education programs for court adjudicated indigent clients; and provided further, that funds may be

expended for programs that received funding in fiscal year 2009 ..... $76,526,397

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

4512-0202 For 2 pilot jail diversion programs primarily for nonviolent offenders with OxyContin or heroin addiction to be procured by the department of public health; provided, that each program shall have at least 60 beds and shall provide clinical assessment services to the respective courts, inpatient treatment for up to 90 days and ongoing case management services for up to 1 year; provided further, that individuals may be diverted to this or other programs by a district attorney in conjunction with the office of the commissioner of probation if: (a) there is reason to believe that the individual being diverted suffers from an addiction to OxyContin or heroin, or other substance use disorder; and (b) the diversion of an individual is clinically appropriate and consistent with established clinical and public safety criteria; provided further, that both programs shall be established in separate counties and a location deemed suitable by the department of public health; provided further, that the department of public health shall coordinate operations with county sheriffs, the district attorneys, the office of the commissioner of probation and the department of correction; provided further, that not more than $500,000 shall be used to support the ongoing treatment needs of clients after 90 days for which there is no other payer; and provided further, that the department of public health shall provide an annual report to the joint committee on mental health and substance abuse and the house and senate committees on ways and means as to the outcomes of the program and the cost of operations $6,000,000

4512-0203 For family intervention and care management services programs, a pilot young adult treatment program, and early intervention services, for individuals who are dependent on or addicted to alcohol or controlled substances or both alcohol and controlled substances……$2,000,000

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

4512-0500 For dental health services; provided, that funds shall be expended to maintain a program of dental services for the developmentally disabled; provided further, that funding may be expended for a school-based demonstration project to offer preventive oral health care to children in high need areas; and provided further that said school-based demonstration project may provide, with prior parental informed consent, oral health services including but not limited to: dental exams, dental cleanings and the application of temporary restorations and dental sealants..... $1,424,477

4513-1000 For the provision of family health services; provided, that funds shall be provided for comprehensive family planning services, including HIV counseling and testing, community-based health education and outreach services provided by agencies certified as comprehensive family planning agencies..... $4,755,623

4513-1002 For women, infants and children's, WIC, nutrition services in addition to funds received under the federal nutrition program; provided, that all new WIC cases, in excess of fiscal year 1991 caseload levels, shall be served in accordance with priority categories 1 through 7, as defined by the state WIC program..... $13,565,092

4513-1012 The department of public health may expend not more than $26,875,000 from revenues received

from the federal cost-containment initiatives including, but not limited to, infant formula rebates; provided, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most-recent revenue estimate as reported in the state accounting system $26,875,000

4513-1020 For the early intervention program; provided, that the department shall make all reasonable efforts to secure third party and Medicaid reimbursements for the services funded in this item; provided further, that no claim for reimbursement made on behalf of an uninsured person shall be paid from this item until the program receives notice of a denial of eligibility for the MassHealth program from the executive office of health and human services; provided further, that these funds may be used to pay for current and prior year claims; provided further, that priority shall be given to low and moderate income families; provided further, that nothing in this item shall give rise to or shall be construed as giving rise to enforceable legal rights to any such services or an enforceable entitlement to the early intervention services funded in this item; and provided further, that the department shall provide written notification to the senate and house committees on ways and means 90 days prior to any change to its current eligibility criteria..... $25,554,904

4513-1023 For the universal newborn hearing screening program; provided, that the funds appropriated in this item shall be expended for the notification of and follow through with affected families, primary care providers and early intervention programs upon the department's receipt of data indicative of potential hearing disorders in newborns..... $71,497

4513-1024 For the operation of a comprehensive, statewide shaken baby syndrome prevention program $192,994

4513-1026 For the provision of statewide and community-based suicide prevention, intervention, post-intervention and surveillance activities and the implementation of a statewide suicide prevention plan; provided, that funds may be expended for a program to address elder suicide behavior and attempts with the Geriatric Mental Health Services program within the department of elder affairs; and provided further, that funds may be expended for a Veterans in Crisis Hotline..... $3,069,444

4513-1111 For the promotion of health and disease prevention including, but not limited to, the following programs: breast cancer prevention; diabetes screening and outreach; ovarian cancer screening a statewide STOP stroke program and ongoing stroke prevention and education; hepatitis C prevention and management; Multiple Sclerosis Home Living Navigating Key Services program administered by the Central New England Chapter of the National Multiple Sclerosis Society; Lyme disease prevention; colorectal cancer prevention; prostate cancer screening, education and treatment with a particular focus on African American males; osteoporosis education; maintenance of the Amyotrophic Lateral Sclerosis registry created pursuant section 25A of chapter 111 of the General Laws; and the maintenance of the statewide lupus database $9,295,685

4513-1130 For domestic violence and sexual assault prevention and victim services, including batterers' intervention and services for immigrants and refugees; provided, that funds shall be expended for rape prevention and victim services, including the statewide Spanish language hotline; and provided further, that funds shall be expended for statewide suicide and violence prevention outreach to gay and lesbian youth, and the public health model of community engagement and intervention services for crisis housing for sexual violence and intimate partner violence in the GLBT community…….$5,058,264

4516-0263 For the department of public health; provided, that said department may expend not more than $1,442,468 in revenues from various blood lead testing fees collected from insurers and individuals for the purpose of conducting such tests; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate therefor, as reported in the state accounting system $1,442,468

4516-1000 For the administration of the center for laboratory and communicable disease control, including the division of communicable venereal diseases, the division of tuberculosis control and the state laboratory institute; provided, that the department shall give priority to the analysis of samples used in the prosecution of controlled substances offenses; provided further, that funds shall be expended for an eastern encephalitis testing program and for tuberculosis testing and treatment services; and provided further, that no funds appropriated in this item shall be expended for administrative, space or energy expenses of the department not directly related to personnel or programs funded in this item $13,985,848

4516-1010 For the purposes of providing state matching funds for public health and hospital preparedness programs as required under the federal Pandemic and All-Hazards Preparedness Act Public Law 109-417, 2006..... $1,133,713

4516-1022 For the department of public health; provided, that the department may expend not more than $300,000 generated by fees collected from insurers for tuberculosis tests performed at the state laboratory institute; provided further, that revenues collected may be used to supplement the costs of said laboratory; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate, as reported in the state accounting system $300,000

4518-0200 For the department of public health, which may expend not more than $400,000 generated by fees collected from the following services provided at the registry of vital records and statistics, amendments of vital records, requests for vital records not issued in person at the registry and research requests performed by registry staff at the registry; provided, that revenues so collected may be used for all program costs, including the compensation of employees; provided further, that the registrar of vital records and statistics shall exempt from payment of a fee any person requesting a copy of a birth certificate for the purpose of establishing eligibility for Medicaid; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate, as reported in the state accounting system..... $400,000

4530-9000 For teenage pregnancy prevention services; provided, that funding shall be expended on those communities with the highest teen birth rates according to an annual statistical estimate conducted by the department $3,163,803

4580-1000 For the operation of the universal immunization program, including the purchase and distribution of the rotavirus vaccine; provided, that no funds appropriated in this item shall be expended for administrative or energy expenses of the department not directly related to programs funded in this item; provided further, that notwithstanding any general or special law to the contrary, each health insurance carrier, as defined in chapter 176O of the General Laws, that conducts business in the commonwealth shall contribute to the total amount determined by the department to be sufficient to cover the costs of purchasing and distributing childhood vaccines for children in this item; provided further, that the division of health care finance and policy, in consultation with the department, shall specify by regulation the surcharge to be applied on total claims associated with preventive visits for children and adolescents paid on an annual basis by all insurers as defined under chapter 176O of the General Laws and procedures for payment of the contribution to the General Fund; and provided further, that the proportional contributions shall be based on an amount necessary to fund the vaccines and no amount greater than that which the state would pay shall be required to be paid by insurers $52,135,817

4590-0250 For school health services and school-based health centers in public and non-public schools; provided, that services shall include, but not be limited to: (a) strengthening the infrastructure of school health services in the areas of personnel and policy development, programming and interdisciplinary collaboration; (b) developing linkages between school health services programs

and community health providers; (c) incorporating health education programs, including tobacco prevention and cessation activities in school curricula and in the provision of school based health services; and (d) incorporating obesity prevention programs, including nutrition and wellness programs, in school curricula to address the nutrition and lifestyle habits needed for healthy development; provided further, that funds may be expended for the support of the commission on gay, lesbian, bisexual and transgender youth, established in section 67 of chapter 3 of the General Laws, and may be used to address the recommendations of said commission for reduction of health disparities for gay, lesbian, bisexual and transgender youth; provided further, that the services shall meet standards and eligibility guidelines established by the department in consultation with the department of education; and provided further, that funds shall be expended for school nurses and school-based health centers $13,422,121

4590-0300 For smoking prevention and cessation programs $5,001,077

4590-0912 For the department of public health, which may expend an amount not to exceed $16,554,915 from reimbursements collected for western Massachusetts hospital services, subject to the approval of the commissioner of public health; provided, that such revenues may be expended for the purpose of hospital-related costs, including personnel, capital expenditures, DD object class charge-backs and motor vehicle replacement; provided further, that all revenues expended shall be pursuant to schedules submitted to the secretary of administration and finance and the house and senate committees on ways and means; provided further, that notwithstanding any general or special law to the contrary, the western Massachusetts hospital shall be eligible to receive and retain full payment under the medical assistance program administered by the executive office of health and human services pursuant to chapter 118E of the General Laws for all goods and services provided by the hospital in accordance with all federal requirements; provided further, that notwithstanding any general or special law to the contrary, the western Massachusetts hospital shall reimburse the General Fund for a portion of employee benefit expenses, according to a schedule submitted by the commissioner of public health and approved by the secretary of administration and finance; provided further, that such reimbursement shall not exceed 10 per cent of total personnel costs for the hospital; provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, that no funds appropriated herein shall be expended for administrative, space or energy expenses of the department not directly related to personnel or programs funded in this item $16,554,915

4590-0913 For the department of public health which may expend not more than $500,000 for payments received for those services provided by the Lemuel Shattuck hospital to inmates of county correctional facilities; provided, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system $500,000

4590-0915 For the maintenance and operation of Tewksbury hospital, Massachusetts hospital school, Lemuel Shattuck hospital and the hospital bureau, including the state office of pharmacy services; provided, that no funds appropriated in this item shall be expended for administrative, space or energy expenses of the department not directly related to personnel or programs funded in this item; and provided further, that reimbursements received for medical services provided at the Lemuel Shattuck hospital to inmates of county correctional facilities not managed by private health care vendors shall be credited to item 4590-0903 of section 2B $138,461,607

4590-0917 For the department of public health; provided, that the department may expend an amount not to exceed $4,160,000 from payments received from the vendor managing health services for state correctional facilities for inmate medical services provided by the Lemuel Shattuck hospital; provided further, that the payments may include capitation payments, fee for service payments, advance payments and other compensation arrangements established by contract between the

vendor and the hospital; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefor as reported in the state accounting system..... $4,160,000

4590-1503 For the pediatric palliative care program established in section 24K of chapter 111 of the General Laws..... $786,444

4590-1506 For a competitive grant program to be administered by the department of public health to support the establishment of a comprehensive youth violence prevention program; provided, that eligibility shall be determined by the criteria set forth in item 4590-1506 of section 2 of chapter 182 of the acts of 2008; provided further, that no grants shall be awarded to law enforcement agencies; provided further, that funds shall be considered 1-time and grants shall not annualize in fiscal year 2011; provided further, that administrative costs for successful grant applications shall not exceed 3 per cent of the value of the grant; provided further, that no grant funds shall be expended on food or beverages; provided further, that the department of public health shall report to the house and senate committees on ways and means and the executive office of administration and finance not later than November 1, 2009, detailing the grant amount awarded to each recipient and a description of each grant; and provided further, that each grant recipient shall provide the department of public health with a comprehensive list of best practices that have been instituted as a result of these grants..... $2,000,000

OFFICE OF CHILDREN, YOUTH AND FAMILY SERVICES.

Department of Children and Families.

4800-0015 For central and area office administration; provided, that the associated expenses of employees whose AA and DD object class costs are paid from item 4800-1100 shall be paid from this item; provided further, that no funds shall be expended from this item for the compensation of unit 8 employees; provided further, that the department shall not place a child or adolescent referred by, or discharged from, the care of the department of mental health until the latter department forwards an assessment and recommendation as to whether the child or adolescent may be appropriately placed in foster care or, if due to severe emotional disturbance, is more appropriate for group care; provided further, that if placement of a child with someone other than a parent becomes necessary, the department shall place the highest priority on identifying a family resource within the child's kinship or family circle and shall provide services and support to partner with the family resource in meeting the child's needs; provided further, that the department, in consultation with the department of mental health, shall assist the latter department in making such assessments and recommendations; provided further, that, unless otherwise authorized, all funds, including federal reimbursements received by the department, shall be credited to the General Fund; provided further, that the department and the department of early education and care shall provide standards for early education and care placements made through the supportive child care program; provided further, that the department of children and families, in collaboration with the department of early education and care, shall maintain a centralized list detailing the number of children eligible for supportive child care services, the number of supportive slots filled and the number of supportive slots available; provided further, that no waiting list for the services shall exist; provided further, that all children eligible for services under item 3000-3050 shall receive said services; provided further, that notwithstanding any general or special law to the contrary, the department shall not reduce recoupment amounts recommended by the state auditor; provided further, that the department shall employ not less than 1 full-time board-certified physician; provided further, that not later than February 15 of the current fiscal year, the department shall provide to the house and senate committees on ways and means and the joint committee on children and families a report detailing the number of medical and psychiatric personnel currently employed by or under contract with the department; provided further, that the report shall include the number of foster care reviews conducted by the department and the average length of time in which each review is completed; provided further, that the report shall contain the number of the department's contracts reviewed by the state auditor and the number of corrective action plans issued; provided further, that the report shall also include the number of corrective action plans entered into by the department;

provided further, that the report shall include the number of social workers and supervisors who have earned a bachelors' or masters' degree in social work; provided further, that the report shall include the total number of social workers and the total number of social workers holding licensure, by level; provided further, that the comptroller shall act in accordance with item 1000-0001 if the report, with all of its components, is not filed within 10 days of the stated due date; provided further, that the department shall file a report on the first business day of each month to the senate and house committees on ways and means and the joint committee on children and families on the caseload of the department; provided further, that caseloads provided in this report shall include: residential placements, group care, foster care, therapeutic foster care, adoption, guardianship, 51A reports, substantiated 51A reports, the number of children who die in the care and custody of the department, the number of children currently eligible for supportive child care and the number of children presently receiving supportive child care, and the number of medical and psychiatric consultation requests made by the department's social workers; provided further, that the report shall include the number of approved foster care placements; provided further, that the report shall also include the number of children in psychiatric hospitals and community-based acute treatment programs who remain hospitalized beyond their medically-necessary stay while awaiting placement and the number of days each case remains in placement beyond that which is medically-necessary; provided further, that the report shall include the number of children under the department of children and families care and custody who are being served in medical or psychiatric care provided through other publicly-funded sources; provided further, that the report shall also contain the number of children served by supervised visitation centers and the number of those children who are reunified with their families; provided further, that the report shall contain information on the total number of children served, their ages, the number of children served in each service plan, the number of children in out-of-home placements and the number of placements each child has had before receiving an out-of-home placement; provided further, that the report shall also contain, for each area office, the number of kinship guardianship subsidies that it provided for the calendar quarters ending on March 31, 2009 and June 30, 2009, the number of kinship guardianship subsidies provided in the month covered by the report, and the number of kinship guardianship subsidies provided in that month for which federal reimbursement was received; provided further, that the report shall also contain, for each area office, the total spending on services other than case management services provided to families for the purposes of keeping a child with his parents or reunifying the child with his parents, spending by type of the service, and the unduplicated number of families that receive the services; provided further, that the report shall also contain for each area office, the total number of families in the month residing in shelter paid for by the department, a list of where the families are sheltered, the total cost and average cost per family of those shelters, and a description of how the department determines who does or does not qualify for shelter; provided further, that the report shall include, for each area office, broken down by type of service, the number of requests for voluntary services, whether the request was approved or denied, the reasons for denying the service, and what, if any, referrals were made for services by other agencies or entities; ;provided further, that the report shall also contain the number of families receiving multiple 51A reports within a 10-month period, the number of cases reopened within 6 months of being closed and the number of children who return home and then re-enter an out-of-home placement within 6 months; provided further, that the commissioner of the department of children and families may transfer funds between items 4800-0030, 4800-0038, and 4800-0041, as necessary, pursuant to an allocation plan, which shall detail, by object class, the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means 15 days prior to any such transfer; and provided further, that not more than 5 per cent of any item shall be transferred in fiscal year 2010 $69,880,096

4800-0016 For the department of children and families which may expend for the operation of the transitional employment program an amount not to exceed $2,000,000 from revenues collected from various state, county and municipal government entities, as well as state authorities, for the costs related to the provision of services by the participants and the overhead costs and expenses incurred by the not-for-profit managing agent selected by the commissioner for administering the program; provided, that notwithstanding any general or special law to the contrary, the commissioner of children and families may enter into a contract with Roca, Inc., a not-for-profit community based-agency, to manage the transitional employment program and to provide services to participants from the aging out population, parolees, probationers, youth service releasees or other community residents considered to have employment needs $2,000,000

4800-0025 For foster care review services $2,689,807

4800-0030 For local and regional administration and coordination of services provided by lead agencies and regional resource centers; provided, that flex services provided by these agencies shall be funded from this item $14,102,759

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

4800-0038 For stabilization, unification, reunification, permanency, adoption, guardianship and foster care services provided by the department of children and families; provided, that $5,600,000 made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, may be spent on adoption and foster care services; provided further, that services funded through this item shall include shelter services, substance abuse treatment, family reunification networks, young parent programs, parent aides, education and counseling services, family preservation services, foster care, adoption and guardianship subsidies, tiered reimbursements used to promote the foster care placement of children with special medical and social needs, assessment of the appropriateness of adoption for children in the care of the department for more than 12 months, protective services provided by partnership agencies, targeted recruitment and retention of foster families, respite care services, post-adoption services, support services for foster, kinship and adoptive families and juvenile firesetter programs and the Young Parent Support Program; and provided further, that the regional offices shall work with the contracted entities for children placed in the intensive foster care system and with the receiving communities of these children to ensure all necessary services are provided; and provided further, that funds shall be expended on community-based support and education programs helping low-income, female-headed families break the cycle of poverty; provided further, that funds may be expended on supervised visitation programs, children's advocacy centers, and services for child victims of sexual abuse and assault; and provided further, that funds may be expended on programs that received funding in fiscal year 2009 ..... $303,204,549

4800-0041 For group care services; provided, that funds may be expended from this item to provide intensive community-based services to children who would otherwise be placed in residential settings; and provided further, that the department shall form area review teams that shall evaluate the feasibility of maintaining the child in the community in this manner wherever possible before recommending placement in a residential setting $223,569,417

4800-0091 For the department of children and families which may expend not more than $2,672,812 in federal reimbursements received under Title IV-E of the Social Security Act during fiscal year 2010 for the purposes of developing a training institute for professional development at the department of children and families with the University of Massachusetts Medical School and Salem State College; provided, that for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system; provided further, that notwithstanding section 1 or any other general or special law to the contrary, federal reimbursements received in excess of $2,672,812 shall be credited to the General Fund; and provided further, that no funds shall be expended from this item for lease-purchases or the FamilyNet system $2,672,812

4800-0151 For a program to provide alternative overnight non-secure placements for status offenders and nonviolent delinquent youths up to the age of 17 in order to prevent the inappropriate use of juvenile cells in police stations for such offenders, in compliance with the federal Juvenile Justice and Delinquency Prevention Act of 1974, as amended; provided, that the programs which provide the alternative non-secure placements shall collaborate with the appropriate county sheriff's office to provide referrals of those offenders and delinquent youths to any programs within the sheriff's office designed to positively influence youths or reduce, if not altogether eliminate, juvenile crime $270,919

4800-1100 For the AA and DD object class costs of the department's social workers; provided, that funds shall be directed toward mitigating social worker caseloads in those area offices furthest above the statewide weighted caseload standard and toward achieving a social worker caseload ratio of 18 to 1 statewide; provided further, that only employees of bargaining unit 8 as identified in the Massachusetts personnel administrative reporting and information system shall be paid from this item $155,319,220

4800-1400 For shelters and support services for people at risk of domestic violence; provided, that the department shall pursue the establishment of public-private partnership agreements established for family stabilization services funded from sources other than the commonwealth; provided further, that services shall include supervised visitation programs, and scattered site transitional housing programs, including programs to assist victims of domestic violence in finding and maintaining permanent housing; provided further, that participants in battered women's programs shall be provided with information regarding local transitional housing resources; provided further, that funding shall be made available to enhance counseling services for children who have witnessed domestic violence; provided further, that funding shall be made available for emergency shelters for substance abusing battered women; provided further, that funding shall be made available for a statewide domestic violence hotline; provided further, that the department shall continue to provide any match funding required by federal program regulations; and provided further, that domestic violence prevention specialists shall be funded from this item $21,925,460

OFFICE OF HEALTH SERVICES.

Department of Mental Health.

5011-0100 For the operation of the department $29,648,399

5042-5000 For child and adolescent services, including the costs of psychiatric and related services provided to children and adolescents determined to be medically ready for discharge from acute hospital units or mental health facilities and who are experiencing unnecessary delays in being discharged due to the lack of more appropriate settings; provided, that for the purpose of funding those services, the commissioner of mental health may allocate funds from the amount appropriated in this item to other departments within the executive office of health and human services; provided further, that the department shall not refer or discharge a child or adolescent to the custody or care of the department of children and families until the department of mental health forwards its assessment and recommendation as to whether the child or adolescent is appropriate for foster care or, due to severe emotional disturbance, is more appropriate for group care; and provided further, that funds may be expended for the Child Psychiatry Access Project $72,199,953

5046-0000 For adult mental health and support services, including homelessness services, emergency service programs and acute inpatient mental health care services; provided, that the emergency service programs shall take all reasonable steps to identify and invoice the third party insurer of all persons serviced by the programs; and provided further, that the department shall allocate funds in an amount not to exceed $5,000,000 from item 5095-0015, to this item, as necessary, pursuant to allocation plans submitted to the house and senate committees on ways and means 30 days prior to any such transfer, for residential and day services for clients formerly receiving care at department facilities; provided further, that funds shall be expended to sustain services provided through juvenile court clinics $374,329,611

5046-4000 For the department of mental health; provided, that the department may expend not more than $125,000 in revenue collected from occupancy fees charged to the tenants in the creative housing option in community environments, the CHOICE program authorized by chapter 167 of the acts of 1987; and provided further, that all fees collected under that program shall be expended for the routine maintenance and repair of facilities in the CHOICE program including the costs of personnel $125,000

5095-0015 For the operation of hospital facilities and community-based mental health services; provided, that in order to comply with the Olmstead decision and to enhance care within available resources to

clients served by the department, the department shall take steps to consolidate or close psychiatric hospitals managed by the department and shall endeavor within available resources to discharge clients residing in the inpatient facilities to residential services in the community when the following criteria are met: a) the client is deemed clinically suited for a more integrated setting; b) community residential service capacity and resources available are sufficient to provide each client with an equal or improved level of service; and c) the cost to the commonwealth of serving the client in the community is less than or equal to the cost of serving the client in inpatient care; provided further, that any client transferred to another inpatient facility as the result of a facility closure shall receive a level of care that is equal to or better than the care that had been received at the closed facility; provided further, that the department may allocate funds in an amount not to exceed $5,000,000 from this item to item 5046-0000, as necessary, under allocation plans submitted to the house and senate committees on ways and means 30 days before any transfer, for residential and day services for clients formerly receiving inpatient care at the centers and facilities; and provided further, that the department of mental health shall notify the joint committee on mental health and substance abuse and the house and senate committees on ways and means 60 days prior to the closure of any inpatient state hospital beds.....$169,933,412

Department of Developmental Services.

5911-1003 For the administration and operations of the department of developmental services; provided, that the department shall not charge user fees for transportation or community day services; provided further, that the department shall not charge fees for eligibility determination for services provided by the department or for applications of requests for transfer of guardianship; provided further, that notwithstanding any general or special law to the contrary, in fiscal year 2010 the comptroller shall transfer from the Department of Developmental Services Trust Fund established in section 2RRR of chapter 29 of the General Laws an amount sufficient to reflect the costs of the assessment on public facilities collected under section 27 of chapter 118G of the General Laws and an amount sufficient to fund rate increases for services provided to MassHealth members by nonpublic intermediate care facilities and community-based residences; provided further, the comptroller shall transfer the federal financial participation received as a result of expenditures funded by the assessments to an account established for the department of developmental services to administer for the purposes described above; and provided further, that the assessments shall not be collected and the expenditures shall not be authorized until the department of developmental services and the executive office of health and human services certify the receipt of federal approval of any home and community-based waiver amendments and related Title XIX state plan amendments, if required..... $67,224,506

5911-2000 For transportation costs associated with the adult services program; provided, that the department shall provide transportation on the basis of priority of need as determined by the department $13,537,324

5920-2000 For vendor-operated, community-based, residential adult services, including intensive individual supports; provided, that funds shall be expended towards compliance with the terms of the Rolland settlement agreement, dated June 16, 2008, Civil Action No. 98-30208-KPN, filed in the United States District Court of Massachusetts in order to provide services for class members; provided further, that funds shall be expended for court monitor costs associated with the Rolland settlement agreement; provided further, that annualized funding shall be expended for turning 22 clients who began receiving the services in fiscal year 2009 pursuant to item 5920-5000 of section 2 of chapter 182 of the acts of 2008; provided further, that the commissioner of the department of developmental services shall transfer funds from this item to item 5920-2010, as necessary, pursuant to an allocation plan, which shall detail, by object class, the distribution of said funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means 15 days before any such transfer; and provided further, that not more than $5,000,000 shall be transferred from this item in fiscal year 2010 .....$699,954,252

5920-2010 For state-operated, community-based, residential services for adults, including community-based health services; provided, that the department shall maximize federal reimbursement, whenever possible under federal regulation, for the direct and indirect costs of services provided by the

employees funded in this item $144,559,478

5920-2025 For community-based day and work programs for adults $116,988,888

5920-3000 For respite services and intensive family supports; provided, that the department shall pursue the highest rates of federal reimbursement possible for such services..... $42,521,184

5920-3010 For contracted support services for families with autistic children through the autism division at the department of developmental services; provided, that funds shall be expended for the purposes of providing services under the Children's Autism Spectrum Disorder Waiver; provided further, that the department shall expend not less than the amount authorized in fiscal year 2009 on the Children's Autism Waiver; provided further, that at a minimum, this waiver shall include children with autism spectrum disorder ages 0 to 8, inclusive, including children with autism spectrum disorder ages 0 to 3, inclusive, receiving services through the department of public health's early intervention program; provided further, that the income eligibility for the waiver shall not be any lower than MassHealth standard income eligibility for children; provided further, that the department shall take all steps necessary to ensure that eligible children with autism immediately begin to receive services pursuant to such waiver; provided further, that the department shall immediately file any waiver amendments necessary to comply with the requirements of this item with the Centers for Medicare and Medicaid services; provided further, that the department shall report to the house and senate committees on ways and means, the joint committee on education and the joint committee on children, families and persons with disabilities on the number of contracted support services provided for families with autistic children under this item and the costs associated with such services, not later than January 4, 2010; provided, that such report shall include, but not be limited to, the services provided by the Children's Autism Spectrum Disorder Waiver, with information regarding the number of children enrolled in the waiver and receiving services, linguistic and cultural diversity, age, gender and geographic representation of the applicants and the children enrolled in the program, and department plans to continue to assess the demand for waiver services, any executive office of health and human services plans to expand the waiver for children on the autism spectrum of all ages in the future and any other information determined relevant by the department; and provided further, that the department shall submit copies of any amended waiver to the house and senate committees on ways and means, the joint committee on education and the joint committee on children, families and persons with disabilities upon submission of the amendment..... $4,123,387

5920-5000 For services to clients of the department who turn 22 years of age during state fiscal year 2010; provided further, that the department shall report to the house and senate committees on ways and means not later than January 2, 2009, on the use of any funds encumbered or expended from this item including, but not limited to, the number of clients served in each region and the types of services purchased in each region $5,000,000

5930-1000 For the operation of facilities for the mentally retarded; provided, that in order to comply with the provisions of the Olmstead decision and to enhance care within available resources to clients served by the department, the department shall take steps to consolidate or close intermittent care facilities for the mentally retarded, in this item called ICF/MRs, managed by the department and shall endeavor, within available resources, to discharge clients residing in the ICF/MRs to residential services in the community if the following criteria are met: a) the client is deemed clinically suited for a more integrated setting; b) community residential service capacity and resources available are sufficient to provide each client with an equal or improved level of service; and c) the cost to the commonwealth of serving the client in the community is less than or equal to the cost of serving the client in ICF/MRs; provided further, that any client transferred to another ICF/MR as the result of a facility closure shall receive a level of care that is equal to or better than the care that had been received at the closed ICF/MR; provided further, that the department shall report to the joint committee on children, families and persons with disabilities and the house and senate committees on ways and means on the progress of this initiative by December 1, 2009, including both past actions and proposed future actions; provided further, that the department may allocate funds from this item to items 5920-2000, 5920-2010, and 5920-2025, as necessary, under allocation plans submitted to the house and senate committees on ways and means 30 days before

any transfer, for residential and day services for clients formerly receiving inpatient care at ICF/MRs; and provided further, that the department shall maximize federal reimbursement, whenever possible under federal regulation, for the direct and indirect costs of services provided by the employees funded in this item; provided further, that prior to closing the Monson Development Center, the Fernald Developmental Center , the Templeton Development Center and the Glavin Regional Center as part of the Community Services Expansion and Facilities Restructuring Plan, the executive office for administration and finance shall submit a report to the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities; provided further, that the report shall examine the prospective costs and benefits of maintaining the facilities, the quality of care in the facilities and in alternative community-based settings and alternative methods of providing the services currently provided by the facilities; provided further, that the report shall include options for the retention of the skilled workforce; and provided further, that the secretary of administration and finance shall submit the findings and recommendations of the report within 90 days after the effective date of this act; and provided further, that at least 3 months prior to closing each of the aforementioned ICF/MRs, the secretary of housing and economic development or his designee and the commissioner of capital asset management and maintenance or his designee shall meet jointly with local officials and produce a plan for the timely demolition of buildings, remediation of hazardous materials and future use of the property, including disposition by the commonwealth for redevelopment or conservation, if appropriate.....$166,355,936

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

EXECUTIVE OFFICE OF TRANSPORTATION.

Office of the Secretary.

6000-0100 For the office of the secretary of transportation; provided, that the office shall submit quarterly reports to the joint committee on transportation and the house and senate committees on ways and means detailing projects funded through the statewide transportation improvement program including, but not limited to, the location of the projects, the cost of the projects, the date of advertisement of the projects, the commencement date of the projects, the projected completion date of the projects and the source of funds for the projects; provided further, that the office shall also provide the committees with quarterly reports detailing construction and reconstruction projects on town and county ways as described in subdivision (a) of clause (2) of the first paragraph of section 34 of chapter 90 of the General Laws for which municipalities are projected to seek, have filed claims or have been paid state reimbursement; provided further, that a city or town shall comply with the procedures established by the secretary to obtain the necessary information to produce the reports; provided further, that the reports shall include, but not be limited to, the cost of the projects by city or town, the source of funding of the projects by city or town and the commencement and completion dates of the projects by city or town; provided further, that the secretary of transportation, in collaboration with the commissioner of highways, shall file an annual report with the joint committee on transportation and the house and senate committees on ways and means not later than June 30; provided further, that the report shall include spending through the statewide road and bridge program, the Chapter 90 program, the Small Town Road Assistance Program and all other programs expending funds for road and bridge projects; provided further, that the report shall detail the location of the project by city or town, a brief project description, the project cost, the expected completion date, the source of funding and any other information deemed necessary; provided further, that the office shall submit to the house and senate committees on ways and means quarterly reports detailing all personnel-related expenditures made from capital funds; provided further, that the reports shall delineate for the

executive office and for each agency, board, authority or commission under its control, the amounts paid in the prior quarter as compensation for each type of position assigned to capital projects that were charged to each such funding source; provided further, that the reports shall also delineate by funding source any other amounts paid for personnel-related costs that were charged to those funds, including payroll allocations for budgetary employees, fringe recovery and other chargebacks; provided further, that the reports shall identify the number of full time equivalent personnel classified in each position type; provided further, that the reports shall list all employees who are paid from this item and items 6010-0002 and 6006-0003 who also receive payments from any capital funds; provided further, that the reports shall include for each of those employees how much money the employees receive from the items and how much money each employee receives from any capital funds; provided further, that the reports shall delineate the information for full-time employees, part-time employees and contracted personnel; and provided further, that agencies within the executive office may, with the prior approval of the secretary, streamline and improve administrative operations pursuant to interdepartmental service agreements $2,474,447

Highway Fund.....100.0%

6000-0110 For the purpose of property management and maintenance of railroad properties owned by the executive office of transportation on behalf of the commonwealth, including the cost of personnel; provided, that the office may expend an amount not to exceed $27,344 from the rents and fees received pursuant to section 4 of chapter 161C of the General Laws $27,344

Highway Fund.....100.0%

6000-1700 For the provision of information technology services within the executive office of transportation $6,438,755

Highway Fund.....100.0%

6005-0015 For certain assistance to the regional transit authorities, including operating grants and reimbursements to increase the accessibility of transit provided to the elderly and disabled under the mobility assistance program, the regional transit authority program and the intercity bus capital assistance program; provided, that the commonwealth, acting by and through the executive office for administration and finance, for the period beginning July 1, 2009 and ending June 30, 2010, may enter into contracts with the authorities; provided further, that notwithstanding section 152A of chapter 161 of the General Laws and section 23 of chapter 161B of the General Laws, the amount shall be at least 50 per cent but not more than 75 per cent of the net cost of service of each authority incurred in fiscal year 2009, shall be paid by the commonwealth, and shall not be assessed upon the cities and towns constituting the authorities; provided further, that the share assessed upon the cities and towns shall be at least 25 per cent of the net cost of service; provided further, that in the event that 25 per cent of the net cost of service of each authority exceeds 102.5 per cent of the previous year's local assessment, excluding payments made by cities and towns for the costs of new service for which the cities and towns have not previously been assessed as allowed by chapter 580 of the acts of 1980, the regional transit authority shall reduce its operating expenses or increase its revenues to meet the difference; provided further, that operating expenditures of each of the regional transit authorities for fiscal year 2010 shall not exceed 102.5 per cent of its operating expenditures for fiscal year 2009; provided further, that for the purposes of this item, operating expenditures shall not include federal, private or additional municipal non-state revenue sources or any expenses arising from the provision of services required by the Americans with Disabilities Act, or new services implemented after July 1, 1999, in an amount not to exceed a total of $3,613,905 for the 16 regional transit authorities; provided further, that the new services shall have first received approval of the appropriate regional transit authority advisory board; provided further, that not less than 25 per cent of the net cost of service of the new services shall be assessed to the cities and towns of the appropriate transit authority, as detailed previously in this item; provided further, that each regional transit authority which provides the new services shall file a report with the house and senate committees on ways and means and the joint committee on transportation, detailing the total costs and revenues associated with the new service; provided further, that the cost of the new services shall not annualize to more than

$3,613,905; provided further, that the executive office of transportation and the authorities shall work cooperatively to implement multi-year contracting for regional transit authority capital projects, particularly for construction projects and other multi-year commitments of the authorities; provided further, that the regional transit authorities shall implement structural, managerial and administrative reforms in order to achieve cost savings in services provided by the authorities; provided further, that the reforms shall include, but not be limited to, improved financing procedures for capital needs, approved plans for short and long-term service, a coordinated program of mass transportation for the regional transit authorities that provides standards of service for the authorities for types of service, passenger miles, hours of service, cost of service by route and mile and passenger, non-transportation revenue and system revenue-generating options including, but not limited to, fare revenue and advertising revenue, assessments on member cities and towns, net operating investment per passenger-mile ratio and service quality standards; provided further, that the program shall involve an approach to service coordinated with the Massachusetts Bay Transportation Authority and other transit providers in order to achieve maximum efficiency of regional transit authority service routes; provided further, that all regional transit authorities shall achieve the fare or revenue recovery ratio of 40 per cent within 18 months after the effective date of this act; and provided further, that the Massachusetts Association of Regional Transit Authorities shall, on or before November 15, 2009, report to the joint committee on transportation and the house and senate committees on ways and means on the operations of the authorities in the first half of fiscal year 2010 and focus the report on the reforms and improvements $44,670,909

General Fund.....80.0%
Highway Fund.....20.0%

Massachusetts Aeronautics Commission.

6006-0003 For the administration of the commission, including the expenses of the commissioners..... $395,829

Department of Highways.

6010-0001 For personnel costs of the department of highways, for certain administrative and engineering expenses and equipment of the highways commission, the office of the commissioner of highways, the division of administrative services, highway engineering, highway maintenance, highway construction, the outdoor advertising board, district and other highway activity offices, materials, supplies, fleet maintenance and equipment, general maintenance and equipment and the maintenance and operation of state highways and bridges and for the costs associated with the global positioning system program; provided, that no expenditures shall be made from the AA object code; provided further, that the department shall file quarterly reports with the house and senate committees on ways and means detailing all amounts expended on bond-funded capital projects under the jurisdiction of the department and for all administrative and personnel expenses of the department charged to such bonds; provided further, that the reports shall be filed not later than 30 days after the end of each quarter; provided further, that the costs of routine highway maintenance provided by private and union workers in contract areas 1A, 1B, 2A, 2B, 3A, 3B, 3C, 4A, 4B, 4C, 4D, 5A, 5B and 5C and for costs associated with police services and overtime within such areas shall be paid from this item; and provided further, that the department shall submit quarterly reports to the house and senate committees on ways and means detailing for each contract area expenditures for the costs of contractual contingency fees, personnel, police services, overtime, materials and vehicle repairs $8,733,602

Highway Fund.....100.0%

6010-0002 For AA object class payroll costs of item 6010-0001; provided, that the funds appropriated in this item shall be the only source of funding for all overtime expenses associated with the department's snow and ice control efforts $25,753,748

Highway Fund.....100.0%

6010-0003 For the department of highways; provided, that the department may expend revenues collected up to $500,000 from revenue generated from promotional programs; provided further, that funds collected shall be used for the management of that program and for highway maintenance costs; provided further, that the department shall prepare a report delineating the proposed allocation of funds to be expended for the management of such program and highway maintenance costs; provided further, that the report shall be filed with the house and senate committees on ways and means not later than 30 days prior to any encumbrance of the funds; and provided further, that the program and any expenditures made under the program shall comply with all statutes, rules and regulations governing billboards, signs and other outdoor advertising devices $500,000

Highway Fund.....100.0%

6030-7201 For the costs of hired and leased equipment, vehicle repair, fuel costs and sand, salt and other control chemicals used for snow and ice control $65,000,000

Highway Fund.....100.0%

Board of Library Commissioners.

7000-9101 For the operation of the board of library commissioners $938,042

7000-9401 For state aid to regional public libraries; provided, that the board of library commissioners may provide quarterly advances of funds for purposes authorized by clauses (1) and (2) of section 19C of chapter 78 of the General Laws, as it considers proper, to regional public library systems throughout each fiscal year, in compliance with the office of the comptroller's regulations on state grants, 815 CMR 2.00; and provided further, that notwithstanding any general or special law to the contrary, in calculating the fiscal year 2010 distribution of funds appropriated in this item, the board of library commissioners shall employ population figures used to calculate the fiscal year 2009 distribution $14,591,160

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

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

7000-9501 For state aid to public libraries; provided, that notwithstanding any general or special law to the contrary, no city or town shall receive any money under this item in any year when the appropriation of the city or town for free public library services is below an amount equal to 102.5 per cent of the average of the appropriations for free public library service for the 3 years immediately preceding; provided further, that notwithstanding any general or special law to the contrary, the board of library commissioners may grant waivers in excess of the waiver limit set forth in the second paragraph of section 19A of chapter 78 of the General Laws in fiscal year 2010 for a period of not more than 1 year; provided further, that notwithstanding any general or special law to the contrary, of the amount by which this item exceeds the amount appropriated in chapter 194 of the acts of 1998, funds shall be distributed under the guidelines of the municipal equalization grant program and under the guidelines of the library incentive grant program and under the guidelines for the nonresident circulation offset program; and provided further, that any payment made under this item shall be deposited with the treasurer of the city or town and held in a separate account and shall be expended by the public library of that city or town without appropriation, notwithstanding any general or special law to the contrary $7,107,657

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

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.

Office of the Secretary.

7002-0100 For the operation of the executive office of labor and workforce development, including the

divisions under the control of the department; provided, that not later than January 4, 2010, the director of workforce development shall submit to the house and senate committees on ways and means a comprehensive report describing in detail the job training services, including labor exchange, skills training and remedial education services related thereto which have been provided during the course of the fiscal year, systems for delivery of such services, the costs of such services and the sources of revenue for such services..... $1,050,292

7002-0170 For the provision of information technology services within the executive office of labor and workforce development..... $213,779

Department of Labor.

7002-0200 For the operation of the division of occupational safety; provided, that the division may employ staff not subject to chapter 31 of the General Laws for a program to evaluate asbestos levels in public schools and other public buildings..... $1,770,497

7002-0201 For the division of occupational safety; provided, that the division may expend an amount not to exceed $252,850 received from fees authorized under section 3A of chapter 23 of the General Laws and civil fines issued under sections 197B of chapter 111 of the General Laws, section 46R of chapter 140 of the General Laws and section 6F1/2 of chapter 149 of the General Laws; provided further, that the division may expend an additional amount equal to that which the division receives from such fees and civil fines in excess of $1,600,000, but not to exceed $200,000..... $252,850

7002-0500 For the operation and administrative expenses of the division of industrial accidents; provided, that the General Fund shall be reimbursed the amount appropriated in this item and for associated indirect and direct fringe benefit costs from assessments levied pursuant to section 65 of chapter 152 of the General Laws; and provided further, that the treasurer may release to the division, subject to adequate and appropriate documentation of the need, to the workers' compensation advisory council and the affirmative vote of at least 7 members of the workers' compensation advisory council, sufficient funds from the special reserve account established in clause (c) of subsection (4) of said section 65 of said chapter 152 to pay for expenses to continue expansion of the conversion of the agency's computer system from unify to oracle $20,758,502

7002-0900 For the operation of the division of labor relations $1,838,835

Department of Workforce Development.

7002-0012 For a youth-at-risk program targeted at reducing juvenile delinquency in high risk areas; provided, that these funds may be expended for the development and implementation of a year-round employment program for at-risk youth as well as existing year-round employment programs; provided further, that $500,000 of these funds shall be matched by private organizations; and provided further, that funds shall be available for expenditure through September 1, 2010 ..... $4,000,000

7002-0101 For the operation of the apprentice training program; provided, that no position in the apprentice training division shall be subject to chapter 31 of the General Laws; provided further, that notwithstanding any general or special law to the contrary, the deputy director shall require each apprentice entering into a written agreement to submit an application to the division for an apprentice identification card; provided further, that an apprentice identification card shall contain the photograph of the apprentice, the apprentice registration number or another number that the deputy director requires, the name and business address of the appropriate apprenticeship committee or single employee sponsor, the steps of progression and related dates applicable to the apprentice and the projected date on which the apprentice is to complete the apprenticeship; provided further, that as a condition of his apprenticeship, the apprentice shall keep the apprentice identification card on his person during his hours of employment during the apprenticeship; provided further, that an apprentice performing work on a project subject to this item shall

maintain in his possession an apprentice identification card; provided further, that any apprentice who is determined by the deputy director to be not enrolled in related classroom instruction classes shall be paid at the journey level rate for the duration of the public works project; and provided further, that for every week in which an apprentice is employed by a contractor, subcontractor or public body subject to this item, a photocopy of the apprentice's apprentice identification card shall be attached to the records submitted under this item $207,696

7003-0701 For grants and technical assistance administered by the department of workforce development, under section 2RR of chapter 29 of the General Laws and for the cost of collecting the assessment established in section 14L of chapter 151A of the General Laws; provided, that the department of workforce development shall provide a report on the grants and technical assistance programs authorized in this item detailing the firms receiving grants, by number of employees, revenues, and industry, to the house and senate committees on ways and means not later than January 15, 2010; provided further, that the report shall include specific measures of how grant recipients were able to increase job growth, retention rates, and productivity as a result of the grants; provided further, that the report shall include measures of whether training participants received promotions and increased incomes as a result of training; provided further, that funds may be awarded to workforce boards designated by the department as a high performing workforce boards to support nationally-recognized teacher externship programs which collaborate with businesses in the science, technology, engineering and mathematics industry sectors and provide workplace placement and training of elementary and secondary teachers to increase and accelerate the development of a skilled workforce; and provided further, that the director shall demonstrate that each dollar expended generates not less than $5 in private investment in job training; and provided further, that grants may be administered by the department of workforce development to recruit and provide career support and workforce development retention of graduate students training for careers in public sector behavioral health service delivery..... $10,000,000

Workforce Training Fund 100.0%

7003-0803 For the one-stop career centers $5,435,698

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT.

Office of the Secretary.

7002-0010 For the operation of the office of the secretary of housing and economic development and the Massachusetts business-to-business program; provided, that agencies within the executive office may, with the prior approval of the secretary, streamline and improve administrative operations pursuant to interdepartmental service agreements; and provided further, that a report shall be submitted to the house and senate committees on ways and means not later than February 1, 2010, which shall include, but not be limited to, the following: (1) the number of businesses that have used the Massachusetts business-to-business program in fiscal year 2010, including both businesses located in the commonwealth and those that were attracted to Massachusetts by the program; (2) the number of jobs the commonwealth has retained as a result of the funding of this program; and (3) the amount of private investment that has occurred as a result of the funding of this program $506,531

7002-0017 For the provision of information technology services within the executive office of housing and economic development, including the homeless management information system $2,897,371

7002-0045 For the operation of the office of the wireless and broadband affairs director..... $194,189

Department of Housing and Community Development.

7004-0001 For the commission on Indian affairs..... $99,698

7004-0099 For the operation of the department of housing and community development; provided, that notwithstanding any general or special law to the contrary, the department may make expenditures

for the purposes of the department against federal grants for certain direct and indirect costs under a cost overhead allocation plan approved by the comptroller; provided further, that the comptroller shall maintain an account on the Massachusetts management accounting and reporting system for the purpose of making these expenditures; provided further, that expenditures made against the account shall not be subject to appropriation and may include the cost of personnel; provided further, that notwithstanding any general or special law, rule, or regulation to the contrary, the department may conduct annual verifications of household income levels based upon state tax returns for the purposes of administering the state and federal housing subsidy programs funded in items, 7004-9005, 7004-9024, 7004-9030, 7004-9033, 7004-9316, and items 7004-9009, 7004-9014, 7004-9019, 7004-9020 of section 2D; provided further, that as a condition of eligibility or continued occupancy by an applicant or a tenant, the department may require disclosure of the social security number of an applicant or tenant and members of the applicant's or tenant's household for use in verification of income eligibility; provided further, that the department may deny or terminate participation in subsidy programs for failure by an applicant or a tenant to provide a social security number for use in verification of income eligibility; provided further, that the department may also consult with the department of revenue, the department of transitional assistance or any other state or federal agency which it considers necessary to conduct this income verification; provided further, that notwithstanding any general or special law to the contrary, these state agencies shall consult and cooperate with the department and furnish any information in the possession of the agencies including, but not limited to, tax returns and applications for public assistance or financial aid; provided further, that for the purposes of conducting this income verification, the director of the department may enter into an interdepartmental service agreement with the commissioner of revenue to utilize the department of revenue's wage reporting and bank match system for the purpose of verifying the income and eligibility of participants in federally assisted housing programs and that of members of the participants' households; and provided further, that for the purposes of clarification only, notwithstanding section 12 of chapter 490 of the acts of 1980, the department may authorize neighborhood housing services corporations to retain, re-assign, and reloan funds received in repayment of loans made under the neighborhood housing services rehabilitation program..... $6,895,062

7004-0100 For the operation of the homeless shelter and services unit, including the compensation of caseworkers and support personnel..... $4,754,159

7004-0101 For certain expenses of the emergency assistance program as follows: (i) contracted family shelters; (ii) transitional housing programs; (iii) programs to reduce homelessness in Barnstable, Dukes, Hampden and Nantucket counties; (iv) residential education centers for single mothers with children; (v) intake centers; and (vi) voucher shelters; provided, that eligibility shall be limited to families with income at or below 100 per cent of the federal poverty level; provided, however, that any family whose income exceeds 100 per cent of the federal poverty level while the family is receiving assistance funded by this item shall not become ineligible for assistance due to exceeding the income limit for a period of 6 months from the date that the 100 per cent level was exceeded; provided further, that the department shall establish reasonable requirements for such families to escrow some portion of their income; provided further, that any such escrowed funds shall be exempt from otherwise applicable asset limits; provided further, that the family may withdraw the amount placed in escrow upon transition to permanent housing or losing eligibility for shelter services; provided further, that benefits under this item shall be provided only to residents who are citizens of the United States or aliens lawfully admitted for permanent residence or otherwise permanently residing under color of law in the United States; provided further, that the department shall take all steps necessary to enforce regulations to prevent abuse in the emergency assistance program; provided further, that no emergency assistance expenditures shall be paid from this item unless explicitly authorized; provided further, that eligible households shall be placed in shelters as close as possible to their home community unless a household requests otherwise; provided further, that if the closest available placement is not within 20 miles of the household's home community, the household shall be transferred to an appropriate shelter within 20 miles of its home community at the earliest possible date unless the household requests otherwise; provided further, that eligibility for shelter by an otherwise eligible family shall not be impaired by prior receipt of any non-shelter benefit; provided further, that the department shall make every effort to ensure that children receiving services from this item shall continue attending

school in the community in which they lived prior to receiving services funded from this item; provided further, that notwithstanding any other general or special law to the contrary, the department shall immediately provide shelter for up to 30 days to families who appear to be eligible for such shelter based on statements provided by the family and any other information in the possession of the department but who need additional time to obtain any third-party verifications reasonably required by the department; provided further, that shelter benefits received under the preceding proviso shall not render a family ineligible under any regulation providing that a family who previously received shelter is ineligible for shelter benefits for a period of 12 months; provided further, that families receiving such shelter benefits who are found not to be eligible for continuing shelter benefits shall be eligible for aid pending a timely appeal pursuant to chapter 23B of the General Laws; provided further, that the department shall not impose unreasonable requirements for third-party verification and shall accept verifications from the family whenever reasonable; provided further, that in promulgating, amending or rescinding regulations with respect to eligibility or benefits under this program, the department shall take into account the amounts available to it for expenditure in this item so as not to exceed the amount appropriated in this item; provided further, that notwithstanding any general or special law to the contrary, 60 days before promulgating any such eligibility or benefit changes, the undersecretary shall file with the house and senate committees on ways and means and with the clerks of the house of representatives and the senate a determination by the secretary of housing and economic development that available appropriations for the program will be insufficient to meet projected expenses and a report setting forth such proposed changes; provided further, that all of this item shall be subject to appropriation and, in the event of a deficiency, nothing in this item shall give rise to or shall be construed as giving rise to any enforceable right or entitlement to services in excess of the amounts appropriated by this item; provided further, that the department shall report quarterly to the house and senate committees on ways and means on the emergency assistance family shelter program; and provided further, that the report shall contain the same data required in item 4403-2120 of section 2 of chapter 139 of the acts of 2006 ..... $91,605,510

7004-0102 For the homelessness program to assist individuals who are homeless or in danger of becoming homeless, including assistance to organizations which provide shelter, transitional housing, and services that help individuals avoid entry into shelter or successfully exit shelter; provided, that no organization providing services to the homeless shall receive less than an average per bed/per night rate of $12.92; and provided further, that a grant shall be provided to the Home and Healthy for Good program; and provided further, that funds may be expended for a 16-bed year-round nonprofit men's shelter program for the chronically mentally ill homeless that provides individualized case management, including job search assistance..... $37,481,684

7004-3036 For housing services and counseling; provided, that funds shall be expended as grants to 9 regional housing consumer education centers operated by the regional nonprofit housing authorities; provided further, that the grants shall be through a competitive application process under criteria created by the department; provided further, that the department shall submit annual reports to the secretary of administration and finance, the house and senate committees on ways and means and the joint committee on housing detailing all expenditures of the program, including each regional housing consumer education center, the total number of persons who received information and referral services, the costs for such services rendered per consumer and the identification of consumer issues and trends; provided further, that said department shall report to the house and senate committees on ways and means no later than March 1, 2010 on possible savings and efficiencies that may be realized through the consolidation of said services; and provided further, that no funds shall be expended from this item in the AA object class for the compensation of state employees..... $1,624,317

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

7004-4314 For the expenses of a service coordinators program established by the department to assist tenants residing in housing developed pursuant to sections 39 and 40 of chapter 121B of the General Laws

to meet tenancy requirements in order to maintain and enhance the quality of life in that housing $350,401

7004-9005 For subsidies to housing authorities and nonprofit organizations including funds for deficiencies caused by certain reduced rentals in housing for the elderly, handicapped, veterans and relocated persons under sections 32 and 40 of chapter 121B of the General Laws; provided, that notwithstanding any general or special law to the contrary, all housing authorities operating elderly public housing shall offer first preference for elderly public housing units which are vacant on the effective date of this act, and thereafter, to those persons 60 years of age or older as of June 30, 2009, receiving rental assistance from the Massachusetts rental voucher program; provided further, that the department may expend funds appropriated in this item for deficiencies caused by certain reduced rentals which may be anticipated in the operation of housing authorities for the first quarter of the subsequent fiscal year; provided further, that no monies shall be expended from this item for the purpose of reimbursing the debt service reserve included in the budgets of housing authorities; provided further, that no funds shall be expended from this item in the AA object class for the compensation of state employees; provided further, that the amount appropriated in this item shall be considered to meet any and all obligations under said sections 32 and 40 of said chapter 121B; provided further, that any new reduced rental units developed in fiscal year 2010 eligible for subsidies under this item shall not cause any annualization that results in an amount exceeding the amount appropriated in this item; and provided further, that all funds in excess of normal utilities, operations and maintenance costs may be expended for capital repairs$65,300,000

7004-9024 For a program of rental assistance for low-income families and elderly persons through mobile and project-based vouchers; provided, that rental assistance shall only be paid under a program to be known as the Massachusetts rental voucher program; provided further, that the income of the households shall not exceed 200 per cent of the federal poverty level; provided further, that the department may award mobile vouchers to eligible households currently occupying project-based units that shall expire due to the nonrenewal of project-based rental assistance contracts; provided further, that the department, as a condition of continued eligibility for vouchers and voucher payments, may require disclosure of social security numbers by participants and members of participants' households in the Massachusetts rental voucher program for use in verification of income with other agencies, departments and executive offices; provided further, that any household in which a participant or member of a participant's household shall fail to provide a social security number for use in verifying the household's income and eligibility shall no longer be eligible for a voucher or to receive benefits from the voucher program; provided further, that the vouchers shall be in varying dollar amounts and shall be set by the department based on considerations including, but not limited to, family size, composition, income level and geographic location; provided further, that notwithstanding any general or special law to the contrary, the monthly dollar amount of each voucher shall be the department-approved total monthly rent of the unit less the monthly amount paid for rent by the household; provided further, that notwithstanding any general or special law to the contrary, the use of rent surveys shall not be required in determining the amounts of the mobile vouchers or the project-based units; provided further, that any household which is proven to have caused intentional damage to its rental unit in an amount exceeding 2 months' rent during any 1-year lease period shall be terminated from the program; provided further, that notwithstanding any general or special law to the contrary, a mobile voucher the use of which is or has been discontinued shall be re-assigned within 90 days; provided further, that the department shall pay agencies $32.50 per voucher per month for the costs of administering the program; provided further, that subsidies shall not be reduced for the cost of accommodating the cost of the inspections; provided further, that notwithstanding any general or special law to the contrary, each household holding a project-based voucher shall pay at least 30 per cent but not more than 40 per cent of its income as rent and each household holding a mobile voucher shall pay at least 30 per cent but not more than 40 per cent of its income as rent; provided further, that the department shall establish the amounts of the mobile vouchers and the project-based vouchers so that the appropriation in this item is not exceeded by payments for rental assistance and administration; provided further, that the department shall not enter into commitments which shall cause it to exceed the appropriation set forth in this item; provided further, that the households holding mobile vouchers shall have priority for occupancy of the project-based dwelling units in the event of a vacancy; provided further, that the department may impose certain obligations for

each participant in the Massachusetts rental voucher program through a 12-month contract which shall be executed by the participant and the department; provided further, that such obligations may include, but shall not be limited to, job training, counseling, household budgeting and education, as defined in regulations promulgated by the department and to the extent these programs are available; provided further, that each participant shall be required to undertake and meet these contractually established obligations as a condition for continued eligibility in the program; provided further, that for continued eligibility, each participant shall execute this 12-month contract on or before September 1, 2009, if the participant's annual eligibility recertification date occurs between June 30, 2009, and September 1, 2009, and otherwise on or before the annual eligibility recertification date; provided further, that any participant who is over the age of 60 years or who is disabled may be exempted from any obligations unsuitable under particular circumstances; provided further, that no funds shall be expended from this item in the AA object class for the compensation of state employees; provided further, that the department may assist housing authorities, upon their written request, in the immediate implementation of a homeless prevention program utilizing alternative housing resources available to them for low-income families and the elderly by designating participants in the Massachusetts rental voucher program as at risk of displacement by public action through no fault of their own; provided further, that participating local housing authorities may take all steps necessary to enable them to transfer mobile voucher program participants from the Massachusetts rental voucher program into another housing subsidy program; and provided further, that the department of housing and community development shall strive to avoid a reduction in the value of the Massachusetts rental voucher from its value as of June 30, 2009 ..... $27,997,096

7004-9030 For the transitional rental assistance program established under section 16 of chapter 179 of the acts of 1995; provided, that notwithstanding any general or special law to the contrary, the transitional rental assistance shall be in the form of mobile vouchers; provided further, that the vouchers shall be in varying dollar amounts set by the department based on considerations including, but not limited to, household size, composition, household income and geographic location; provided further, that any household which is proven to have caused intentional damages to its rental unit in an amount exceeding 2 months' rent during any 1 year shall be terminated from the program; provided further, that the department shall pay agencies that administer this program an allowance not to exceed $25 per voucher per month for the costs of administration; provided further, that notwithstanding any general or special law to the contrary, there shall be no maximum percentage applicable to the amount of income paid for rent by each household holding a mobile voucher, but each household shall be required to pay not less than 25 per cent of its net income, as defined in regulations promulgated by the department, for units if payment of utilities is not provided by the unit owner, or, not less than 30 per cent of its income for units if payment of utilities is provided by the unit owner; provided further, that payments for the transitional rental assistance may be provided in advance; provided further, that the department shall establish the amounts of the mobile vouchers, so that the appropriation in this item is not exceeded by payments for rental assistance and administration; provided further, that the department shall not enter into commitments which will cause it to exceed the appropriation set forth in this item; provided further, that the amount of a rental assistance voucher payment for an eligible household shall not exceed the rent less the household's minimum rent obligation; provided further, that the word "rent," as used in this item, shall mean payments to the landlord or owner of a dwelling unit under a lease or other agreement for a tenant's occupancy of the dwelling unit, but shall not include payments made by the tenant separately for the cost of heat, cooking fuel, and electricity; provided further, that the department shall submit an annual report to the budget director, the secretary of administration and finance, and the house and senate committees on ways and means detailing expenditures, the number of outstanding rental vouchers, and the number and types of units leased; provided further, that consistent with chapter 179 of the acts of 1995, the amount appropriated in this item shall not annualize to more than $4,000,000 in fiscal year 2011; and provided further, that the program shall provide funding for not more than 800 mobile vouchers $3,450,000

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

7004-9315 For the low-income housing tax credit program; provided, that the department may expend not more than $2,329,213 from revenue collected from fees collected under Executive Order No. 291, pertaining to low-income housing tax credits, for the costs of administering and monitoring the programs, including the costs of personnel, subject to the approval of the director of the department; and provided further, that notwithstanding any general or special law to the contrary and for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $2,329,213

7004-9316 For a program to provide assistance for homeless families moving into subsidized or private housing and families at risk of becoming homeless due to a significant reduction of income or increase in expenses; provided, that the amount of financial assistance shall not exceed $2,000 per family; provided further, that funds may be used for security deposits, first and last month's rent, electric, gas, sewer and water utility payments for utility arrearages incurred on or after December 1, 2006; provided further, that assistance shall be administered by the department through contracts with the regional non-profit housing agencies; provided further, that no assistance shall be provided to any family with an income in excess of 50 per cent of the area median income; provided further, that prior to authorizing a residential assistance payment for a family, the non-profit housing agency shall make a finding that the family experienced a significant reduction of income or increase in expenses and has secured new income or a change in circumstances and that the payment will enable the family to retain its current housing, obtain new housing, or otherwise avoid homelessness; provided further, that in making these findings the agency shall, unless the facts of the case warrant otherwise, apply a presumption that the payment will enable a family to retain its housing, obtain new housing, or otherwise avoid homelessness if the family is paying less than or equal to 50 per cent of its income for that housing; provided further, that a family who is paying more than 50 per cent of its income for its housing shall be provided a fair opportunity to establish that a residential assistance payment will enable it to retain its housing, obtain new housing, or otherwise avoid homelessness; provided further, that residential assistance payments may be made through direct vendor payments according to standards to be established by the department; provided further, that the agencies shall establish a system for referring families approved for residential assistance payments who the agencies determine would benefit from these services to existing community-based programs that provide additional housing stabilization supports, including assistance in obtaining housing subsidies and locating alternative housing that is safe and affordable for those families; provided further, that the program shall be administered under guidelines established by the department; and provided further, that the department shall provide a status report to the secretary of administration and finance and the house and senate committees on ways and means no later than March 1, 2010, that includes, but is not limited to, all program expenditures, the number of recipients of the funds, the housing status of the recipients before and after receiving assistance, the purposes for which each family used the assistance, the administrative costs and other related costs of the program, including whether such recipient resided or continues to reside in state or federal public housing, and any other information necessary to determine the effectiveness of the program $5,000,000

Office of Consumer Affairs and Business Regulation.

7006-0000 For the office of the director of consumer affairs and business regulation, including expenses of an administrative services unit $982,341

7006-0043 The office of consumer affairs may expend for the administration and enforcement of the home improvement contractor program an amount not to exceed $500,000 from the revenue collected from fees for the registration and renewal of home improvement contractor registrations under section 11 of chapter 142A of the General Laws; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization of the most recent revenue estimate, as reported in the state accounting system $500,000

Division of Banks.

7006-0010 For the operation of the division of banks; provided, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item shall be assessed upon financial institutions which the division currently regulates pursuant to powers granted to the division by the general or special laws or by regulations; and provided further, that this assessment shall be in addition to any assessments that the division currently assesses upon financial institutions and shall be made at a rate sufficient to produce $12,931,502 in additional revenue that shall pay for this item..... $12,931,502

7006-0011 For the costs incurred by the division of banks associated with licensure of loan originators pursuant to chapter 255F of the General Laws; provided, that the division may expend revenues in an amount not to exceed $5,000,000 from the revenue received from administrative fees associated with said licensure fees and from civil administrative penalties pursuant to said chapter 255F; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the commissioner may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system..... $5,000,000

Division of Insurance.

7006-0020 For the operation of the division of insurance, including the expenses of the board of appeal on motor vehicle liability policies and bonds and certain other costs of supervising motor vehicle liability insurance and the expenses of the fraudulent claims board; provided, that the positions of counsel I and counsel II shall not be subject to chapter 31 of the General Laws; provided further, that contracts or orders for the purchase of statement blanks for the making of annual reports to the commissioner of insurance shall not be subject to the restrictions prescribed by section 1 of chapter 5 of the General Laws; provided further, that the division shall designate an employee to handle all incoming calls relative to chapter 218 of the acts of 1995 or regulations promulgated under section 51 of chapter 111 of the General Laws; provided further, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item shall be assessed upon the institutions which the division currently regulates except for licensed business entity producers under powers granted to the division by general or special law or regulation; and provided further, that such assessment shall be in addition to any assessments that the division currently assesses upon such institutions and shall be made at a rate sufficient to produce $11,620,632 in additional revenue that will pay for this item..... $11,620,632

7006-0029 For the operation of the health care access bureau of the division of insurance; provided, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item shall be assessed upon the institutions which the division currently regulates except for licensed business entity producers under powers granted to the division by general or special law or regulation; and provided further, that such assessment shall be in addition to any assessments that the division currently assesses upon such institutions and shall be made at a rate sufficient to produce $1,100,000 in additional revenue that will pay for this item. $1,100,000

Division of Professional Licensure.

7006-0040 For the operation and administration of the division of professional licensure; provided, that of the funds appropriated in this item, sufficient monies shall be expended for the reduction of case backlog at the boards of registration; provided further, that the division shall at all times employ not less than 2 hearing officers to facilitate the processing of cases pending before the various boards; and provided further, that the position of investigator of radio and television technicians shall not be subject to chapter 31 of the General Laws $2,982,991

Division of Standards.

7006-0060 For the operation of the division of standards..... $572,096

7006-0066 For the support of the division of standards' municipal inspection efforts; provided, that up to 15 per cent of the amount appropriated herein may be expended for administrative costs of the division $283,617

7006-0067 For the division of standards; provided, that the division may expend for enforcement of weights and measures laws an amount not to exceed $58,751 from revenues received from item pricing violations collected through municipal inspection efforts, and from weights and measures fees and fines collected from cities and towns $58,751

7006-0068 For the division of standards; provided, that the division may expend an amount not to exceed $360,000 from revenue received from license fees assessed to owners of motor vehicle repair shops $360,000

Department of Telecommunications and Cable.

7006-0071 For the operation of the department of telecommunications and cable; provided, that notwithstanding the second sentence of section 7 of chapter 25C of the General Laws, the assessments levied for fiscal year 2010 pursuant to said section 7 of said chapter 25C shall be made at a rate sufficient to produce $2,685,874..... $2,685,874

State Racing Commission.

7006-0110 For the operation of the state racing commission..... $1,604,173

7006-0140 For distribution to each city and town within which racing meetings are conducted under section 18D of chapter 58 of the General Laws..... $1,179,000

Department of Business Development.

7007-0100 For the office of the director of business development..... $393,908

7007-0150 For equal grants to the 8 regional economic development corporations, councils and partnerships across the commonwealth $800,000

7007-0300 For the operation of the Massachusetts office of business development, which shall include the operation and support of capital grants programs, including the Massachusetts Opportunity Relocation and Expansion Jobs Capital Program, established in chapter 123 of the acts of 2006, and for marketing and promoting the commonwealth in order to attract and retain targeted businesses and industries..... $2,259,352

7007-0500 For the operation and maintenance of the Massachusetts Biotechnology Research Institute for the purpose of promoting the commercialization of new, academic-based research and development, and raising the scientific awareness of the communities of the commonwealth…….$300,000

7007-0800 For a grant for the state match for a small business development center; provided, that no funds may be expended from this item until such time as the United States Small Business Administration has made a payment or has executed a contract to pay the University of Massachusetts at Amherst for the operation of the center; provided further, that the funds expended from this item shall not exceed 25 per cent of the gross operating cost of said center; provided further, that not more than 25 per cent of the amount appropriated herein shall be expended for the purpose of operating federal procurement technical assistance services within said center; provided further, that the services shall include, but not be limited to, assisting businesses in securing federal contracts, obtaining contract financing, generating responses to requests-for-proposals, interpreting bid documents, providing educational workshops and seminars and the electronic identification and tracking of federal bid opportunities; provided further, that funds expended for the purpose of operating federal procurement technical assistance services within said center shall be subject to

the receipt of matching funds from federal or private sources, including the United States Department of Defense; and provided further, that quarterly expenditure reports shall be filed with the house and senate committees on ways and means..... $1,204,286

7007-0900 For the operation and administration of the office of travel and tourism; provided, that performance-based standards shall be incorporated in all contracts executed by said office for the procurement of tourism marketing and advertising services; and provided further, that the organizations shall be required, as a condition of receiving a grant, to submit a total operating budget which identifies each source and use of operating and capital funds; provided further, that not less than $1,250,000 of the amount appropriated herein shall be expended for the operation and administration of the Massachusetts Sports and Entertainment Commission; provided, however, that the Massachusetts Sports and Entertainment Commission shall be the official and lead agency to facilitate and attract major sports events and championships to the commonwealth; and provided further, that the Massachusetts Sports and Entertainment Commission shall establish a division within the commission which shall be the official and lead agency to facilitate motion picture production and development within the commonwealth; and provided further, that not less than $1,000,000 shall be made available through a grant application process established by the office of travel and tourism to offset deficits that may occur during fiscal year 2010 for the highway information centers operating year-round on state highways and federally-assisted highways, and the visitor information centers on Boston Common and the Prudential Center, both in the city of Boston and the Adams Visitor Center in the town of Adams……..$8,733,636

Massachusetts Tourism Fund.....100.0%

7007-0951 For the operation of the Commonwealth Zoological Corporation pursuant to chapter 92B of the General Laws; provided, that funds appropriated in this item shall be expended for the purposes of promoting private fundraising, achieving self-sufficiency and serving as a catalyst for urban economic development and job opportunities for local residents; provided further, that the corporation shall take all steps necessary to increase the amount of private funding available for the operation of the zoos; provided further, that funding in this item may not be transferred through interdepartmental service agreements; and provided further, that the corporation shall report to the house and senate committees on ways and means not later than February 1, 2010, on the status of, and amounts collected from, the private fundraising and enhanced revenue efforts identified in the draft Massachusetts Zoos Business and Operations Plan, dated December, 1996 ..... $6,100,000

7007-1000 For assistance to regional tourist councils under section 14 of chapter 23A of the General Laws; provided, that notwithstanding any general or special law or rule or regulation to the contrary, each of the councils may expend an amount not to exceed 20 per cent of the funds appropriated in this item for the cost of administrative services $6,000,000

7007-1300 For the operation of the Massachusetts international trade council; provided, that subject to final execution of the terms and conditions of a contract, the council shall act on behalf of the department of business development to perform the functions of the Massachusetts office of international trade and investment under sections 23A through 28, inclusive, of chapter 23A of the General Laws……..…$250,000".

Massachusetts Tourism Fund……..…….100%

7007-1500 For the operation and administration of the office of minority and women business assistance; provided, that the office shall administer an electronic business certification application which shall be accessible to business applicants through use of the internet; provided further, that the office shall ensure the integrity and security of personal and financial information transmitted by electronic application; provided further, that the office shall, using all existing available resources, provide certification services within each of the 1-stop regional assistance centers of the Massachusetts office of business development; and provided further, that the office shall develop and implement measures and procedures to continue to improve the efficiency and the timeliness of the certification process $590,252

EXECUTIVE OFFICE OF EDUCATION.

Office of the Secretary.

7009-1700 For the operation of information technology services within the executive office of education $8,009,023

7009-6379 For the operation of the office of the secretary of education; provided, that agencies within the executive office may, with the prior approval of the secretary, streamline and improve administrative operations under interdepartmental service agreements. $762,872

Department of Elementary and Secondary Education.

7010-0005 For the operation of the department of elementary and secondary education; provided, that not later than November 17, 2009, the department shall submit a progress report to the secretary of administration and finance, the chairs of the house and senate committees on ways and means and the house and senate chairs of the joint committee on education on efforts by the department to further define and advance the strategic vision of the department, along with a detailed implementation plan for realizing that vision; provided further that the department, in collaboration with the commission on gay and lesbian youth established by section 67 of chapter 3 of the General Laws, may allocate funds for programming to ensure public schools' compliance with the board of elementary and secondary education's recommendations, which take into account the commission's recommendations, for the support and safety of gay and lesbian students and the implementation of related suicide and violence prevention efforts and reduction of health disparities for GLBT youth; and provided further, that the department shall ensure that hearings and mediations are conducted by hearing officers and mediators who are regular state employees of the bureau of special education appeals and that the hearing officers and mediators shall perform only those functions which are consistent with their duties and responsibilities as impartial and knowledgeable special education hearing officers and mediators in compliance with 20 U.S.C. § 1415(e)-(f), and the bureau's hearing officers and mediators shall be initially the persons who, on April 15, 2009, were serving as hearing officers and mediators in the current bureau; provided further, that funds may be expended for 1-time grants to cities and towns to support transition costs associated with the creation of new regional academic school districts; provided further, that the application for such grants shall be due by August 1, 2009, and the award of the grant shall be to 3 or more towns having independent, local kindergarten through grade 12 school districts voting, by December 31, 2009, to form a new kindergarten through grade 12 academic region consisting of not less than 2,500 students; and provided further, that the grants shall be expended over fiscal years 2010 and 2011 to assist with the costs associated with the transition from independent districts to a single regional district $13,400,821

7010-0012 For grants to cities, towns and regional school districts for payments of certain costs and related expenses for the program to eliminate racial imbalance established under section 12A of chapter 76 of the General Laws; provided, that funds shall be made available for payment for services rendered by METCO, Inc. and Springfield public schools..... $18,491,758

7010-0033 For literacy and early literacy programs including, but not limited to, the Bay State Reading Institute program, the John Silber early literacy program, and the Reading Recovery program; provided, that said programs shall provide ongoing evaluation of the outcomes thereof and shall document said outcomes annually to the department and to the house and senate committees on ways and means $4,175,489

7010-1022 For the development and implementation of certificates of occupational proficiency $209,356

7027-1004 For English language acquisition professional development to improve the academic performance of English language learners and effectively implement sheltered English immersion as outlined in chapter 386 of the acts of 2002; provided, that the department shall only approve professional development courses and offerings with proven, replicable results in improving teacher performance, and which shall have demonstrated the use of best practices, as determined by the department, including data comparing pre-training and post-training knowledge; provided further,

that the department shall, not later than February 15, 2010, provide a report on the number of educators who have received such training since passage of said chapter 386 the estimated number who need such additional training, and a review and analysis of the most effective types of professional development and the most common gaps in the knowledge base of educators implementing English immersion and teaching English language acquisition, along with legislative or regulatory recommendations of the department; provided further, that said report shall be provided to the secretary of administration and finance, the senate president, the speaker of the house, the chairs of the house and senate ways and means committees and the house and senate chairs of the joint committee on education; and provided further, that no funds shall be expended for personnel costs $397,937

7028-0031 For the expenses of school age children in institutional schools under section 12 of chapter 71B of the General Laws; provided, that the department may provide special education services to eligible inmates in county houses of correction; provided further, that the department of youth services shall continue to collaborate with the department of elementary and secondary education in order to align curriculum at the department of youth services with the statewide curriculum frameworks and to ease the reintegration of youth from facilities at the department of youth services into regular public school settings; and provided further, that the department of elementary and secondary education, in conjunction with the commissioner of youth services, shall submit a report on progress made to the house and senate committees on ways and means not later than December 1, 2009 ..... $7,685,712

7030-1002 For kindergarten development grants to provide ongoing grant awards to continue quality enhancement of existing full-day kindergarten classrooms; provided, that the department shall administer a grant program to encourage the voluntary expansion of high quality, full-day kindergarten education throughout the commonwealth; provided further, that grants funded through this appropriation shall not annualize to more than $18,000 per classroom in subsequent fiscal years; provided further, that preference shall be given to grant applicants with high percentages of students scoring in levels 1 or 2 on the Massachusetts comprehensive assessment system exam, as determined by the department based on available data; provided further, that any grant funds distributed from this item shall be deposited with the treasurer of such city, town or regional school district and held in a separate account and shall be expended by the school committee of such city, town or regional school district without further appropriation, notwithstanding any general or special law to the contrary; provided further, that such program shall supplement and shall not supplant currently funded local, state and federal programs at the school or district; provided further, that not later than January 15, 2010, the department shall report to the house and senate committees on ways and means on the total number of grants requested and awarded; provided further, that the report shall detail common factors associated with both successful and unsuccessful applications and shall include the total number of full-day and half-day kindergarten classrooms projected to be in operation in public schools in fiscal year 2011; and provided further, that no funds shall be expended for personnel costs..... $26,748,947

7035-0002 For the provision and improvement of adult basic education services, including reading, writing and mathematics; provided, that grants shall be distributed to a diverse network of organizations which have demonstrated commitment and effectiveness in the provision of such services and that are selected competitively by the department of elementary and secondary education; provided further, that such grants shall support the successful transition of students from other adult basic education programs to community college certificate and degree-granting programs; provided further, that such grants shall be contingent upon satisfactory levels of performance as defined and determined by the department; provided further, that in no case shall grants be considered an entitlement to a grant recipient; provided further, that the department shall consult with the community colleges and other service providers in establishing and implementing content, performance and professional standards for adult basic education programs and services; and provided further, that no funds shall be expended for personnel costs at the department of elementary and secondary education $28,085,096

7035-0006 For reimbursements to regional school districts for the transportation of pupils; provided, that notwithstanding any general or special law to the contrary, the commonwealth's obligation shall

not exceed the amount appropriated in this item $30,521,840

7035-0007 For reimbursements to cities, towns, regional vocational or county agricultural school districts, independent vocational schools, or collaboratives for certain expenditures for transportation of nonresident pupils to any approved vocational-technical program of any regional or county agricultural school district, city, town, independent school or collaborative pursuant to section 8A of chapter 74 of the General Laws; provided, that should the amount appropriated herein be insufficient to fully fund said section 8A, initial reimbursements made by the department of elementary and secondary education may be pro-rated by the department to all eligible cities, towns, regional vocational or county agricultural school districts, independent vocational schools, or collaboratives; and provided further, that upon a determination by the department that the funds appropriated in this item are insufficient to meet the commonwealth's full obligation under said section 8A, the department shall, within 10 days, notify the secretary of administration and finance, the house and senate chairs of the joint committee on education, and the chairs of the house and senate ways and means committees of the amount needed to fully fund said obligation $646,855

7051-0015 For operating funds to distribute food for the Massachusetts emergency food assistance program $1,239,518

7053-1909 For reimbursements to cities and towns for partial assistance in the furnishing of lunches to school children, including partial assistance in the furnishing of lunches to school children as authorized by chapter 538 of the acts of 1951, and for supplementing funds allocated for the special milk program; provided, that notwithstanding any general or special law to the contrary, payments so authorized in the aggregate for partial assistance in the furnishing of lunches to school children shall not exceed the required state revenue match contained in Public Law 79-396, cited as the National School Lunch Act and in the regulations implementing the act..... $5,426,986

7053-1925 For the school breakfast program for public and nonpublic schools and for grants to improve summer food programs during the summer school vacation period; provided, that funds shall be expended for the summer food service outreach program and the school breakfast outreach program; provided further, that within the summer food program, priority shall be given to extending such programs for the full summer vacation period and promoting increased participation in such programs; provided further, that the department of elementary and secondary education shall solicit proposals from returning sponsors and school food authorities in time for implementation of such grant program during the summer of 2010; provided further, that such grants shall only be awarded to sponsors who can demonstrate their intent to offer full summer programs or increase participation; provided further, that the department shall require sufficient reporting from each grantee to measure the success of such grant program; provided further, that the department shall select grantees for the program authorized by this item not later than March 30, 2010; provided further, that funds shall be expended for the universal school breakfast program in which all children in schools receiving funds under the program shall be provided free, nutritious breakfasts at no cost to them; provided further, that subject to regulations of the board that specify time and learning standards, breakfasts shall be served during regular school hours; provided further, that participation shall be limited to those elementary schools mandated to serve breakfast under section 1C of said chapter 69 where 60 per cent or more of the students are eligible for free or reduced-price meals under the federally-funded school meals program; provided further, that the department shall select school sites for programs authorized by this item not later than November 16, 2009, and shall report to the house and senate committees on ways and means on the preliminary results of these grants not later than January 8, 2010; provided further, that nothing in the universal school breakfast program shall give rise to enforceable legal rights in any party or enforceable entitlement to services; and provided further, that the department shall select grantees for the program authorized by this item not later than March 30, 2010, prior appropriation continued..... $4,177,635

7061-0008 For school aid to cities, towns, regional school districts, counties maintaining agricultural schools, independent vocational schools and independent agricultural and technical schools to be distributed under chapters 70 and 76 of the General Laws and section 3; provided, that each school

district shall report annually to the department of elementary and secondary education on its professional development expenditures, in a manner and form prescribed by the commissioner and consistent with the accountability requirements of the federal No Child Left Behind Act P.L.107-110; provided further, that the department of elementary and secondary education shall report annually to the house and senate committees on ways and means on school districts' professional development spending; and provided further, that the governor may allocate $180,035,732 made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein $3,869,847,585

7061-0011 For a reserve to: (1) meet extraordinary increases in the minimum required local contribution of a municipality pursuant to the requirements of section 3; provided, that a municipality seeking funds hereunder shall apply for a waiver from the department of revenue pursuant to section 40; provided further, that the commissioner shall issue a finding concerning such waiver applications within 30 days of the receipt thereof, after consulting with the commissioner of elementary and secondary education regarding the merits of such application; (2) assist regional school districts which, prior to fiscal year 2010, have assessed member towns using the provisions of their regional agreement and which, in fiscal year 2010, will assess member towns using the required contributions calculated pursuant to section 3; (3) assist towns impacted by stresses in the commercial agricultural, fishing or lobster industry whose required local contribution exceeds 75 per cent of their foundation budget; (4) assist towns negatively impacted by shortfalls in federal impact aid for the education of children in families employed by the federal government on military reservations located within the town's limits; provided, that any grants provided under this item shall be expended by a school committee without further appropriation; (5) assist regional school districts in rural areas which meet each of the following: (a) they have fewer than 30 full-time enrollment students per square mile; and (b) they have experienced more than 7 per cent enrollment decline between fiscal year 2004 and fiscal year 2009; provided further, that preference shall be given to those districts that have joined the group insurance commission before July 1, 2009; (6) meet extraordinary increases of greater than 10 per cent in a municipality's total required contribution in municipalities whose target required local contribution exceeds 70 per cent of their foundation budget; provided, that not less than $500,000 shall be used for this purpose; (7) assist towns in which in excess of one-third of the total land mass of the town is owned and controlled by the commonwealth and which receive payment in lieu of taxes on less than 25 per cent of said land; (8) assist operating districts in which the chapter 70 aid distributed in fiscal year 2010 is less than the chapter 70 aid distributed in fiscal year 2002; and (9) assist towns which host a campus of the University of Massachusetts, but which have a target aid percentage of only 17.5 per cent; provided further, that any grants provided to school districts from this item shall be expended by a school committee without further appropriation; provided further, that the department shall make not less than 80 per cent of the awards from this item not later than October 14, 2009; and provided further, that no funds distributed from this item shall be considered prior year chapter 70 aid nor shall they be used in the calculation of the minimum required local contribution for fiscal year 2011……...$3,500,000

7061-0012 For the reimbursement of extraordinary special education costs under section 5A of chapter 71B of the General Laws; provided, that reimbursements shall be prorated so that expenses of this item do not exceed the amount appropriated in this item; provided further, that upon receipt by the department of elementary and secondary education of required special education cost reports from school districts, the department shall reimburse districts based on fiscal year 2009 claims; provided further, that the department may expend funds to continue and expand voluntary residential placement prevention programs between the department of elementary and secondary education and other departments within the executive office of health and human services that develop community-based support services for children and their families; provided further, that the department shall make funds available to the department of developmental services for the voluntary residential placement prevention program administered by that department; provided further, that the department shall expend funds to provide books in accessible synthetic audio format made available through the federal NIMAS-NIMAC book repository, to do outreach and training of teachers and students for the use of NIMAS-NIMAC and human speech audio digital textbooks, and for human voice recording of MCAS exams; provided further, that the department shall expend funds for the costs of borrowing audio textbooks by special education students;

provided further, that funds may be expended for the monitoring and follow-up activities of the department's complaint management system, review and approval of local educational agency applications, and local school districts' compliance with the part B requirements of the federal Special Education Law, known as the Individuals with Disabilities Education Act, in the provision of special education and related services to children with disabilities; provided further, that these monitoring activities shall occur in each school district in cycles of not less than 3 years; provided further, that funds may be expended to administer the reimbursements funded herein; provided further, that funds may be expended to reimburse districts for extraordinary increases in costs incurred during fiscal year 2010 which would be reimbursable under said section 5A of said chapter 71B; provided further, that reimbursements for current year costs shall be limited to school districts which experience increases of greater than 25 per cent from costs reimbursable under said section 5A of said chapter 71B and incurred during fiscal year 2009 to costs reimbursable under said section 5A of said chapter 71B and incurred during fiscal year 2010 or other cases of extraordinary hardship where special education costs increase in relationship to total district costs as the department may define through regulation or guidelines; provided further, that reimbursements for current year costs shall be allocated as 1-time grants and shall not decrease reimbursements in the following fiscal year; provided further, that the department shall conduct audits of fiscal year 2009 claims; provided further, that if the claims are found to be inaccurate, the department shall recalculate the fiscal year 2010 reimbursement amount and adjust the third and fourth quarter payments to the districts to reflect the new reimbursement amount; and provided further, that the department shall file a report with the house and senate committees on ways and means not later than February 15, 2010 on the results of the audits $141,113,160

7061-0029 For the office of school and district accountability, established in section 55A of chapter 15 of the General Laws..... $1,373,226

7061-9010 For fiscal year 2010 reimbursements to certain cities, towns and regional school districts of charter school tuition and the per pupil capital needs component included in the charter school tuition amount for commonwealth charter schools, as calculated under subsections (nn) and (oo) of section 89 of chapter 71 of the General Laws; provided, that notwithstanding said subsection (nn) of said section 89 of said chapter 71 or any other general or special law to the contrary, the per pupil capital needs component of the commonwealth charter school tuition rate for fiscal year 2010 shall be $893; and provided further, that if the amount appropriated is insufficient to fully fund all reimbursements required by said section 89 of said chapter 71, the department shall fully reimburse the cost of such per pupil capital needs component and shall prorate the tuition reimbursements calculated under said subsection (oo) of said section 89 of said chapter 71 …….…. $79,571,579

7061-9200 For the education technology program..... $657,526

7061-9400 For student and school assessment including the administration of the Massachusetts comprehensive assessment system (MCAS) exam established by the board of elementary and secondary education pursuant to sections 1D and 1I of chapter 69 of the General Laws and for grants to school districts to develop portfolio assessments for use in individual classrooms as an enhancement to student assessment; provided, that as much as is practicable, especially in the case of students whose performance is difficult to assess using conventional methods, such instruments shall include consideration of work samples and projects and shall facilitate authentic and direct gauges of student performance; provided further, that such portfolio assessments shall not replace the statewide standardized assessment based on the curriculum frameworks; provided further, that all school assessments shall center on the academic standards embodied in the curriculum frameworks and shall involve gauges which shall be relevant and meaningful to students, parents, teachers, administrators and taxpayers pursuant to the first paragraph of section 1L of said chapter 69; and provided further, that notwithstanding any general or special law to the contrary, assessment of proficiency in English shall be administered in English..... $25,290,411

7061-9404 For grants to cities, towns and regional school districts to provide targeted remediation programs for students in the classes of 2003 to 2014, inclusive, scoring in level 1 or 2 on the Massachusetts comprehensive assessment system (MCAS) exam established by the board of elementary and secondary education pursuant to sections 1D and 1I of said chapter 69 of the General Laws;

provided, that the department and districts shall ensure that services are available to students with disabilities; provided further, that in awarding remediation funds, preference may be given to schools and districts at risk of or determined to be under-performing in accordance with sections 1J and 1K of said chapter 69; provided further, that the purpose of this program shall be to improve students' performance on the MCAS exam through replication of services and educational strategies with proven results as determined by the department of elementary and secondary education; provided further, that such programs shall supplement currently funded local, state, and federal programs at the school or district; provided further, that funds shall be expended for a competitive grant program to fund academic support and college transition services to be implemented in fiscal year 2010, and operated by public institutions of higher education or by public-private partnerships, for students in the graduating classes of 2003 to 2010, inclusive, who have completed high school but have not yet obtained a competency determination as defined in said section 1D of said chapter 69 as measured by the MCAS assessment instrument authorized by said section 1I of said chapter 69, but who are working to pass the English and math MCAS tests, obtain a competency determination, and earn a high school diploma; provided further, that for the purpose of the programs, appropriated funds may be expended through August 31, 2010, to allow for summer remediation programs; provided further, that funds shall be expended for a competitive grant program to fund Pathways programs targeting eleventh and twelfth graders, instituted by local school districts, public institutions of higher education and qualified public and private educational services organizations and one stop career centers including, but not limited to, school-to-work connecting activities, creating worksite learning experiences for students as an extension of the classroom, outreach programs for students who will need post-twelfth grade remediation to attain the skills necessary to pass MCAS, and counseling programs to educate parents and high school students on post-twelfth grade remediation options; provided further, that funds shall be expended for a competitive grant program, guidelines for which shall be developed by the department of elementary and secondary education, for intensive remediation programs in communities with students in the graduating classes of 2003 to 2014, inclusive, who have not obtained a competency determination or have scored in levels 1 or 2 on either the English or math MCAS exams; provided further, that the department of elementary and secondary education may give preference for such assistance to those districts with a high percentage of high school students scoring in level 1 on the MCAS exam in English and math; provided further, that eligible applicants shall include individual high schools, and those institutions which shall have partnered with a high school or group of high schools; provided further, that no district shall receive a grant from this appropriation until it submits to the department of elementary and secondary education a comprehensive district plan pursuant to the provisions of said section 1I of said chapter 69, to improve performance of all student populations including, but not limited to, students with disabilities; provided further, that an evaluation shall examine the likelihood and efficiency of replication of these programs and practices in school districts with a large percentage of English language learners; provided further, that these funds may be expended for professional development related to these programs; provided further, that the department shall issue a report not later than February 2, 2010, and annually thereafter as a condition of continued funding under this account, in collaboration with the department of higher education, describing MCAS support programs for the graduating classes of 2003 to 2014, inclusive, funded by items 7061-9404 and 7027-0019, school to work accounts, institutions of public higher education, and other sources, including federal sources; provided further, that such report shall include, but not be limited to, the number of students eligible to participate in such programs, the number of students participating in such programs, the number of students who have passed the MCAS assessment and obtained a competency determination through these programs but not met local graduation requirements, and the number of students who have passed the MCAS assessment and obtained a competency determination through these programs and met local graduation requirements; provided further, that said report shall be provided to the chairs of the house and senate ways and means committees and the house and senate chairs of the joint committee on education; provided further, that any grant funds distributed from this item to a city, town or regional school district shall be deposited with the treasurer of such city, town, or regional school district and held in a separate account and shall be expended by the school committee of such city, town, or regional school district without further appropriation, notwithstanding any general or special law to the contrary; and provided further, that no costs shall be expended for personnel costs; and provided further, that funds may be expended to continue mentoring initiatives that combat the chronic dropout of at-risk youths

that were funded in item 7030-1003 of section 2 of chapter 182 of the acts of 2008..... $9,294,804

7061-9408 For targeted intervention to schools and districts at risk of or determined to be under-performing under sections 1J and 1K of chapter 69 of the General Laws, schools and districts which have which have been placed in the accountability status of identified for improvement, corrective action, or restructuring pursuant to departmental regulations, or which have been designated commonwealth priority schools or commonwealth pilot schools pursuant to said regulations; provided, that no money shall be expended in any school or district that fails to file a comprehensive district plan pursuant to the provisions of section 1I of said chapter 69; provided further, that the department shall only approve reform plans with proven, replicable results in improving student performance; provided further, that in carrying out the provisions of this item, the department may contract with school support specialists, turnaround partners, and such other external assistance as is needed in the expert opinion of the commissioner, to successfully turn around failing school and district performance; provided further, that no funds shall be expended on targeted intervention unless the department shall have approved, as part of the comprehensive district improvement plan, a professional development plan which addresses the needs of the district as determined by the department; provided further, that eligible professional development activities for purposes of this item shall include, but not be limited to: professional development among teachers of the same grade levels and teachers of the same subject matter across grade levels, professional development focused on improving the teacher's content knowledge in the field or subject area in which the teacher is practicing, professional development which provides teachers with research-based strategies for increasing student success, professional development teaching the principles of data driven instruction, and funding which helps provide common planning time for teachers within a school and within the school district; provided further, that preference in the awarding of such funds shall be given to professional development in math and English content skills; provided further, that funds from any targeted intervention grant may be used to partially offset the cost of said professional development and common planning time; provided further, that funds may be expended for the purchase of instructional materials pursuant to section 57 of chapter 15 of the General Laws; provided further, that no funds shall be expended on instructional materials unless the purchase of such materials is part of a comprehensive plan to align the school or district curriculum with the Massachusetts curriculum frameworks; provided further, that preference in distributing funds shall be made for proposals which coordinate reform efforts within all schools of a district in order to prevent conflicts between multiple reforms and interventions among the schools; provided further, that the department shall issue a report, not later than February 1, 2010 and annually thereafter describing and analyzing all intervention and targeted assistance efforts funded by this item; provided further, that such report shall include, but not be limited to: the number of school and school districts eligible to receive such assistance, the number of students attending school in said districts, the nature and type of intervention activities funded through this item, by school and school district, the number of teachers in professional development funded in part through this item, the number of districts with curricula or professional development systems aligned with the Massachusetts curriculum frameworks, and the number that are undertaking that effort with grants funded by this item, the number of outside vendors with whom the department has contracted to provide intervention and turnaround services, the amount each vendor has received and the results obtained in each instance, the number of students who have passed the MCAS assessment and obtained a competency determination through these programs before, and during, the period of intervention and turnaround and any other data relative to the successes achieved or challenges faced by the effort to turn around schools, along with any legislative or budgetary recommendations for improving the initiative and increasing the success of all intervention efforts; provided further, that said report shall include an analysis of the number of districts with curriculum plans not aligned to the Massachusetts curriculum frameworks, along with any legislative and regulatory recommendations to address the issue; provided further, that said report shall indicate the number of schools which have accepted the commonwealth pilot school model, the reforms which they have undertaken, and the number which have expressed interest in the pilot school option; provided further, that said report shall be provided to the secretary of administration and finance, the senate president, the speaker of the house, the chairs of the house and senate ways and means committees and the house and senate chairs of the joint committee on education; provided further, that no funds shall be expended on recurring school or school district expenditures unless the department and school district have

developed a long-term plan to fund such expenditures from the district's operational budget; and provided further, that any funds distributed from this item to a city, town or regional school district shall be deposited with the treasurer of such city, town, or regional school district and held in a separate account and shall be expended by the school committee of such city, town, or regional school district without further appropriation, notwithstanding any general or special law to the contrary; provided further, that funds may be expended for the continuation of a parent engagement program pursuant to item 7061-9408 of section 2 of chapter 182 of the acts of 2008. ..... $6,900,841

7061-9412 For grants to cities, towns, and regional school districts for the purpose of planning for and implementing expanded learning time in the form of longer school days or school years at selected schools; provided, that implementation grants shall only be provided under this item to schools and districts which submitted qualifying applications which were approved by the department in fiscal year 2009 and which including a minimum of an additional 300 hours on a mandatory basis for all children attending that school; provided further, that in approving expanded learning time implementation grant applications, preference shall be given to districts with high poverty rates or a high percentage of students scoring in levels I or II on the Massachusetts Comprehensive Assessment System, those districts with proposals that have the greatest potential for district-wide impact, those districts that plan to utilize partnerships with community-based organizations and institutions of higher education, and those districts with proposals that include a comprehensive restructuring of the entire school day or year or both to maximize the use of the additional learning time; provided further, that the department shall approve implementation proposals that include an appropriate mix of additional time spent on core academics, additional time spent on enrichment opportunities such as small group tutoring, homework help, music, arts, sports, physical activity, health and wellness programs, project-based experiential learning and additional time for teacher preparation or professional development or both; provided further, that the department shall only approve implementation proposals that assume not more than $1,300 per pupil per year in future state appropriations of expanded learning time implementation funds; provided further, that in extraordinary cases the department may exceed the $1,300 per pupil per year limit; provided further, that the department shall review all qualified proposals and award approved grants not later than August 14, 2009; provided further, that in carrying out this item, funds may be expended by the department to evaluate the impact and effectiveness of the program; provided further, that the department shall issue a report, not later than February 2, 2010 on the implementation of plans in all participating districts; provided further, that said report shall include, but not be limited to: the names of schools and school districts participating; the number of students attending these schools and the nature and type of changes made in participating schools as a result of this program; provided further, that the report shall also include an anticipated budget for this program for the next fiscal year and a breakdown of the distribution of the $1,300 per student by school; provided further, that said report shall be provided to the secretary of administration and finance, the senate president, the speaker of the house, the chairs of the house and senate committees on ways and means and the house and senate chairs of the joint committee on education; provided further, that any grant funds distributed from this item to a city, town, or regional school district shall be deposited with the treasurer of such city, town, or regional school district and held in a separate account and shall be expended by the school committee of such city, town or regional school district without further appropriation, notwithstanding any general or special law to the contrary; and provided further, that no funds shall be expended for personnel costs at the department of elementary and secondary education $15,672,375

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

accommodations necessary to facilitate a student's enrollment; provided further, that the department, in consultation with the department of higher education, shall develop guidelines to ensure that the grant program promotes civic engagement and mentoring of faculty in state institutions of higher education and supports college success, work success, participation in student life of the college community and provision of a free appropriate public education in the least restrictive environment; provided further, that funds may be distributed to the department of higher education in order to increase the capacity of public institutions of higher education to include students with severe disabilities in the concurrent enrollment pilot program; provided further, that funds may be allocated to the department of elementary and secondary education to provide training and technical assistance to school districts for program implementation; and provided further, that the department of elementary and secondary education, in consultation with the department of higher education, shall report to the house and senate committees on ways and means, the joint committee on education and the joint committee on higher education on said discretionary grant program not later than February 15, 2010..... $721,000

7061-9604 For teacher preparations and certification..... $1,599,351

7061-9611 For grants or subsidies for after-school and out-of-school programs; provided, that preference shall be given to after-school proposals developed collaboratively by public and non-public schools and private community-based programs; provided further, that the department shall fund only those applications which contain accountability systems and measurable outcomes, under guidelines to be determined by the department in consultation with the department of early education and care; provided further, that applicants shall detail funds received from all public sources for existing after-school and out-of-school programs and the types of programs and type of students served by said funds; provided further, that funds may be directed to increase comprehensive after-school and out-of-school time programming to school age children and youth during the school year and the summer including, but not limited to, 21st century community learning centers programs; provided further, that funds from this item may be used for a variety of activities including, but not limited to: (1) academic tutoring and homework centers where content is linked to and based on the curriculum guidelines promulgated by said department; (2) programs which improve the health of students, including physical activities, athletics, nutrition and health education, and exercise, (3) art, theater, and music programs developed in collaboration with the Massachusetts cultural council, local cultural councils, or cultural organizations in the commonwealth funded by the Massachusetts cultural council; (4) enrichment activities not otherwise provided during the school day; (5) advanced study for the gifted and talented; and (6) community service programs; provided further, that the department of elementary and secondary education shall consult the executive office of health and human services and the department of early education and care to maximize the provision of wrap-around services and to coordinate programs and services for children and youth during after-school and out-of-school time programs; provided further, that the department shall select grant recipients not later than September 30, 2009, and shall report on the preliminary results of said grants not later than February 15, 2010, to the secretary of administration and finance, the house and senate chairs of the joint committee on education, and the chairs of the house and senate committees on ways and means; and provided further, that funds shall be expended to convene regional networks, to work with the department of elementary and secondary education and the department of early education and care to support the implementation of school-community partnerships and to submit a report not later than October 15, 2009, to the general court and the governor making recommendations relative to enhancing school-community partnerships and positive outcomes for children and youth through funding as provided in this item $2,000,000

7061-9612 For the school of excellence program at the Worcester Polytechnic Institute…$1,300,000

7061-9614 For the alternative education grant program established pursuant to section 1N of chapter 69 of the General Laws; provided, that the commissioner shall allocate funds for both subsections (a) and (b) of said section 1N of said chapter 69; and provided further, that no funds shall be expended for personnel costs…….$200,000

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

7061-9626 For grants and contracts with youth-build programs for the purposes of providing comprehensive youth-build services $1,500,000

7061-9634 For a transfer of this item to the Massachusetts Service Alliance, which shall be responsible for administering a competitive statewide grant program for public and private agencies to start or expand youth mentoring programs according to current best practices and for such purposes as advancing academic performance, self-esteem, social competence and workforce development; provided, that the department of elementary and secondary education shall transfer the amount appropriated in this item to the Massachusetts Service Alliance for the purpose of these grants; provided further, that in order to be eligible to receive funds from this item, each public or private agency shall provide a matching amount equal to $1 for every $1 disbursed from this item; and provided further, that the Massachusetts Service Alliance shall submit a report detailing the impact of such grants, the expenditure of funds and the amount and source of matching funds raised to the department of elementary and secondary education…… $517,320

7061-9804 For teacher content training in math and science; provided, that said training shall include math specialist and Massachusetts test for educator licensure preparation; provided further, that funds from this item shall be expended on content based professional development in math and science, with a focus on increasing the content knowledge of elementary and middle school math and science teachers in districts with a high percentage of students scoring in level 1 or 2 on the math or science Massachusetts Comprehensive Assessment System exams, or in districts which are at risk of or determined to be underperforming in accordance with sections 1J and 1K of chapter 69 of the General Laws; provided further, that such professional development courses shall demonstrate proven, replicable results in improving teacher and student performance, and shall demonstrate the use of best practices, as determined by the department, including data comparing pre-training and post-training content knowledge; provided further, that the department shall report, not later than February 15, 2010, on the number of educators provided content training under this item, the estimated number of math and science teachers currently teaching without certification, and any legislative or regulatory recommendations necessary to make middle school and elementary math and science education more rigorous and data driven; provided further, that said report shall be provided to the secretary of administration and finance, the senate president, the speaker of the house, the chairs of the house and senate committees on ways and means and the house and senate chairs of the joint committee on education; and provided further, that no funds shall be expended for personnel costs $386,227

Department of Higher Education.

7066-0000 For the operation of the department of higher education, the commonwealth's share of the cost of the compact for education, and its annual assessment to the New England Board of Higher Education; provided that the department shall recommend savings proposals that permit public institutions of higher education to achieve administrative and program cost reductions, resource re-allocation and program re-assessment and to utilize resources otherwise available to such institutions; and provided further, that in order to meet the estimated costs of employee fringe benefits provided by the commonwealth on account of employees of the Massachusetts State College Building Authority and the University of Massachusetts Building Authority, and in order to meet the estimated cost of heat, light, power and other services, if any, to be furnished by the commonwealth to projects of these authorities, the boards of trustees of the state colleges and the University of Massachusetts shall transfer to the General Fund from the funds received from the operations of the projects such costs, if any, as shall be incurred by the commonwealth for these purposes in the current fiscal year, as determined by the appropriate building authority, verified by the commissioner of higher education and approved by the secretary of administration and finance $2,392,549

7066-0015 For the community college workforce training incentive grant program established in section 15F of

chapter 15A of the General Laws $1,250,000

7066-0019 For the department of higher education to make payments to public higher education institutions for the dual enrollment program allowing qualified high school students to take college courses; provided, that public higher education institutions may offer courses in high schools in addition to courses offered at the institutions or online if the number of students is sufficient $750,000

7066-0020 For the nursing and allied health workforce development initiative, to develop and support strategies that increase the number of public higher education faculty members and students who participate in programs that support careers in fields related to nursing and allied health; provided, that the amount appropriated in this item shall be transferred to the Massachusetts Nursing and Allied Health Workforce Development Trust Fund established in section 33 of chapter 305 of the acts of 2008; provided further, that funds shall be transferred to the Trust Fund according to an allotment schedule adopted by the executive office for administration and finance; and provided further, that the department of higher education shall provide monthly expenditure reports to the executive office for administration and finance and the house and senate committees on ways and means $1,000,000

7066-0025 For a scholarship program to provide financial assistance to Massachusetts students enrolled in and pursuing a program of higher education in any approved public or independent college, university, school of nursing, or any other approved institution furnishing a program of higher education; provided, that all scholarship programs receiving funding through this item shall follow the same guidelines as detailed in item 7070-0065 of section 2 of chapter 182 of the acts of 2008; provided further, that funds from this item may be expended for the administration of the scholarship program; provided further, that the commissioner of higher education, in coordination with the Massachusetts state scholarship office, shall adopt regulations governing the eligibility and the awarding of financial assistance; provided further, that a program of financial aid to support the matriculation of certain persons at public and private institutions of higher learning who are in the custody of the department of children and families under a care and protection petition upon reaching the age of 18, or in the custody of the department matriculating at such an institution at an earlier age shall be funded from this item; provided further, that no such person shall be required to remain in the custody of the department beyond age 18 to qualify for such aid; and provided further, that this aid shall not exceed $6,000 per recipient per year; provided further, that this aid shall be granted after exhausting all other sources of financial support; provided further, that funds shall be expended for reimbursement of the adopted child and foster children tuition and fee waivers under section 19 of chapter 15A of the General Laws; and provided further, that no funds shall be distributed from this item prior to certification by the state and community colleges and the University of Massachusetts of the actual amount of tuition and fees waived for adopted and foster children attending public institutions of higher education under said section 19 of said chapter 15A that would otherwise have been retained by the campuses, according to procedures and regulations promulgated by the board of higher education $89,024,779

7077-0023 For a contract with the Tufts School of Veterinary Medicine; provided, that funds appropriated in this item shall be expended under the resident veterinary tuition remission plan submitted January 8, 1998, for supportive veterinary services provided to the commonwealth; provided further, that prior year costs may be paid from this item; provided further, that funds appropriated in this item shall support bioterrorism prevention research related to diseases that can be transmitted from animals to humans, in consultation with Massachusetts emergency authorities; and provided further, that the school shall work in consultation with the Norfolk County Agricultural School on veterinary programs $2,500,000

7520-0424 For a health and welfare reserve for eligible personnel employed at the community and state colleges $5,494,616

University of Massachusetts.

7100-0200 For the operation of the University of Massachusetts, including capital lease payments to the

Massachusetts Development Finance Agency and for annual operations of the advanced technology and manufacturing center, facilities costs associated with the college of visual and performing arts at the University of Massachusetts Dartmouth, and the University of Massachusetts Amherst Cranberry Station; provided, that notwithstanding any general or special law to the contrary, the university may establish and organize auxiliary organizations, subject to policies, rules and regulations adopted by the board, to provide essential functions which are integral to the educational mission of the university; provided further, that notwithstanding any general or special law to the contrary, the university may enter into leases of real property without prior approval of the division of capital asset management and maintenance; provided further, that funds may be expended for the operation of the University of Massachusetts Boston's Edward J. Collins Center for Public Management; provided further, that funds may be expended for the operation of the department of higher education's Commonwealth College honors program at the University of Massachusetts Amherst; provided further, that funds may be provided to the University of Massachusetts Medical School to enhance efforts to increase the number of graduating medical students in primary care specialties; provided further, that the governor may allocate $83,431,964, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein; and provided further, that the university may expend funds from this item for the operation of an inner-city youth collaborative at the UMass Field Station on Nantucket to learn about the nature, ecology environment, science and history of the island; $408,820,034

7100-0300 For the operation of the Toxics Use Reduction Institute program at the University of Massachusetts Lowell, in accordance with section 6 of chapter 21I of the General Laws $1,228,972

7100-0700 For the operation of the office of dispute resolution at the University of Massachusetts Boston under section 46 of chapter 75 of the General Laws $145,302

State Colleges.

7109-0100 For Bridgewater State College; provided, that the governor may allocate $5,381,997, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein $34,153,292

7110-0100 For Fitchburg State College; provided, that the governor may allocate $3,595,755, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein $24,213,899

7112-0100 For Framingham State College; provided, that the governor may allocate $4,311,031, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein $20,541,080

7113-0100 For the Massachusetts College of Liberal Arts; provided, that the governor may allocate $2,063,217, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein $12,309,513

7114-0100 For Salem State College; provided, that the governor may allocate $7,322,978, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein $32,501,837

7115-0100 For Westfield State College; provided, that the governor may allocate $3,038,220, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein $20,184,505

7116-0100 For Worcester State College; provided, that the governor may allocate $3,166,568, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein $20,501,687

7117-0100 For the Massachusetts College of Art; provided, that the governor may allocate $4,034,976, made

available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein $11,167,184

7118-0100 For the Massachusetts Maritime Academy; provided, that the governor may allocate $2,969,817, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein $11,107,771

Community Colleges.

7502-0100 For Berkshire Community College; provided, that the governor may allocate $1,156,870, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein $8,226,345

7503-0100 For Bristol Community College; provided, that the governor may allocate $2,488,902, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein $13,687,490

7504-0100 For Cape Cod Community College; provided, that the governor may allocate $1,740,986, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein; and provided further, that funding may be expended for the operation of the environmental technology, education and job training partnership $9,829,611

7505-0100 For Greenfield Community College; provided, that the governor may allocate $1,159,094, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein $8,062,547

7506-0100 For Holyoke Community College; provided, that the governor may allocate $2,777,524, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein $15,973,761

7507-0100 For Massachusetts Bay Community College; provided, that the governor may allocate $1,756,918, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein $12,286,568

7508-0100 For Massasoit Community College; provided, that the governor may allocate $2,938,912, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein $17,407,014

7509-0100 For Mount Wachusett Community College; provided, that the governor may allocate $2,407,460, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein $10,427,486

7510-0100 For Northern Essex Community College; provided, that the governor may allocate $2,610,296, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein $16,554,154

7511-0100 For North Shore Community College, including the post-secondary programs of the Essex Agricultural and Technical Institute operated by North Shore Community College; provided, that the governor may allocate $2,964,511, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein $17,638,434

7512-0100 For Quinsigamond Community College; provided, that the governor may allocate $2,260,435, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein $12,974,525

7514-0100 For Springfield Technical Community College; provided, that the governor may allocate $3,976,095,

made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein $20,720,495

7515-0100 For Roxbury Community College; provided, that the governor may allocate $2,104,852, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein $9,266,398

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

7516-0100 For Middlesex Community College; provided, that the governor may allocate $3,099,228, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein $16,979,751

7518-0100 For Bunker Hill Community College; provided, that the governor may allocate $3,180,594, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein $17,697,906

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY.

Office of the Secretary.

8000-0000 For the office of the secretary, including the administration of the committee on criminal justice and the highway safety bureau to provide matching funds for a federal planning and administration grant pursuant to 23 U.S.C. section 402 and the costs associated with the implementation of chapter 228 of the acts of 2000..... $1,988,884

8000-0038 For the operation of a witness protection program pursuant to chapter 263A of the General Laws $348,491

8000-0040 For police career incentives to reimburse certain cities and towns for career incentive salary increases for police officers ……..…….$10,000,000

Office of Chief Medical Examiner.

8000-0105 For the operation of the office of the chief medical examiner established pursuant to chapter 38 of the General Laws; provided, that the agency shall submit a report to the house and senate committees on ways and means not later than January 15, 2010 detailing the caseload of said office; and provided further, that said report shall include, but not be limited to, the number of toxicology tests, the reduction of turnaround time of toxicology tests and the reduction of the case backlog, the number of autopsies performed, the number of cases under the office's jurisdiction, the number of external exams performed, the number of cases determined to be homicides, and the number of cremations performed under the office's jurisdiction in 2008 and 2009..... $7,880,997

State Police Crime Laboratory.

8000-0106 For the operation and related costs of the state police crime laboratory; provided, that the analysis of narcotic drug synthetic substitutes, poisons, drugs, medicines, and chemicals shall be funded in this item in order to support the law enforcement efforts of the district attorneys, the state police and municipal police departments; provided further, that the agency shall contract with a public institution to conduct testing for criminal cases; provided further, that the agency shall enter into agreements with the various district attorneys to provide forensic services for criminal cases

brought forth by the commonwealth; provided further, that the practices and procedures of the state police crime laboratory shall be informed by the recommendations of the Forensic Sciences Advisory Board; and provided further, that the agency shall report to the house and senate committees on ways and means and the joint committee on public safety and homeland security, not later than December 31, 2009, concerning, but not limited to, the detailing of the number of cases introduced to the CODIS database, the number of confirmations attained from the CODIS database, and the number of cases referred to district attorney delineated by county $14,610,000

Criminal History Systems Board.

8000-0110 For the operation of the criminal history systems board; including criminal justice information services, criminal offender record information services, firearms support services, and victim services; provided further, that funds shall be expended for the purpose of enabling local housing authorities' access to criminal offender record information when qualifying applicants for state-assisted housing $2,123,066

8000-0122 For the office of the chief medical examiner which may expend for its operations an amount not to exceed $1,700,000 in revenues collected from fees for services provided by the chief medical examiner; provided, that notwithstanding any general or special law to the contrary, for the purposes of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the agency may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $1,700,000

Sex Offender Registry.

8000-0125 For the operation of the sex offender registry program including, but not limited to, the costs of maintaining a computerized registry system and the classification of persons subject to the registry; provided, that the $75 registration fee paid by convicted sex offenders shall be directed from the General Fund to the Massachusetts office for victim assistance $3,983,913

8000-0202 For the purchase and distribution of sexual assault evidence collection kits $102,240

8000-1700 For the provision of information technology services within the executive office of public safety and security $21,264,358

Department of State Police.

8100-0000 For the administration and operation of the department of state police; provided, that the department shall expend funds from this item for the purpose of maximizing federal grants for the operation of a counter-terrorism unit; provided further, that the department shall maintain the division of field services which shall include, but not be limited to, the bureau of metropolitan district operations; provided further, that funds shall be expended from this item for the administration and operation of an automated fingerprint identification system and the motor carrier safety assistance program; provided further, that not fewer than 5 officers shall be provided to the disabled persons protection commission for the purpose of investigating cases of criminal abuse; provided further, that the department shall enter into an interagency agreement with the department of conservation and recreation to provide police coverage on department properties and parkways; provided further, that the creation of a new or the expansion of the existing statewide communications network shall include the office of law enforcement in the executive office of energy and environmental affairs at no cost to, or compensation from, that office; provided further, that there shall be a study submitted to the house and senate committees on ways and means not later than January 30, 2010, on traffic details worked by the department of state police, including troops A, B, C, D, E, F, and H, over the last 5 years, which shall detail, on a monthly basis: the total number of hours worked on traffic details by state police officers, the total amount paid to state police officers for traffic details, the standard hourly rates for traffic details performed by state police officers and the city or town in which traffic details are performed by state police officers; and provided further, that the department may expend funds from this item for the administration of budgetary, procurement,

fiscal, human resources, payroll and other administrative services of the office of the chief medical examiner, the municipal police training committee and the criminal history systems board $231,222,904

General Fund.....70.00%
Highway Fund.....30.00%

8100-0006 For private police details; provided, that the department may expend up to $19,000,000 in revenues collected from fees charged for private police details and for the costs of administering such details; and provided further, that notwithstanding any general or special law to the contrary, the department may incur, and the comptroller may certify for payment, expenses and liabilities during fiscal year 2010 to be charged to this item in an amount not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system for the purposes stated in this item to accommodate the delayed receipt of revenues authorized to be retained in this item during fiscal year 2010..... $19,000,000

8100-0007 For the overtime of state police officers, including the operation of the drug enforcement task force; provided, that the department shall furnish, on a quarterly basis, a report to the house and senate committees on ways and means outlining by category, the division and cost in which overtime hours were worked and a detailed report on the department's efforts to reduce overtime use $5,000,000

General Fund.....70.00%
Highway Fund.....30.00%

8100-0011 For the department of state police which may expend an amount not to exceed $3,000,000 for certain police activities provided pursuant to agreements authorized in this item; provided, that for fiscal year 2010, the colonel of state police may enter into service agreements with the commanding officer or other person in charge of a military reservation of the United States located in the Massachusetts Development Finance Agency, established in chapter 23G of the General Laws; provided further, that such agreements shall establish the responsibilities pertaining to the operation and maintenance of police services including, but not limited to: (a) provisions governing payment to the department for the cost of regular salaries, overtime, retirement and other employee benefits; and (b) provisions governing payment to the department for the cost of furnishings and equipment necessary to provide such police services; provided further, that the department may charge any recipients of police services for the cost of such services, as authorized by this item; provided further, that the department may retain the revenue so received and expend such revenue as necessary pursuant to this item to provide the agreed level of services; provided further, that the colonel may enter into service agreements as may be necessary to enhance the protection of persons, as well as assets and infrastructure located within the commonwealth, from possible external threat or activity; provided further, that such agreements shall establish the responsibilities pertaining to the operation and maintenance of police services including, but not limited to: (a) provisions governing payment to the department for the cost of regular salaries, overtime, retirement and other employee benefits; and (b) provisions governing payment to the department for the cost of equipment necessary to provide such police services; provided further, that the department may charge any recipients of police services for the cost of such services, as authorized by this item; provided further, that the department may retain the revenue so received and expend such revenue as necessary pursuant to this item to provide the agreed level of services; provided further, that the colonel may expend from this item costs associated with joint federal and state law enforcement activities from federal reimbursements received therefor; and provided further, that notwithstanding any general or special law to the contrary, for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate..... $3,000,000

General Fund.....70.00%
Highway Fund.....30.00%

8100-0012 For the department of state police; provided, that the department may expend for the costs of security

services provided by state police officers, including overtime and administrative costs, an amount not to exceed $550,000 from fees charged for these services; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefor as reported in the state accounting system $550,000

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

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

8100-0111 For a grant program, to be known as the Senator Charles E. Shannon, Jr. Community Safety Initiative, to be administered by the executive office of public safety and security, to support regional, multidisciplinary approaches to combat gang violence through coordinated programs for prevention and intervention, coordinated law enforcement, including regional gang task forces and regional crime mapping strategies, focused prosecutions and reintegration strategies for ex-convicts; provided, that the secretary of public safety and security shall distribute grant funds through a competitive grant program that gives preference to applications that: (a) demonstrate high levels of youth violence, gang problems and substance abuse in a region; (b) demonstrate a commitment to regional, multijurisdictional strategies to deal with such community safety issues, including written commitments for municipalities, law enforcement agencies, community-based organizations and government agencies to work together; (c) clearly outline a comprehensive plan for municipalities to work with law enforcement, community-based organizations and government agencies to address gang activity; (d) make a written commitment to match grant funds with a 25 per cent match provided by either municipal or private contributions; and (e) identify a local governmental unit to serve as fiscal agent; provided further, that clusters of municipalities, in partnership with nonprofit organizations and other agencies, including district attorneys' offices, may apply for such funds; provided further, that such funds shall be considered 1-time grants awarded to public agencies and shall not annualize into fiscal year 2010 or subsequent years; provided further, that administrative costs for successful grant applications shall not exceed 3 per cent of the value of the grant; provided further, that no grants shall be awarded to the department of state police; provided further, that no grant funds shall be expended on food or beverages; provided further, that the executive office of public safety and security shall publish guidelines and an application for the competitive portion of the grant program not later than August 15, 2009; provided further, that awards shall be made to applicants not later than December 15, 2009 ..... $6,500,000

Municipal Police Training Committee.

8200-0200 For the operation of veteran, reserve and in-service training programs conducted by the municipal police training committee; provided, that no expenditures shall be made, on or after the effective date of this act, which would cause the commonwealth's obligation for the purpose of this item to exceed the amount appropriated in this item $2,883,088

8200-0222 The committee may collect and expend an amount not to exceed $900,000 for the purposes of providing training to new recruits; provided, that the committee shall charge $2,500 per recruit for the training; provided further, that notwithstanding any general or special law to the contrary, the committee shall charge a fee of $2,500 per person for training programs operated by the committee for all persons who begin training on or after July 1, 2009; provided further, that the fee shall be retained and expended by the committee; provided further, that the trainee or, if the trainee is a recruit, the municipality in which the recruit shall serve, shall provide the fee in full to the committee no later than the first day of orientation for the program in which such trainee or recruit

has enrolled; provided further, that no recruit or person shall begin training unless the municipality or the person has provided the fee in full to the committee; provided further, that for recruits of municipalities, upon the completion of the program, the municipality shall deduct the fee from the recruit's wages in 23 equal monthly installments, unless otherwise negotiated between the recruit and the municipality in which the recruit shall serve; provided further, that if a recruit withdraws from the training program before graduation, the committee shall refund the municipality in which the recruit was to have served a portion of the fee according to the following schedule: if a recruit withdraws from the program before the start of week 2, 75 per cent of the payment shall be refunded; if a recruit withdraws from the program after the start of week 2 but before the start of week 3, 50 per cent of the fee shall be refunded; if a recruit withdraws from the program after the start of week 3 but before the start of week 4, 25 per cent of the fee shall be refunded; if a recruit withdraws after the start of week 4, the fee shall not be refunded; provided further, that a recruit who withdraws from the program shall pay the municipality in which he was to have served the difference between the fee and the amount forfeited by the municipality according to the schedule; provided further, that the schedule shall also apply to trainees other than recruits who enroll in the program; provided further, that no expenditures shall be charged to this item that are not directly related to new recruit training; provided further, that no expenditures shall be charged to this item that are related to chief, veteran, in-service, or reserve training, or any training not directly related to new recruits; provided further, that the committee shall submit a report on the status of recruit training, including the number of classes, start and end dates of each class, total number of recruits enrolled and graduating in each class, cost per recruit and cost per class for fiscal years 2009 and 2010; provided further, that the report shall be submitted to the house and senate committees on ways and means no later than January 1, 2010; and provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the committee may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $900,000

Department of Public Safety.

8311-1000 For the administration of the department of public safety, including the board of building regulations and standards and the architectural access board; provided, that the department may charge fees for permitting the operation of amusement devices and to support the department's participation in the Council for Amusement and Recreational Equipment Safety; and provided further, that the department may charge fees for amusement operator certification..... $1,921,584

8315-1000 For the administrative costs of the division of inspections; provided, that the expenses of the state boxing commission shall be paid from this item; provided further, that a doctor's certificate from another state shall be accepted as evidence of an eye examination; provided further, that no funds shall be expended from this item for the salaries of the commissioner or deputy commissioner of public safety; provided further, that the department shall employ not less than 42 full-time equivalent elevator inspectors, including an additional engineer inspector; provided further, that such additional engineer inspector's duties shall include, but not be limited to, administering pipefitter license examinations; provided further, that any such additional engineer inspector and elevator inspector shall be regular state employees compensated from the AA object class of this item; provided further, that the division shall develop reasonable rules or promulgate regulations for the granting of hardship fee exemptions to certain owners or persons in control of a building or domicile in which an elevator is operated; provided further, that the division shall report to the house and senate committees on ways and means on the elevator inspection backlog not later than October 1, 2009; provided further, that the division shall maintain an electronic database that shall include, but not be limited to, the location and a categorical classification of buildings in which inspections are conducted; and provided further, that the division shall inspect all elevators in the state house and the John W. McCormack state office building $4,930,555

8315-1020 For the department of public safety which may expend not more than $1,816,997 in revenues collected from fees for annual elevator and amusement park ride inspections; provided, that funds shall be expended for the operation of the department and for the purposes of addressing the existing elevator inspection backlog; provided further, that the department shall make efforts to

employ inspectors that will perform overnight and weekend inspections as their regular work shift; provided further, that the department shall provide a full waiver of the inspection fee for an individual who requires a wheelchair lift as a medical necessity and whose annual income does not exceed the maximum allowable federal Supplemental Security Income benefit, or $7,236 a year, whichever is greater; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $1,816,997

8315-1025 For the department of public safety which may collect and expend an amount not to exceed $130,000 for the purposes of providing state building code training and courses for instruction; provided, that the agency may charge fees for the classes and education materials associated with administering training; and provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $130,000

Department of Fire Services.

8324-0000 For the administration of the department of fire services, including the state fire marshal's office, the hazardous materials emergency response program, the board of fire prevention regulations, under section 4 of chapter 22D of the General Laws, the expenses of the fire safety commission, and the Massachusetts firefighting academy, including the Massachusetts fire training council certification program, municipal and non-municipal fire training, and expenses of the council; provided, that the fire training program shall use the split days option; provided further, that not less than $1,200,000 shall be expended for the SAFE program, which shall include information about the fire risks caused by smoking; provided further, that not less than $1,750,000 shall be provided for the Boston fire department training academy; provided further, that $100,000 shall be expended to Norfolk county to maintain and improve services of the Norfolk county regional fire & rescue dispatch center; provided further, that $1,296,000 shall be provided for the commonwealth's hazardous material response teams; provided further, that $500,000 shall be provided for the Boston, Cambridge and Everett fire department hazardous material response teams; provided further, that not less than $100,000 shall be expended for critical incident stress intervention for the fire departments of the cities, towns and the fire districts of the commonwealth, including but not limited to consultant services, training, equipment and supplies; provided further, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item for the administration of the department of fire services, the state fire marshal's office and the Massachusetts firefighting academy shall be assessed upon insurance companies writing fire, homeowners multiple peril or commercial multiple peril policies on property situated in the commonwealth and paid within 30 days after receipt of notice of such assessment from the commissioner of insurance; provided further, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item for the operation of the hazardous materials emergency response program shall be assessed upon insurance companies writing commercial multiple peril, non-liability portion, policies on property situated in the commonwealth and commercial auto liability policies as referenced in line 5.1 and line 19.4, respectively, in the most recent annual statement on file with the commissioner of insurance; and provided further, that not more than 10 per cent of the amount designated for the arson prevention program shall be expended for the administrative cost of the program$15,609,693

8324-0304 For the department of fire services; provided, that the department may expend for the purposes of enforcement and training an amount not to exceed $25,000 from revenue generated under chapter 148A of the General Laws and sections 8 and 9 of chapter 304 of the acts of 2004..... $25,000

Military Division.

8700-0001 For the operation of the military division, including the offices of the adjutant general and state quartermaster, the armories, the camp Curtis Guild rifle range and certain national guard aviation facilities; provided, that notwithstanding chapter 30 of the General Laws, certain military personnel in the military division may be paid salaries according to military pay grades; and provided further, that the adjutant general shall maintain a roster of Massachusetts veterans as directed by section 15 of chapter 33 of the General Laws..... $9,207,659

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

8700-1150 For reimbursement of the costs of the Massachusetts national guard tuition and fee waivers under section 19 of chapter 15A of the General Laws; provided, that no funds shall be distributed from this item prior to certification by the state and community colleges and the University of Massachusetts of the actual amount of tuition and fees waived for national guard members attending public institutions of higher education under said section 19 of said chapter 15A that would otherwise have been retained by the campuses, according to procedures and regulations promulgated by the military division of the Massachusetts national guard; provided further, that funds from this item may be expended through August 31, 2010 for the reimbursement of the tuition and fees waived for classes taken during the summer months..... $4,031,738

8700-1160 For life insurance premiums under section 88B of chapter 33 of the General Laws..... $1,575,900

Massachusetts Emergency Management Agency.

8800-0001 For the operations of the Massachusetts emergency management agency; provided, that expenditures from this item shall be contingent upon the prior approval of the proper federal authorities $1,370,077

8800-0100 For the Pilgrim Nuclear Power Plant Nuclear Safety Preparedness Program of the Massachusetts emergency management agency; provided, that the costs of the program, including fringe benefits and indirect costs, shall be assessed upon Nuclear Regulatory Commission licensees operating nuclear power generating facilities in the commonwealth; provided further, that the department of public utilities shall develop an equitable method of apportioning such assessments among such licensees; and provided further, that such assessments shall be paid during the current fiscal year as provided by the department..... $386,359

8800-0200 For the Seabrook and Vermont Yankee Power Plants Nuclear Safety Preparedness Program; provided, that the cost of the program, including associated fringe benefits and indirect costs, shall be assessed on electric companies in the commonwealth which own, in whole or in part, or purchase power from, nuclear power plants located outside the commonwealth whose nuclear power plant areas, as defined in section 2B of chapter 639 of the acts of 1950 include communities located within the commonwealth and shall be credited to the General Fund; provided further, that the department of public utilities shall develop an equitable method of apportioning such assessments among the licensees; provided further, that such assessments shall be paid during the current fiscal year as provided by the department; and provided further, that for the purposes of this item, “electric companies” shall mean all persons, firms, associations and private corporations which own or operate works or a distributing plant for the manufacture and sale or distribution and sale of electricity within the commonwealth, but shall not include municipalities or municipal light plants..... $282,839

Department of Correction.

8900-0001 For the operation of the department of correction; provided, that the department shall expend not less than $1,010,500 for cities and towns hosting facilities; provided further that before closing any correctional facility, the commissioner of correction and the secretary of public safety and security shall report to the house and senate committees on ways and means and the joint committee on public safety on the per-inmate cost of incarceration in the closing facility, and the per-inmate cost

in the facilities to which inmates will be moved; provided further, that in an effort to monitor and reduce current levels of over-classification, the department of correction shall provide quarterly reports to the joint committee on public safety and the house and senate committees on ways and means with data on the number of prisoners at each security level; and provided further, that the department may expend funds appropriated in this item for the administration of budgetary, procurement, fiscal, human resources, payroll and other administrative services of the parole board and the sex offender registry board…..$521,112,630

8900-0010 For prison industries and farm services $2,620,247

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

8900-0045 For the department of correction which may expend for the operation of the department, including personnel-related expenses, an amount not to exceed $3,000,000 from revenues received from federal inmate reimbursements; provided, that $900,000 from these reimbursements shall not be available for expenditure and shall be deposited in the General Fund before the retention by the department of any of these reimbursements; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $3,000,000

8900-1100 For re-entry programs at the department of correction intended to reduce recidivism rates... $594,745

County Correction.

8910-0000 For a reserve to provide funds for certain costs of the Barnstable, Bristol, Dukes, Nantucket, Norfolk, Plymouth and Suffolk sheriffs' departments including, but not limited to, employee health care, retirement, and Plymouth correctional facility debt service; provided, that the county finance review board shall consult the public employee retirement administration commission about sheriff employee retirement costs before distributing funds to county retirement systems; provided further, that the secretary of administration and finance may transfer from the sum appropriated in this item to other items of appropriation; provided further, that the transfers may be expended solely for the purposes authorized by the secretary; and provided further, that the county government finance review board shall approve all transfers from this item $70,407,014

8910-0002 For the administration of a sex offender warrant unit program in the Barnstable county sheriff's office; provided, that the unit shall support the regional Cape Cod sex offender management task force, provide address verification and maintain a regional sex offender database for local law enforcement..... $63,900

8910-0003 For 2 regional behavioral evaluation and stabilization units to provide forensic mental health services within existing physical facilities for incarcerated persons in the care of correctional facilities; and provided further, that the department of mental health shall maintain monitoring and quality review functions of the units $2,186,871

8910-0010 For the purpose of funding expenses for services provided to inmates of county correctional facilities by the department of public health's Lemuel Shattuck hospital; provided, that the department shall notify the county government finance review board and the comptroller of all such expenses; provided further, that not more than 30 days after receiving such notification, the board shall certify to the comptroller the amount of these expenses to be charged to this item; provided further, that upon receiving such certification, the comptroller shall effect the transfer of such amount from this item to item 4590-0903 of section 2B; and provided further, that actual and projected payments shall be considered expenditures and reflected in each sheriff's spending plan

..... $2,172,244

Sheriffs.

8910-0102 For the operation of the Hampden sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; and provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B $67,704,000

8910-0105 For the operation of the Worcester sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B, not later than June 30, 2010; and provided further, that upon transitioning to the state office of pharmacy services, no charge or contract shall be made with an alternate vendor to provide pharmacy services other than the state office of pharmacy services $41,860,367

8910-0107 For the operation of the Middlesex sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B, not later than June 30, 2010; and provided further, that upon transitioning to the state office of pharmacy services, no charge or contract shall be made with an alternate vendor to provide pharmacy services other than the state office of pharmacy services $62,067,366

8910-0108 For the operation of the jail, house of correction and any other statutorily-authorized facilities and functions under the administration of the office of the sheriff of Franklin county; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; and provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B $9,058,057

8910-0110 For the operation of the Hampshire sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; and provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B $12,117,948

8910-0145 For the operation of the Berkshire sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B, not later than June 30, 2010; and provided further, that upon transitioning to the state office of pharmacy services, no charge or contract shall be made with an alternate vendor to provide pharmacy services other than the state office of pharmacy services $14,880,653

8910-0160 For the Middlesex sheriff's department which may expend for the operation of the department an amount not to exceed $850,000 from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $850,000

8910-0188 For the Franklin sheriff's department which may expend for the operation of the department an amount not to exceed $2,600,000 from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating

timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $2,600,000

8910-0445 For the Berkshire sheriff's department which may expend for the operation of the department an amount not to exceed $250,000 from revenues generated from the operation of the Berkshire county communication center's 911 dispatch operations and other law enforcement related activities..... $250,000

8910-0446 For the Berkshire sheriff's department which may expend for the operation of the department an amount not to exceed $1,000,000 from revenues collected from the city of Pittsfield public school system; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the sheriff's office may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $1,000,000

8910-0619 For the operation of the Essex sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; and provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B $46,061,434

8910-1000 For the Hampden sheriff's department which may expend for prison industries programs an amount not to exceed $1,594,460 from revenues collected from the sale of prison industries products $1,844,458

8910-1100 For the Middlesex sheriff's department which may expend for prison industries programs an amount not to exceed $100,000 from revenues collected from the sale of prison industries products $100,000

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

8910-2222 For the Hampden sheriff's department which may expend for the operation of the department an amount not to exceed $320,000 from federal inmate reimbursements; provided, that $312,000 from the reimbursements shall not be available for expenditure and shall be deposited into the General Fund before the retention by the department of any of these reimbursements; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $320,000

8910-6619 For the Essex sheriff's department which may expend for the operation of the department an amount not to exceed $2,000,000 from revenues received from federal inmate reimbursements; provided, that $150,000 from the reimbursements shall not be available for expenditure and shall be deposited quarterly into the General Fund before the retention by the department of any of these revenues as certified by the comptroller; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $2,000,000

8910-7100 For the Massachusetts Sheriffs Association which may expend for its operation an amount not to exceed $344,790 in revenue collected from voluntary contributions from all sheriffs; provided, that the sheriffs shall appoint persons to serve as executive director, assistant executive director and research director and other staff positions as necessary for the purpose of coordination and standardization of services and programs, the collection and analysis of data related to incarceration and recidivism and generation of reports, technical assistance and training to ensure standardization in organization, operations, and procedures; provided further, that this staff shall not be subject to section 45 of chapter 30 of the General Laws or chapter 31 of the General Laws and shall serve at the will and pleasure of a majority of sheriffs; provided further, that the executive director of the association shall submit a report that shows the amounts of all grants awarded to each sheriff in fiscal year 2009; and provided further, that the report shall be submitted to the house and senate committees on ways and means not later than February 1, 2010... $344,790

8910-8200 For the operation of the Barnstable sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B, not later than June 30, 2010; and provided further, that upon transitioning to the state office of pharmacy services, no charge or contract shall be made with an alternate vendor to provide pharmacy services other than the state office of pharmacy services $21,176,700

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

8910-8300 For the operation of the Bristol sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; and provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B $27,256,334

8910-8310 For the Bristol sheriff's department which may expend for the operation of the department an amount not to exceed $6,500,000 from revenues received from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $6,500,000

8910-8400 For the operation of the Dukes sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B, not later than June 30, 2010; and provided further, that upon transitioning to the state office of pharmacy services, no charge or contract shall be made with an alternate vendor to provide pharmacy services other than the state office of pharmacy services $2,567,765

8910-8500 For the operation of the Nantucket sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B $782,593

8910-8600 For the operation of the Norfolk sheriff's department provided, that the sheriff shall report to the

house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B, not later than June 30, 2010; and provided further, that upon transitioning to the state office of pharmacy services, no charge or contract shall be made with an alternate vendor to provide pharmacy services other than the state office of pharmacy services $22,871,958

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

8910-8700 For the operation of the Plymouth sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B $23,943,379

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

8910-8800 For the operation of the Suffolk sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B, not later than June 30, 2010; and provided further, that upon transitioning to the state office of pharmacy services, no charge or contract shall be made with an alternate vendor to provide pharmacy services other than the state office of pharmacy services $85,442,734

8910-8810 For the Suffolk sheriff's department which may expend for the operation of the department an amount not to exceed $8,000,000 from revenues received from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $8,000,000

Parole Board.

8950-0001 For the operation of the parole board $18,572,321

8950-0002 For the victim and witness assistance program of the parole board under chapter 258B of the General Laws..... $217,185

8950-0008 For the parole board which may expend for the operation of the parole board's sex offender management program and the supervision of high-risk offenders an amount not to exceed $600,000 from fees charged for parolee supervision $600,000

Registry of Motor Vehicles.

8400-0001 For the administration and operation of the registry of motor vehicles, including the title division and including all rent and related parking and utility expenses of the registry; provided further, that 40 per cent of the costs of personnel services associated with the registry computer, which reflects the proportionate use of the computer by the merit rating board, shall be assessed to insurance companies doing motor vehicle insurance business within the commonwealth under section 183 of chapter 6 of the General Laws; provided further, that the registry shall establish and maintain a record of all vehicles leased within the commonwealth for a period longer than 30 days; provided further, that the record shall include, but not be limited to, the names and addresses of the lessor and the lessee; and provided further, that the registry shall take all steps necessary to improve customer service within existing resources; and provided further, that the registry shall operate an office in the city of Taunton and the town of Plymouth which shall handle license business, learner's permits, road testing and full service registration business to the general public $42,400,708

Highway Fund.....100.0%

8400-0011 For the registry of motor vehicles which may expend for additional expenses associated with the production of drivers' licenses, state identification cards and motor vehicle license plates an amount not to exceed $6,393,906 from revenue collected from fees charged by the registry; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the registry may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system..... $6,393,906

8400-0016 For the operation of the motorcycle safety program $189,958

Highway Fund.....100.0%

8400-0100 For the operation of the safe driver insurance plan pursuant to section 113B of chapter 175 of the General Laws, including the rent, related parking and utility expenses of the motor vehicle insurance merit rating board; provided, that notwithstanding any general or special law to the contrary, no safe driver insurance plan shall require the payment of an unsafe driver point surcharge for the first offense for a non-criminal motor vehicle traffic violation as described in chapter 90C of the General Laws..... $7,613,529

Highway Fund.....100.0%

DEPARTMENT OF ELDER AFFAIRS.

Office of the Secretary.

9110-0100 For the operation of the executive office and regulation of assisted living facilities; provided, that the secretary shall continue to support community care ombudsman services; and provided further, that the executive office of elder affairs shall report annually to the house and senate committees on ways and means the number of assisted living units certified and the total revenues generated from application and certification fees for such units $2,404,526

9110-1455 For the costs of the drug insurance program authorized by section 39 of chapter 19A of the General Laws; provided, that amounts received by the executive office of elder affairs' vendor as premium revenue for this program may be retained and expended by the vendor for the purposes of the program; provided further, that funds shall be expended for the operation of the pharmacy outreach program established in section 4C of chapter 19A of the General Laws; provided further, that notwithstanding any general or special law to the contrary, unless otherwise prohibited by state or federal law, prescription drug coverage or benefits payable by the executive office of elder affairs, and the entities with which it has contracted for administration of the subsidized catastrophic drug insurance program pursuant to said section 39 of said chapter 19A, shall be the payer of last resort for this program for eligible persons with regard to any other third-party

prescription coverage or benefits available to such eligible persons; provided further, that the executive office shall notify the house and senate committees on ways and means not less than 90 days in advance of any action to limit or cap the number of enrollees in the program; provided further, that this program shall be subject to appropriation and, in fiscal year 2010, expenditures shall not be more than the amount authorized in this item; provided further, that no action shall be taken to expand the benefits of the program, extend benefits to additional populations or reduce cost sharing in the program without approval of the general court; provided further, that the department shall submit drafts of legislation required to implement such actions for review and analysis by the general court; provided further, that the executive office shall take steps for the coordination of benefits with the Medicare prescription drug benefit created pursuant to the federal Medicare Prescription Drug Improvement and Modernization Act of 2003 to ensure that Massachusetts residents take advantage of said benefit; provided further, that the department shall provide assistance for prescription drug costs to enrollees who qualify for Medicare Part D as well as assistance for premiums, deductibles, payments, and co-payments required by the Part D or Medicare Advantage plans, or by other plans which provide creditable prescription drug coverage as defined by section 104 of said Medicare Modernization Act, and which provide coverage of the cost of prescription drugs actuarially equal to or better than that provided by Medicare Part D; provided further, that a person shall also be eligible to enroll in the program at any time within a year after reaching age 65; provided further, that the department shall allow those who meet the program eligibility criteria to enroll in the program at any time during the year; and provided further, that the secretary of elder affairs shall not implement cost sharing increases during fiscal year 2010 unless such cost sharing increases have been approved by the general court $40,000,000

9110-1555 For the operation of elder home care purchase-of-service programs including contracts with aging service access points or other qualified entities for the home care program, home care, health aides, home health and respite services, geriatric mental health services, and other services provided to the elderly, and case management to elders who meet the eligibility requirements of the home care program and those who need services above the level customarily provided under the program to remain safely at home, and for the elder lunch program; provided, that the department shall actively seek to obtain federal financial participation for all services provided to seniors who qualify for Medicaid benefits under the section 1915C waiver; provided further, that the executive office shall collect income data on persons receiving services provided in this item; provided further, that the executive office shall submit a report to the house and senate committees on ways and means detailing the population served by this item delineated by both 2009 federal poverty income levels and 2009 social security income standards; provided further, that this report shall be submitted not later than February 1, 2010; provided further, that a sliding fee shall be charged to qualified elders; provided further, that the secretary of elder affairs may waive collection of sliding fees in cases of extreme financial hardship; provided further, that not more than $11,500,000 in revenues accrued from sliding fees shall be retained by the individual qualified entities without re-allocation by the executive office and shall be expended for the purposes of the elder home care purchase-of-service programs consistent with guidelines issued by the executive office; and provided further, that the executive office shall report quarterly to the house and senate committees on ways and means on the receipt and expenditure of revenues accrued from the sliding fees; provided further, that funds may be expended for the purposes of continuing the administration of a geriatrics program in item 9110-1900 of section 2 of chapter 182 of the acts of 2008 ..... $189,694,425

9110-1636 For the elder protective services program, including protective services case management, guardianship services, the statewide elder abuse hotline, money management services and the elder-at-risk program $16,252,499

9110-1800 For the operation of the supportive senior housing program, including congregate and shared housing services for the elderly; provided, that funds may be expended for naturally occurring retirement communities, and for residential assessment and placement programs for homeless elders..... $5,518,419

9110-9002 For the local services program for grants to the councils on aging and for grants to or contracts with non-public entities which are consortia or associations of councils on aging; provided, that

notwithstanding the foregoing, all monies appropriated in this item shall be expended in accordance with the distribution schedules for formula and incentive grants established by the secretary; provided further, that funding shall be expended for provider training and outreach for LGBT elders and caregivers; and provided further, that such distribution schedules shall be submitted to the house and senate committees on ways and means..... $8,615,068

LEGISLATURE.

Senate.

9500-0000 For the operation of the senate..... $17,636,527

House of Representatives.

9600-0000 For the operation of the house of representatives..... $31,302,640

Joint Legislative Expenses.

9700-0000 For the joint operations of the legislature..... $6,492,232

SECTION 2B. Notwithstanding any general or special law to the contrary, the agencies listed in this section may expend the amounts listed in this section for the provision of services to agencies listed in section 2. All expenditures made pursuant to this section shall be accompanied by a corresponding transfer of funds from an account listed in section 2 to the Intragovernmental Service Fund, established by section 2Q of chapter 29 of the General Laws. All revenues and other inflows shall be based on rates published by the seller agency that are developed in accordance with cost principles established by the United States Office of Management and Budget Circular A-87, "Cost Principles for State, Local and Indian Tribal Governments." All rates shall be published within 30 days of the enactment of this section. No expenditures shall be made from the Intragovernmental Service Fund which would cause that fund to be in deficit at the close of fiscal year 2010. All authorizations in this section shall be charged to the Intragovernmental Service Fund and shall not be subject to section 5D of chapter 29 of the General Laws. Any balance remaining in that fund at the close of fiscal year 2010 shall be transferred to the General Fund.

OFFICE OF THE SECRETARY OF STATE.

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

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

OFFICE OF THE STATE COMPTROLLER.

1000-0005 For the cost of the single state audit for the fiscal year ending June 30, 2010; provided, that the comptroller may charge other appropriations and federal grants for the cost of the audit... $675,000

1000-0008 For the costs of operating and managing the MMARS and New MMARS accounting system for fiscal year 2010..... $2,628,018

EXECUTIVE OFFICE OF ADMINISTRATION AND FINANCE.

Office of the Secretary.

1100-1701 For the cost of information technology services provided to agencies of the executive office of administration and finance $20,771,507

Division of Capital Asset Management and Maintenance.

1102-3224 For the costs for the Leverett Saltonstall building lease and occupancy payments; provided, that the division of capital asset management and maintenance shall submit to the house and senate committees on ways and means on or before the first of each month beginning July 1, 2009 a monthly report on the agencies that currently, or will during fiscal year 2010 occupy space in the Saltonstall building, their rental costs, utility costs, parking space allocation, floor space, lease dates, all services included in the lease and all services that the agencies are obligated to fund beyond the lease payments; and provided further, that the report shall include both estimated payments and prior expenditures $11,217,734

Bureau of State Office Buildings.

1102-3333 For the operation and maintenance of state buildings, including reimbursement for overtime expenses, materials and contract services purchased in performing renovations and related services for agencies occupying state buildings or for services rendered to approved entities using state facilities..... $135,000

1102-3336 For the operation and maintenance of the space in the Hurley state office building occupied by the division of unemployment assistance..... $2,333,900

Reserves.

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

1599-3100 For the cost of the commonwealth's employer contributions to the Unemployment Compensation Fund and the Medical Security Trust Fund; provided, that the secretary for administration and finance shall authorize the collection, accounting and payment of such contributions; and provided further, that in executing these responsibilities the comptroller may charge in addition to individual appropriation accounts certain non-appropriated funds in amounts that are computed on the same basis as the commonwealth's contributions are determined, including expenses, interest expense or related charges..... $26,000,000

Division of Human Resources.

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

provided further, that the division may collect from participating state agencies a fee sufficient to cover administrative costs of the commonwealth's performance recognition programs and to expend such fees for goods and services rendered in the administration of these programs; and provided further, that the division may charge and collect from participating state agencies a fee sufficient to cover administrative costs and expend such fees for goods and services rendered in the administration of information technology services related to the human resources compensation management system program $400,000

1750-0105 For the cost of workers' compensation paid to public employees including the workers' compensation litigation unit; provided, that the secretary of administration and finance shall charge other items or state agencies for costs incurred on behalf of these state agencies; provided further, that the secretary may transfer workers' compensation-related fringe benefit assessments from federal grants and trust accounts to this item; provided further, that no funds shall be expended from this item that would cause the item to be deficient; provided further, that the secretary shall provide projected costs of workers' compensation costs incurred by agencies in fiscal year 2010 to the house and senate committees on ways and means no later than March 1, 2010; provided further, that in accordance with chapter 177 of the acts of 2001, the secretary of administration and finance shall charge state agencies in fiscal year 2010 as provided in this item for workers' compensation costs, including related administrative expenses incurred on behalf of the employees of the agencies; provided further, that administrative expenses shall be allocated; provided further, that the personnel administrator shall administer the charges on behalf of the secretary, and may establish such rules and procedures considered necessary to implement this item; provided further, that the personnel administrator shall: (1) notify agencies regarding the chargeback methodology to be used in fiscal year 2010; (2) notify agencies of the amount of their estimated workers compensation charges for the fiscal year; and (3) require agencies to encumber funds in an amount sufficient to meet the estimated charges; provided further, that the estimated charges for each agency in the fiscal year shall be not less than the amount of the actual workers' compensation costs, including related administrative expenses, incurred by each such agency in fiscal year 2009, and may include such additional amounts as the human resources division finds necessary under regulations adopted under this item; provided further, that the division may adopt a program of incentives for agencies to reduce agencies' claims; provided further, that for any agency that fails within 30 days of the effective date of this act to encumber funds sufficient to meet the estimated charges, the comptroller shall so encumber funds on behalf of that agency; provided further, that the personnel administrator shall: (1) determine the amount of the actual workers' compensation costs incurred by each agency in the preceding month, including related administrative expenses; (2) notify each agency of the amounts; and (3) charge the amounts to each agency's accounts as estimates of the costs to be incurred in the current month; provided further, that notwithstanding any general or special law to the contrary, any balance remaining in the Intergovernmental Service Fund, at the close of fiscal year 2009 shall be transferred to the General Fund; provided further, that any unspent balance at the close of fiscal year 2009 in an amount not to exceed 5 per cent of the amount authorized shall remain in the Intergovernmental Service Fund and is hereby re-authorized for expenditures for such item in fiscal year 2010; provided further, that the personnel administrator may expend in fiscal year 2010 for hospital, physician, benefit, and other costs related to workers' compensation for employees of state agencies, including administrative expenses; and provided further, that such expenditures may include payments for medical services provided to claimants in prior fiscal years, as well as compensation benefits and associated costs for prior fiscal years..... $57,040,378

Operational Services Division.

1775-0800 For the purchase, operation and repair of certain vehicles and for the cost of operating and maintaining all vehicles that are leased by other agencies, including the costs of personnel $7,600,000

1775-1000 For printing, photocopying, and related graphic art or design work, including all necessary incidental expenses and liabilities; provided, that the secretary for administration and finance shall charge to other items of appropriation within the agencies of the executive branch for such services, including the costs of personnel..... $1,000,000

Information Technology Division.

1790-0200 For the cost of computer resources and services provided by the information technology division in accordance with the policies, procedures and rates approved by the secretary for administration and finance, including the purchase, lease or rental of telecommunications lines, services and equipment, that are centrally billed to the commonwealth; provided, that the secretary shall charge other items of appropriation for the cost of the resources and services; provided further, that notwithstanding any general or special law to the contrary, charges for the cost of computer resources and services provided by the bureau of computer services for the design, development, and production of reports and information related to the analysis, development and production of appropriations bills and other legislation shall not be charged to any item of appropriation of the executive office for administration and finance, the house of representatives, the senate or any joint legislative account in fiscal year 2010; provided further, that the bureau shall submit quarterly reports to the house and senate committees on ways and means summarizing the total charges, payments and services provided for the preceding quarter from each department charged to this item; provided further, that the reports shall include, but not be limited to, a delineation of the rates charged to each department as approved by the secretary for administration and finance for each service performed by the division; provided further, that the secretary for administration and finance shall establish regulations, procedures and a schedule of fees including, but not limited to, the development and distribution of forms and instructions, including the costs of personnel; and provided further, that any unspent balance at the close of fiscal year 2010 in an amount not to exceed 5 per cent of the amount authorized shall remain in the Intergovernmental Service Fund and may be expended for the item in fiscal year 2011 ..... $62,121,176

1790-0400 For the purchase, delivery, handling of and contracting for supplies, postage and related equipment and other incidental expenses provided pursuant to section 51 of chapter 30 of the General Laws $2,329,665

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS.

2000-1701 For the cost of information technology services provided to agencies of the executive office of energy and environment..... $4,841,523

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

Office of the Secretary.

4000-0102 For the cost of transportation services for health and human services clients and the operation of the health and human services transportation office..... $7,272,275

4000-0103 For the costs of core administrative functions performed within the executive office of health and human services; provided, that the secretary of the executive office of health and human services may, notwithstanding any general or special law to the contrary, identify administrative activities and functions common to the separate agencies, departments, offices, divisions, and commissions within the executive office and may designate such functions “core administrative functions” in order to improve administrative efficiency and preserve fiscal resources; provided further, that common functions that may be designated core administrative functions include human resources, financial management, and leasing and facility management; provided further, that all employees performing functions so designated may be employed by the executive office, and the executive office shall charge the agencies, departments, offices, divisions, and commissions for such services; provided further, that upon the designation of a function as a core administrative function, the employees of each agency, department, office, or commission who perform such core administrative functions may be transferred to the executive office of health and human services; provided further, that the reorganization shall not impair the civil service status of any such transferred employee who immediately before the effective date of this act either holds a permanent appointment in a position classified under chapter 31 of the General Laws or has tenure in a position by reason of section 9A of chapter 30 of the General Laws; and provided further, that

nothing in this item shall impair or change an employee's status, rights, or benefits under chapter 150E of the General Laws $19,824,955

4000-1701 For the cost of information technology services provided to agencies of the executive office of health and human services $33,501,589

Massachusetts Commission for the Deaf and Hard of Hearing.

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

Department of Public Health.

4510-0108 For the costs of pharmaceutical drugs and services provided by the state office for pharmacy services, in this section called SOPS; provided, that SOPS shall notify in writing all agencies listed below of their obligations under this item by July 15, 2009; provided further, that SOPS shall continue to be the sole provider of pharmacy services for the following agencies currently under SOPS: the department of public health, the department of mental health, the department of developmental services, the department of correction, the department of youth services, the sheriff's departments of Bristol, Essex, Franklin, Hampden, Hampshire, and Plymouth, and the Soldiers' Homes in Holyoke and Chelsea; provided further, that SOPS shall become the sole provider of pharmacy services to the following agencies currently not being serviced by SOPS: the sheriff's departments of Worcester, Middlesex, Berkshire, Suffolk, Norfolk, Barnstable and Dukes; provided further, that SOPS shall be the sole provider of pharmacy services for all said agencies and all costs for pharmacy services shall be charged by this item; provided further, that said agencies shall not charge or contract with any other alternative vendor for pharmacy services other than SOPS; provided further, that SOPS shall develop an implementation plan to transition the following agencies within the current fiscal year: the sheriff's departments of Worcester, Middlesex, Berkshire, Suffolk, Norfolk, Barnstable and Dukes; provided further, that SOPS shall validate previously-submitted pharmacy expenditures including HIV Drug Assistance Program drug reimbursements during fiscal year 2010; provided further, that SOPS shall continue to work to reduce medication costs, provide standardized policies and procedures in a clinically responsible manner, provide comprehensive data analysis and improve the quality of clinical services; provided further, that SOPS shall report to the house and senate committees on ways and means no later than April 15, 2010 detailing the projected savings realized by each transitioning agency in comparison to their pharmacy costs in fiscal year 2009 and their projected savings for fiscal year 2011; and provided further, that the report shall also provide recommendations for the inclusion of other entities that may realize cost savings by joining SOPS $47,865,393

4590-0901 For the costs of medical services provided at public health hospitals pursuant to a schedule of services and fees approved by the commissioner of public health, which may be expended for the purposes of hospital related costs, including, but not limited to, capital repair and the maintenance and motor vehicle replacement; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenue and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate thereof as reported in the state accounting system $150,000

4590-0903 For the costs of medical services provided at the department of public health Lemuel Shattuck hospital to inmates of the county correctional facilities; provided, that the costs shall be charged to items 8910-0000, 8910-0010, 8910-0102, 8910-0105, 8910-0107, 8910-0108, 8910-0110, 8910-0145 and 8910-0619 of section 2 pursuant to the provisions thereof; provided further, that expenditures from this item shall be for hospital-related costs including, but not limited to, capital repair and the maintenance and motor vehicle replacement; and provided further, that

notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenue and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate thereof as reported in the state accounting system $3,800,000

Department of Developmental Services.

5948-0012 For a program providing alternatives to residential placements for children with mental retardation, including the costs of intensive home-based supports, provided in item 7061-0012 of section 2 ..... $6,500,000

EXECUTIVE OFFICE OF TRANSPORTATION AND PUBLIC WORKS.

Office of the Secretary.

6000-1701 For the cost of information technology services provided to agencies of the executive office of transportation and public works..... $10,362,132

Department of Highways.

6030-7501 For the cost of the purchase of bulk fuel for certain vehicles under the authority of the operational services division and the cost of purchased fuel for other agencies and for certain administrative expenses related to purchasing and distributing the fuel $2,000,000

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT.

Office of the Secretary.

7002-0018 For the cost of information technology services provided to agencies of the executive office of housing and economic development $3,924,404

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.

Office of the Secretary.

7002-0171 For the cost of information technology services provided to agencies of the executive office of labor and workforce development $19,041,403

EXECUTIVE OFFICE OF EDUCATION.

Office of the Secretary.

7009-1701 For the cost of information technology services provided to agencies of the executive office of education $1,975,782

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY.

8000-1701 For the cost of information technology services provided to agencies of the executive office of public safety and security $12,316,836

State Police.

8100-0002 For the costs of overtime associated with requested police details; provided, that for the purpose of

accommodating discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate thereof as reported in the state accounting system $6,481,785

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

Military Division.

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

Department of Correction.

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

SECTION 2D. The amounts set forth in this section are hereby appropriated from the General Federal Grants Fund. Federal funds received in excess of the amount appropriated in this section shall be expended only in accordance with section 6B of chapter 29 of the General Laws. The amount of any unexpended balance of federal grant funds received prior to June 30, 2009, and not included as part of an appropriation item in this section, is hereby made available for expenditure during fiscal year 2010, in addition to any amount appropriated in this section.

JUDICIARY.

0320-1700 For the purposes of a federally funded grant entitled, State Court Improvement Program Basic Grant $240,211

0320-1701 For the purpose of a federally funded grant entitled, CIP Data Sharing Grant $205,000

0320-1703 For the purpose of a federally funded grant entitled, CIP Training Grant $195,121

DISTRICT ATTORNEYS.

Plymouth District Attorney.

0340-0806 For the purposes of a federally funded grant entitled, Weed and Seed Campello..... $175,000

0340-0816 For the purposes of a federally funded grant entitled, Drug Free Communities $100,000

Bristol District Attorney.

0340-0906 For the purposes of a federally funded grant entitled, Weed and Seed..... $149,843

Cape and Islands District Attorney.

0340-1013 For the purposes of a federally funded grant entitled, Federal Forfeiture Trust Account..... $60,000

SECRETARY OF STATE.

0521-0800 For the purpose of a federally funded grant entitled, Election Assistance for Disabled Individuals

..... $700,041

0526-0114 For the purposes of a federally funded grant entitled, Historic Preservation Survey and Planning $825,000

TREASURER AND RECEIVER GENERAL.

Massachusetts Cultural Council.

0640-9716 For the purposes of a federally funded grant entitled, Folk and Traditional Arts Initiative..... $20,000

0640-9717 For the purposes of a federally funded grant entitled, Basic State Plan..... $633,300

0640-9718 For the purposes of a federally funded grant entitled, Arts Education $62,200

0640-9724 For the purposes of a federally funded grant entitled, Arts in Underserved Communities $151,000

0640-9729 For the purposes of a federally funded grant entitled, Challenge America..... $158,500

ATTORNEY GENERAL.

0810-0026 For the purposes of a federally funded grant entitled, Crime Victim Compensation $285,250

0810-6664 For the purposes of a federally funded grant entitled, Cyber Crime Information Sharing..... $23,472

Victim and Witness Assistance Board.

0840-0110 For the purposes of a federally funded grant entitled, Victims of Crime Assistance Programs $7,446,427

0840-4611 For the purposes of a federally funded grant entitled, Byrne Federal Grant..... $195,000

0840-4620 For the purposes of a federally funded grant entitled, VAWA Federal Grant..... $265,880

EXECUTIVE OFFICE OF ADMINISTRATION AND FINANCE.

Massachusetts Developmental Disabilities Council.

1100-1703 For the purposes of a federally funded grant entitled, Implementation of the Federal Developmental Disabilities Act; provided, that in order to qualify for this grant, this item shall be exempt from the first $350,000 of fringe benefit and indirect cost charges pursuant to section 6B of chapter 29 of the General Laws $2,128,816

Office on Disability.

1107-2450 For the purposes of a federally funded grant entitled, Client Assistance Program..... $239,839

Department of Revenue.

1201-0104 For the purposes of a federally funded grant entitled, Joint Federal-State Motor Fuel Tax Compliance Project $10,000

1201-0109 For the purposes of a federally funded grant entitled, Access and Visitation - Parent Education Program..... $222,169

1201-0412 For the purposes of federally funded grants entitled, Child Support Enforcement Grants, Child Support IVD Companion account to CSE Demonstration Grants $113,667

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS.

Office of the Secretary.

2000-0141 For the purposes of a federally funded grant entitled, Coastal Zone Management and Development $3,600,000

2000-0177 For the purposes of a federally funded grant entitled, Wetlands Development $27,663

2000-0186 For the purposes of a federally funded grant entitled, Aquatic Nuisance Species Management Plan $63,421

2000-0248 For the purposes of a federally funded grant entitled, National Estuary Program — Operation $472,501

2000-9600 For the purposes of a federally funded grant entitled, Narragansett Bay..... $73,370

2000-9701 For the purposes of a federally funded grant entitled, Outdoor Recreation Projects - Political Subdivisions $2,317,517

2000-9735 For the purposes of a federally funded grant entitled, Buzzards Bay Estuary Program..... $514,304

2000-9760 For the purposes of a federally funded grant entitled, Inventory of Navy Shipwreck $4,490

2030-0013 For the purposes of a federally funded grant entitled, Fisheries Enforcement..... $668,576

2030-9701 For the purposes of a federally funded grant entitled, Safe Boating Program..... $1,396,630

Department of Public Utilities.

7006-9000 For the purposes of a federally funded grant entitled, Motor Carrier Safety Assistance $102,000

7006-9002 For the purposes of a federally funded grant entitled, Pipeline Security $630,000

Department of Environmental Protection.

2200-9706 For the purposes of a federally funded grant entitled, Water Quality Management Planning. $534,866

2200-9712 For the purposes of a federally funded grant entitled, Cooperative Agreement-Leaking Underground Storage Tanks..... $984,806

2200-9717 For the purposes of a federally funded grant entitled, D.O.D. Environment Restoration Program for Department of Defense $1,391,070

2200-9724 For the purposes of a federally funded grant entitled, Superfund Block Grant..... $975,728

2200-9728 For the purposes of a federally funded grant entitled, Brownfields Assessment Program - Multi-Site Cooperative Agreement $231,390

2200-9729 For the purposes of a federally funded grant entitled, Brownfield Pilots Cooperative Agreements $22,314

2200-9731 For the purposes of a federally funded grant entitled, Brownfield Response $1,570,062

2230-9702 For the purposes of a federally funded grant entitled, Air, Water and Hazardous Waste Management Regulatory Programs $17,611,753

2230-9709 For the purposes of a federally funded grant entitled, Environmental Information Exchange $195,494

2230-9710 For the purposes of a federally funded grant entitled, FY07 Network $186,004

2240-9762 For the purposes of a federally funded grant entitled, Reimbursement to Operators to Small Water Systems for Training and Certification $304,404

2240-9764 For the purposes of a federally funded grant entitled, Special Appropriation Set-Aside Administration..... $44,365

2240-9769 For the purposes of a federally funded grant entitled, Estuaries Watershed Permitting $18,915

2240-9773 For the purposes of a federally funded grant entitled, Technical Assistance and Training for Drinking Water $58,500

2250-9712 For the purposes of a federally funded grant entitled, Clean Air Act-Fine Particulate Matter Air Monitoring $445,837

2250-9716 For the purposes of a federally funded grant entitled, Ambient Air Toxics Pilot Project..... $133,645

2250-9724 For the purposes of a federally funded grant entitled, Mass Food Waste RCC Program..... $ 31,649

2250-9725 For the purposes of a federally funded grant entitled, Innovation Environment Compliance Strategies $55,470

2250-9726 For the purposes of a federally funded grant entitled, Homeland Security Co-op Agreement $863,645

2250-9727 For the purposes of a federally funded grant entitled, School Bus Retrofit $20,000

2250-9728 For the purposes of a federally funded grant entitled, Off Road Construction (ORCVRP) $5,000

2250-9729 For the purposes of a federally funded grant entitled, Composting Recycling $5,000

2250-9730 For the purposes of a federally funded grant entitled, Air Toxic-Spatial Trends..... $49,017

Department of Fish and Game.

2300-0112 For the purposes of a federally funded grant entitled, River Restoration Program $27,133

2300-0114 For the purposes of a federally funded grant entitled, USFWS Partnership Program $45,000

2310-0115 For the purposes of a federally funded grant entitled, Land Owner Incentive Program – Tier I$50,000

2310-0116 For the purposes of a federally funded grant entitled, Land Owner Incentive Program – Tier II $1,000,000

2310-0117 For the purposes of a federally funded grant entitled, Chronic Wasting Disease..... $90,000

2310-0118 For the purposes of a federally funded grant entitled, Junior Duck Stamp..... $1,300

2310-0119 For the purposes of a federally funded grant entitled, Avian Influenza Surveillance Program... $8,000

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

2330-9712 For the purposes of a federally funded grant entitled, Commercial Fisheries Statistics $145,000

2330-9713 For the purposes of a federally funded grant entitled, Right Whale Conservation..... $250,000

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

2330-9730 For the purposes of a federally funded grant entitled, Interstate Fisheries Management Support $233,000

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

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

2330-9739 For the purposes of a federally funded grant entitled, Turtle Disengagement $25,000

2330-9740 For the purposes of a federally funded grant entitled, Lobster Gear Removal/Rope Work $40,000

2330-9741 For the purposes of a federally funded grant entitled, Groundfish Disaster Relief $13,400,000

Department of Agricultural Resources.

2511-0310 For the purposes of a federally funded grant entitled, Pesticide Enforcement $195,000

2511-0320 For the purposes of a federally funded grant entitled, Certification of Pesticide Applicators. $123,000

2511-0336 For the purposes of a federally funded grant entitled, Special Pesticide Disposal Initiative..... $7,240

2511-0400 For the purposes of a federally funded grant entitled, Cooperative Pest Survey Program..... $131,168

2511-0401 For the purposes of a federally funded grant entitled, Cooperative Pesticide Recordkeeping Program $17,500

2511-0972 For the purposes of a federally funded grant entitled, Farmland Protection $2,650,000

2511-1025 For the purposes of a federally funded grant entitled, Country of Origin Labeling $13,250

2515-1002 For the purposes of a federally funded grant entitled, Animal Disease Surveillance Homeland Security $125,030

2515-1003 For the purposes of a federally funded grant entitled, Voluntary Johne's Disease Control $44,300

2515-1004 For the purposes of a federally funded grant entitled, Scrapie Disease Surveillance and Flock Certification..... $8,300

2515-1005 For the purposes of a federally funded grant entitled, Low Pathogenic Avian Influenza Prevention $29,350

2515-1006 For the purposes of a federally funded grant entitled, National Animal Identification System $246,500

2515-1008 For the purposes of a federally funded grant entitled, Highly Pathogenic Avian Influenza ... $126,000

2516-9002 For the purposes of a federally funded grant entitled, Development of Institutional Marketing $108,000

2516-9003 For the purposes of a federally funded grant entitled, Farmer's Market Coupon Program..... $438,540

2516-9004 For the purposes of a federally funded grant entitled, Senior Farmers Market Nutrition Program $57,500

2516-9007 For the purposes of a federally funded grant entitled, Organic Certification Cost-Share Program $50,000

Department of Conservation and Recreation.

2800-9707 For the purposes of a federally funded grant entitled, National Flood Insurance Program..... $190,000

2800-9709 For the purposes of a federally funded grant entitled, Map Modernization $87,000

2800-9721 For the purposes of a federally funded grant entitled, Schooner Ernestina Historical Documentation $20,000

2800-9726 For the purposes of a federally funded grant entitled, FEMA National Dam Safety Program.. $67,907

2800-9727 For the purposes of a federally funded grant entitled, Boston Harbor Islands Projects-National Park Service $250,000

2800-9750 For the purposes of a federally funded grant entitled, Ipswich River Watershed EPA Grant... $70,200

2820-9702 For the purposes of a federally funded grant entitled, Rural Community Fire Protection $56,000

2820-9704 For the purposes of a federally funded grant entitled, NRCS Wildlife Habitat Incentives Program $63,805

2821-9705 For the purposes of a federally funded grant entitled, Urban and Community Forestry Program $220,087

2821-9709 For the purposes of a federally funded grant entitled, Forestry Stewardship, Forest Legacy and Conservation Education $3,098,041

2821-9711 For the purposes of a federally funded grant entitled, Rural Fire Prevention and Control $228,492

2821-9713 For the purposes of a federally funded grant entitled, Wildland Urban Interface Fuels Management $293,608

2821-9714 For the purposes of a federally funded grant entitled, Rural Development through Forestry... $26,005

2821-9719 For the purposes of a federally funded grant entitled, Watershed Forest Management – Guidebook $2,714

2821-9726 For the purposes of a federally funded grant entitled, Forest Health Management - US Forest Service $103,251

2830-9705 For the purposes of a federally funded grant entitled, SUASCO Watershed Flood Control Reservoir $7,014

2840-9709 For the purposes of a federally funded grant entitled, Waquoit Bay National Estuarine Research Reserve Consolidated Funding..... $624,789

2840-9710 For the purposes of a federally funded grant entitled, NOAA - S. Cape Beach Salt Marsh Restoration $100,461

2840-9714 For the purposes of a federally funded grant entitled, Waquoit Bay Land Acquisition..... $83,837

2840-9715 For the purposes of a federally funded grant entitled, NOAA CECLP Grant..... $2,250,000

Division of Energy Resources.

7006-9237 For the purposes of a federally funded grant entitled, Rebuild Mass – Energy Smart Communities $38,821

7006-9238 For the purposes of a federally funded grant entitled, SEP – 4 Natural Gas Buses $196,843

7006-9239 For the purposes of a federally funded grant entitled, SEP – A Module-Integrated $190,164

7006-9240 For the purposes of a federally funded grant entitled, Tall Tower Wind $10,342

7006-9243 For the purposes of a federally funded grant entitled, BIOMASS – Sustainable Forest $444,127

7006-9244 For the purposes of a federally funded grant entitled, Evaluation of Switchgrass for Biofuel in Massachusetts $10,000

7006-9301 For the purposes of a federally funded grant entitled, How Cost-Effective energy Efficiency $164,210

7006-9720 For the purposes of a federally funded grant entitled, State Heating Oil $22,288

7006-9730 For the purposes of a federally funded grant entitled, SEP II $753,000

7006-9757 For the purposes of a federally funded grant entitled, BIOMASS $9,376

DEPARTMENT OF EARLY EDUCATION AND CARE.

Department of Early Education and Care.

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

3000-9002 For the purposes of a federally funded grant entitled, Child Abuse Prevention and Treatment Activities $585,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

Office of the Secretary.

4000-7560 For the purposes of a federally funded grant entitled, Emergency Room Diversion $143,034

4000-7570 For the purposes of a federally funded grant entitled, Medicaid Transformation $189,417

4000-9401 For the purposes of a federally funded grant entitled, Community Mental Health Services $8,058,984

Office for Refugees and Immigrants.

4003-0801 For the purposes of a federally funded grant entitled, Achieving Self-Sufficiency in a Short Time $335,000

4003-0803 For the purposes of a federally funded grant entitled, Refugee School Impact $287,500

4003-0804 For the purposes of a federally funded grant entitled, refugee Targeted Assistance Grant .. $1,156,746

4003-0805 For the purposes of a federally funded grant entitled, refugee Resettlement Program $1,613,552

4003-0806 For the purposes of a federally funded grant entitled, Refugee Cash, Medical, and Administration $7,772,792

4003-0810 For the purposes of a federally funded grant entitled, Refugee Agriculture Partnership Program (RAPP) $93,518

Massachusetts Commission for the Blind.

4110-3020 For the purposes of a federally funded grant entitled, Vocational Rehabilitation; provided, that no funds shall be deducted for pensions, group health and life insurance or any other such indirect cost of federally reimbursed state employees $194,885

4110-3021 For the purposes of a federally funded grant entitled, Basic Support Grant $7,023,706

4110-3023 For the purposes of a federally funded grant entitled, Independent Living — Adaptive Housing $65,550

4110-3026 For the purposes of a federally funded grant entitled, Independent Living — Services to Older Blind Americans $774,609

4110-3027 For the purposes of a federally funded grant entitled, Rehabilitation Training..... $29,280

4110-3028 For the purposes of a federally funded grant entitled, Supported Employment $75,000

Massachusetts Rehabilitation Commission.

4120-0020 For the purposes of a federally funded grant entitled, Vocational Rehabilitation; provided, that no funds shall be deducted for pensions, group health and life insurance or any other such indirect cost of federally reimbursed state employees $40,119,565

4120-0040 For the purposes of a federally funded grant entitled, Vocational Rehabilitation and Comprehensive Systems of Personnel Development Training..... $110,200

4120-0608 For the purposes of a federally funded grant entitled, TBI Implementation Grant..... $120,000

4120-0187 For the purposes of a federally funded grant entitled, Supported Employment Program $516,463

4120-0191 For the purposes of a federally funded grant entitled, Informed Members Planning and Assessing Choices Together (IMPACT) $165,673

4120-0511 For the purposes of a federally funded grant entitled, Vocational Rehabilitation - Determination of Disability..... $40,032,148

4120-0760 For the purposes of a federally funded grant entitled, Independent Living $1,750,000

4120-0768 For the purposes of a federally funded grant entitled, Assistive Technology Act..... $500,938

Department of Veterans' Services.

1410-0254 For the purposes of a federally funded grant entitled, Non-Urban Homeless Veterans Reintegration $300,000

1410-0255 For the purposes of a federally funded grant entitled, Urban Homeless Veterans Reintegration $300,000

1410-0256 For the purposes of a federally funded grant entitled, Veterans' Workforce Investment Program $300,000

Department of Transitional Assistance.

4400-3066 For the purposes of a federally funded grant entitled, Training for Food Stamp ABAWDs $1,600,000

4400-3067 For the purposes of a federally funded grant entitled, Food Stamp Employment and Training $2,100,000

4400-3069 For the purposes of a federally funded grant entitled, Full Employment Food Stamp Cash-Out

..... $25,000

Department of Public Health.

4500-1000 For the purposes of a federally funded grant entitled, Preventive Health Services Block Grant $3,205,114

4500-1050 For the purposes of a federally funded grant entitled, Rape Prevention and Education $879,343

4500-1065 For the purposes of a federally funded grant entitled State Partnership to Improve Minority Health $113,523

4500-2000 For the purposes of a federally funded grant entitled, Maternal and Child Health Services Block Grant $11,863,729

4502-1012 For the purposes of a federally funded grant entitled, Cooperative Health Statistics System . $426,970

4510-0109 For the purposes of a federally funded grant entitled, State Loan Repayment Project $250,000

4510-0113 For the purposes of a federally funded grant entitled, Office of Rural Health $147,480

4510-0118 For the purposes of a federally funded grant entitled, Primary Care Cooperative Agreement $108,983

4510-0119 For the purposes of a federally funded grant entitled, Rural Hospital Flexibility Program $297,900

4510-0219 For the purposes of a federally funded grant entitled, Small Rural Hospital Improvement Program $89,340

4510-0221 For the purposes of a federally funded grant entitled, Targeted Oral Health Services $160,000

4510-0400 For the purposes of a federally funded grant entitled, Medicare and Medicaid Survey and Certification..... $7,703,529

4510-0404 For the purposes of a federally funded grant entitled, Bioterrorism Hospital Preparedness $9,454,744

4510-0500 For the purposes of a federally funded grant entitled, Clinical Laboratory Improvement $291,613

4510-0609 For the purposes of a federally funded grant entitled, NRC Security Inspections.....$5,000

4510-0619 For the purposes of a federally funded grant entitled, FDA Inspection of Food Establishments $317,508

4510-0626 For the purposes of a federally funded grant entitled, Statewide Surveillance of Health Concerns & Toxic Algae Blooms $149,339

4510-0627 For the purposes of a federally funded grant entitled, Enhancement of Infrastructure Reporting and Interstate Exchange..... $46,332

4510-0628 For the purposes of a federally funded grant entitled, Enhancement of Infrastructure Collaborative Data Sharing..... $66,667

4510-0630 For the purposes of a federally funded grant entitled, Enabling Electronic Prescribing and Enhancement $467,981

4510-0636 For the purposes of a federally funded grant entitled, Childhood Lead Paint Poisoning Prevention $1,149,690

4510-0638 For the purposes of a federally funded grant entitled, Edward Byrne Memorial State and Local Law

Enforcement Assistance $200,000

4510-0639 For the purposes of a federally funded grant entitled, Food Protection Rapid Response Team $497,519

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

4510-9014 For the purposes of a federally funded grant entitled, Mammography Quality Standards Act Inspections $163,405

4510-9040 For the purposes of a federally funded grant entitled, Diabetes Control Program $1,070,134

4510-9043 For the purposes of a federally funded grant entitled, Demonstration Program to Conduct Toxic Waste Site Health Impact Assessments..... $412,000

4510-9048 For the purposes of a federally funded grant entitled, Indoor Radon Development Program. $159,243

4510-9053 For the purposes of a federally funded grant entitled, Beaches Environmental Assessment .. $314,998

4510-9056 For the purposes of a federally funded grant entitled, National Environmental Public Health Tracking $901,502

4512-0102 For the purposes of a federally funded grant entitled, Sexually Transmitted Disease Control $1,535,840

4512-0179 For the purposes of a federally funded grant entitled, Vaccination Assistance Project $5,928,069

4512-0180 For the purposes of a federally funded grant entitled, Epidemiology and Lab Surveillance... $978,028

4512-9064 For the purposes of a federally funded grant entitled, Adolescent Treatment..... $50,950

4512-9065 For the purposes of a federally funded grant entitled, State Outcomes Measurement and Management System..... $150,000

4512-9067 For the purposes of a federally funded grant entitled, Screening and Brief Intervention..... $2,800,000

4512-9068 For the purposes of a federally funded grant entitled, Collaborative for Action, Leadership, and Learning $2,093,000

4512-9069 For the purposes of a federally funded grant entitled, Substance Abuse Prevention and Treatment Block Grant $35,756,554

4512-9070 For the purposes of a federally funded grant entitled, Promoting Safe and Stable Families... $500,000

4512-9426 For the purposes of a federally funded grant entitled, Uniform Alcohol and Drug Abuse Data Collection $82,226

4513-0111 For the purposes of a federally funded grant entitled, Housing Opportunities-People with AIDS $246,507

4513-1123 For the purposes of a federally funded grant entitled, Adult Viral Hepatitis Prevention Coordinator $107,351

4513-9007 For the purposes of a federally funded grant entitled, Nutritional Status of Women, Infants, and Children (WIC)..... $91,536,061

4513-9018 For the purposes of a federally funded grant entitled, Augmentation and Evaluation of Established

Health Education - Risk Reduction $11,092,885

4513-9020 For the purposes of a federally funded grant entitled, Expanded and Integrated HIV Testing $677,946

4513-9021 For the purposes of a federally funded grant entitled, Program for Infants and Toddlers with Handicaps $7,346,249

4513-9022 For the purposes of a federally funded grant entitled, Prevention Disability State Based Project $275,000

4513-9023 For the purposes of a federally funded grant entitled, Mass HIV/AIDS National Behavioral Surveillance $402,797

4513-9027 For the purposes of a federally funded grant entitled, MassCare - Community AIDS Resource Enhancement $879,806

4513-9030 For the purposes of a federally funded grant entitled, Planning a Comprehensive Primary Care System for All Mass Children and Youth $99,750

4513-9035 For the purposes of a federally funded grant entitled, AIDS Surveillance and Seroprevalence Project $976,614

4513-9037 For the purposes of a federally funded grant entitled, Ryan White Comprehensive AIDS Resources $24,458,758

4513-9038 For the purposes of a federally funded grant entitled, Shelter Plus Care – Worcester $312,684

4513-9046 For the purposes of a federally funded grant entitled, Congenital Anomalies Center of Excellence $1,004,400

4513-9051 For the purposes of a federally funded grant entitled, Rural Domestic Violence and Children Victimization Project $449,779

4513-9060 For the purposes of a federally funded grant entitled, Residential Fire Injury Prevention — Mass Injury Intervention and Surveillance $145,000

4513-9066 For the purposes of a federally funded grant entitled, Universal Newborn Hearing Screening-Enhancement Project $175,000

4513-9071 For the purposes of a federally funded grant entitled, Early Hearing Detection and Intervention (EHDI) Tracking and Research $194,579

4513-9077 For the purposes of a federally funded grant entitled, Emergency Medical Services for Children Partnership II $115,000

4513-9078 For the purposes of a federally funded grant entitled, Asthma Planning Collaborative $335,000

4513-9082 For the purpose of a federally funded grant entitled, CAPTA Requirement to Identify and Serve Substance Exposed Newborns $250,000

4513-9083 For the purposes of a federally funded grant entitled, Massachusetts Youth Suicide Prevention Program $254,039

4513-9085 For the purposes of a federally funded grant entitled, Massachusetts Pregnancy Risk $175,864

4513-9086 For the purposes of a federally funded grant entitled, Oral Health Workforce Activities Support Grant $97,098

4513-9087 For the purposes of a federally funded grant entitled, Grants to States to Support Oral Health Workforce Activities..... $144,331

4513-9088 For the purposes of a federally funded grant entitled, Helping Hands for Infants and their Families $475,000

4513-9089 For the purposes of a federally funded grant entitled, First Time Motherhood'-New Parents Initiative $335,000

4514-1006 For the purposes of a federally funded grant entitled, Getting to the Heart of the Matter $87,103

4515-0115 For the purposes of a federally funded grant entitled, Tuberculosis Control Project..... $1,572,316

4515-0121 For the purposes of a federally funded grant entitled, Tuberculosis Epidemiological Studies and Consortium..... $308,061

4515-0200 For the purposes of a federally funded grant entitled, STD/HIV Prevention Training Centers $433,774

4515-0204 For the purposes of a federally funded grant entitled, Strengthening Surveillance for Infectious Disease $175,000

4515-0205 For the purposes of a federally funded grant entitled, HIV Training through Prevention Training Centers $99,999

4516-1021 For the purposes of a federally funded grant entitled, Public Health Preparedness and Response for Bioterrorism $15,109,316

4516-1025 For the purposes of a federally funded grant entitled, Morbidity and Risk Behavior Surveillance $255,363

4516-1027 For the purposes of a federally funded grant entitled, Massachusetts Electronic Lab Data Exchange Project Supports..... $561,254

4518-0505 For the purposes of a federally funded grant entitled, Tech Data & Mass Birth/Infant Death File Linkage/Analysis Assistive Reproductive..... $82,721

4518-0514 For the purposes of a federally funded grant entitled, National Violent Death Reporting System $257,839

4518-0534 For the purposes of a federally funded grant entitled, Public Health Injury Surveillance and Prevention $752,732

4518-1000 For the purposes of a federally funded grant entitled, Procurement of Information for the National Death Index $20,327

4518-1002 For the purposes of a federally funded grant entitled, Massachusetts Death File - Social Security Administration..... $33,000

4518-1003 For the purposes of a federally funded grant entitled, Massachusetts Birth Records — Social Security Administration..... $168,000

4518-1004 For the purposes of a federally funded grant entitled, Promoting Integration of State Health Information Systems $41,155

4518-9023 For the purposes of a federally funded grant entitled, Census of Fatal Occupational Injuries.. $44,200

4518-9030 For the purpose of a federally funded grant entitled, Public Health Injury Surveillance and

Prevention Program $116,760

4570-1509 For the purposes of a federally funded grant entitled, Massachusetts Cardiovascular Disease Prevention $1,144,034

4570-1512 For the purposes of a federally funded grant entitled, National Cancer Prevention Control $3,440,786

4570-1515 For the purposes of a federally funded grant entitled, Chronic Diseases Prevention and Health Promotion..... $2,357,900

4570-1514 For the purposes of a federally funded grant entitled, Wise Women..... $900,000

4570-1516 For the purposes of a federally funded grant entitled, Paul Coverdell Acute Stroke Registry $600,000

4570-1520 For the purposes of a federally funded grant entitled, Nutrition Obesity..... $2,035,805

Department of Children and Families.

4800-0005 For the purposes of a federally funded grant entitled, Children's Justice Act..... $339,302

4800-0007 For the purposes of a federally funded grant entitled, The Family Violence Prevention and Support Services Act $1,748,029

4800-0009 For the purposes of a federally funded grant entitled, Title IV-E Independent Living..... $2,984,866

4800-0013 For the purposes of a federally funded grant entitled, Family Preservation and Support Services $4,739,535

4800-0085 For the purposes of a federally funded grant entitled, Educational & Training Voucher Program $1,005,443

4899-0001 For the purposes of a federally funded grant entitled, Title IV-B Child Welfare Services.. $4,221,839

4899-0022 For the purposes of a federally funded grant entitled, Child Abuse and Neglect Prevention and Treatment $508,911

Department of Mental Health.

5012-9121 For the purposes of a federally funded grant entitled, Project for Assistance in Transition from Homelessness $1,851,990

5046-9102 For the purposes of a federally funded grant entitled, Shelter Plus Care Program..... $201,120

5047-9102 For the purposes of a federally funded grant entitled, Comprehensive Mental Health Services for Children and their Families $2,277,824

EXECUTIVE OFFICE OF TRANSPORTATION.

Office of the Secretary.

6000-0018 For the purposes of a federally funded grant entitled, Rural Public Transportation Assistance $4,399,436

6000-0020 For the purposes of a federally funded grant entitled, Jobs Access Reverse Commute $3,187,885

6000-0023 For the purposes of a federally funded grant entitled, Rural Public Transportation Planning Grant $3,935,000

6000-0049 For the purposes of a federally funded grant entitled, Elderly and Handicapped Transportation Capital Grant $5,459,022

Registry of Motor Vehicles.

8400-0090 For the purposes of a federally funded grant entitled, Enhance CDL Licensing..... $711,976

Board of Library Commissioners.

7000-9700 For the purposes of a federally funded grant entitled, Federal Reserve - Title I $169,280

7000-9702 For the purposes of a federally funded grant entitled, Library Service Technology Act $3,446,669

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.

7002-1625 For the purposes of a federally funded grant entitled, Veterans Workforce Investment Program FY10 ..... $757,412

7002-4203 For the purposes of a federally funded grant entitled, Occupational Substance and Health Administration Statistical Survey $112,300

7002-4204 For the purposes of a federally funded grant entitled, Adult Blood Lead Levels Surveillance. $20,486

7002-4212 For the purposes of a federally funded grant entitled, Asbestos Licensing and Monitoring... $108,000

7002-4213 For the purposes of a federally funded grant entitled, Lead Licensing and Monitoring $275,000

7002-4215 For the purposes of a federally funded grant entitled, Occupational Illness and Injury..... $86,848

7002-4216 For the purposes of a federally funded grant entitled, Lead Enforcement Cooperative Agreement $75,000

7002-6624 For the purposes of a federally funded grant entitled, Unemployment Insurance Administration $71,920,638

7002-6626 For the purposes of a federally funded grant entitled, Employment Service Programs Administration $22,522,897

7002-6627 For the purposes of a federally funded grant entitled, Occupational Substance and Health Administration On-site Consultation Program $1,358,000

7002-6628 For the purposes of a federally funded grant entitled, Disabled Veterans Outreach..... $1,427,581

7002-6629 For the purposes of a federally funded grant entitled, Local Veterans Employment Representative $1,534,205

7002-6646 For the purposes of a federally funded grant entitled, WIA Recovery Act Employer Services $8,063,456

7002-9701 For the purposes of a federally funded grant entitled, Federal Bureau of Labor Statistics Grant $2,451,894

7003-1010 For the purposes of a federally funded grant entitled, Trade Expansion Act Program $9,764,737

7003-1630 For the purposes of a federally funded grant entitled, Adult Activities – Workforce Investment Act Title I - Adult Activities..... $21,968,500

7003-1631 For the purposes of a federally funded grant entitled, Youth Formula Grants – Workforce Investment

Act Title I - Youth Formula Grants..... $24,436,362

7003-1632 For the purposes of a federally funded grant entitled, Dislocated Workers – Workforce Investment Act Title I –Dislocated Workers..... $40,024,132

7003-1633 For the purposes of a federally funded grant entitled, Work Incentive Grant Access to Employment for All..... $1,868,802

7003-1635 For the purposes of a federally funded grant entitled, Partnership for Youth in Employment.. $45,000

7003-1640 For the purposes of a federally funded grant entitled, WIA Recovery Act Adult Workers $10,073,668

7003-1642 For the purposes of a federally funded grant entitled, WIA Recovery Act Dislocated Workers $21,223,446

7003-1651 For the purposes of a federally funded grant entitled, WIA Recovery Act Youth Workers $24,838,038

7003-2013 For the purposes of a federally funded grant entitled, Mine Safety and Health Training $63,395

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT.

Department of Housing and Community Development.

7004-0304 For the purposes of a federally funded grant entitled, Lead-Based Paint Control Program.... $257,852

7004-2030 For the purposes of a federally funded grant entitled, Weatherization Assistance for Low Income Persons; provided, that, consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies..... $6,517,898

7004-2033 For the purposes of a federally funded grant entitled, Low Income Home Energy Assistance Program; provided, that, consistent with applicable federal regulations and the state plan, the department of housing and community development shall provide monthly payments in advance to participating agencies..... $93,972,799

7004-2034 For the purposes of a federally funded grant entitled, Community Services Block Grant; provided, that, consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies $16,944,356

7004-2361 For the purposes of a federally funded grant entitled, Section 8 Substantial Rehabilitation Administrative Fee..... $246,000

7004-2363 For the purposes of a federally funded grant entitled, Section 8 Administrative Fee Housing Voucher $2,047,000

7004-2364 For the purposes of a federally funded grant entitled, Section 8 Administrative Fee Moderate Rehabilitation $260,000

7004-2365 For the purposes of a federally funded grant entitled, Section 8 Administrative Fee New Construction $630,000

7004-3037 For the purposes of a federally funded grant entitled, Small Cities Community Development Block Grant Program; provided, that, consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies..... $43,243,680

7004-9009 For the purposes of a federally funded grant entitled, Section 8 Substantial Rehabilitation Program; provided, that the department of housing and community development may provide monthly payments in advance to participating agencies $9,400,000

7004-9014 For the purposes of a federally funded grant entitled, Section 8 Federal Housing Voucher Program; provided, that the department of housing and community development may provide monthly payments in advance to participating agencies $216,000,000

7004-9019 For the purposes of a federally funded grant entitled, Section 8 Moderate Rehabilitation; provided, that the department of housing and community development may provide monthly payments in advance to participating agencies $8,700,000

7004-9020 For the purposes of a federally funded grant entitled, Section 8 New Construction Program; provided, that the department of housing and community development may provide monthly payments in advance to participating agencies $7,700,000

7004-9028 For the purposes of a federally funded grant entitled, Home Investment Partnerships; provided, that, consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies $14,975,000

7004-9039 For the purposes of a federally funded grant entitled, HOME Technical Assistance..... $13,586,515

7004-9051 For the purposes of a federally funded grant entitled, Shelter Plus Care-Lowell; provided, that, consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies $25,000

4400-0705 For the purposes of a federally funded grant entitled, Emergency Shelter Grants $2,900,000

4400-0707 For the purposes of a federally funded grant entitled, Continuum of Care..... $6,000,000

4400-9404 For the purposes of a federally funded grant entitled, McKinney Shelter Plus Care..... $3,400,000

EXECUTIVE OFFICE OF EDUCATION.

Department of Elementary and Secondary Education.

7010-9706 For the purposes of a federally funded grant entitled, Common Core Data Project $191,631

7032-0217 For the purposes of a federally funded grant entitled, Robert C. Byrd Honors Scholarship Program — Distribution..... $784,500

7035-0166 For the purposes of a federally funded grant entitled, Even Start Family Literacy — Distribution $1,062,754

7035-0210 For the purposes of a federally funded grant entitled, Advanced Placement Fee Program..... $201,446

7038-0107 For the purposes of a federally funded grant entitled, Adult Basic Education – Distribution $9,620,845

7038-9004 For the purposes of a federally funded grant entitled, School Based Programs Distribution.. $350,527

7043-1001 For the purposes of a federally funded grant entitled, Title I Grants to Local Educational Agencies $233,353,571

7043-1002 For the purposes of a federally funded grant entitled, Title I Reading First State Grants.... $1,482,454

7043-1004 For the purposes of a federally funded grant entitled, Migrant Education..... $1,594,566

7043-1005 For the purposes of a federally funded grant entitled, Title I Neglected and Delinquent Children $1,896,925

7043-1006 For the purposes of a federally funded grant entitled, School Improvement Grant..... $8,286,895

7043-2001 For the purposes of a federally funded grant entitled, Teacher and Principal Training and Recruiting $50,637,588

7043-2002 For the purposes of a federally funded grant entitled, Title II State and Local Technology Grants $4,219,983

7043-2003 For the purposes of a federally funded grant entitled, Title I Math and Science Partnerships $2,475,335

7043-3001 For the purposes of a federally funded grant entitled, English Language Acquisition $11,835,260

7043-4001 For the purposes of a federally funded grant entitled, Safe and Drug Free Schools and Communities $4,328,084

7043-4002 For the purposes of a federally funded grant entitled, After School Learning Centers..... $17,004,984

7043-6001 For the purposes of a federally funded grant entitled, Grants for State Assessments and Related Activities..... $7,737,805

7043-6002 For the purposes of a federally funded grant entitled, Rural And Low-Income Schools..... $48,500

7043-6501 For the purposes of a federally funded grant entitled, Education for Homeless Children/Youth $1,062,175

7043-7001 For the purposes of a federally funded grant entitled, Special Education Grants.....$282,156,276

7043-7002 For the purposes of a federally funded grant entitled, Preschool Grants $10,263,466

7043-8001 For the purposes of a federally funded grant entitled, Vocational Education Basic Grants$18,589,408

7043-8002 For the purposes of a federally funded grant entitled, Technical Preparation Education..... $1,575,242

7043-9002 For the purpose of a federally funded grant entitled, Transition to Teaching $172,817

7044-0020 For the purposes of a federally funded grant entitled, New Project Focus $542,538

7044-0210 For the purposes of a federally funded grant entitled, Advanced Placement Fee Program..... $250,000

7047-9008 For the purposes of a federally funded grant entitled, Learn and Serve America Competitive$469,839

7048-0228 For the purposes of a federally funded grant entitled, IMP Health and Education Outcomes $344,093

7048-9123 For the purposes of a federally funded grant entitled, Education Research, Development and Dissemination..... 500,000

7048-9200 For the purposes of a federally funded grant entitled, Statewide Longitudinal Data Systems Grant $2,269,286

7053-2008 For the purposes of a federally funded grant entitled, Fresh Fruit & Veggie..... $1,400,000

7053-2112 For the purposes of a federally funded grant entitled, Special Assistance Funds.....$169,322,798

7053-2117 For the purposes of a federally funded grant entitled, Child Care Program..... $52,916,697

7053-2126 For the purposes of a federally funded grant entitled, Temporary Emergency Food Assistance $1,309,867

7053-2202 For the purposes of a federally funded grant entitled, Special Summer Food Service Program for Children $6,683,712

7062-0008 For the purposes of a federally funded grant entitled, Office of School Lunch Programs — Child Care Program Administration..... $3,272,713

7062-0017 For the purposes of a federally funded grant entitled, Charter Schools Assistance Distribution $3,150,000

7062-0019 For the purposes of a federally funded grant entitled, Career Resource Network State Grant.. $70,000

Department of Higher Education.

7066-1574 For the purposes of a federally funded grant entitled, Improving Teacher Quality Grants.. $1,600,000

7066-6033 For the purposes of a federally funded grant entitled, Gaining Early Awareness and Readiness for Undergraduate Programs..... $3,500,000

7070-0017 For the purposes of a federally funded grant entitled, Leveraging Educational Assistance Program— Department of Higher Education $966,753

7110-6019 For the purposes of a federally funded grant entitled, Upward Bound Payroll and Benefits— Fitchburg State College..... $242,000

7110-6030 For the purposes of a federally funded grant entitled, Expanding Horizons Student Support Services — Fitchburg State College $220,000

7110-6048 For the purposes of a federally funded grant entitled, Special Education Personnel Preparation— Fitchburg State College..... $78,000

7410-3093 For the purposes of a federally funded grant entitled, Polymer Building Construction — University of Massachusetts Amherst $2,711,376

7503-6557 For the purposes of a federally funded grant entitled, Trio Talent Search – Bristol Community College $165,124

7503-9711 For the purposes of a federally funded grant entitled, Special Services for Disadvantaged Students — Bristol Community College..... $340,641

7503-9714 For the purposes of a federally funded grant entitled, Upward Bound Program — Bristol Community College $124,315

7509-1490 For the purposes of a federally funded grant entitled, Educational Opportunities Centers Payroll — Mount Wachusett Community College $222,000

7509-9714 For the purposes of a federally funded grant entitled, Special Services for Disadvantaged Students — Mount Wachusett Community College $235,000

7509-9718 For the purposes of a federally funded grant entitled, Talent Search — Mount Wachusett Community College $240,000

7509-9720 For the purposes of a federally funded grant entitled, Gaining Early Awareness and Readiness for

Undergraduate Programs 2011— Mount Wachusett Community College..... $520,000

7509-9717 For the purposes of a federally funded grant entitled, Upward Bound Math and Science Program – Mount Wachusett Community College $98,000

7511-9711 For the purposes of a federally funded grant entitled, Special Services for Disadvantaged Students — North Shore Community College $450,000

7511-9740 For the purposes of a federally funded grant entitled, Upward Bound — North Shore Community College $350,000

7511-9750 For the purposes of a federally funded grant entitled, Talent Search— North Shore Community College $225,000

7518-6127 For the purposes of a federally funded grant entitled, College Work Study Program— Bunker Hill Community College $295,000

EXECUTIVE OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY.

Office of the Secretary.

8000-4602 For the purposes of a federally funded grant entitled, Juvenile Justice Delinquency and Prevention Act — Planning $150,000

8000-4603 For the purposes of a federally funded grant entitled, Juvenile Justice Delinquency and Prevention Act $1,200,000

8000-4608 For the purposes of a federally funded grant entitled, Drug-Free Schools and Communities Act of 1986 ..... $1,200,000

8000-4609 For the purposes of a federally funded grant entitled, Narcotics Control Assistance $866,000

8000-4610 For the purposes of a federally funded grant entitled, Statistical Analysis Center $60,000

8000-4611 For the purposes of a federally funded grant entitled, Byrne Justice Assistance..... $4,000,000

8000-4613 For the purposes of a federally funded grant entitled, Project Safe Neighborhood Anti-Gang Initiative $500,000

8000-4614 For the purposes of a federally funded grant entitled, Encourage Arrests Violence to Women $1,000,000

8000-4619 For the purposes of a federally funded grant entitled, Title V $75,000

8000-4620 For the purposes of a federally funded grant entitled, Stop Violence Against Women Formula Grants Program..... $2,000,000

8000-4623 For the purposes of a federally funded grant entitled, Criminal History Improvement $50,000

8000-4624 For the purposes of a federally funded grant entitled, Prisoner Substance Abuse Treatment . $100,000

8000-4692 For the purposes of a federally funded grant entitled, State Homeland Security Program $45,000,000

8000-4693 For the purposes of a federally funded grant entitled, Project Safe Neighborhood $700,000

8000-4695 For the purposes of a federally funded grant entitled, Homeland Security Buffer Zone Protection $2,000,000

8000-4696 For the purposes of a federally funded grant entitled, Transportation Security Grant..... $12,000,000

8000-4697 For the purposes of a federally funded grant entitled, Homeland Security Interoperable Communication $8,000,000

8000-4698 For the purposes of a federally funded grant entitled, Highway Safety Initiatives..... $3,000,000

8000-4804 For the purposes of a federally funded grant entitled, State Agency Programs $12,000,000

8000-4839 For the purposes of a federally funded grant entitled, Enforcing Underage Drinking Law IV$125,000

8000-4840 For the purposes of a federally funded grant entitled, 2006 Enforcing Underage Drinking Laws $350,000

8000-4841 For the purposes of a federally funded grant entitled, Fatality Analysis Reporting $150,000

8000-6613 For the purposes of a federally funded grant entitled, Juvenile Accountability II..... $600,000

8000-6612 For the purposes of a federally funded grant entitled, Special Event Trust $150,000

8000-6615 For the purposes of a federally funded grant entitled, Community Security Expendable Trust $150,000

Department of State Police.

8100-0200 For the purposes of a federally funded grant entitled, Motor Vehicle Data Quality..... $405,196

8100-0209 For the purposes of a federally funded grant entitled, Region 1 Training Academy Motor Carrier Safety Assistance..... $150,500

8100-0210 For the purposes of a federally funded grant entitled, MCSAP-CVE New Entrant Audit..... $630,213

8100-0217 For the purposes of a federally funded grant entitled, Federal Motor Carrier Safety Assistance $2,466,476

8100-0218 For the purposes of a federally funded grant entitled, Federal Motor Carrier Safety FY09. $1,758,595

8100-2058 For the purposes of a federally funded grant entitled, New England State Police Administrator's Conference — Regional Investigation $703,335

8100-2638 For the purposes of a federally funded grant entitled, Internet Crimes Against Children..... $250,000

8100-9706 For the purposes of a federally funded grant entitled, Cannabis Eradication Controlled Substance Prosecution DEA Cooperative Agreement..... $39,680

8100-9730 For the purposes of a federally funded grant entitled, Forensic Casework DNA Backlog FFY05 ..... $127,332

8100-9733 For the purposes of a federally funded grant entitled, Forensic Casework DNA Backlog $267,342

8100-9735 For the purposes of a federally funded grant entitled, Paul Coverdell National Forensic Science Improvement Act FY09 ..... $55,200

8100-9736 For the purposes of a federally funded grant entitled, Forensic Casework DNA Backlog $140,000

8100-9738 For the purposes of a federally funded grant entitled, Operation Clean Sweep Byrne FY09.. $440,481

8100-9739 For the purposes of a federally funded grant entitled, Statewide Firearms Intelligence Byrne$220,630

Department of Fire Services.

8324-1505 For the purposes of a federally funded grant entitled, USFA/NFA State Fire Training Program $28,000

8324-9707 For the purposes of a federally funded grant entitled, Underground Storage Tank Registry Program $236,329

Military Division.

8700-0006 For the purposes of a federally funded grant entitled, Military Construction Costs in Methuen $21,301,000

8700-0143 For the purposes of an expendable trust entitled, Friends of Massachusetts National Guard and Reserve Families..... $585,586

8700-0302 For the purposes of a federally funded grant entitled, Military Construction Costs in Reading $831,499

Massachusetts Emergency Management Agency.

8800-0042 For the purposes of a federally funded grant entitled, Hazardous Materials Transportation Act $214,283

8800-0048 For the purposes of a federally funded grant entitled, Flood Mitigation Assistance Program $987,679

8800-0064 For the purposes of a federally funded grant entitled, Hazard Mitigation 1364..... $470,105

8800-0080 For the purposes of a federally funded grant entitled, Local Emergency Plan Assistance..... $22,656

8800-0086 For the purposes of a federally funded grant entitled, Pre-Disaster Mitigation/Disaster Resistant University..... $220,375

8800-0087 For the purposes of a federally funded grant entitled, Pre-Disaster Mitigation Competitive Grant $4,386,097

8800-1512 For the purposes of a federally funded grant entitled, Hazard Mitigation Program, HMPG for FEMA-DR1512 ..... $180,667

Department of Correction.

8903-9709 For the purposes of a federally funded grant entitled, Grants to States for Workplace and Community Transition Training for Incarcerated Youth Offenders..... $128,799

EXECUTIVE OFFICE OF ELDER AFFAIRS.

Office of the Secretary.

9110-1074 For the purposes of a federally funded grant entitled, Older Americans Assistance, Title III and Title VII $9,467,410

9110-1077 For the purposes of a federally funded grant entitled, Older Americans Act, Title III-E, National Family Caregiver Support Program $3,544,442

9110-1095 For the purposes of a federally funded grant entitled, Health Information Counseling and Assistance $710,010

9110-1150 For the purposes of a federally funded grant entitled, Empowering Older People $70,743

9110-1173 For the purposes of a federally funded grant entitled, Older Americans Act, Title III Nutritional Program $14,289,338

9110-1174 For the purposes of a federally funded grant entitled, Nutrition Services Incentive Program $3,155,164

9110-1178 For the purposes of a federally funded grant entitled, Community Service Employment Program $1,931,361

9110-1179 For the purposes of a federally funded grant entitled, Performance Outcome Measures Project $28,100

9110-2760 For the purposes of a federally funded grant entitled, New England Massachusetts Aging and Disability Resource Center $187,782

9110-3000 For the purposes of a federally funded grant entitled, Senior Medicare Patrol Integration..... $100,898

9110-3100 For the purposes of a federally funded grant entitled, Nursing Home Diversion $885,165

9110-3200 For the purposes of a federally funded grant entitled, Alzheimer's Disease $234,627

9110-3300 For the purposes of a federally funded grant entitled, Performance Outcome Measure Project $59,975

SECTION 3. Notwithstanding any general or special law to the contrary, for the fiscal year ending June 30, 2010 the distribution to cities and towns of the balance of the State Lottery Fund, as paid by the state treasurer from the General Fund in accordance with clause (c) of the second paragraph of section 35 of chapter 10 of the General Laws, and additional funds from the General Fund shall be $864,882,390 and shall be apportioned to the cities and towns in accordance with this section.

Notwithstanding section 2 of chapter 70 of the General Laws or any other general or special law to the contrary, except for section 12B of chapter 76 and section 89 of chapter 71 of the General Laws, for fiscal year 2010 the total amounts to be distributed and paid to each city and town from item 7061-0008 of section 2 shall be as set forth in the following lists. The specified amounts to be distributed from said item 7061-0008 of said section 2 shall be in full satisfaction of the amounts due under chapter 70 of the General Laws.

Notwithstanding any general or special law to the contrary, the governor may allocate, at his full discretion, funds from the State Fiscal Stabilization Fund established by Title XIV of the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5 (ARRA); provided further, that said potential allocation is reflected in the following chart in the column entitled "Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund"; provided further, that the funds set forth in said column are an estimated apportionment and shall not appear on the cherry sheet produced by the department of revenue.

For fiscal year 2010, when calculating the foundation budget for each district, the fiscal year 2009 Chapter 70 aid shall be valued at 98% of fiscal year 2009 aid as outlined in section 3 of chapter 182 of the acts of 2008. The foundation budget categories for each district shall be calculated in the same manner as in fiscal year 2009. For fiscal year 2010, the foundation inflation index shall equal the prior year's foundation inflation index multiplied by the ratio of the value of the implicit price deflator for state and local government purchases in the second quarter of the prior fiscal year to its value in the second quarter of the year 2 years before. The target local share shall be calculated using the same methodology used in fiscal year 2009. Preliminary local contribution shall be the municipality's fiscal year 2009 minimum required local contribution, increased or decreased by the municipal revenue growth factor. The minimum required local contribution for fiscal year 2010 shall be, for any municipality with a fiscal year 2010 preliminary contribution less than its fiscal year 2010 target contribution, the greater of: (a) the fiscal year 2009 minimum required contribution increased by municipal revenue growth factors; but if a municipality's preliminary contribution as a percentage of its foundation budget is more than 5 percentage points lower than the target local share, the preliminary contribution shall be recalculated using the municipality's revenue growth factor plus 1 percentage point; and if a municipality's preliminary contribution as a percentage of its foundation budget is more than 10 percentage points lower than the target local share, the preliminary contribution shall be recalculated using the municipality's revenue growth factor plus 2 percentage points; or (b) the lesser of 95 per cent of the municipality's fiscal year 2008 actual contribution or the municipality's fiscal year 2010 target contribution. Minimum required local contribution for fiscal year 2010 shall be, for any municipality with a fiscal year 2010 preliminary contribution greater than its fiscal year 2010 target contribution, the preliminary local contribution reduced by 15 per cent of the gap between the preliminary local contribution and the target local contribution. Required local contribution shall be allocated among the districts to which

a municipality belongs in direct proportion to the foundation budgets for the municipality's pupils at each of those districts.

Chapter 70 aid for fiscal year 2010 shall be as distributed in fiscal year 2009. If there is a conflict between the language of this section and the distribution listed below, the distribution below shall control.

The department of elementary and secondary education shall not consider health care costs for retired teachers to be part of net school spending for any district in which such costs were not considered part of net school spending in fiscal year 1994.

No payments to cities, towns or counties maintaining an agricultural school pursuant to this section shall be made after November 30 of the fiscal year by the state treasurer until he receives certification from the commissioner of revenue of the commissioner's acceptance of the prior fiscal year's annual financial reports submitted pursuant to section 43 of chapter 44 of the General Laws. The state treasurer shall make advance payments for some or all of periodic local reimbursement or assistance programs to any city, town, regional school district or independent agricultural and technical school that demonstrates an emergency cash shortfall, as certified by the commissioner of revenue and approved by the secretary of the executive office for administration and finance, pursuant to guidelines established by the secretary.

Municipality	7061-0008 Chapter 70	Unrestricted General Government Aid	Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund	Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds)
ABINGTON	7,652,405	1,612,047	0	9,264,452
ACTON	5,123,578	1,146,303	384,404	6,654,285
ACUSHNET	6,380,293	1,242,500	0	7,622,793
ADAMS	8,958	1,654,263	39	1,663,260
AGAWAM	16,156,816	3,018,948	1,494,435	20,670,199
ALFORD	0	11,057	0	11,057
AMESBURY	8,897,607	1,594,224	0	10,491,831
AMHERST	6,141,373	6,610,251	0	12,751,624
ANDOVER	7,318,616	1,464,283	0	8,782,899
ARLINGTON	6,104,708	6,217,040	938,832	13,260,580
ASHBURNHAM	0	573,302	0	573,302
ASHBY	0	312,586	0	312,586
ASHFIELD	97,305	152,135	0	249,440
ASHLAND	4,502,102	1,108,182	331,209	5,941,493
ATHOL	0	1,874,130	0	1,874,130
ATTLEBORO	29,646,276	4,675,008	978,645	35,299,929
AUBURN	5,691,647	1,403,422	618,522	7,713,591
AVON	862,748	567,974	0	1,430,722
AYER	4,168,122	620,362	0	4,788,484
BARNSTABLE	7,589,756	1,723,717	0	9,313,473
BARRE	17,501	666,384	21,991	705,876
BECKET	79,753	74,419	0	154,172
BEDFORD	2,964,642	940,694	0	3,905,336
BELCHERTOWN	12,900,818	1,394,325	944,004	15,239,147
BELLINGHAM	8,389,773	1,390,505	91,110	9,871,388
BELMONT	4,511,739	1,850,306	1,373,659	7,735,704
BERKLEY	5,426,422	498,606	0	5,925,028
BERLIN	528,296	165,216	0	693,512
BERNARDSTON	0	232,424	11,892	244,316
BEVERLY	7,109,675	4,785,533	0	11,895,208
BILLERICA	17,116,639	4,771,857	1,395,453	23,283,949
BLACKSTONE	124,797	980,621	0	1,105,418
BLANDFORD	44,506	103,384	0	147,890
BOLTON	5,654	161,794	0	167,448
BOSTON	216,994,382	155,256,046	0	372,250,428
BOURNE	4,948,115	1,201,280	0	6,149,395
BOXBOROUGH	1,366,966	206,712	0	1,573,678
BOXFORD	1,620,806	398,364	0	2,019,170
BOYLSTON	451,690	280,696	10,523	742,909
BRAINTREE	9,326,942	4,689,273	3,051,962	17,068,177

Municipality	7061-0008 Chapter 70	Unrestricted General Government Aid	Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund	Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds)
BREWSTER	937,937	323,564	0	1,261,501
BRIDGEWATER	84,053	2,624,108	0	2,708,161
BRIMFIELD	1,167,152	319,496	0	1,486,648
BROCKTON	126,330,840	17,158,292	7,067,088	150,556,220
BROOKFIELD	1,342,588	404,611	0	1,747,199
BROOKLINE	7,323,679	5,202,767	0	12,526,446
BUCKLAND	0	226,717	6,183	232,900
BURLINGTON	5,413,900	2,146,071	0	7,559,971
CAMBRIDGE	9,130,367	17,604,724	0	26,735,091
CANTON	3,685,031	1,757,317	135,364	5,577,712
CARLISLE	834,776	179,767	0	1,014,543
CARVER	10,112,726	1,197,127	0	11,309,853
CHARLEMONT	140,550	143,242	0	283,792
CHARLTON	0	1,063,538	7,638	1,071,176
CHATHAM	685,125	123,329	0	808,454
CHELMSFORD	9,243,365	4,159,283	1,392,442	14,795,090
CHELSEA	49,781,388	6,730,308	1,771,356	58,283,052
CHESHIRE	310,513	461,207	0	771,720
CHESTER	130,782	147,535	0	278,317
CHESTERFIELD	126,627	113,141	0	239,768
CHICOPEE	47,119,437	9,436,454	3,217,466	59,773,357
CHILMARK	0	3,073	0	3,073
CLARKSBURG	1,688,903	298,108	162,960	2,149,971
CLINTON	10,988,464	1,929,063	65,712	12,983,239
COHASSET	1,753,039	421,608	0	2,174,647
COLRAIN	0	209,061	0	209,061
CONCORD	2,111,688	950,676	0	3,062,364
CONWAY	625,958	146,455	0	772,413
CUMMINGTON	69,156	68,362	0	137,518
DALTON	214,226	826,118	0	1,040,344
DANVERS	4,509,672	2,333,984	0	6,843,656
DARTMOUTH	9,490,011	2,065,768	0	11,555,779
DEDHAM	3,857,099	2,679,789	0	6,536,888
DEERFIELD	1,084,466	393,594	0	1,478,060
DENNIS	0	446,290	0	446,290
DIGHTON	0	569,556	0	569,556
DOUGLAS	7,904,901	598,025	830,298	9,333,224
DOVER	635,447	157,637	0	793,084
DRACUT	17,062,255	2,871,197	1,613,156	21,546,608
DUDLEY	0	1,264,911	0	1,264,911
DUNSTABLE	0	190,426	4,183	194,609
DUXBURY	4,254,657	726,387	417,755	5,398,799
EAST BRIDGEWATER	10,678,301	1,226,624	30,728	11,935,653

Municipality	7061-0008 Chapter 70	Unrestricted General Government Aid	Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund	Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds)
EAST BROOKFIELD	93,637	221,162	0	314,799
EAST LONGMEADOW	8,157,639	1,186,171	924,852	10,268,662
EASTHAM	333,725	122,088	0	455,813
EASTHAMPTON	7,995,345	2,303,361	0	10,298,706
EASTON	9,598,361	1,794,541	112,390	11,505,292
EDGARTOWN	446,517	54,587	0	501,104
EGREMONT	0	51,705	0	51,705
ERVING	404,830	55,079	26,852	486,761
ESSEX	0	200,637	0	200,637
EVERETT	33,241,384	5,661,452	3,878,051	42,780,887
FAIRHAVEN	7,504,255	1,847,895	0	9,352,150
FALL RIVER	91,768,280	19,528,411	327,857	111,624,548
FALMOUTH	5,119,922	1,136,100	0	6,256,022
FITCHBURG	40,327,289	6,993,292	1,172,654	48,493,235
FLORIDA	506,498	40,789	49,710	596,997
FOXBOROUGH	8,293,540	1,220,611	586,091	10,100,242
FRAMINGHAM	16,793,161	8,152,934	2,802,609	27,748,704
FRANKLIN	28,152,172	2,024,876	219,523	30,396,571
FREETOWN	1,515,957	778,144	9,247	2,303,348
GARDNER	18,753,226	3,472,553	228,936	22,454,715
AQUINNAH	0	1,914	0	1,914
GEORGETOWN	4,356,024	587,041	1,031,328	5,974,393
GILL	0	174,279	0	174,279
GLOUCESTER	6,080,047	3,272,878	0	9,352,925
GOSHEN	100,116	65,558	0	165,674
GOSNOLD	17,098	1,719	0	18,817
GRAFTON	8,017,198	1,281,306	1,098,905	10,397,409
GRANBY	4,637,824	723,558	102,974	5,464,356
GRANVILLE	1,317,791	131,384	0	1,449,175
GREAT BARRINGTON	0	621,914	0	621,914
GREENFIELD	9,540,033	2,601,664	380,068	12,521,765
GROTON	0	630,711	0	630,711
GROVELAND	0	521,800	0	521,800
HADLEY	774,541	371,920	0	1,146,461
HALIFAX	2,590,266	743,884	221,096	3,555,246
HAMILTON	0	526,921	0	526,921
HAMPDEN	0	513,337	0	513,337
HANCOCK	201,197	46,267	0	247,464
HANOVER	5,884,555	1,735,939	419,371	8,039,865
HANSON	11,705	960,242	12,914	984,861
HARDWICK	0	332,149	0	332,149
HARVARD	1,752,199	1,213,584	63,312	3,029,095
HARWICH	1,833,840	352,985	0	2,186,825

Municipality	7061-0008 Chapter 70	Unrestricted General Government Aid	Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund	Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds)
HATFIELD	795,778	255,697	0	1,051,475
HAVERHILL	35,356,458	8,054,068	1,317,498	44,728,024
HAWLEY	11,435	35,465	8,751	55,651
HEATH	0	64,219	0	64,219
HINGHAM	4,753,585	1,293,297	970,913	7,017,795
HINSDALE	109,045	173,577	0	282,622
HOLBROOK	4,856,980	1,209,136	0	6,066,116
HOLDEN	0	1,404,066	0	1,404,066
HOLLAND	871,689	165,401	72,685	1,109,775
HOLLISTON	6,742,333	1,269,027	240,340	8,251,700
HOLYOKE	66,423,722	8,322,601	1,936,968	76,683,291
HOPEDALE	6,143,124	534,359	0	6,677,483
HOPKINTON	5,672,879	643,739	107,634	6,424,252
HUBBARDSTON	8,415	328,561	0	336,976
HUDSON	8,247,011	1,634,115	1,184,561	11,065,687
HULL	3,814,006	1,736,672	0	5,550,678
HUNTINGTON	214,502	270,543	0	485,045
IPSWICH	2,499,977	1,315,437	267,916	4,083,330
KINGSTON	3,812,342	786,564	187,157	4,786,063
LAKEVILLE	2,389,045	670,509	0	3,059,554
LANCASTER	0	678,383	0	678,383
LANESBOROUGH	844,664	282,678	0	1,127,342
LAWRENCE	133,334,130	16,090,111	7,803,281	157,227,522
LEE	2,026,303	510,350	0	2,536,653
LEICESTER	9,713,210	1,422,852	0	11,136,062
LENOX	1,194,985	436,796	0	1,631,781
LEOMINSTER	39,667,839	4,690,050	2,374,221	46,732,110
LEVERETT	282,057	146,273	0	428,330
LEXINGTON	7,449,035	1,255,901	0	8,704,936
LEYDEN	0	66,851	0	66,851
LINCOLN	759,016	557,883	0	1,316,899
LITTLETON	2,957,052	582,510	770,776	4,310,338
LONGMEADOW	4,340,920	1,144,904	0	5,485,824
LOWELL	117,484,100	20,640,896	4,252,563	142,377,559
LUDLOW	12,434,935	2,503,386	1,185,472	16,123,793
LUNENBURG	4,528,374	866,590	291,916	5,686,880
LYNN	115,255,564	18,347,598	1,906,731	135,509,893
LYNNFIELD	4,013,888	852,273	0	4,866,161
MALDEN	40,412,820	10,281,118	1,502,272	52,196,210
MANCHESTER	0	182,240	0	182,240
MANSFIELD	16,918,143	1,827,917	1,947,881	20,693,941
MARBLEHEAD	4,805,402	933,171	0	5,738,573
MARION	456,004	184,905	0	640,909

Municipality	7061-0008 Chapter 70	Unrestricted General Government Aid	Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund	Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds)
MARLBOROUGH	11,393,518	4,460,900	1,794,172	17,648,590
MARSHFIELD	14,331,875	1,775,250	0	16,107,125
MASHPEE	4,437,308	301,499	0	4,738,807
MATTAPOISETT	556,663	332,133	0	888,796
MAYNARD	3,197,900	1,287,427	510,665	4,995,992
MEDFIELD	5,937,045	1,187,899	0	7,124,944
MEDFORD	11,447,701	9,709,458	0	21,157,159
MEDWAY	9,045,828	999,772	1,460,681	11,506,281
MELROSE	7,390,904	4,202,650	40,626	11,634,180
MENDON	27,110	334,885	110	362,105
MERRIMAC	0	596,689	0	596,689
METHUEN	36,622,588	4,455,621	4,595,564	45,673,773
MIDDLEBOROUGH	16,841,680	2,020,405	695,804	19,557,889
MIDDLEFIELD	17,297	43,565	0	60,862
MIDDLETON	1,566,978	448,379	0	2,015,357
MILFORD	13,960,569	2,503,003	2,014,560	18,478,132
MILLBURY	6,817,527	1,451,120	183,092	8,451,739
MILLIS	3,493,858	857,969	762,971	5,114,798
MILLVILLE	42,330	292,509	0	334,839
MILTON	4,691,135	2,633,111	1,123,447	8,447,693
MONROE	87,773	15,068	0	102,841
MONSON	7,554,467	1,069,725	114,647	8,738,839
MONTAGUE	6,377	1,036,035	22	1,042,434
MONTEREY	0	36,398	0	36,398
MONTGOMERY	19,057	67,239	2,944	89,240
MOUNT WASHINGTON	34,142	24,565	0	58,707
NAHANT	465,587	309,632	0	775,219
NANTUCKET	1,409,385	64,929	0	1,474,314
NATICK	5,727,110	3,122,719	1,733,013	10,582,842
NEEDHAM	5,996,469	1,430,560	1,067,519	8,494,548
NEW ASHFORD	162,695	16,645	0	179,340
NEW BEDFORD	108,736,420	18,851,212	4,290,541	131,878,173
NEW BRAINTREE	0	97,690	0	97,690
NEW MARLBOROUGH	0	47,992	0	47,992
NEW SALEM	0	84,036	0	84,036
NEWBURY	0	372,269	0	372,269
NEWBURYPORT	3,320,352	2,090,013	0	5,410,365
NEWTON	14,171,395	4,815,807	0	18,987,202
NORFOLK	3,417,236	785,867	0	4,203,103
NORTH ADAMS	14,175,431	3,635,615	0	17,811,046
NORTH ANDOVER	5,440,937	1,679,412	1,126,954	8,247,303
NORTH ATTLEBOROUGH	20,629,686	2,357,636	0	22,987,322
NORTH BROOKFIELD	4,362,572	652,982	0	5,015,554

Municipality	7061-0008 Chapter 70	Unrestricted General Government Aid	Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund	Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds)
NORTH READING	6,047,449	1,455,042	858,605	8,361,096
NORTHAMPTON	7,228,831	3,601,830	0	10,830,661
NORTHBOROUGH	3,280,525	914,083	244,864	4,439,472
NORTHBRIDGE	13,971,740	1,729,796	381,184	16,082,720
NORTHFIELD	0	259,410	0	259,410
NORTON	12,832,725	1,703,205	0	14,535,930
NORWELL	2,723,254	878,475	498,968	4,100,697
NORWOOD	5,079,889	3,811,732	0	8,891,621
OAK BLUFFS	648,233	59,598	0	707,831
OAKHAM	78,807	157,223	38,652	274,682
ORANGE	5,406,413	1,324,355	0	6,730,768
ORLEANS	251,039	140,763	0	391,802
OTIS	0	29,807	0	29,807
OXFORD	9,228,194	1,685,059	470,269	11,383,522
PALMER	11,001,315	1,643,449	110,932	12,755,696
PAXTON	0	382,879	0	382,879
PEABODY	19,715,730	5,915,441	195,223	25,826,394
PELHAM	228,505	130,444	0	358,949
PEMBROKE	12,200,192	1,377,529	1,393,371	14,971,092
PEPPERELL	8,699	1,047,943	0	1,056,642
PERU	89,697	91,255	0	180,952
PETERSHAM	442,349	93,947	0	536,296
PHILLIPSTON	0	146,080	0	146,080
PITTSFIELD	35,041,213	7,075,346	2,530,706	44,647,265
PLAINFIELD	53,150	41,112	0	94,262
PLAINVILLE	2,633,937	621,700	27,252	3,282,889
PLYMOUTH	20,948,547	3,211,064	2,048,016	26,207,627
PLYMPTON	582,449	194,414	0	776,863
PRINCETON	0	242,631	2,303	244,934
PROVINCETOWN	272,588	113,351	0	385,939
QUINCY	15,804,134	15,647,745	4,399,423	35,851,302
RANDOLPH	11,941,876	4,259,534	0	16,201,410
RAYNHAM	0	931,849	0	931,849
READING	9,078,931	2,656,673	1,005,358	12,740,962
REHOBOTH	0	769,134	0	769,134
REVERE	32,918,917	8,429,795	5,843,651	47,192,363
RICHMOND	349,151	88,659	0	437,810
ROCHESTER	1,601,504	348,051	208,079	2,157,634
ROCKLAND	10,152,293	2,166,364	393,955	12,712,612
ROCKPORT	1,343,494	358,581	0	1,702,075
ROWE	71,465	3,228	0	74,693
ROWLEY	0	442,546	0	442,546
ROYALSTON	0	131,945	0	131,945

Municipality	7061-0008 Chapter 70	Unrestricted General Government Aid	Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund	Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds)
RUSSELL	175,484	199,767	0	375,251
RUTLAND	9,993	670,701	0	680,694
SALEM	14,083,762	5,653,022	3,229,393	22,966,177
SALISBURY	0	517,786	0	517,786
SANDISFIELD	0	28,397	0	28,397
SANDWICH	6,735,852	923,647	0	7,659,499
SAUGUS	4,107,595	3,006,463	0	7,114,058
SAVOY	516,731	94,950	10,440	622,121
SCITUATE	5,104,541	1,648,541	0	6,753,082
SEEKONK	4,512,952	1,008,415	0	5,521,367
SHARON	6,824,996	1,147,160	6,809	7,978,965
SHEFFIELD	14,465	199,644	0	214,109
SHELBURNE	0	212,445	0	212,445
SHERBORN	528,026	177,506	0	705,532
SHIRLEY	4,394,883	1,075,170	0	5,470,053
SHREWSBURY	18,489,475	2,282,788	1,127,834	21,900,097
SHUTESBURY	604,124	138,969	0	743,093
SOMERSET	5,264,877	1,256,894	49,413	6,571,184
SOMERVILLE	20,185,320	19,832,947	0	40,018,267
SOUTH HADLEY	7,511,991	2,140,256	561,246	10,213,493
SOUTHAMPTON	2,561,807	522,163	0	3,083,970
SOUTHBOROUGH	2,804,288	358,425	0	3,162,713
SOUTHBRIDGE	15,956,972	2,882,987	0	18,839,959
SOUTHWICK	0	933,551	0	933,551
SPENCER	0	1,601,705	0	1,601,705
SPRINGFIELD	257,480,215	31,023,052	15,426,481	303,929,748
STERLING	0	563,651	0	563,651
STOCKBRIDGE	0	81,687	0	81,687
STONEHAM	3,461,523	3,045,613	193,581	6,700,717
STOUGHTON	12,504,587	2,624,209	527,959	15,656,755
STOW	0	344,979	0	344,979
STURBRIDGE	2,020,381	634,894	356,241	3,011,516
SUDBURY	4,280,621	1,147,136	163,484	5,591,241
SUNDERLAND	873,519	414,200	0	1,287,719
SUTTON	5,386,366	639,703	3,754	6,029,823
SWAMPSCOTT	2,647,887	1,060,740	108,995	3,817,622
SWANSEA	4,640,675	1,539,151	412,255	6,592,081
TAUNTON	44,243,664	6,892,536	2,589,828	53,726,028
TEMPLETON	0	992,819	0	992,819
TEWKSBURY	12,877,110	2,280,825	226,514	15,384,449
TISBURY	402,050	80,356	0	482,406
TOLLAND	0	13,822	0	13,822
TOPSFIELD	1,083,775	502,644	0	1,586,419

Municipality	7061-0008 Chapter 70	Unrestricted General Government Aid	Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund	Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds)
TOWNSEND	8,530	957,675	0	966,205
TRURO	259,303	24,653	0	283,956
TYNGSBOROUGH	7,352,623	791,956	0	8,144,579
TYRINGHAM	37,209	10,404	0	47,613
UPTON	24,044	401,333	0	425,377
UXBRIDGE	9,453,474	1,127,583	0	10,581,057
WAKEFIELD	4,770,785	2,760,747	422,253	7,953,785
WALES	684,608	193,560	0	878,168
WALPOLE	7,354,336	2,088,546	153,158	9,596,040
WALTHAM	7,466,622	7,869,373	0	15,335,995
WARE	8,003,012	1,414,796	40,428	9,458,236
WAREHAM	12,242,029	1,621,371	764,151	14,627,551
WARREN	70,228	643,768	0	713,996
WARWICK	0	93,178	0	93,178
WASHINGTON	11,705	70,303	0	82,008
WATERTOWN	3,416,570	5,233,630	0	8,650,200
WAYLAND	3,322,155	740,758	0	4,062,913
WEBSTER	9,015,364	2,029,005	1,125,033	12,169,402
WELLESLEY	6,387,858	1,061,589	1,220,173	8,669,620
WELLFLEET	154,572	47,899	0	202,471
WENDELL	0	137,128	0	137,128
WENHAM	0	351,023	0	351,023
WEST BOYLSTON	2,962,652	652,930	0	3,615,582
WEST BRIDGEWATER	2,181,778	535,882	198,110	2,915,770
WEST BROOKFIELD	209,737	389,171	0	598,908
WEST NEWBURY	0	230,542	0	230,542
WEST SPRINGFIELD	17,369,506	2,937,003	1,660,760	21,967,269
WEST STOCKBRIDGE	0	79,679	0	79,679
WEST TISBURY	0	149,803	0	149,803
WESTBOROUGH	4,344,030	949,635	139,431	5,433,096
WESTFIELD	33,362,165	5,158,885	1,019,283	39,540,333
WESTFORD	15,317,915	1,741,555	1,525,835	18,585,305
WESTHAMPTON	412,014	118,749	58,463	589,226
WESTMINSTER	0	528,154	0	528,154
WESTON	2,556,275	306,536	0	2,862,811
WESTPORT	4,388,806	997,003	0	5,385,809
WESTWOOD	3,476,983	597,860	541,581	4,616,424
WEYMOUTH	23,839,936	7,145,584	0	30,985,520
WHATELY	241,457	109,977	10,527	361,961
WHITMAN	117,046	1,715,904	0	1,832,950
WILBRAHAM	0	1,100,033	0	1,100,033
WILLIAMSBURG	423,768	248,102	13,289	685,159
WILLIAMSTOWN	945,841	782,399	0	1,728,240

Municipality	7061-0008 Chapter 70	Unrestricted General Government Aid	Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund	Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds)
WILMINGTON	9,758,342	2,037,726	590,756	12,386,824
WINCHENDON	10,643,896	1,378,662	1,159,828	13,182,386
WINCHESTER	5,105,397	1,212,491	821,710	7,139,598
WINDSOR	49,334	81,050	0	130,384
WINTHROP	5,080,860	3,454,719	0	8,535,579
WOBURN	6,573,988	4,906,061	0	11,480,049
WORCESTER	176,884,068	34,055,201	17,047,872	227,987,141
WORTHINGTON	71,276	102,936	0	174,212
WRENTHAM	3,738,425	764,024	0	4,502,449
YARMOUTH	2,555	1,034,669	2,210	1,039,434
DEVENS	321,440	0	0	321,440
Municipal Total	3,242,320,608	864,882,390	166,044,506	4,273,247,504

Regional School District	7061-0008 Chapter 70	Unrestricted General Government Aid	Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund	Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds)
ACTON BOXBOROUGH	6,715,773	0	681,328	7,397,101
ADAMS CHESHIRE	10,254,928	0	0	10,254,928
AMHERST PELHAM	9,685,959	0	0	9,685,959
ASHBURNHAM WESTMINSTER	10,126,994	0	378,206	10,505,200
ASSABET VALLEY	2,934,442	0	0	2,934,442
ATHOL ROYALSTON	17,928,042	0	0	17,928,042
BERKSHIRE HILLS	2,807,290	0	0	2,807,290
BERLIN BOYLSTON	921,023	0	0	921,023
BLACKSTONE MILLVILLE	11,104,016	0	0	11,104,016
BLACKSTONE VALLEY	7,077,833	0	571,705	7,649,538
BLUE HILLS	4,035,092	0	0	4,035,092
BRIDGEWATER RAYNHAM	21,180,680	0	0	21,180,680
BRISTOL COUNTY	3,016,539	0	81,568	3,098,107
BRISTOL PLYMOUTH	9,139,878	0	840,328	9,980,206
CAPE COD	2,134,684	0	0	2,134,684
CENTRAL BERKSHIRE	8,751,713	0	104,439	8,856,152
CHESTERFIELD GOSHEN	757,346	0	0	757,346
CONCORD CARLISLE	1,886,888	0	0	1,886,888
DENNIS YARMOUTH	6,764,640	0	0	6,764,640
DIGHTON REHOBOTH	12,880,094	0	0	12,880,094
DOVER SHERBORN	1,436,198	0	0	1,436,198
DUDLEY CHARLTON	23,924,337	0	1,139,792	25,064,129
ESSEX COUNTY	4,228,553	0	0	4,228,553
FARMINGTON RIVER	405,970	0	0	405,970
FRANKLIN COUNTY	3,453,126	0	0	3,453,126
FREETOWN LAKEVILLE	7,413,773	0	0	7,413,773
FRONTIER	2,857,269	0	0	2,857,269
GATEWAY	5,866,604	0	0	5,866,604
GILL MONTAGUE	6,304,363	0	0	6,304,363
GREATER FALL RIVER	14,264,378	0	0	14,264,378
GREATER LAWRENCE	20,988,571	0	0	20,988,571
GREATER LOWELL	20,611,676	0	632,095	21,243,771
GREATER NEW BEDFORD	21,747,161	0	989,587	22,736,748
GROTON DUNSTABLE	10,858,434	0	0	10,858,434
HAMILTON WENHAM	3,436,056	0	0	3,436,056
HAMPDEN WILBRAHAM	11,514,847	0	265,680	11,780,527
HAMPSHIRE	3,004,851	0	262,011	3,266,862
HAWLEMONT	637,772	0	0	637,772
KING PHILIP	7,421,505	0	0	7,421,505
LINCOLN SUDBURY	2,471,805	0	189,743	2,661,548
MANCHESTER ESSEX	1,684,043	0	0	1,684,043

Regional School District	7061-0008 Chapter 70	Unrestricted General Government Aid	Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund	Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds)
MARTHAS VINEYARD	2,843,504	0	0	2,843,504
MASCONOMET	4,951,222	0	0	4,951,222
MENDON UPTON	12,295,995	0	229,442	12,525,437
MINUTEMAN	2,249,201	0	0	2,249,201
MOHAWK TRAIL	6,136,890	0	0	6,136,890
MONTACHUSETT	12,054,378	0	751,886	12,806,264
MOUNT GREYLOCK	1,741,351	0	0	1,741,351
NARRAGANSETT	10,148,997	0	0	10,148,997
NASHOBA	6,473,631	0	0	6,473,631
NASHOBA VALLEY	2,844,999	0	444,762	3,289,761
NAUSET	3,384,747	0	0	3,384,747
NEW SALEM WENDELL	656,374	0	0	656,374
NORFOLK COUNTY	1,003,912	0	30,892	1,034,804
NORTH MIDDLESEX	20,604,743	0	0	20,604,743
NORTHAMPTON SMITH	935,567	0	0	935,567
NORTH SHORE	1,616,769	0	0	1,616,769
NORTHBORO SOUTHBORO	2,862,169	0	27,982	2,890,151
NORTHEAST METROPOLITAN	7,611,122	0	700,084	8,311,206
NORTHERN BERKSHIRE	4,305,980	0	128,842	4,434,822
OLD COLONY	3,316,268	0	38,418	3,354,686
OLD ROCHESTER	2,070,404	0	0	2,070,404
PATHFINDER	5,011,306	0	0	5,011,306
PENTUCKET	13,226,986	0	0	13,226,986
PIONEER	4,195,800	0	0	4,195,800
QUABBIN	16,979,189	0	0	16,979,189
QUABOAG	8,335,277	0	13,992	8,349,269
RALPH C MAHAR	5,551,073	0	0	5,551,073
SHAWSHEEN VALLEY	5,375,355	0	477,139	5,852,494
SILVER LAKE	6,815,899	0	161,186	6,977,085
SOUTH MIDDLESEX	2,548,930	0	0	2,548,930
SOUTH SHORE	3,660,126	0	79,372	3,739,498
SOUTHEASTERN	11,804,129	0	994,307	12,798,436
SOUTHERN BERKSHIRE	1,900,305	0	0	1,900,305
SOUTHERN WORCESTER	9,053,691	0	495,326	9,549,017
SOUTHWICK TOLLAND	8,213,061	0	520,637	8,733,698
SPENCER EAST BROOKFIELD	13,983,163	0	0	13,983,163
TANTASQUA	7,904,757	0	0	7,904,757
TRI COUNTY	5,319,115	0	0	5,319,115
TRITON	8,568,933	0	0	8,568,933
UPISLAND	825,674	0	0	825,674
UPPER CAPE COD	3,008,736	0	0	3,008,736

Regional School District	7061-0008 Chapter 70	Unrestricted General Government Aid	Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund	Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds)
WACHUSETT	21,490,211	0	1,283,105	22,773,316
WHITMAN HANSON	23,500,164	0	466,278	23,966,442
WHITTIER	5,511,728	0	1,011,094	6,522,822
Regional Total	627,526,977	0	13,991,226	641,518,203

SECTION 4. Section 68 of chapter 3 of the General Laws, inserted by section 3 of chapter 451 of the acts of 2008, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) There shall be a permanent commission on the status of citizens of Asian descent to consist of 21 persons as follows: 3 persons to be appointed by the governor, 3 persons to be appointed by the speaker of the house of representatives, 3 persons to be appointed by the president of the senate, 3 persons to be appointed by the state treasurer, 3 persons to be appointed by the state secretary, 3 persons to be appointed by the attorney general and 3 persons appointed by the state auditor. Members of the commission shall be citizens of the commonwealth who have demonstrated a commitment to the Asian-American community. Members shall be subject to chapter 268A as they apply to special state employees.

SECTION 4A. Chapter 6 of the General Laws is hereby amended by inserting after section 172I the following section:--

Section 172J. Notwithstanding section 172 or any other general or special law to the contrary, any children's camp or school that plans to employ or accept as a volunteer for a climbing wall or challenge course program, a person who is or has previously been the subject of a record check pursuant to sections 172G, 172H,172I or section 38R of chapter 71, shall not be required to conduct a second record check by reason of such person's employment or volunteering for a climbing wall or challenge course program, within 12 months of the previous record check.. Such camp or school may either simultaneously submit to the criminal history systems board applications for a record check under sections 172G, 172H, 172I or section 38R of chapter 71 and this section, or use the information obtained within the prior 12 months under sections 172G, 172H, 172I or section 38R of chapter 71 for the purpose of the climbing wall or challenge course program. If the camp or school submits simultaneous applications, the criminal history systems board shall conduct the most comprehensive record check required by either application, and the results of such record check shall satisfy the camp or school's obligations to request record information with respect to both job functions. The camp or school may also disseminate information obtained under this section to the department of public safety. The criminal history systems board shall only assess the camp or school 1 fee for simultaneous requests filed pursuant to this section.

Information obtained pursuant to this section shall not be disseminated for any purpose other than to further the protection of children.

SECTION 5. The second paragraph of section 196 of chapter 6 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting after the second sentence the following sentence:- The commission may charge a fee where so required by the commission's regulations for the cost of maintaining an emergency referral service.

SECTION 6. Chapter 6A of the General Laws is hereby amended by inserting after section 7 the following section:-

34 Section 7A. Each secretary may, notwithstanding any general or special law to the contrary, identify
35 administrative processing activities and functions common to the state agencies within the executive office and may
36 designate such functions as core administrative processing functions. To improve administrative efficiency and preserve
37 fiscal resources, the secretary may direct that core administrative processing functions be performed by the executive
38 office or by one or more state agencies designated by the secretary to perform those functions. Common activities and
39 functions that may be designated as core administrative processing functions include but are not limited to: human
40 resource functions including payroll processing; information technology services; leasing and facility management
41 services; financial management services, such as budgeting, procurement, contract management and accounts
42 payable/receivable functions; and other administrative processing functions. Upon designation of a function as a core
43 administrative processing function, the secretary may direct that employees of each state agency who perform those
44 functions be transferred to the executive office or to any state agency designated by the secretary to perform core
45 administrative processing functions. Nothing in this section shall waive the responsibility of each agency head to certify
46 obligations and expenditures for appropriations and other legally available funds of the agency pursuant to section 3 of
47 chapter 7A, the responsibilities of an agency head pursuant to state finance law including but not limited to sections 19,
48 20, 24, 26 and 27 of chapter 29, and the responsibility of an agency head to certify work by employees of the agency
49 pursuant to section 31 of chapter 29. An agency head shall not delegate agency head signature authorization to any
50 individual who is not an employee of the agency. The executive office or any state agencies designated to perform core
51 administrative processing functions may charge state agencies that receive such services for the reasonable costs of
52 providing the services thereto. Any employee transfers that occur in connection with the consolidation of core
53 administrative processing functions within the executive office or state agencies shall not: (a) impair the civil service
54 status of any such transferred employee who immediately before the effective date of this act either holds a permanent
55 appointment in a position classified under chapter 31 or has tenure in a position by reason of section 9A of chapter 30;
56 or (b) impair or change an employee's status, rights, or benefits under chapter 150E.

57 SECTION 7. Subsection (a) of section 4A of chapter 7 of the General Laws, as so appearing, is hereby
58 amended by adding the following sentence:- The operational services division may charge and collect from statewide
59 contractors a statewide contract administrative fee, to be established by the executive office for administration and
60 finance; provided, however, that such fee shall not exceed 1 per cent of the total value of a contract awarded to a
61 statewide contractor.

62 SECTION 7A. Chapter 7 of the General Laws is hereby amended by adding the following new section:-

63 Section 57. (a) As used in this section, the following words shall have the following meanings unless the
64 context clearly requires otherwise:

65 "Agency",any state department, office, board, commission, bureau, division, institution, or institution of higher
66 education; provided that the term "agency" shall include any authority created by an act of the legislature, including
67 those authorities not receiving state tax revenue; provided further that the term “agency” shall include individual state
68 agencies and programs, as well as those programs and activities that cross agency lines, and include all elective offices
69 in the executive branch of government and the legislature

70 "Entity or recipient", any corporation, association, limited liability company, limited liability partnership, or
71 any other legal business entity; provided that the term "entity or recipient" shall also include any grantee or subgrantee,
72 contractor or subcontractor, county, city or other local government entity; provided further that the term "entity or
73 recipient" shall not include any individual recipient of state assistance

74 "Expected outcome", the number and quality of jobs to be created or retained, including wages and benefits,
75 the date the job goals will be reached, the estimated increase to the state tax base, and whether the funded project
76 involves the relocation of jobs and, if so, how many and from where, in relation to any tax exemption, tax credit, direct
77 grant or infrastructure assistance provided to a corporate or other business entity

78 "Funding source", the state account from which an expenditure is appropriated

79 "Funding action or expenditure", details on the type of spending, both appropriated and tax expenditures
80 including, but not limited to, grants, contracts, appropriations, tax exemptions, waivers, and credits; provided that the
81 term "funding action or expenditure" shall include but not be limited to all tax exemptions, credits, direct grants, or
82 infrastructure assistance provided to any corporate or other business entity; provided further that where possible, a
83 hyperlink to the actual grants or contracts shall be provided

84 "Final outcomes", in relation to any tax exemption, tax credit, direct grant or infrastructure assistance provided
85 to a corporate or other business entity, the number and quality of jobs actually created or retained, including wages and
86 benefits, and the actual increase to the state tax base for the fiscal year in which benefit was given; provided that the
87 term "final outcomes" shall include any money recaptured from corporate subsidy recipients for failure to meet
88 expected performance outcomes

89 "Secretary", the secretary of administration and finance.

90 "Searchable budget database website", a website that allows the public at no cost to search for, obtain, and
91 aggregate the information identified in subsection (b)

92 "State audit or report",any audit or report issued by the inspector general, state auditor, legislative auditor,
93 legislative committee, or executive body relating to the past or current performance of the entity or recipient of funds or
94 the budget program or activity or agency which the secretary deems as relevant

95 (b) Not later than January 1, 2011 the secretary shall develop and operate a single searchable budget database
96 website that includes:

97 (1) annual state expenditures or funding actions provided to any agency, entity or recipient, as determined by
98 the secretary including the name and location of any such agency, entity or recipient, the funding source, the amount of
99 funds appropriated including tax expenditures or other subsidies, the funding agency or authority, and a description of
100 the purpose of the funding action or expenditure. If the funding action or expenditure is a tax expenditure, information
101 about the expected outcome of such tax expenditure shall be included and information concerning the final outcome
102 shall be provided within 30 days from when it is reported to the appropriate state agency;

103 (2) bond debt payments and debt service including, but not limited to, amounts of bond interest paid and
104 sources of funds paid for individual bond issues;

105 (3) local aid to cities and towns including, but not limited to, amounts paid to individual units of government
106 for individually identifiable aid programs;

107 (4) annual revenues, as determined by the secretary which shall include,

108 but not be limited to:

109 (A) receipts or deposits by any agency into funds established within the state treasury;

110 (B) tax revenue received ;

111 (C) agency earnings including, but not limited to, amounts collected by each agency for merchandise sold,
112 services performed, licenses and permits issued, or regulation;

113 (D) revenue for the use of money and property including, but not limited to, amounts received for
114 compensation for the use of state-owned money and property;

115 (E) gifts, donations and federal grants including, but not limited to, amounts received from public and private
116 entities to aid in support of a specific function or other governmental activity; and

117 (F) other revenue including, but not limited to, receipts not classified elsewhere; and

118 (5) annual bonded indebtedness which shall include, but not be limited to, the amount of the total original
119 obligation stated in terms of principal and interest, the term of the obligation, the source of funding for repayment of the
120 obligation, the amounts of principal and interest previously paid to reduce the obligation, the balance remaining of the
121 obligation, any refinancing of the obligation, and the cited statutory authority to issue such bonds.

122 (6) a link to any state audit or report; and

123 (7) any other relevant information specified by the secretary.

124 (c) The searchable budget database website shall retain information for each fiscal year on the single website
125 for not less than 10 years and shall include data for the most recent fiscal years.

126 (d) The secretary shall update the searchable budget database website as new data becomes available. All
127 agencies shall provide to the secretary all data that is required to be included in the searchable budget database website
128 not later than 30 days after the data becomes available to the agency. The secretary shall provide guidance to agency
129 heads to ensure compliance with this section.

130 (e) Nothing in this act shall permit or require the listing of individual businesses' tax liability, profits, sales or
131 losses on the searchable budget database website.

132 (f) The secretary shall not be considered in compliance with this act if the data required for the searchable
133 budget database website is not available in a searchable and aggregate manner or if the public is redirected by the
134 searchable budget database website to other government websites, unless each of those websites complies with the
135 requirements of this section.

136 SECTION 7B. Subsection (a) of section 24A of chapter 10 of the General Laws, as so appearing, is hereby
137 amended by striking out the second sentence and inserting in place thereof the following sentence:- The commission is
138 hereby authorized to enter into agreements with one or more states or other jurisdictions, hereinafter referred to as a
139 group, for the purpose of creating and maintaining multi-jurisdictional lottery games; provided however, that a group
140 agreement shall not include the state lottery games created pursuant to section 24; provided further, that nothing in this
141 section and nothing in a group agreement shall authorize the commission to make expenditures that are not consistent
142 with restrictions on expenditures by the commission provided in any other general or special law.

143 SECTION7C. Subsection (c) of section 35FF of chapter 10 of the is hereby amended by adding after clause
144 (6) the following clause:

145 (7) to make grants to the Massachusetts Technology Transfer Center, established by section 45 of chapter 75 of
146 the general laws, to fund activities that facilitate the transfer of technology from the commonwealth's research
147 institutions to the commonwealth's clean energy industries, for productive use by such industries and to make targeted
148 investments in proof of concept funding for emerging technologies;"

149 and further moves to amend, in said subsection (c) by striking out clause (7) and inserting in place thereof the
150 following clause:- (8) to make any other expenditure provided by this section.

151 SECTION 7D. Section 53 of chapter 7 of the General Laws, as so appearing, is hereby amended by striking
152 out, in line 17, the figure "$200,000" and inserting in place thereof the following figure:- $2,000,000.

153 SECTION 8. Section 59 of chapter 10 of the General Laws, as so appearing, is hereby amended by inserting
154 after the figure "90", in line 4, the following words:- and sections 8 and 26 of chapter 90B.

155 SECTION 8A. Chapter 23 of the General Laws is hereby amended by striking out section 11W, as so
156 appearing, and inserting in place thereof the following section:-

157 Section 11W. The deputy director shall require each apprentice entering into a written agreement pursuant to
158 this chapter to submit an application to the division for an apprentice identification card. Such application shall be
159 accompanied by a $35 fee paid by the apprentice or the program sponsor, together with photographic prints as required
160 by the deputy director. The apprentice identification card shall expire 1 year from the date of issue. Application for
161 renewal of such card shall be submitted to the division and shall be accompanied by a fee of $35 paid by the apprentice
162 or the program sponsor. The funds shall be received by the state treasurer on behalf of the commonwealth and deposited
163 in a special trust account for the division and may be expended, without further appropriation, under the direction of the
164 deputy director. An apprentice identification card shall contain the photograph of the apprentice; the apprentice

165 registration number or such other number as the deputy director requires; the date on which the apprentice identification
166 card expires; the name and business address of the appropriate apprenticeship committee or single employer sponsor;
167 the steps of progression and related dates applicable to the apprentice; and the projected date on which the apprentice is
168 projected to complete the apprenticeship. As a condition of apprenticeship, the apprentice shall keep the apprentice
169 identification card on his person during all hours of employment during the apprenticeship.

170 SECTION 8B. The first paragraph of section 30 of chapter 23B of the General Laws, as appearing in section
171 37 of chapter 4 of the acts of 2009, is hereby amended by adding the following sentence:- The department shall
172 administer the program throughout the commonwealth at locations that are geographically convenient to families who
173 are homeless or at-risk of homelessness and shall administer the program in a fair, just and equitable manner.

174 SECTION 8C. Paragraph (B) of said section 30 of said chapter 23B, as so appearing, is hereby further
175 amended by striking out the third sentence and inserting in place thereof the following 2 sentences:- Emergency
176 housing assistance shall be denied to a family who, at any time within 1 year immediately prior to the filing of an
177 application for emergency assistance, has depleted, assigned or transferred real or personal property that would have
178 rendered such family ineligible for assistance if: (a) the depletion, transfer or assignment was not reasonable at the time
179 or was not for good cause reasons; or (b) the depletion, transfer or assignment was made for the purpose of making the
180 family eligible for emergency assistance. For purposes of the preceding sentence, good cause reasons shall include, but
181 not be limited to, that the funds were expended for necessary or reasonable costs of living such as rent, utilities, food,
182 health-related needs, education-related expenses or transportation.

183 SECTION 8D. The first sentence of the second subparagraph of said section 30 of said chapter 23B, as so
184 appearing, is hereby amended by striking out the words “any benefits” and inserting in place thereof the following
185 words: - any non-shelter benefits.

186 SECTION 8E. Paragraph (F) of said section 30 of said chapter 23B, as so appearing, is hereby amended by
187 striking out the third subparagraph and inserting in place thereof the following subparagraph: -

188 A hearing held pursuant to this section shall be conducted by a hearing officer designated by the hearings
189 manager and shall be conducted as an adjudicatory proceeding under chapter 30A. The department shall offer the
190 person appealing the option to hold the hearing: (a) such that the hearing officer, person appealing and department
191 representatives shall be in 1 location for the hearing and such location shall be convenient to the person appealing; (b)
192 telephonically; or (c) through other available means such as videoconferencing. The person appealing shall have the
193 right to choose among these options. No employee shall review, interfere with, change or attempt to influence any
194 hearing decision by a hearing officer. The hearings manager shall be responsible for the fair and efficient operation of
195 the division in conformity with state and federal laws and regulations and may review and discuss with the hearing
196 officers such decisions solely in order to carry out this responsibility. The hearing manager shall be responsible for the
197 training of hearing officers, scheduling of hearings and the compilation of decisions. The hearings manager may grant a
198 request by the person appealing for a remand of the decision to the hearings officer who made the initial decision or

199 another hearings officer for reconsideration of an initial decision. The final decision of the hearing officer shall be the
200 decision of the department.

201 SECTION 9. Section 11H of chapter 25A of the General Laws is hereby amended by striking out, in lines 21
202 and 23, as so appearing, the figure “0.75” and inserting in place thereof the following figure:- 3.75.

203 SECTION 10. Chapter 29 of the General Laws is hereby amended by inserting after section 2YYY, inserted
204 by section 5 of chapter 304 of the acts of 2008, the following section:-

205 Section 2ZZZ. (a) There shall be established upon the books of the commonwealth a separate fund to be known
206 as the Capital Gains Revenue Holding Fund, in this section called the fund. Upon the periodic certification by the
207 commissioner of revenue during a fiscal year, as provided in section 5B, of the tax revenues estimated to be collected
208 during the preceding interim period from capital gain income, the comptroller shall transfer from the General Fund to
209 the fund the amount, if any, by which the commissioner's estimate exceeds the consensus tax revenue estimate from
210 capital gain income determined under said section 5B and allocable to that interim period, but the transfer shall occur
211 only if the total state tax revenues received as of the certification date equal or exceed the consensus tax revenue
212 forecast determined under section 5B through that date. Upon any periodic certification by the commissioner of
213 estimated tax revenue collected during the preceding interim period from capital gain income in an amount below the
214 consensus tax revenue estimate from such income for the interim period, the comptroller shall transfer the difference in
215 such amounts from the fund, to the extent of any balance in the fund, to the General Fund. Following the
216 commissioner's certification of estimated tax revenues from capital gain income in the final interim period of a fiscal
217 year and any associated transfers to or from the General Fund as provided in this section, the comptroller shall transfer
218 any remaining balances in the fund to the Commonwealth Stabilization Fund established by section 2H.

219 (b) In fiscal year 2010 a transfer to the Commonwealth Stabilization Fund as provided in subsection (a) shall
220 not occur until 1 percent of the remaining balance of the Capital Gains Revenue Holding Fund shall first be transferred
221 to the State Retiree Benefits Trust Fund, established under section 24 of chapter 32A. The following portions shall not
222 be deposited in the Commonwealth Stabilization Fund but rather shall be deposited in the State Retiree Benefits Trust
223 Fund:

224 (i) for fiscal year 2010, 1 per cent of the remaining balance of the Capital Gains Revenue Holding Fund;

225 (ii) for fiscal year 2011, 2 per cent of the remaining balance of the Capital Gains Revenue Holding Fund;

226 (iii) for fiscal year 2012, 3 per cent of the remaining balance of the Capital Gains Revenue Holding Fund;

227 (iv) for fiscal year 2013, 4 per cent of the remaining balance of the Capital Gains Revenue Holding Fund; and

228 (v) for fiscal year 2014, 5 per cent of the remaining balance of the Capital Gains Revenue Holding Fund.

229 Section 2AAAA. There shall be established and set up on the books of the commonwealth a separate fund to
230 be known as the Transportation Investment Fund to be used to improve the commonwealth’s transportation system.

231 The fund shall not be subject to appropriation, and money remaining in the fund shall not revert to the General Fund at
232 the end of the fiscal year.
233 The comptroller shall make monthly transfers from the General Fund to the Transportation Investment Fund
234 totaling $275,000,000 in a fiscal year, according to a schedule developed annually by the comptroller in consultation
235 with the secretary of administration and finance and the state treasurer to minimize adverse impact on the
236 commonwealth's cash flow.
237 The comptroller shall only make transfers from the Transportation Investment Fund to any surface
238 transportation-related authority or to any other fund used by the commonwealth or any such authority for toll and fare
239 mitigation and other transportation-related purposes, as provided in this paragraph. Annually, the secretary of
240 transportation and public works and the secretary of administration and finance shall issue a written schedule for
241 transfers from the fund to the comptroller and the chairs of the house and senate committees on ways and means at least
242 30 days in advance of the first proposed scheduled transfer. The secretary of transportation and public works and the
243 secretary of administration and finance may amend the schedule upon 30 days advance notice to the comptroller and the
244 chairs of the senate and house committees on ways and means. Any schedule issued under this paragraph shall satisfy
245 the following constraints:
246 (1) no transfer shall be made to the Massachusetts Bay Transportation Authority or any fund controlled by said
247 authority in a fiscal year unless an amount equal to at least 20 per cent that amount is also transferred to
248 regional transit authorities organized under chapter 161B or predecessor statutes;
249 (2) annually, the schedule issued under this paragraph shall provide to the Massachusetts Turnpike Authority or its
250 successor in interest at least the difference between the net revenues budgeted by the authority in advance of a
251 fiscal year for the metropolitan highway system, without any toll increases, and the net revenues budgeted by
252 the authority to be necessary to enable the authority to satisfy the minimum coverage ratio on the metropolitan
253 highway system bonds;
254 (3) notwithstanding clause (2), no transfer shall be made to the Massachusetts Turnpike Authority or its successor
255 in interest or to funds controlled by said authority in the fiscal year in which said authority approves a toll
256 increase on the metropolitan highway system, or the 2 following fiscal years;
257 (4) transfers shall be scheduled to minimize adverse impact on the commonwealth's cash flow.
258 the final transfer to any transportation-related authority in a fiscal year shall be not later than two weeks before
259 the end of that fiscal year.

260 SECTION 11. Section 5B of said chapter 29 is hereby amended by striking out the last paragraph, as
261 appearing in the 2006 Official Edition, and inserting in place thereof the following paragraph:-

262 On or before January 15, the secretary of administration and finance shall meet with the house and senate
263 committees on ways and means and shall jointly develop a consensus tax revenue forecast for the budget for the ensuing
264 fiscal year which shall be agreed to by the secretary and those committees, except that in the first year of the term of
265 office of a governor who has not served in the preceding year, they shall agree to the consensus tax revenue forecast not
266 later than January 31. In developing the consensus tax revenue forecast, the secretary and the committees, or
267 subcommittees of the committees, may hold joint hearings on the economy of the commonwealth and its impact on tax
268 revenue forecasts. The consensus tax revenue estimate shall be net of the amount necessary to transfer, from the General

269 Fund to the commonwealth's Pension Liability Fund, to fully fund the system according to the schedule established
270 pursuant to paragraph (1) of section 22C of chapter 32. The commissioner of revenue shall recommend and the
271 secretary and the committees shall agree upon a maximum amount of taxes to be included in the consensus tax revenue
272 estimate from capital gain income, as defined under chapter 62, taking into account (1) the commissioner's projection of
273 capital gains revenue for the fiscal year; (2) longer-term trends in capital gain and loss realizations and revenue
274 collections; and (3) principles of prudent budgeting necessary to modulate year-to-year impact of this fluctuating
275 revenue source. The department of revenue shall report on or before January 31, May 31, June 30, and September 30
276 with respect to the estimated capital gains revenue received through the end of the prior month but, in the case of the
277 May 31 report, with respect to estimated capital gains revenue received in the prior tax year, to the house and senate
278 committees on ways and means, the joint committee on revenue, the secretary and the comptroller. The consensus tax
279 revenue forecast, including the consensus tax revenue estimate from capital gain income as determined herein, shall be
280 included in a joint resolution and placed before the members of the general court for their consideration. This joint
281 resolution, if passed by both branches of the general court, shall establish the maximum amount of tax revenue which
282 may be considered for the general appropriation for the ensuing fiscal year

283 SECTION 12. Section 5C of said chapter 29 is hereby amended by striking out, in line 5, the figure "½", as so
284 appearing, and inserting in place thereof the following figure:- ¼.

285 SECTION 13. Section 5C of said chapter 29 is hereby amended by striking out the figure "1/2", in line 7, as so
286 appearing and inserting in place thereof the following words:- , if no transfer to the Commonwealth Stabilization Fund
287 has been made under section 2ZZZ for that fiscal year, 1/2.

288 SECTION 14. Chapter 29 of the General Laws is hereby amended by inserting after section 30 the following
289 section:-

290 Section 30A. Except for its full-time employees, a state agency or state authority shall not use public funds to
291 pay for an executive agent or a legislative agent, as those terms are defined in section 39 of chapter 3, notwithstanding
292 section 50 of said chapter 3.

293 SECTION 15. Subdivision (1) of section 22C of chapter 32 of the General Laws, as appearing in the 2006
294 Official Edition, is hereby amended by striking out the last paragraph and inserting in place thereof the following
295 paragraph:-

296 Notwithstanding any general or special law to the contrary, appropriations or transfers made to the
297 commonwealth's pension liability fund in fiscal years 2009 to 2011, inclusive, shall be made in accordance with the
298 following funding schedule: $1,314,396,000 in fiscal year 2009, $1,376,619,000 in fiscal year 2010 and $1,441,811,000
299 in fiscal year 2011.

300 SECTION 15A. Section 22D of said chapter 32, as so appearing,, is amended by striking out, in line 25, the
301 figure "2028" and inserting in place thereof the following figure:- "2030"

302 SECTION 15B. The first sentence of paragraph (b) of section 2 of chapter 32A of the General Laws, as most
303 recently amended by section 16 of chapter 130 of the acts of 2008, is hereby further amended by inserting after the
304 words "the Massachusetts Life Sciences Center" the following words:- , the Commonwealth Corporation, the economic
305 stabilization trust established by section 8 of chapter 23D.

306 **NO SECTION 16**

307 **NO SECTION 17**

308 SECTION 17A. Section 2 of chapter 32B of the General Laws, as most recently amended by section 3E of
309 chapter 67 of the acts of 2007, is hereby further amended by inserting after subsection (j) the following subsection:-

310 (k) "Health Reimbursement Account", a federally-recognized tax-exempt health benefit program that allows an
311 employer to reimburse qualified medical expenses paid by employees.

312 SECTION 17B. Section 19 of said chapter 32B, as appearing in section 4 of said chapter 67, is hereby
313 amended by adding the following 2 subsections:-

314 (j) Within 15 days after the effective date of this subsection, the secretary of administration and finance shall
315 determine what percentage over the commission's average total health plan cost per member of health insurance shall be
316 acceptable for political subdivisions and their subscribers to be paying for health insurance. If the general court takes no
317 final action relative to such determinations within 15 days after the date such determinations are filed with the clerks of
318 the house of representatives and the senate, such determinations shall be deemed approved.

319 A political subdivision that has undertaken to provide health insurance coverage to its subscribers and has not
320 transferred its subscribers to the commission shall conduct an analysis of whether the health insurance coverage it
321 provides to subscribers is equivalent in total plan cost or less than the health insurance coverage offered by the
322 commission to subscribers and utilizing as the benchmark the total health plan cost paid by the commonwealth and its
323 employees.

324 A report containing the results of this analysis shall be provided to the secretary of administration and finance
325 within 60 days of the effective date of this subsection, and by August 1 each third year thereafter.

326 To assist in the analysis, the commission shall submit to the secretary of administration and finance a
327 determination of the average cost per subscriber of the insurance provided by the commission within 30 days after the
328 effective date of this subsection, and by July 1 each third year thereafter. This figure shall be calculated based on the
329 total health plan cost paid by the commonwealth and its subscribers. This information shall be made available to every
330 political subdivision.

331 A political subdivision that is not in compliance with the reporting requirements of this subsection shall be
332 penalized by the commonwealth. The penalty shall be in the form of reduced local aid payments for the subsequent
333 fiscal year and each fiscal year thereafter until the political subdivision produces a report showing that the health

334 insurance the political subdivision provides for its subscribers is not more than the percentage determined over the cost
335 per subscriber of the commission's health insurance coverage. The amount of the penalty shall be equal to the amount
336 of cost savings that could be realized had the political subdivision transferred its subscribers to the commission, as
337 determined by the commonwealth.

338 (k) A political subdivision that reports to the secretary of administration and finance that the health insurance
339 coverage it provides to its subscribers is greater in cost than the health insurance coverage offered by the commission to
340 its subscribers plus the percentage determined in subsection (j) shall convene its appropriate authority and the public
341 employee committee as established under subsection (a) for the purpose of either accepting this section and transferring
342 the political subdivision's subscribers to the commission under subsection (e) or to enter into contracts with health
343 insurance carriers that would cost the same or less than the health insurance coverage offered by the commission.

344 If, after 90 days following the date on which the report under subsection (j) was due, the appropriate authority
345 of the political subdivision and the public employee committee have not reached an agreement that will provide for
346 health insurance coverage to its subscribers that is within the cost determined in said subsection (j) and the appropriate
347 authority of the political subdivision has not reached an agreement with the public employee committee to transfer its
348 subscribers to the commission, then the health insurance coverage agreement between the political subdivision and the
349 public employee committee shall be subject to binding arbitration; provided, however, that unresolved issues shall be
350 submitted to an arbitrator selected by the parties under the rules of the American Arbitration Association.

351 The form of arbitration shall be last best offer, issue by issue. The arbiter may administer oaths and require by
352 subpoena the attendance and testimony of witnesses, production of books, records and other relevant or pertinent
353 evidence. The cost of arbitration shall be shared equally by the appropriate public authority and the public employee
354 committee; provided, however, if the decision is rejected by the legislative body, all arbitration costs shall be paid by
355 the appropriate public authority. Any person acting as an arbiter pursuant to this section shall not be required by an
356 administrative, arbitration or noncriminal judicial tribunal to disclose any files, records, documents, notes or other
357 papers or be required to testify with regard to any information obtained while functioning as an arbiter pursuant to this
358 section.

359 The arbitrator shall reach a decision within 60 days. In reaching a decision, the arbitrator shall consider the
360 potential for cost savings, the impact of any changes in premiums and out-of-pocket expenses on subscribers, other
361 health care coverage options and the historical negotiations on benefits and salary, including total compensation, and all
362 other evidence. The arbitrator shall issue a decision on any issues not resolved by the parties including, but not limited
363 to: what health care coverage the political subdivision shall provide to its subscribers; whether to transfer subscribers to
364 the commission; what the premium contribution ratio will be; the political subdivision's Medicare part B contributions;
365 and whether health reimbursements shall be provided to supplement health insurance coverage. If the arbitrator does not
366 require the political subdivision to transfer its subscribers to the commission, the arbitrator shall choose another health
367 care coverage option so that the average cost of health care coverage the political subdivision provides to its subscribers
368 shall be equal to, or less than, the average plan cost of health care coverage offered by the commission to its subscribers
369 plus the percentage determined above.

370 The judgment of the arbitrator shall be binding on both parties unless the judgment is rejected by a two-thirds
371 vote of the legislative body of the municipality. If the political subdivision rejects the judgment of the arbitrator, the
372 political subdivision shall continue to offer the same health insurance coverage to its subscribers as it was providing at
373 the time the public employee committee was convened.

374 If the political subdivision does not conform to the judgment of the arbitrator, the political subdivision shall be
375 penalized by the commonwealth. The penalty shall be in the form of reduced local aid payments for the subsequent
376 fiscal year and for each fiscal year thereafter until the subdivision conforms. The amount of the penalty shall be equal
377 to the amount of cost savings that could be realized had the political subdivision transferred its subscribers to the
378 commission, as determined by the commonwealth.

379 SECTION 17C. Said chapter 32B is hereby further amended by adding the following 2 sections:-

380 Section 21. Notwithstanding any other provisions of this chapter, a political subdivision which transfers its
381 subscribers to the commission under subsection (e) of section 19 may provide health reimbursement accounts to
382 reimburse subscribers who incur more than $1,000 in qualified medical expenses per calendar year. The health
383 reimbursement accounts shall be subject to coalition bargaining.

384 Section 22. Employees of a governmental unit which accepts chapter 32B shall be eligible for benefits
385 including health care spending accounts and dependent care assistance accounts as offered by the group insurance
386 commission; provided, however, that there shall be withheld from each payment of salary or wages of such employee
387 the premium for such coverage and the commonwealth shall make no contribution to such premium. Regulations shall
388 be promulgated providing for the implementation of this additional coverage.

389 SECTION 17D. Chapter 40 of the General Laws is hereby amended by adding the following 9 sections:-

390 Section 61. Notwithstanding any general or special law to the contrary, a governmental body may in
391 accordance with this chapter enter into contracts for the inspection, maintenance, repair or modification, or any
392 combination thereof, necessary for water storage facilities to ensure adequate services and to ensure the ability of water
393 storage facilities to operate in full compliance with all applicable requirements of federal, state and local laws. Any
394 such shall be awarded pursuant to chapter 30B, but shall not be subject to clause (3) of subsection (b), clause (3) of
395 subsection (e) or subsection (g) of section 6 or sections 13 and 16.

396 The request for proposals for any such contract shall specify the method for comparing proposals to determine
397 the proposal offering the most advantageous proposal to a governmental body including, but not limited to, all capital
398 financing, operating and maintenance costs, warranty requirements, indemnity and security, experience and technical
399 competence. If a contract is awarded to an offeror who submitted the most advantageous proposal, but who did not
400 offer the lowest overall cost, the governmental body shall explain the reason for the award in writing.

401 For the purposes of this section and sections 62 to 69, inclusive, "governmental body" shall mean a city, town,
402 county, water district, wastewater district, authority or state agency located within the commonwealth; provided,
403 however, “governmental body” shall not include the Massachusetts Water Resources Authority, and “water storage

404 facility" shall mean an above or below ground facility or tank, standpipe, water tower or other building or structure used
405 to store water for public drinking water supply, fire-protection or any other purpose.

406 Section 62. (a) Notwithstanding any general or special law to the contrary, a contract awarded pursuant to
407 section 61 may provide for a term, not exceeding 20 years, and an option for renewal or extension of inspection,
408 maintenance repair or modification services for 1 additional term not exceeding 10 years in accordance with the terms
409 of the original contract. A contract entered into pursuant to sections 61 to 69, inclusive, may provide that the
410 governmental body shall not be exempt from liability for payment of the costs to inspect, maintain, repair or modify or
411 install new equipment and systems at any water storage facilities necessary to ensure the ability of such facilities to
412 operate in full compliance with all applicable requirements of federal, state and local laws; provided, however, that such
413 costs shall be amortized over a period that is no longer than the useful life of such modifications, equipment and
414 systems. A governmental body's payment obligation for all inspection, maintenance, repair and modification services
415 shall be conditioned on the contractor's performance of those services in accordance with all contractual terms.

416 (b) Any contract entered into pursuant to sections 61 to 69, inclusive, may provide for such activities deemed
417 necessary to carry out the purposes authorized herein including, but not limited to, financing, equipment installation and
418 replacement, studies, permitting, design and engineering work, construction work, ordinary repairs and maintenance and
419 the furnishing of all related material, supplies and services required for the water storage facilities and the management,
420 construction, maintenance and repair of and improvements to such facilities.

421 Section 63. The chief procurement officer of a governmental body shall solicit proposals through a request for
422 proposals which shall include those items in clauses (1) and (2) of subsection (b) of section 6 of chapter 30B and
423 proposed key contractual terms and conditions to be incorporated into the contract, some of which may be deemed
424 mandatory or non-negotiable; provided, however, that the request for proposals may request proposals or offer options
425 for fulfillment of other contractual terms and such other matters as may be determined by the governmental body.

426 Section 64. The chief procurement officer of a governmental body shall make a preliminary determination of
427 the most advantageous proposal from a responsible and responsive offeror taking into consideration price, estimated
428 life-cycle costs, allocation of risks and responsibilities and other evaluation criteria set forth in the request for proposals.
429 The chief procurement officer may negotiate all terms of the contract not deemed mandatory or non-negotiable with
430 such offeror. If, after negotiation with such offeror, the chief procurement officer determines that it is in the
431 governmental body's best interests to terminate negotiations with the offeror, the chief procurement officer shall notify
432 the offeror in writing that negotiations have been terminated and shall enter into negotiations with the next most
433 advantageous proposal from a responsible and responsive offeror taking into consideration price, estimated life cycle
434 costs, allocation of risks and responsibilities and other evaluation criteria set forth in the request for proposals. The
435 chief procurement officer may then negotiate all terms of the contract not deemed mandatory or non-negotiable with
436 such offeror. The chief procurement officer shall award the contract to the most advantageous proposal from a
437 responsible and responsive offeror taking into consideration price, estimated life-cycle costs, allocations of risks and
438 responsibilities and other evaluation criteria set forth in the request for proposals and the terms of the negotiated
439 contract. Subject to the approval of the governmental body, the chief procurement officer shall award the contract by

440 written notice to the selected offeror within the time for acceptance specified in the request for proposals. Such award
441 shall be subject to this section and sections 61 to 69, inclusive. The parties may extend the time for acceptance by
442 mutual agreement.

443 Section 65. Subject to this section and sections 61 to 69, inclusive, a contract awarded pursuant thereto shall be
444 subject to such terms and conditions as the governmental body of the city or town shall determine to be in the best
445 interests of that city or town.

446 Section 66. Notwithstanding any general or special law or regulation to the contrary, the department of
447 environmental protection may issue project approval certificates with respect to the contract procured by a
448 governmental body for water storage facilities. Any design and construction services included in such contract and any
449 design and construction services procured in accordance with this section and sections 61 to 69, inclusive, shall not be
450 precluded from eligibility for assistance under the water pollution abatement trust established in section 2 of chapter
451 29C.

452 Section 67. The provisions of any general or special law or special act or regulation relating to the advertising,
453 bidding or awarding of contracts, the procurement of services or the construction and design of improvements shall not
454 be applicable to any selected offeror which is awarded a contract pursuant to sections 61 to 69, inclusive, except as
455 provided in this section; provided, however, that sections 26 to 27F, inclusive, and section 29 of chapter 149 shall
456 apply.

457 Section 68. An action, suit or proceeding contesting the validity or enforceability of a contract awarded
458 pursuant to sections 61 to 69, inclusive, or the compliance by a governmental body with the procedures relating to such
459 award, shall be commenced within 30 days after publication of notice of such award by the chief procurement officer in
460 a newspaper of general circulation according to the location of the government body.

461 Section 69. Not less than 90 days before the commencement of the procurement process pursuant to sections
462 61 to 69, inclusive, for the design, construction, inspection, maintenance or modification of work on a water storage
463 facility, the governmental body shall make public notification of the process by publishing an appropriate notice in the
464 central register published by the state secretary.";

465 SECTION 17E. Clause Fifth of section 18 of chapter 59 of the General Laws, as appearing in the 2006
466 Official Edition, is hereby amended by adding the following 2 sentences:- Poles, underground conduits, wires and pipes
467 of telecommunications companies laid in or erected upon public or private ways and property shall be assessed to their
468 owners in the cities or towns where they are laid or erected. For purposes of this clause, telecommunications companies
469 shall include cable television, internet service, telephone service, data service and any other telecommunications service
470 providers.

471 **NO SECTION 17F**

472 **NO SECTION 17G**

473 SECTION 17H. Section 5K of chapter 59 of the General Laws, as so appearing, is hereby amended by striking
474 out, in line 13, the figure “$750” and inserting in place thereof the following figure:— “$1,000”.

475 SECTION 17I. Subsection (e) of section 3 of chapter 44B of the General Laws, as so appearing, is hereby
476 amended by striking out clause (2) and inserting in place thereof the following clause:-
477 (2) for $100,000 of the value of each taxable parcel of class three, commercial and class four, industrial
478 property, as defined in section 2A of said chapter 59.

479 SECTION 18 Section 1 of chapter 62 of the General Laws, is hereby amended by inserting after the figure
480 “72” in line 8, as so appearing, the following word:- 139C.

481 SECTION 19 Section 2 of said chapter 62 is hereby amended by inserting after the word “year.”, in line 330,
482 as so appearing, the following subparagraph:-

483 (P) The deduction described in section 163(e)(5) of the Code, to the extent increased by amendments to section
484 163(e)(5)(F) and section 163(i)(l) inserted by section 1232 of the American Recovery and Reinvestment Act of 2009.

485 SECTION 20. Section 1 of chapter 62C of the General Laws, as so appearing, is hereby amended by inserting
486 before the definition of "Building contractor" the following 2 definitions:-

487 "Administering agency head", the agency head responsible for administering the applicable state tax credit
488 program.

489 "Average salary", the total Massachusetts gross salary of a group of Massachusetts employees divided by the
490 number of Massachusetts employees in the group.

491 SECTION 21 Said section 1 of said chapter 62C, as so appearing, is hereby further amended by inserting after
492 the definition of "Commissioner" the following definition:-

493 "Full-time employee", a person employed in the commonwealth for 35 hours or more per week.

494 SECTION 22. Said section 1 of said chapter 62C, as so appearing, is hereby further amended by inserting after
495 the definition of "Materialman" the following definition:-

496 "Part-time employee", a person employed in the commonwealth for less than 35 hours per week.

497 SECTION 23. Said section 1 of said chapter 62C, as so appearing, is hereby further amended by inserting after
498 the definition of "Show" the following definition:-

499 "Tax credit program", one of the following credits against the state income tax to stimulate economic
500 development and other policy goals: the brownfields tax credit in section 38Q of chapter 63 and subsection (j) of section
501 6 of chapter 62; the dairy farmer tax credit in section 38Z of said chapter 63 and subsection (o) of said section 6 of said
502 chapter 62; the U.S.F.D.A. user fees credit in section 31M of said chapter 63 and subsection (n) of said section 6 of said

503 chapter 62; the film tax credit in subsection (b) of section 38X of said chapter 63 and subsection (l) of said section 6 of
504 said chapter 62; the historic rehabilitation tax credit in section 38R of said chapter 63 and section 6J of said chapter 62;
505 the life sciences investment tax credit in section 38U of said chapter 63 and subsection (m) of said section 6 of said
506 chapter 62; the low-income housing tax credit in section 31H of said chapter 63 and section 6I of said chapter 62; the
507 medical device tax credit in section 31L of said chapter 63 and section 6 1/2 of said chapter 62; and the refundable
508 research credit in subsection (j) of section 38M of said chapter 63.

509 SECTION 23A. Section 16 of chapter 62C of the General Laws, as so appearing, is hereby amended by adding
510 the following subsection:–

511 (l) Every direct broadcast satellite service provider subject to taxation under section 2 of chapter 64M shall, on
512 or before the twentieth day of each calendar month, file a return with the commissioner stating the gross revenues
513 derived by the direct broadcast satellite service provider during such month from the provision of direct broadcast
514 satellite service and such other information as the commissioner may deem necessary.

515 SECTION 24. Subsection (b) of section 21 of said chapter 62C, as amended by section 60 of chapter 176 of
516 the acts of 2008, is hereby further amended by adding the following clause:-

517 (24) the disclosure of information necessary to comply with the reporting requirements of section 88.

518 SECTION 24A. Section 16 of said chapter 62C is hereby amended by striking out, in line 62, as appearing in the
519 2006 Official Edition, the words "sixty-four H or sixty-four I" and inserting in place thereof the following words:- 64H,
520 64I or 64L.

521 SECTION 24B. Section 31A of said chapter 62C, as so appearing, is hereby amended by striking out, in line 5,
522 the words "or section 17 of chapter 64I" and inserting in place thereof the following words:- section 17 of chapter 64I or
523 section 8 of chapter 64L.

524 SECTION 24C. Subsection (b) of section 21 of said chapter 62C, as most recently amended by section 60 of
525 chapter 176 of the acts of 2008, is hereby further amended by adding the following clause:-

526 (24) the disclosure of information necessary for administration of the local option tax imposed pursuant to
527 section 3A of chapter 64G and chapter 64L.

528 SECTION 24D. Section 25 of said chapter 62C, as appearing in the 2006 Official Edition, is hereby amended
529 by striking out the first sentence and inserting in place thereof the following sentence:– A distributor, unclassified
530 importer, unclassified exporter or purchaser referred to in section 1 of chapter 64A, a stamper appointed under section
531 30 of chapter 64C, a user-seller or supplier of special fuels, as defined in section 1 of chapter 64E, a motor carrier
532 required to be licensed under chapter 64F, an operator required to register under chapter 64G, a vendor required to
533 register under chapter 64H or 64I, a user-seller or supplier of aircraft fuel, as defined in section 1 of chapter 64J, a
534 licensee referred to in section 21 of chapter 138 and every direct broadcast satellite service provider as defined in
535 section 1 of chapter 64M shall keep and preserve suitable records of taxable charges and such other books, papers,

536 records and data as the commissioner may require to determine the amount of the tax due under the those respective
537 chapters.

538 SECTION 24E. Section 37 of said chapter 62C, as so appearing, is hereby amended by striking out the last
539 paragraph and inserting in place thereof the following paragraph:–

540 If such person is an operator as defined in section 1 of chapter 64G, a vendor as defined in section 1 of chapter
541 64H or section 1 of chapter 64I or a direct broadcast satellite service provider as defined in section 1 of chapter 64M
542 who has collected such tax, no actual refund of money shall be made to such person until he establishes to the
543 satisfaction of the commissioner, under such regulations as the commissioner may prescribe, that he has repaid to the
544 purchaser the amount for which the application for refund is made.

545 SECTION 24F. Section 66 of said chapter 62C, as so appearing, is hereby amended by striking out the first
546 paragraph and inserting in place thereof the following paragraph:–

547 The commissioner may require a person required to be licensed or registered under chapters 64A to 64C,
548 inclusive, chapters 64E to 64J, inclusive, or chapter 64M or subject to taxation under section 21 of chapter 138, to file
549 with him a bond, satisfactory to the commissioner, in such amount as the commissioner may determine, with a surety
550 company authorized to transact business in the commonwealth as surety, to secure the payment of any tax, including
551 any interest and penalties thereon, due or which may become due from such person under said chapters 64A to 64C,
552 inclusive, chapters 64E to 64J, inclusive, or chapter 64M; provided, however, that the amount of such bond required
553 from a vendor under chapter 64H or 64I shall not exceed the amount which the commissioner shall determine to be such
554 vendor's average tax liability for a 6-month period.

555 SECTION 24G. Section 67 of said chapter 62C is hereby amended by striking out the first paragraph, as
556 amended by section 28 of chapter 182 of the acts of 2008, and inserting in place thereof the following paragraph:–

557 Each vendor as defined in chapter 64H or 64I and each operator as defined in chapter 64G who desires to obtain
558 a certificate of registration as required by said chapters 64H, 64I or 64G and each person who desires to obtain a license
559 as a distributor, unclassified importer or unclassified exporter as defined in chapter 64A, as a manufacturer, wholesaler,
560 vending machine operator, unclassified acquirer, transportation company or retailer as defined in chapter 64C, as a user-
561 seller, supplier or user of special fuels as defined in chapter 64E, as a motor carrier as defined in chapter 64F, as a user-
562 seller or supplier of aircraft fuel as defined in chapter 64J or as a direct broadcast satellite service provider as defined in
563 chapter 64M shall file with the commissioner an application in such form as the commissioner prescribes, giving such
564 information as the commissioner requires; provided, however, if the application is for a wholesaler's license as defined
565 in said chapter 64C, the commissioner shall require, in addition to such other information as may be deemed necessary,
566 the filing of affidavits from 3 licensed manufacturers as defined in said chapter 64C, stating that the manufacturer will
567 supply the wholesaler if the applicant is granted a license.

568 SECTION 25. Said chapter 62C is hereby further amended by adding the following section:-

569 Section 88. (a)(1) Annually, not later than March 1, the administering agency head of each tax credit program
570 shall submit a report to the commissioner on each tax credit program authorized for the previous calendar year which
571 shall be a public record.

572 (2) The report shall contain the following information:

573 (i) the number of taxpayers authorized by the administering agency head to receive a tax credit;

574 (ii) the total amount of tax credit award and issued tax credit for each industry and each project, if applicable;

575 (iii) the date of the tax credit award or issued tax credit for each industry and each project; and

576 (iv) an aggregate summary of the employment data, by industry, provided by each taxpayer pursuant to
577 paragraph (1) of subsection (b)).

578 (3) The report shall contain an analysis of the impact of the tax credit on preserving and promoting the relevant
579 industry in the commonwealth and employment in the relevant industry including, but not limited to, an analysis of the
580 relevant industry's output, where applicable, and employment retained or increased in the relevant industry in the
581 commonwealth for the calendar year, other benefits relevant to the specific goals of the tax credit program and other
582 information that the commissioner may require.

583 (4) The report shall additionally include the following information relevant to the following specific tax credit
584 programs:

585 (i) for the brownfields tax credit, an analysis of the impact of the brownfields tax credit program on the cleanup
586 and development of contaminated properties;

587 (ii) for the dairy farmer tax credit, an analysis of the impact of the dairy farmer tax credit on preserving dairy
588 farms and dairy farm employment including, but not limited to, an analysis of the dairy product output and the number,
589 size in acreage and location of dairy farms receiving a dairy farm credit;

590 (iii) for the U.S.F.D.A. user fees credit, life sciences investment tax credit and the refundable research credit, an
591 analysis of the impact of the program on preserving and increasing economic development and infrastructure for the
592 calendar year;

593 (iv) for the film tax credit, an analysis of the impact of the film tax credit program on preserving or increasing
594 film industry jobs and other benefits of the program;

595 (v) for the historic rehabilitation tax credit, an analysis of the impact of the program on preserving historic
596 structures and other benefits of the program including, but not limited to, the employment created for the calendar year;

597 (vi) for the low-income housing tax credit, an analysis of the impact of the program on preserving or increasing
598 low-income housing and other benefits of the program including, but not limited to, the number of low-income housing
599 units placed in service for the calendar year; and

600 (vii) for the medical device tax credit, an analysis of the impact of the medical device tax credit program on
601 preserving or increasing medical device industry jobs and other benefits of the program.

602 (b)(1) Annually, not later than February 15, each taxpayer receiving an authorized tax credit from the
603 administering agency head in the previous calendar year shall submit a statement of jobs on a form provided by the
604 administering agency head to the administering agency head containing the following information:

605 (i) the number of full-time employees working for the taxpayer on the date the administering agency head
606 authorized the tax credit;

607 (ii) the average salary of the full-time employees identified in clause (i);

608 (iii) the number of part-time employees, identifying the part-time employees as either equal to or less than 20
609 hours per week employees or less than 35 hours but more than 20 hours per week employees, working for the taxpayer
610 on the date the administering agency head authorized the tax credit and the number of part-time employees, identifying
611 the part-time employees as either equal to or less than 20 hours per week employees or less than 35 hours but more than
612 20 hours per week employees, working for the taxpayer on December 31 of the calendar year in which the
613 administering agency head authorized the tax credit;

614 (iv) the average salary of the employees working equal to or less than 20 hours per week and the average salary
615 of employees working less than 35 hours but more than 20 hours per week as identified in clause (iii);

616 (v) the number of full-time employees working for the taxpayer on the date the administering agency head
617 authorized the tax credit and the number of full-time employees working for the taxpayer on December 31 of the
618 calendar year in which the administering agency head authorized the tax credit;

619 (vi) the average salary of the full-time employees identified in clause (v);

620 (vii) the average salary of the employees working equal to or less than 20 hours per week and the average salary
621 of the employees working less than 35 hours but more than 20 hours per week as identified in clause (iii): and

622 (viii) other information required by the administering agency head to assist the agency head in assessing the
623 impact of the tax credit program on the commonwealth and employment in the relevant industry and otherwise in
624 meeting the goals of the relevant tax credit program.

625 (2) Annually, not later than March 1, the administering agency head shall submit to the commissioner, on a form
626 prescribed by the commissioner, copies of the taxpayer job statements required by paragraph (1), with the report

627 required by subsection (a). The commissioner shall provide this information on a government internet website for public
628 disclosure."

629 SECTION 26. Section 6A of chapter 62F of the General Laws is hereby repealed.

630 SECTION 27. Section 1 of chapter 63 of the General Laws is hereby amended by inserting after the word
631 "commonwealth", in line 99, as so appearing, the following sentence:- Gross income shall be determined without regard
632 to section 108(i) of the Code.

633 SECTION 28. The definition of "net income" in said section 1 of said chapter 63 of the General Laws, as so
634 appearing, is hereby amended by striking out clauses (d) and (e) and inserting in place thereof, the following 3 clauses:-

635 (d) the deduction allowed by section 168 (k) of the code;

636 (e) the deduction allowed by section 199 of the code; or

637 (f) the deduction described in section 163(e)(5) of the Code, to the extent increased by amendments to section
638 163(e)(5)(F) and section 163(i)(1) inserted by section 1232 of the American Recovery and Reinvestment Act of 2009.

639 SECTION 29. Paragraph 3 of section 30 of said chapter 63, as so appearing, is hereby amended by inserting
640 after the first sentence the following sentence:- Gross income shall be determined without regard to section 180(i) of the
641 Code.
642 SECTION 30. Paragraph 4 of said section 30 of said chapter 63, as so appearing, is hereby amended by adding
643 the following clause:-

644 (vii) the deduction described in section 163(e)(5) of the Code to the extent increased by amendments to
645 section 163(e)(5)(F) and section 163(i)(1) inserted by section 1232 of the American Recovery and Reinvestment Act of
646 2009.

647 SECTION 31. Section 52A of said chapter 63, as so appearing, is hereby amended by inserting after the word
648 "exclusion", in lines 27 and 28,the following words:- and without regard to section 108(i) of the Code.

649 SECTION 32. Paragraph (b) of subsection (1) of said section 52A of said chapter 63, as so appearing, is
650 hereby amended by striking out clauses (iv) and (v) and inserting in place thereof the following 3 clauses:-

651 (iv) the deduction allowed by section 168 (k) of the code,

652 (v) the deduction allowed by section 199 of the code, and

653 (vi) the deduction described in section 163(e)(5) of the Code, to the extent increased by amendments to section
654 163(e)(5)(F) and section 163(i)(1), inserted by section 1232 of the American Recovery and Reinvestment Act of 2009.

655 SECTION 32A. Section 6 of chapter 64H of the General Laws is hereby amended by striking out, in line 72,
656 as so appearing, the words 'and one hundred and thirty-eight'.

657 SECTION 32B. Section 2 of chapter 64H of the General Laws, as so appearing, is hereby amended by striking
658 out, in line 3, the words "five percent" and inserting in place thereof the following words:- 6.25 per cent.

659 SECTION 32C. Said chapter 64H is hereby further amended by striking out section 4, as so appearing, and
660 inserting in place thereof the following section:-

661 Section 4. For the purpose of adding and collecting the tax imposed by this chapter to be paid to the
662 commonwealth or to be reimbursed to the seller by the purchaser, the tax computation shall be carried to the third
663 decimal place and it shall be rounded to a whole cent, rounding up to the next cent whenever the third decimal place is
664 greater than 4. A seller may elect to compute the tax due on a transaction on an item or an invoice basis.

665 SECTION 32D. Subsection (g) of section 6 of said chapter 64H is hereby amended by inserting after the word
666 "sixty-four F, as so appearing, the following words:- and 64L.

667 SECTION 32E. The first paragraph of subsection (h) of said section 6 of said chapter 64H, as so appearing, is
668 hereby amended by striking out the last sentence.

669 SECTION 32F. Said subsection (h) of said section 6 of chapter 64H, as so appearing, is hereby further
670 amended by striking out the second to fifth paragraphs, inclusive.

671 SECTION 32G. Section 30A of said chapter 64H, as so appearing, is hereby amended by striking out, in lines
672 5, 7, 14 and 18, the word "five" and inserting in place thereof, in each instance, the following figure:- 6.25.

673 SECTION 32H. Section 2 of chapter 64I of the General Laws, as so appearing, is hereby amended by striking
674 out, in line 6, the word "five" and inserting in place thereof the following figure:- 6.25.

675 SECTION 32I. Said chapter 64I is hereby further amended by striking out section 5, as so appearing, and
676 inserting in place thereof the following section:-

677 Section 5. For the purposes of adding and collecting the tax imposed by this chapter to be paid to the
678 commonwealth or to be reimbursed to the seller by the purchaser, the tax computation shall be carried to the third
679 decimal place and it shall be rounded to a whole cent, rounding up to the next cent whenever the third decimal place is
680 greater than 4. A seller may elect to compute the tax due on a transaction on an item or an invoice basis.

681 SECTION 32J. Section 31A of said chapter 64I, as so appearing, is hereby amended by striking out, in lines 5,
682 7, 14 and 18, the word "five"and inserting in place thereof, in each instance, the following figure:- 6.25.

683 SECTION 32K. The General Laws are hereby amended by inserting after chapter 64K the following chapter:-

684 CHAPTER 64L.

685 EXCISE ON MEALS

686 Section 1. As used in this chapter, the following words shall have the following meanings:-

687 “Gross receipts”, the total sales price received by a vendor as a consideration for the sale of meals at a
688 restaurant.

689 “Honor snack tray”, a vending arrangement in which only candy or snacks are available in an open tray for the
690 benefit of employees in an establishment that normally does not sell food or food products and for which payment is
691 made on the honor system.

692 “Meals”, a food or beverage, or both, prepared for human consumption and provided by a restaurant for
693 consumption on or off the restaurant premises, including food or beverages sold on a "take out" or "to go" basis,
694 whether or not they are packaged or wrapped and whether or not they are taken from the premises of the restaurant.

695 “Purchaser”, a person who purchase meals at a restaurant, the receipts from the sale of which are taxable under
696 this chapter and includes a buyer, vendee, lessee, licensee or grantee.

697 “Restaurant”, an eating establishment wherein food, food products or beverages are provided and for which a
698 charge is made including, but not limited to, a cafe, lunch counter, private or social club, cocktail lounge, hotel dining
699 room, catering business, tavern, diner, snack bar, dining room, vending machine and any other place or establishment
700 wherein food or beverages are provided, whether stationary or mobile, temporary or permanent; provided, however, that
701 a delicatessen, grocery, market or bakery store shall not be considered eating establishment within the meaning of this
702 chapter except for any part thereof which engages in the sale of dinners, luncheons, barbecued chicken other than
703 barbecued chicken sold whole and unsliced, sandwiches, snacks, pizzas and other similar items which are commonly
704 sold at snack bars, coffee shops or lunch counters; provided further, no such store shall be deemed a restaurant under
705 this chapter based solely on the preparation and sale of prepared meat, poultry and fish items if the sale of such meat,
706 poultry and fish items constitutes less than a major portion of the total sales of such store; provided further, that a
707 vending machine or honor snack tray shall not be considered an eating establishment within the meaning of this chapter
708 if it sells only snacks or candy with a sales price of less than $3.50; and provided further, that a bed and breakfast
709 establishment or bed and breakfast home, as defined in chapter 64G, shall not be considered an eating establishment
710 within the meaning of this chapter where the value of the breakfast served is included in the rent subject to tax under
711 said chapter 64G.

712 “Sale”, a sale of meals by a restaurant for any purpose other than resale in the regular course of business.

713 “Vendor”, a retailer or other person selling tangible personal property or services of a kind the gross receipts
714 from the retail sale of which are required to be included in the measure of the excise imposed by this chapter.

715 Section 2. An excise is hereby imposed upon the sale of meals at a restaurant in the commonwealth by any
716 vendor at the rate of 5 per cent of the gross receipts of the vendor from the sale of restaurant meals, except as otherwise

717 provided in this chapter. The excise shall be paid to the commissioner at the time provided for filing the return required
718 by section 16 of chapter 62C.

719 Section 3. Reimbursement for the excise hereby imposed shall be paid by the purchaser to the vendor and each
720 vendor shall add to the sales price and shall collect from the purchaser the full amount of the excise imposed by this
721 chapter or an amount equal as nearly as possible or practicable to the average equivalent thereof and such excise shall
722 be a debt from the purchaser to the vendor when so added to the sales price and shall be recoverable at law in the same
723 manner as other debts.

724 Section 4. For the purposes of adding and collecting the excise imposed by this chapter to be paid to the
725 commonwealth or to be reimbursed to the seller by the purchaser, the excise computation shall be carried to the third
726 decimal place and it shall be rounded to a whole cent, rounding up to the next cent whenever the third decimal place is
727 greater than 4. A seller may elect to compute the excise due on a transaction on an item or an invoice basis.

728 Section 5. Upon each sale of a meal by a restaurant taxable under this chapter, the amount of excise collected
729 by the vendor from the purchaser shall be stated and charged separately from the sales price and shown separately on
730 any record thereof at the time the sale is made or on any evidence of sale issued or used by the vendor; provided,
731 however, that whenever there is a sale of alcoholic beverages for on-premises consumption, the excise collected need
732 not be stated separately.

733 Section 6. (a) The following sales and the gross receipts there from shall be exempt from the tax imposed by
734 this chapter:

735 (i) sales exempt under paragraph (cc) of section 6 of chapter 64H.

736 (b) The following food or beverages sold by a restaurant for off-premises consumption shall not be deemed to
737 be a meal for the purposes of this chapter: (i) food sold by weight, liquid or dry measure, count or in unopened original
738 containers or packages including, but not limited to, meat, bread, milk, specialty foods, cream and ice cream provided
739 that such foods are commonly sold in that manner in a retail food store which is not a restaurant; (ii) beverages in
740 unopened original containers or packages when sold as a unit having a capacity of at least 26 fluid ounces; and (iii)
741 bakery products including, but not limited to, doughnuts, muffins, bagels, and similar items sold in units of 6 or more.
742 Prepared meals, snacks, sandwiches, food platters, poultry, fish or meat items or other food combinations, to the extent
743 that such items are sold by a restaurant whose principal business is the preparation or sale of such items in such form as
744 to be available for immediate consumption without further significant preparation, whether for on or off-premises
745 consumption, shall not be excluded under clause (i), (ii), or (iii).

746 Section 7. No person shall do business in this commonwealth as a vendor unless a registration shall have been
747 issued to him for each place of business in accordance with section 67 of chapter 62C.

748 Section 8. A person who fails to pay to the commissioner any sums required by this chapter shall be
749 personally and individually liable therefor to the commonwealth. For the purposes of this section, “person”, shall

750 include an officer or employee of a corporation or a member or employee of a partnership or limited liability company
751 who as an officer, employee or member, is under a duty to pay over the taxes imposed by this chapter.

752 Section 9. A vendor who has paid to the commissioner an excise under this chapter upon a sale for which
753 credit is given to the purchaser and such account is later determined to be worthless shall be entitled to reimbursement
754 without interest of the excise paid to the commissioner on such worthless account. Such claim for reimbursement,
755 covering the amount of excise paid on accounts determined to be worthless in the vendor's prior fiscal year, shall be
756 filed on or before the due date, including extensions of the federal income tax return, or annual federal filing in the case
757 of an exempt organization, for such prior fiscal year. A vendor, who shall recover, in whole or in part, upon an account
758 previously determined to be worthless for which reimbursement had been received, shall report and include the same in
759 his return for the period during which the recovery occurred.";

760 SECTION 32L. Section 1 of chapter 64G of the General Laws, as appearing in the 2006 Official Edition, is
761 hereby amended by inserting after the definition of "Occupant" the following definition:- "Other transient
762 accommodation", a vacation or leisure accommodation including, but not limited to, an apartment, single or multiple
763 family housing, a cottage, a condominium or a timeshare unit which is rented to an occupant for a period of 90
764 consecutive days or less regardless of whether such use is as a lessee, tenant, guest or licensee

765 SECTION 32M. The first paragraph of section 2 of chapter 64G of the General Laws, as so appearing, is
766 hereby amended by striking out clause (b) and inserting in place thereof the following clause:- (b) lodging
767 accommodations, including dormitories, at religious, charitable, educational and philanthropic institutions; provided,
768 however, that this exemption shall not apply to accommodations provided by any such institution at a hotel, motel or
769 other transient accommodation operated by the institution;

770 SECTION 32N. Section 3A of said chapter 64G, as so appearing, is hereby amended by striking out, in line 5,
771 the word "four" and inserting in place thereof the following figure:- 6.

772 SECTION 32O. Said section 3A of said chapter 64G, as so appearing, is hereby further amended by striking
773 out, in line 10, the figure "4.5 " and inserting in place thereof the following figure;- 6.5.

774 SECTION 32P. Said section 3A of said chapter 64G, as so appearing, is hereby further amended by inserting
775 after the first paragraph the following paragraph:-

776 A city or town may choose to include other transient accommodations as part of the room occupancy excise
777 established pursuant to this section; provided, however, that the excise shall only be applied to accommodations on
778 parcels with 2 or more units.

779 SECTION 32Q. Chapter 64L of the General Laws is hereby amended by inserting after section 2 the following
780 section:-

781 Section 2A. (a) A city or town which accepts this section in the manner provided in section 4 of chapter 4 may
782 impose a local sales tax upon the sale of restaurant meals originating within the city or town by a vendor at a rate of 2

783 per cent of the gross receipts of the vendor from the sale of restaurant meals. No excise shall be imposed if the sale is
784 exempt under section 6 or under section 6 of chapter 64H. The vendor shall pay the local sales tax imposed under this
785 section to the commissioner at the same time and in the same manner as the sales tax due to the commonwealth. The
786 commissioner may adopt, by rule or regulation, destination sourcing rules for caterers or other vendors with a high
787 volume of delivered meals, as the commissioner may determine, in order to mitigate any anti-competitive impact of the
788 local option meals tax.

789 (b) All sums received by the commissioner under this section shall, at least quarterly, be distributed, credited
790 and paid by the state treasurer upon certification of the commissioner to each city or town that has accepted this section
791 in proportion to the amount of the sums received from the sales of restaurant meals in that city or town. Any city or
792 town seeking to dispute the commissioner's calculation of its distribution under this subsection shall notify the
793 commissioner, in writing, not later than 1 year from the date the tax was distributed by the commissioner to the city or
794 town.

795 (c) The section shall take effect in a municipality on the first day of the calendar quarter following 30 days
796 after its acceptance by the municipality or on the first day of a later calendar quarter that the city or town may designate.

797 (d) The commissioner may make available to cities and towns any information necessary for administration of
798 the excise imposed by this section including, but not limited to, a report of the amount of local option sales tax on
799 restaurant meals collected under this section in the preceding fiscal year, with identification of each individual vendor,
800 notwithstanding any provisions in section 21 of chapter 62C to the contrary.

801 SECTION 32R. The General Laws are hereby amended by inserting after chapter 64L the following chapter:–

802 CHAPTER 64M

803 TAXATION OF DIRECT BROADCAST SATELLITE SERVICE

804 Section 1. As used in this chapter, the following words shall have the following meanings unless the context
805 otherwise requires:

806 "Commissioner", the commissioner of revenue.

807 "Direct broadcast satellite service", means the distribution or broadcasting of video programming or services
808 by satellite directly to receiving equipment located at an end user subscriber's or an end user customer's premises,
809 including but not limited to the provision of premium channels; the provision of music or other audio services or
810 channels, and any other service received in connection with the provision of direct broadcast satellite service.

811 "Direct broadcast satellite service provider", a person who transmits, broadcasts or otherwise provides direct
812 broadcast satellite service to subscribers or customers in the commonwealth.

813 “Gross revenues”, all consideration of any kind or nature received by a direct broadcast satellite service
814 provider, or an affiliate of such person, in connection with the provision of direct broadcast satellite service to
815 subscribers or customers, including recurring monthly charges for direct broadcast satellite service and pay-per-view,
816 video-on-demand, and other event-based charges for direct broadcast satellite service; provided, however, that gross
817 revenues shall not include:

818 (1) charges for the rental of equipment related to the provision of direct broadcast satellite service;

819 (2) activation, installation, repair and maintenance charges or similar service charges related to the provision of
820 direct broadcast satellite service;

821 (3) service order charges, service termination charges or any other administrative charges related to the
822 provision of direct broadcast satellite service;

823 (4) revenue not actually received, regardless of whether it is billed, including but not limited to, bad debts;

824 (5) revenue received by an affiliate or other person in exchange for supplying goods and services used by a
825 direct broadcast satellite service provider;

826 (6) refunds, rebates or discounts made to subscribers or customers, to advertisers, or to other persons;

827 (7) revenue from service other than direct broadcast satellite service, including:

828 (A) telecommunications service as defined in 47 U.S.C. section 153(46);

829 (B) information service as defined in 47 U.S.C. section 153(20); or

830 (C) any other service that is not a direct broadcast satellite service.

831 (8) revenue from any service that is subject to tax under chapter 64H or 64I;

832 (9) the tax imposed by this chapter or any other tax of general applicability imposed on a direct broadcast
833 satellite service provider or a purchaser of direct broadcast satellite service, by a federal, state or local governmental
834 entity and required to be collected by a person and remitted to the taxing entity;

835 (10) any foregone revenue from providing free or reduced-cost direct broadcast satellite service to any person,
836 including employees of the direct broadcast satellite service provider or any governmental entity as required or
837 authorized by federal, state or local law, except revenue foregone in exchange for the goods or services through a trade
838 or barter arrangement;

839 (11) revenue from the sale of capital assets or surplus equipment not used by the purchaser to receive direct
840 broadcast satellite service from the direct broadcast satellite service provider;

841 (12) reimbursements made by programmers to the direct broadcast satellite service provider for marketing
842 costs incurred by the direct broadcast satellite service provider for the introduction of new programming that exceed the
843 actual costs incurred by the direct broadcast satellite service provider;

844 (13) late payment fees collected from subscribers or customers; or

845 (14) charges, other than those charges specifically described herein, that are aggregated or bundled with such
846 specifically-described charges on a subscriber or customer's bill, if the direct broadcast satellite service provider can
847 reasonably identify the charges in its books and records kept in the regular course of business.

848 "Person", an individual, partnership, trust or association, with or without transferable shares, joint-stock
849 company, corporation, society, club, organization, institution, estate, receiver, trustee, assignee or referee and any other
850 person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination
851 of individuals acting as a unit.

852 "Subscriber or customer", a member of the general public who receives direct broadcast satellite service from a
853 direct broadcast satellite service provider and does not further distribute such service in the ordinary course of business.

854 "Video programming", programming provided by, or comparable to programming provided by, a television
855 broadcast station including, but not limited to, video programming provided by local networks, national broadcast
856 networks and all forms of pay per view video entertainment.

857 Section 2. An excise is hereby imposed upon the provision of direct broadcast satellite service to a subscriber
858 or customer in the commonwealth by any direct broadcast satellite service provider in an amount equal to 5 per cent of
859 the direct broadcast satellite service provider's gross revenues. A direct broadcast satellite service provider shall pay the
860 excise to the commissioner at the time provided for filing the return required by section 16 of chapter 62C.

861 Section 3. Reimbursement for the excise imposed in this chapter shall be paid by the subscriber or customer to
862 the direct broadcast satellite service provider and each direct broadcast satellite service provider providing direct
863 broadcast satellite service to subscribers or customers shall collect from such subscriber or customer the full amount of
864 the excise imposed with respect to gross revenues derived from or attributable to such customer or subscriber and such
865 excise shall be a debt from the subscriber or customer to the direct broadcast satellite service provider when added to
866 the subscriber or customer's invoice for video programming service and shall be recoverable at law in the same manner
867 as other debts.

868 Section 4. No person shall do business in this commonwealth as a direct broadcast satellite service provider
869 unless a registration shall have been issued to him in accordance with section 67 of chapter 62C.

870 Section 5. A direct broadcast satellite service provider who fails to pay to the commissioner any sums
871 required to be paid by this chapter shall be personally and individually liable therefor to the commonwealth. The term
872 "direct broadcast satellite service provider", as used in this section, includes an officer or employee of a corporation or

873 other business entity or a member or employee of a partnership who, as such officer, employee or member, is under
874 duty to pay over the taxes imposed by this chapter.

875 Section 6. A person not a resident of the commonwealth who engages in the business of providing direct
876 broadcast satellite service to subscribers or customers in the commonwealth shall, as a condition precedent to engaging
877 in such business and by so engaging in such business, be deemed thereby to appoint the state secretary as his agent for
878 the service of process in any judicial proceeding under this chapter. Such process shall be served by delivering a copy of
879 the process in the hands of the state secretary or a deputy or in the office of the state secretary. Such service shall be
880 sufficient service upon the person; provided, however, that such notice of such service and a copy of the process shall,
881 at least 15 days before the return day of such process, be sent by registered mail to such person's last known address,
882 and that the sender's registered mail receipt and the commissioner's affidavit of compliance with this section shall be
883 appended to the process and filed in the action or proceeding on or before the return day of the process or within such
884 further time as the court may allow. The court in which the action or proceeding is pending may order such
885 continuances as may be necessary to afford the defendant reasonable opportunity to defend the action. Service of
886 process in the foregoing manner shall be have the same force and validity as if served upon the taxpayer personally
887 within the commonwealth.

888 SECTION 32S. Section 6 of chapter 70B of the General Laws is hereby amended by striking out, in line 57, as
889 so appearing, the words "city or town" and inserting in place thereof the following words:- city, town or regional
890 school district.

891 SECTION 33. Section 10 of chapter 70B of the General Laws, as so appearing, is hereby amended by striking
892 out, in line 3, the words "less than 40 per cent nor".

893 SECTION 34. Subsection (a) of said section 10 of said chapter 70B of the General Laws is hereby further
894 amended by striking out paragraph (C) and inserting in place thereof the following paragraph:-

895 (C) Incentive percentage points may be awarded by the authority. Incentive percentage points granted, if any,
896 shall be in the sole discretion of the authority. The authority may issue regulations delineating the type and amounts of
897 any such incentive percentage points; provided, however, that no individual category of incentive points shall exceed 6
898 additional points. Such incentive points may be awarded for a district's use of efficient construction delivery methods;
899 regionalization with other districts; superior maintenance practices of a district; energy efficient and sustainable design
900 and construction; major renovation rather than building new construction; the use of model schools as adopted by the
901 authority; and other incentives as determined by the board of the authority in order to encourage the most cost-effective
902 and quality construction.

903 SECTION 35. Chapter 71 of the General Laws is hereby amended by adding the following section:-

904 Section 91. (a) The term "Recovery High School" shall mean a public school or collaborative program for
905 students diagnosed with substance use disorder or dependency, as defined by the Diagnostic and Statistical Manual of

906 Mental Disorders IV-TR, that provides (1) a comprehensive 4-year high school education and (2) a structured plan of
907 recovery.

908 (b) A school district shall transfer the state average chapter 70 per pupil allotment to a Recovery High School
909 for a student meeting the following criteria: (1) the student is currently enrolled in the district or currently resides in the
910 municipality in which the district is located; (2) the student is considered clinically appropriate by a clinician as defined
911 by 105 CMR 164.006 of the Code of Massachusetts Regulations, using the criteria for Substance Use Disorders as
912 defined in the Diagnostic and Statistical Manual of Mental Disorders IV-TR; and (3) the student meets all matriculation
913 criteria as outlined by the sending district and the department of elementary and secondary
914 education, with determination of academic eligibility based on existing documentation provided by the district. The
915 district and the Recovery High School shall arrange to confer a diploma when a student completes state and district-
916 mandated graduation requirements.

917 (c) A Recovery High School shall submit to the board of elementary and secondary education data considered
918 necessary by the board to provide information regarding each student's academic performance. A Recovery High
919 School shall also submit to the department of public health data regarding each student's recovery.

920 (d) The board of elementary and secondary education, in consultation with the department of public health and
921 the department of mental health, shall promulgate regulations, as necessary to implement this section.

922 SECTION 35A. Section 35 of chapter 85 of the General Laws, as so appearing, is hereby amended by striking
923 out, in lines 28 and 29, the words "two hundred dollars" and inserting in place thereof the following figure:- $500.

924 SECTION 35B. Said section 35 of said chapter 85, as so appearing, is hereby further amended by adding the
925 following 2 paragraphs:-

926 Any person that operates a vehicle carrying an article or material subject to regulation pursuant to section 9 of
927 chapter 148 shall be punished by a fine of not more than $1000 if the weight of such vehicle, with its load, exceeds the
928 maximum weight authorized under this section or section 34, unless such vehicle is being operated in accordance with
929 the terms of a special permit issued under section 30 and 30A,.

930 Any operator that violates this section shall be deemed to have committed a moving violation for the purposes
931 of determining surcharges on motor vehicle premiums under section 113B of chapter 175.

932 SECTION 35C. Section 20 of chapter 90 of the General Laws is hereby amended by inserting, after the third
933 paragraph, as so appearing, the following paragraph:-

934 Any person who violates section 17 while operating a commercial motor vehicle, as defined in section 1 of
935 chapter 90F, while such vehicle is transporting any article or material subject to regulation pursuant to section 9 of
936 chapter 148, shall be punished by a fine of not more than $1,000 for the first offense, not less than $1,000 nor more than
937 $2,000 for a second offense committed in any 12 month period, and not less than $2,000 nor more than $3,000 for a

938 third or subsequent offense committed in any 12 month period. Prosecutions commenced under this paragraph shall not
939 be placed on file nor continued without a finding.

940 SECTION 35D. Chapter 90 of the General Laws is hereby amended by inserting after section 12 the following
941 section:-

942 Section 12A. (a) For the purposes of this section, "mobile device" means a device capable of transmitting
943 verbal or written communications or images, or accessing the internet including, but not limited to, a mobile telephone,
944 text messaging device, personal digital assistant or any other substantially similar device utilizing cellular, analog,
945 satellite, wireless or digital technology.

946 (b) Notwithstanding the provisions of section 13 to the contrary, no operator of a vehicle or vessel: (1) used in
947 public transportation including a train, passenger bus, school bus or other vehicle used to transport pupils, taxi,
948 passenger ferry boat, water shuttle or other equipment used in public transportation owned by, or operated under the
949 authority of, the Massachusetts Bay Transportation Authority, the Woods Hole, Martha's Vineyard & Nantucket
950 Steamship Authority, Massachusetts Port Authority; the executive office of transportation; or (2) open to the public and
951 owned by, or operated under the authority of, any business, including tour vehicles or vessels, enclosed ski lifts or trams
952 and passenger buses or vans regularly used to transport customers shall use a mobile device while operating such
953 vehicle or vessel; provided, however, that use of any such mobile device solely to access a global positioning system
954 shall not be prohibited. Whoever violates this section shall be punished by a fine of $500 and such violation shall be a
955 moving violation for purposes of the safe driver insurance plan under section 113B of chapter 175.

956 (c) This section shall not apply to an operator of a private vehicle or vessel which during such operation is not
957 open to the public or not being used for the transportation of the public, including the private charter or rental of a
958 limousine, bus or van or the private charter or rental of a boat or other vessel.

959 (d) This section shall not apply to persons employed in providing emergency medical services, in the lawful
960 course of their duties.

961 (e) It shall be an affirmative defense for a person charged with a violation of this section that such violation
962 was committed for the sole purpose of seeking emergency assistance.

963 SECTION 35E. Section 13 of chapter 90 of the General Laws is hereby amended by inserting after the word
964 "times", in line 7, the following words:- ; provided, however, that whoever operates a motor vehicle while entering a
965 text message, reading a text message or accessing the Internet shall be punished by a fine of $75; and provided further,
966 that use of any such mobile device solely to access a global positioning system shall not be prohibited. A violation of
967 the preceding sentence shall be a moving violation for purposes of the safe driver insurance plan under section 113B of
968 chapter 175. For the purposes of this section, a "mobile device" shall include any device capable of transmitting verbal
969 or written communication or images, or accessing the internet including, but not limited to, a mobile telephone, text
970 messaging device, personal digital assistant, or any other substantially similar device utilizing cellular, analog, satellite,
971 wireless or digital technology."

972 **NO SECTION 36**

973 SECTION 37. Section 23 of said chapter 90, as appearing in the 2006 Official Edition, is hereby amended by
974 inserting after the first paragraph the following paragraph:-

975 Notwithstanding the preceding paragraph or any other general or special law to the contrary, whoever has not
976 been previously found responsible of or convicted of, or against whom a finding of delinquency or a finding of
977 sufficient facts to support a conviction has not been rendered on, a complaint charging a violation of operating a motor
978 vehicle after his license to operate has been suspended or revoked, or after notice of the suspension or revocation of his
979 right to operate a motor vehicle without a license has been issued by the registrar and received by such person or by his
980 agent or employer, and prior to the restoration of such license or right to operate or to the issuance to him of a new
981 license to operate shall be punished by a fine of not more than $500. This paragraph shall not apply to any person who
982 is charged with operating a motor vehicle after his license to operate has been suspended or revoked pursuant to a
983 violation of paragraph (a) of subdivision (1) of section 24, or section 24D, 24E, 24G, 24L or 24N of this chapter,
984 subsection (a) of section 8 or section 8A or 8B of chapter 90B, section 8, 9 or 11 of chapter 90F or after notice of such
985 suspension or revocation of his right to operate a motor vehicle without a license has been issued and received by such
986 person or by his agent or employer, and prior to the restoration of such license or right to operate or the issuance to him
987 of a new license or right to operate because of any such violation.

988 SECTION 38. Said chapter 90 is hereby further amended by inserting after section 30A the following section:-

989 Section 30A 1/2. Notwithstanding section 30A or any other general or special law to the contrary, the registrar
990 may, in the interest of seeking cost efficiencies, avoiding disruptions and continuing to provide registry services, enter
991 into agreements with third-party entities based in the commonwealth, to perform functions on behalf of the registry of
992 motor vehicles. The registrar shall enter into agreements only with an existing entity that provides automobile-related
993 services to the general public, or to its own members if an automobile-related association, and that maintains business
994 offices that are open to the public during hours and at locations believed to be convenient for registry customers and in
995 areas where a continuing need exists to provide registry services.

996 The registrar may provide necessary inventories, equipment, electronic connections and training in regard to
997 such agreements to provide for the provision of registry-related services by the third party. The registrar may help to
998 defray the expenses of the third party as part of the agreement if necessary to provide such services, but only if the
999 overall effect of such agreement results in cost efficiencies to the registry. The registrar shall not enter into an
1000 agreement that results in the loss of employment with the commonwealth of any person who was performing services
1001 related to the agreement as a registry employee within the 30 days before the effective date of the agreement.

1002 The registrar shall, on an annual basis or more frequently if required by the agreement, review the third party's
1003 most recent performance under the agreement and if the cost efficiencies and other purposes for which the agreement
1004 has been entered into are not being realized, the registrar may terminate the agreement and recover all inventories,
1005 equipment, monies due and other items provided to the third-party. An agreement may be amended from time to time.

1006 All employees of a third party performing registry-related functions or having access to registry data or
1007 equipment shall be subject to all state and federal laws and regulations governing the protection of personal information.
1008 Fees collected by the third party on behalf of the registrar shall be deposited in the treasury of the commonwealth
1009 pursuant to section 34. An agreement shall ensure that the third party's performance of registry-related functions is
1010 subject to periodic audits by registry staff and the state auditor.

1011 SECTION 39. Section 33 of said chapter 90, as appearing in the 2006 Official Edition, is hereby amended by
1012 striking out, in lines 6 and 7, the words “, the fee for which is not otherwise provided for in any general or special law,
1013 the fee shall be $36”.

1014 SECTION 40. Said section 33 of said chapter 90, as so appearing, is hereby further amended by striking out,
1015 in line 143, the words “, the fee shall be $40”.

1016 SECTION 41. Section 34J of said chapter 90, as so appearing, is hereby amended by adding the following
1017 paragraph:-

1018 Notwithstanding any general or special law to the contrary, whoever violates this section and has not been
1019 previously determined responsible of or convicted therefor, or against whom a finding of delinquency or a finding of
1020 sufficient facts to support a conviction has not previously been rendered, on a complaint charging a violation of this
1021 section shall be punished by fine of not more than $500.

1022 SECTION 42. Paragraph (4) of subsection (a) of section 8 of chapter 90B of the General Laws, as appearing
1023 in the 2006 Official Edition, is hereby amended by adding the following paragraph:-

1024 There shall be an assessment of $250 against a person who is convicted of, placed on probation for, or otherwise
1025 pleads guilty to or admits to a finding of sufficient facts of operating a vessel while under the influence of intoxicating
1026 liquor or marijuana, narcotic drugs, depressant or stimulant substances or the vapors of glue; provided, however, that
1027 $150 of the $250 collected under this assessment shall be deposited by the court with the state treasurer into the Head
1028 Injury Treatment Services Trust Fund and the remaining amount of the assessment shall be credited to the General
1029 Fund. The assessment shall not be subject to reduction or waiver by the court for any reason.

1030 SECTION 43. Section 34 of said chapter 90B, as so appearing, is hereby amended by adding the following
1031 paragraph:-

1032 There shall be an assessment of $250 against a person who is convicted of, placed on probation for, or granted a
1033 continuance without a finding for or otherwise pleads guilty to or admits to a finding of sufficient facts of operating a
1034 snow vehicle or recreation vehicle while under the influence of intoxicating liquor or narcotic drugs; provided, however,
1035 that $150 of the $250 collected under this assessment shall be deposited by the court with the state treasurer into the
1036 Head Injury Treatment Services Trust Fund and the remaining amount of the assessment shall be credited to the General
1037 Fund. The assessment shall not be subject to reduction or waiver by the court for any reason.

1038 **NO SECTION 44.**

1039 SECTION 45. The first paragraph of paragraph (4) of subsection (A) of section 3 of chapter 90C of the
1040 General Laws, as so appearing, is hereby amended by adding the following sentence:- If a violator requests a
1041 noncriminal hearing, he shall pay a fee of $25 to the court prior to the commencement of the hearing before the clerk
1042 magistrate.

1043 SECTION 46. Said section 3 of said chapter 90C, as so appearing, is hereby further amended by striking out,
1044 in line 56, the figure "$20" and inserting in place thereof the following figure:- $50.

1045 SECTION 46A. Chapter 111 of the General Laws is hereby amended by striking out section 25I, as appearing
1046 the 2006 Official Edition, and inserting in place thereof the following section:-

1047 Section 25I. The commissioner, in consultation with the board of registration of pharmacy, shall promulgate
1048 regulations requiring that either a resident or consultant pharmacist in a health care facility shall return to the pharmacy
1049 from which it was issued all unused medication; provided that such medication is sealed in unopened, individually
1050 packaged units and within the recommended period of shelf life, and provided that such medication is not a schedule I,
1051 II or III controlled substance as defined in chapter 94C. Such pharmacies shall accept all such unused medications
1052 regardless of whether such medications are included on any list of unit-dose drugs issued by the department or the office
1053 of MassHealth. Any rules and regulations issued by the commissioner shall permit the pharmacy to which such
1054 medication is returned to restock and redistribute such medication. The pharmacy shall be required to reimburse or
1055 credit the issuer for any such returned medication.

1056 SECTION 47. The definition of "Facility" in subsection (a) of section 51H of chapter 111 of the General
1057 Laws, inserted by section 9 of chapter 305 of the acts of 2008, is hereby amended by striking out the figure "25" and
1058 inserting in place thereof the following figure:- 25B.

1059 SECTION 48. Said section 51H of said chapter 111, as so inserted, is hereby further amended by striking out
1060 subsection (d) and inserting in place thereof the following subsection:-

1061 (d) The department shall adopt regulations prohibiting a health care facility from charging or seeking
1062 reimbursement for services provided as a result of the occurrence of a health care-associated infection or serious
1063 reportable event. A health care facility shall not charge or seek reimbursement for a health care-associated infection or
1064 serious reportable event that the facility has determined, through a documented review process and under regulations
1065 adopted by the department, was: (i) preventable; (ii) within its control; and (iii) unambiguously the result of a system
1066 failure based on the health care provider's policies and procedures.

1067 SECTION 49. Section 51H of said chapter 111, as appearing in section 65 of chapter 451 of the acts of 2008,
1068 is hereby amended by striking out subsection (d) and inserting in place thereof the following subsection:-

1069 (d) The department shall adopt regulations prohibiting a health care facility from charging or seeking
1070 reimbursement for services provided as a result of the occurrence of a health care-associated infection or serious
1071 reportable event. A health care facility shall not charge or seek reimbursement for a health care-associated infection or
1072 serious reportable event that the facility has determined, through a documented review process and under regulations

1073 adopted by the department, was: (i) preventable; (ii) within its control; and (iii) unambiguously the result of a system
1074 failure based on the health care provider's policies and procedures.

1075 SECTION 49A. Section 5 of chapter 111N of the General Laws, as appearing in section 14 of chapter 305 of
1076 the acts of 2008, is hereby amended by adding the following paragraph:-

1077 The department, in consultation with the board of registration in pharmacy and board of registration in medicine,
1078 shall promulgate regulations requiring the licensing of all pharmaceutical and medical device manufacturer agents. As a
1079 prerequisite to such licensing, pharmaceutical and medical device manufacturer agents shall complete such training as
1080 may be deemed appropriate by the department. As a prerequisite to the renewal a license therefor, pharmaceutical and
1081 medical device manufacturer agents shall complete continuing education as may be deemed appropriate by the
1082 department. The fee for the license shall be $500 per year.

1083 SECTION 50. Section 6 of chapter 118G of the General Laws, as most recently amended by section 23 of
1084 chapter 305 of the acts of 2008, is hereby further amended by adding the following paragraph:-

1085 Except as specifically provided otherwise by the division, insurer data collected by the division under this section
1086 shall not be a public record under clause twenty-sixth of section 7 of chapter 4 or under chapter 66.

1087 SECTION 51. Paragraph (2) of subsection (a) of section 39 of said chapter 118G, inserted by section 15 of
1088 chapter 61 of the acts of 2007, is hereby amended by inserting after the first sentence the following 2 sentences:- The
1089 office may recover from a third party that is financially responsible the costs attributable to services provided to an
1090 individual that were paid by the fund. A payment from the fund for such services shall be recoverable from the third
1091 party and the payment shall, after notice to the third party, operate as a lien under section 22 of chapter 118E.

1092 SECTION 51A. Chapter 149 of the General Laws is hereby amended by inserting after section 44 the
1093 following section:-
1094 Section 44 ½. Notwithstanding any general or special law to the contrary, a state or municipal government
1095 entity shall not terminate the employment of any veteran for at least 30 days following the return of the veteran from
1096 overseas duty.

1097 SECTION 51B. Section 46 of chapter 151A of the General Laws, as most recently amended by chapter 194 of
1098 the acts of 2007, is hereby further amended by adding the following subsection: -

1099 (j)(1) The commissioner may provide the United States Census Bureau with information for use by the Census
1100 Bureau in the Longitudinal Household – Employer Dynamics System pursuant to a written agreement between the
1101 United States Census Bureau and the commissioner. The confidentiality of such information shall be protected by this
1102 section and Title XIII of the United States Code.

1103 (2) The commissioner may provide the Bureau of Labor Statistics with information for the purpose of carrying
1104 out its responsibilities and duties under chapter one of title twenty-nine of the United States Code pursuant to a written

1105 agreement between the Bureau of Labor Statistics and the commissioner. The confidentiality of such information shall
1106 be protected by this section and Title XXIX of the United States Code.

1107 SECTION 51C. Subsection (b) of section 3 of chapter 121F of the General Laws, as appearing in section 6 of
1108 chapter 119 of the acts of 2008, is hereby amended by striking out clause (7) and inserting in place thereof the following
1109 clause:-

1110 (7) notwithstanding the restrictions described in this chapter, for the purposes of the soft second mortgage
1111 program described in item 3322-8880 of section 2 of chapter 110 of the acts of 1993

1112 SECTION 52. The third paragraph of section 47C of chapter 175 of the General Laws, as appearing in the
1113 2006 Official Edition, is hereby amended by striking out the last sentence and inserting in place thereof the following
1114 sentence:- Reimbursement of costs for such services shall be part of a basic benefits package offered by the insurer or a
1115 third party.

1116 SECTION 53. The third paragraph of section 8B of chapter 176A of the General Laws, as so appearing, is
1117 hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- Reimbursement
1118 of costs for such services shall be part of a basic benefits package offered by the insurer or a third party.

1119 SECTION 54. The third paragraph of section 4C of chapter 176B of the General Laws, as so appearing, is
1120 hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- Reimbursement
1121 of costs for such services shall be part of a basic benefits package offered by the insurer or a third party.

1122 SECTION 55. The second paragraph of section 4 of chapter 176G of the General Laws, as so appearing, is
1123 hereby amended by striking the last sentence and inserting in place thereof the following sentence:- Reimbursement of
1124 costs for such services shall be part of a basic benefits package offered by the insurer or a third party.

1125 SECTION 55A. Section 17G of chapter 180 of the General Laws, as so appearing in the 2006 Official Edition,
1126 is hereby amended by inserting after word ’employed’, in line 5, the following words:- “or which may be specified by a
1127 collective bargaining agreement with the PCA quality homecare workforce council.

1128 SECTION 56. Section 10 of chapter 200A of the General Laws, as appearing in the 2006 Official Edition, is
1129 hereby amended by adding the following subsection:

1130 (j) Upon request by the executive office of health and human services but not more than once each quarter, the
1131 state treasurer shall review information made available by the executive office to determine if a person who has
1132 received medical assistance benefits under chapter 118E has an interest in property reported to the state treasurer in
1133 accordance with this chapter and inform the executive office of his findings. Notwithstanding any general or special law
1134 to the contrary, with respect to any person who has been deceased for at least 3 years with no fiduciary appointed to
1135 administer the deceased person's estate, and who is found to have property solely in the deceased person's name that
1136 would be subject to a claim by the executive office under sections 31 and 32 of said chapter 118E, the executive office
1137 may present a statement to the state treasurer of the amount due to the executive office, a copy of the death certificate

1138 for the deceased person and other claims' documents that the treasurer's office may require. Upon that presentment, the
1139 state treasurer shall release that property or the portion of the property necessary to satisfy the claim by the executive
1140 office. Presentment under this subsection shall not take priority over any claim of the department of revenue under
1141 subsection (i), or over any claim presented by a duly appointed estate representative. If the state treasurer makes
1142 payment to the executive office under this subsection, he shall be discharged from any obligation or liability arising
1143 from the payment. Information provided by the executive office to the state treasurer under this subsection shall be used
1144 only for the purposes of this subsection. If a fiduciary is appointed after the executive office has received payment of
1145 funds from the state treasurer under this subsection and the fiduciary notifies the executive office of the appointment,
1146 the executive office shall release to the fiduciary all of the funds received from the state treasurer. The executive office
1147 may then present its claim for reimbursement under said section 32 of said chapter 118E.

1148 SECTION 57. Chapter 211D of the General Laws is hereby amended by striking out section 12, as so
1149 appearing, and inserting in place thereof the following section:-

1150 Section 12. The committee shall establish policies and procedures to provide fair compensation to private
1151 counsel, which shall include a remedy for an attorney aggrieved by the amount of payment. The committee shall also
1152 establish an audit and oversight department to monitor billing and private attorney compensation. All invoices shall be
1153 processed for payment within 30 days of receipt by the chief counsel. Bills shall be submitted to the committee within
1154 60 days of the conclusion of a case or, if the case is pending at the end of the fiscal year, within 60 days after the end of
1155 such fiscal year. The amount of payment for invoices received by the chief counsel more than 60 days but less than 90
1156 days after the final disposition of the case or more than 60 days but less than 90 days after the end of the fiscal year shall
1157 be reduced by 10 per cent. Bills submitted after such date need not be processed for payment within 30 days. For all
1158 bills not submitted to the committee within 90 days after the conclusion of a case or, if the case is pending at the end of
1159 the fiscal year, within 90 days after the end of the fiscal year, those bills so submitted after that date shall not be
1160 processed for payment; provided, however, that the chief counsel may authorize the payment of such bills either in
1161 whole or in part upon a determination that the delay was due to extraordinary circumstances beyond the control of the
1162 attorney. The committee may further prescribe such policies and procedures for payment as it deems appropriate;
1163 provided, however, that the committee may impose interest and penalties, where appropriate, upon overpayment of the
1164 private attorney bills recovered from private attorneys.

1165 SECTION 57A. Section 6E of chapter 221 of the General Laws, as so appearing, is hereby amended by
1166 striking out, in line 1, the words "justices of the superior court" and inserting in place thereof the followings words:-
1167 clerk of courts for the county of Worcester.

1168 SECTION 57B. Section 6F of said chapter 221, as so appearing, is hereby amended by striking out, in line 1,
1169 the words "justices of the superior court" and inserting in place thereof the following words:- clerk of courts for the
1170 county of Worcester.

1171 SECTION 57C. Section 6K of said chapter 221, as so appearing, is hereby amended by striking out, in line 1,
1172 the words "justices of the superior court" and inserting in place thereof the following words:- clerk of courts for the
1173 county of Hampden.

1174 SECTION 57D. Section 6L of said chapter 221, as so appearing, is hereby amended by striking out, in line 1,
1175 the words ”justices of the superior court” and inserting in place thereof the following words:- clerk of courts for the
1176 county of Hampden.

1177 SECTION 57E. Section 23D of chapter 217 of the General Laws, as so appearing , is hereby amended by
1178 striking out, in line 14, the words “Middlesex, 6 assistant judicial case managers” and in its place insert the following
1179 words:- Middlesex, 8 assistant judicial case managers.

1180 SECTION 58. Section 86 of chapter 221 of the General Laws, as so appearing, is hereby amended by adding
1181 the following sentence:- Payment of transcription costs shall be made as provided in section 88.

1182 SECTION 59. Section 88 of said chapter 221, as so appearing, is hereby amended by striking out, in line 11,
1183 the words “commonwealth upon voucher approved by him,” and inserting in place thereof the following words:-
1184 administrative office of the trial court upon a voucher approved by the presiding judge.

1185 SECTION 60. Said section 88 of said chapter 221, as so appearing, is hereby further amended by adding the
1186 following sentence:- If the presiding justice orders that a statement given to the police be transcribed, all parties shall
1187 receive a copy, and payment therefore shall be at the same rate and made by the administrative office of the trial court
1188 upon a voucher approved by the presiding judge.

1189 SECTION 61. Chapter 262 of the General Laws is hereby amended by striking out section 40, as so appearing,
1190 and inserting in place thereof the following section:-

1191 Section 40. The fees of registers of the probate and family court department of the trial court shall be as
1192 follows:

1193 for the entry of a complaint for divorce or for affirming or annulling marriage, except as provided hereinafter
1194 for an action in equity, $200;

1195 for the entry of an action for separate support, $100;

1196 for the issuance of a contempt summons, $5;

1197 for the entry of a petition for the probate of a will, for administration of the estate of a person deceased
1198 intestate, for administration of goods not already administered, with the will annexed or otherwise, of a petition under
1199 section 35 or 36 of chapter 209 by a husband or wife for authority to convey land as if sole, for change of name, for
1200 leave to carry on the business of the deceased and for the appointment of a special administrator, trustee, receiver of the
1201 estate of an absentee, or conservator except when the conservator petition is filed concurrently with a petition for
1202 removal, resignation, or termination of a conservator, $150;

1203 for the entry of a petition to partition, $255;

1204 for filing a representation of insolvency, $150;

1205 for the entry of a petition: for leave to lease real estate; for specific performance; for leave to mortgage real
1206 estate; for release of dower or courtesy; for letters to a foreign guardian; petition for leave to compromise; and for leave
1207 to pay debts, except when the petitioner or accountant certifies that the estate does not exceed $1,000 in value, $75;

1208 for filing of a complaint in equity, except such as relates to separate support, adoption, or the custody or
1209 support of minors, $240;

1210 for filing of a complaint in equity related to separate support or the custody or support of minors, $100;

1211 for the entry of a general petition except such as relates to adoption or custody or support of minors, $150;

1212 for the entry of a petition for removal of a fiduciary, $100;

1213 for the amendment of record except such as relates to separate support, adoption or the custody or support of minors, for
1214 discharge of surety, for care of burial lot and for erection of a monument, $60 each;

1215 for new bond and for new inventory, $75 each;

1216 for filing a statement of voluntary administration, $100;

1217 for the petition or application for allowance of an account where the gross value accounted for in Schedule A
1218 of the account is $1,000 or less, no fee; where the gross value is more than $1,000 but not more than $10,000, $75 a
1219 year; provided, however, that the fees shall not exceed $170 regardless of the time covered by the account; where the
1220 gross value is $10,000 or more than $10,000 but not more than $100,000, $100 for each year or major fraction thereof
1221 covered by the account; where the gross value is more than $100,000 but not more than $500,000, $150 for each year or
1222 major fraction thereof covered by the account; where the gross value is more than $500,000 but not more than
1223 $1,000,000, $200 for each year or major fraction thereof covered by the account; where the gross value is more than
1224 $1,000,000, $400 for each year or major fraction thereof covered by the account;

1225 for the petition or application for sale of real or personal estate where the gross value accounted for is $100,000
1226 or less, $100; where the gross value is more than $100,000 but not more than $250,000, $250; where the gross value is
1227 more than $250,000 but not more than $500,000, $500; where the gross value is more than $500,000 but not more than
1228 $1,000,000, $750; where said gross value is over $1,000,000, $1000;

1229 for filing a motion for change of name, $100;

1230 for filing a motion for the framing of jury issues, $140;

1231 for filing a will for safekeeping, $75; provided, that no additional fee shall be charged for filing a will in
1232 substitution for a will previously filed and withdrawn;

1233 for filing a bond, $50;

1234 for issuance of an injunction, $150;

1235 for issuance of a temporary restraining order, $100;

1236 for entry of an action for the modification of a judgment relative to all non-child related issues, $150;

1237 for entry of an action for modification relative to child support, custody, and visitation, except for those actions
1238 filed by the IV-D agency for which there is be no filing fee, $50;

1239 for filing a complaint to modify a foreign custody or support decree pursuant to section 29 of chapter 208,
1240 except for those complaints filed by the IV-D agency for which there is no filing fee, $100;

1241 for application of leave to deposit certain funds pursuant to section 27 of chapter 206, $200; and

1242 for filing a complaint to establish paternity or for custody-support-visitation, except for those actions filed by
1243 the IV-D agency for which there is no filing fee, $100;

1244 Notwithstanding this section, no fee shall be charged for the issuance of a temporary restraining order against a
1245 spouse related to a complaint for divorce or separate support.

1246 SECTION 62. Chapter 272 of the General Laws is hereby amended by striking out section 40, as so appearing,
1247 and inserting in place thereof the following section:-

1248 Section 40. Whoever willfully interrupts or disturbs a school assembly or other assembly of people meeting for
1249 a lawful purpose shall be punished by imprisonment for not more than 1 month or by a fine of not more than $50;
1250 provided, however, that whoever, within 1 year after being twice convicted of a violation of this section, again violates
1251 this section shall be punished by imprisonment for 30 days and such sentence shall not be suspended; provided further,
1252 that a child between the age of 7 and 17 who willfully interrupts or disturbs a school assembly shall be punished by a
1253 fine of not more than $50.SECTION 16. Said chapter 272 is hereby amended by striking out section 53, as so
1254 appearing, and inserting in place thereof the following section:-.

1255 SECTION 63. Section 53. (a) Common night walkers, common street walkers, both male and female, persons
1256 who with offensive and disorderly acts or language accost or annoy persons of the opposite sex, lewd, wanton and
1257 lascivious persons in speech or behavior, keepers of noisy and disorderly houses, and persons guilty of indecent
1258 exposure shall be punished by imprisonment in a jail or house of correction for not more than 6 months, or by a fine of
1259 not more than $200, or by both such fine and imprisonment.

1260 (b) Disorderly persons and disturbers of the peace, for the first offense, shall be punished by a fine of not more
1261 than $150. On a second or subsequent offense, such person shall be punished by imprisonment in a jail or house of
1262 correction for not more than 6 months, or by a fine of not more than $200, or by both such fine and imprisonment.

1263 SECTION 64. Section 87A of chapter 276 of the General Laws, as so appearing, is hereby amended by
1264 striking out, in line 16, the figure "$20" and inserting in place thereof the following figure:- $60.

1265 Said section 87A of said chapter 276, as so appearing, is hereby further amended by striking out, in line 56, the
1266 figure "$1" and inserting in place thereof the following figure:- $5."

1267 SECTION 64A. The second paragraph of section 1 of chapter 395 of the acts of 2002 is hereby amended by
1268 striking out the first sentence and inserting in place thereof the following sentence:- The purchase price payable to the
1269 Taunton Development Corporation for the parcel shall be the full and fair market value of the property less any
1270 environmental cleanup costs and demolition costs of existing uninhabitable buildings located upon the parcel as of the
1271 time of conveyance to the Taunton Development Corporation, as determined by the commissioner of capital asset
1272 management and maintenance based on an independent appraisal.

1273 SECTION 65. Section 5 of chapter 210 of the acts of 2004 is hereby repealed.

1274 SECTION 66. Section 3 of chapter 258 of the acts of 2006 is hereby amended by adding the following
1275 subsection:-

1276 (g) The state auditor shall appoint, on or before October 1, 2009, 1 member for a term of 1 year, 1 member for a
1277 term of 2 years and 1 member for a term of 3 years.

1278 SECTION 66A. Section 56 of chapter 302 of the acts of 2008 is hereby amended by striking out the words:-
1279 "and 5 members to be appointed by the governor; 1 of whom shall be a representative from the bureau of substance
1280 abuse services; 1 of whom shall be a representative from the Massachusetts District Attorneys Association; 1 of whom
1281 shall be the chair of the department of psychiatry at the University of Massachusetts Medical School; 1 of whom shall
1282 be a representative from the trial court; and 1 of whom shall be a representative from the department of correction" and
1283 inserting in place thereof the following words:- "and 8 members to be appointed by the governor; 1 of whom shall be a
1284 representative from the bureau of substance abuse services; 1 of whom shall be a representative from the Massachusetts
1285 District Attorneys Association; 1 of whom shall be the chair of the department of psychiatry at the University of
1286 Massachusetts Medical School; 1 of whom shall be a representative from the trial court; 1 of whom shall be a
1287 representative from the department of correction; 1 of whom shall be the executive director of the interagency council
1288 on substance abuse and prevention; 1 of whom shall be a representative from the office of community corrections and 1
1289 of whom shall be a representative from the department of mental health"

1290 SECTION 66B. Said section 56 of said chapter 302 of the acts of 2008 is hereby further amended by striking out
1291 the words "January 1, 2009"and inserting in place thereof the following words: - "October 1, 2009"."

1292 SECTION 66C. (a) Chapter 524 of the acts of 2008 is hereby amended by adding the following section:-

1293 Section 2. This act shall take effect on July 1, 2010.

1294 SECTION 66D. Subsection (a) of section 103 of chapter 182 of the acts of 2008 is hereby amended by striking
1295 out the first paragraph and inserting in place thereof the following paragraph:-

1296 Notwithstanding sections 40E to 40K, inclusive, and sections 52 to 55, inclusive, of chapter 7 of the General
1297 Laws or any other general or special law to the contrary, the division of capital asset management and maintenance, on
1298 behalf of and in consultation with the department of conservation and recreation may, using such competitive proposal
1299 process as the division considers necessary or appropriate, lease and enter into other agreements, for terms not to exceed

1300 25 years with 1 or more operators, for the Ponkapoag golf course in the town of Canton so as to provide for the
1301 continued use, operation, maintenance, repair and improvement of the golf courses, practice greens, driving range,
1302 restaurant or any other structure and associated lands which constitute the facilities of the Ponkapoag golf course;
1303 provided, however, that the division of capital asset management and maintenance, in consultation with the department
1304 of conservation and recreation shall give priority to a proposal submitted by the town of Canton or by a nonprofit
1305 organization within the town of Canton which complies with the requirements of this section. The division of capital
1306 asset management and maintenance shall provide the town of Canton with not less than 45 days to determine whether
1307 the town shall submit a proposal before soliciting proposals under subsection (b); and provided further, that if the town
1308 of Canton executes a lease of the golf course under this section it shall not assign or otherwise transfer the lease to a
1309 third party.

1310 SECTION 66E. The third paragraph of said subsection (a) of said section 103 of said chapter 182 is hereby
1311 amended by striking out the words "General Fund" and inserting in place thereof the following words:- Blue Hills
1312 Reservation Trust Fund in accordance with section 34C of chapter 92 of the General Laws.

1313 SECTION 66F. Subsection (b) of said section 103 of said chapter 182 is hereby amended by striking out the
1314 first paragraph and inserting in place thereof the following paragraph:-

1315 If no lease agreement is reached with the town of Canton under subsection (a) before April 1, 2009, the
1316 division of capital asset management and maintenance, in consultation with and on behalf of the department of
1317 conservation and recreation, shall solicit proposals through a request for proposals which shall include key contractual
1318 terms and conditions to be incorporated into the contract including, but not limited to: (1) a comprehensive list of all
1319 recreational facilities operated by the responsive bidder or offeror in the last 4 years; (2) other facilities management or
1320 experience of the responsive bidder or offeror; (3) a senior citizens' and children's discount program; (4) reservation
1321 policies; (5) proposed reasonable rates that to ensure continued public access; (6) required financial audits; (7) policies
1322 to encourage use of the golf course by persons of all races and nationalities; (8) safety and security plans; (9) seasonal
1323 opening and closing dates; (10) hours of operation; (11) holiday recognition; (12) grievance processes; (13) clubhouse
1324 license; (14) a provision that the facility shall be maintained as a 36-hole public golf course; (15) a provision that the
1325 lessee shall not construct any facilities on the grounds of the golf course or any property appurtenant thereto; provided,
1326 however, that the lessee may construct facilities with the written approval of the commissioner of conservation and
1327 recreation and the majority vote of the board of selectmen in the town of Canton; and (16) a host community agreement
1328 between the designated operator and the town of Canton. Any increase in fees, including fees for season passes or club
1329 memberships, and any increase in charges for greens' fees or golf cart or club rentals shall be approved in writing by the
1330 commissioner of conservation and recreation; provided, however, that in considering any request for an increase in fees,
1331 the commissioner shall consider, without limitation: (i) any capital investment made by the contractor or lessee; (ii) the
1332 fees and charges at other public golf courses within reasonable proximity; and (iii) the length of time since the last fee
1333 increase.

1334 SECTION 66G. Section 38 of chapter 4 of the acts of 2009 is hereby amended by adding the following
1335 paragraph:-

1336 As of the effective date of section 37, except to the extent otherwise required by this act or other provisions of
1337 law, and until such time as the department adopts regulations pursuant to and in conformity with section 30 of chapter
1338 23B of the General Laws and other applicable laws, the department shall administer the emergency housing assistance
1339 program pursuant to 106 C.M.R. sections 204, 309, 701.310 – 701.330, 701.350 to 701.360, inclusive, and 701.380 to
1340 701.390, inclusive, in effect on June 30, 2009.

1341 SECTION 67. Notwithstanding any general or special law to the contrary, the comptroller shall, not later than
1342 June 30, 2010, transfer $299,000,000 to the General Fund from the Commonwealth Stabilization Fund, established by
1343 section 2H of chapter 29 of the General Laws, but the comptroller shall instead transfer a lesser amount if the secretary
1344 of administration and finance so requests in writing.

1345 SECTION 68. Notwithstanding any general or special law to the contrary, during fiscal year 2010 the
1346 comptroller shall not transfer 0.5 per cent of the total revenue from taxes in the preceding fiscal year to the
1347 Commonwealth Stabilization Fund, established in section 2H of chapter 29 of the General Laws, as otherwise required
1348 pursuant to clause (a) of section 5C of said chapter 29.

1349 SECTION 69. Notwithstanding any general or special law to the contrary, the state comptroller shall, not later
1350 than June 30, 2010, transfer the interest earned from the Commonwealth Stabilization Fund during fiscal year 2010 to
1351 the General Fund.

1352 SECTION 70. Notwithstanding any general or special law to the contrary, the state comptroller shall,
1353 according to a schedule developed in consultation with the state treasurer and the secretary for administration and
1354 finance, transfer $372,000,000 from the General Fund to the State Retiree Benefits Trust Fund established in section 24
1355 of chapter 32A of the General Laws.

1356 SECTION 71. (a) Notwithstanding any general or special law to the contrary, after complying with clause (a)
1357 of section 5C of chapter 29 of the General Laws, the comptroller shall dispose of the consolidated net surplus in the
1358 budgetary funds for fiscal year 2009 as follows: (i) the comptroller shall transfer $10,000,000 from the General Fund to
1359 the Massachusetts Life Sciences Investment Fund established in section 6 of chapter 23I of the General Laws; and (ii)
1360 the remaining balance shall be transferred from the General Fund to the Stabilization Fund.

1361 (b) All transfers specified in this section shall be made from the undesignated fund balances in the budgetary
1362 funds proportionally from the undesignated fund balances; provided, however, that no such transfer shall cause a deficit
1363 in any of the funds.

1364 SECTION 72. Notwithstanding any general or special law to the contrary, the formula for application of funds
1365 provided in section 35J of chapter 10 of the General Laws shall not apply in fiscal year 2010.

1366 SECTION 73. The following agencies or authorities which, as a result of the governor's actions to reduce
1367 allotments under section 9B of chapter 29 of the General Laws in fiscal year 2009, assumed or was assigned the
1368 responsibility for programs or other services which were otherwise funded in fiscal year 2009 general appropriation act

1369 or a supplementary appropriation act prior to the governor's actions to reduce allotments under said section 9B of said
1370 chapter 29, shall continue its contribution for said programs or services in fiscal year 2010:

1371 (a) the Massachusetts Housing Finance Authority, the Massachusetts rental voucher program; and subsidies for
1372 interest payments on affordable housing bonds;

1373 (b) the Massachusetts Development Finance Authority, the Chapter 43D Expedited Permitting grants and Small
1374 Business Technical Assistance Grants;

1375 (c) the Massachusetts Educational Finance Authority, the McNair Scholarship Program;

1376 (d) the Massachusetts Housing Partnership, the Soft Second Mortgage program; and the 40B Technical
1377 Assistance Program;

1378 (e) the Massachusetts Convention Center Authority, the Massachusetts Office of Travel and Tourism Marketing
1379 program;

1380 (f) the Massachusetts Health Insurance Connector Authority, the MassHealth Outreach Enrollment Grants;

1381 (g) the Massachusetts Health and Educational Facilities Authority, the MassHealth Outreach Enrollment
1382 Grants; and

1383 (g) (h) the Massachusetts Technology Collaborative, the Massachusetts International Trade Council Funding.

1384 SECTION 74. Notwithstanding any general or special law to the contrary, the comptroller shall transfer the
1385 following amounts to the General Fund after notice from the secretary of administration and finance that sufficient
1386 funds are available:

1387 (a) $10,000,000 from the Massachusetts Alternative and Clean Energy Investment Trust Fund, established in
1388 section 35FF of chapter 10 of the General Laws;

1389 (b) $5,000,000 from the Workforce Competitiveness Trust Fund, established in section 2WWW of chapter 29
1390 of the General Laws;

1391 (c) $7,000,000 from the Smart Growth Housing Trust Fund established in section 35AA of chapter 10 of the
1392 General Laws;

1393 (e) $3,000,000 from the County Registers Technological Fund, established in section 2KKK of chapter 29 of
1394 the General Laws;

1395 (f) $3,000,000 from the Massachusetts Science, Technology Engineering, and Mathematics Grant Fund
1396 established in section 2MMM of chapter 29; and

1397 (g) $3,000,000 from the Commonwealth Covenant Fund established in section 35EE of chapter 10 of the
1398 General Laws.

1399 Transfers under this section shall be made not later than June 30, 2010.

1400 SECTION 75. Notwithstanding any general or special law to the contrary, the nursing home assessment
1401 established in section 25 of chapter 118G of the General Laws shall be sufficient in the aggregate to generate
1402 $220,000,000 in fiscal year 2010.

1403 SECTION 76. (a) Notwithstanding any general or special law to the contrary, on or before October 1, 2009
1404 and without further appropriation, the comptroller shall transfer from the General Fund to the Health Safety Net Trust
1405 Fund, established pursuant to section 36 of chapter 118G of the General Laws and in this subsection referred to as the
1406 fund, the greater of $45 million or one-twelfth of the total expenditures to hospitals and community health centers as
1407 required by subsection (b), for the purpose of making initial gross payments to qualifying acute care hospitals for the
1408 hospital fiscal year beginning October 1, 2009. These payments shall be made to hospitals before, and in anticipation of,
1409 the payment by hospitals of their gross liability to the fund. The comptroller shall transfer from the fund to the General
1410 Fund not later than June 30, 2010, the amount of the transfer authorized by this subsection and any allocation thereof as
1411 certified by the director of the health safety net office.

1412 (b) Notwithstanding any general or special law to the contrary, the comptroller shall, in consultation with the
1413 state treasurer, the secretary of administration and finance and the secretary of health and human services, develop a
1414 schedule for transferring funds among the General Fund, the Commonwealth Care Trust Fund established pursuant to
1415 section 2OOO of chapter 29 of the General Laws, and the Health Safety Net Trust Fund. Not less than $567,955,535
1416 shall be transferred from the General Fund to the Commonwealth Care Trust Fund. The hospital fiscal year 2010
1417 payment amount to each hospital shall be funded by the Health Safety Net Trust Fund. Payments may be made either as
1418 safety net care payments under the commonwealth's 1115 waiver, or as an adjustment to Title XIX service rate
1419 payments, or a combination thereof. The executive office of health and human services and the health safety net office
1420 may use other federally permissible funding mechanisms available for public service hospitals, as defined in 114.1
1421 CMR 36.02, to reimburse up to $70,000,000 of uncompensated care at the hospitals using sources distinct from the
1422 funding made available to the Health Safety Net Trust Fund. The schedule shall provide for transfers in increments
1423 considered appropriate to meet the cash flow needs of these funds. The transfers shall not begin before July 1, 2009 and
1424 shall be completed on or before June 30, 2010. The secretary of administration and finance, in consultation with the
1425 secretary of health and human services and the executive director of the commonwealth health insurance connector,
1426 shall on a quarterly basis evaluate the revenue needs of the health safety net program funded by the Health Safety Net
1427 Trust Fund and the Commonwealth Care subsidized health insurance program funded from the Commonwealth Care
1428 Trust Fund, and if necessary, transfer monies between these funds for the purpose of ensuring that sufficient revenues
1429 are available to support projected program expenditures. The secretary of health and human services in consultation
1430 with the secretary of administration and finance and the executive director of the commonwealth health insurance
1431 connector, shall submit a quarterly report to the house and senate committees on ways and means and joint committee
1432 on healthcare financing which shall include, but not be limited to, the projected and actual expenditures and revenues

1433 for the Commonwealth Care Trust Fund and any transfers made between the Health Safety Net Trust Fund and the
1434 Commonwealth Care Trust Fund.

1435 (c) Notwithstanding any general or special law to the contrary, the comptroller shall, in consultation with the
1436 office of the state treasurer, the executive office of administration and finance and the executive office of health and
1437 human services, develop a schedule and make a series of transfers not to exceed $399,000,000 from the General Fund to
1438 the MassHealth provider payment account in the Medical Assistance Trust Fund, established pursuant to section 2QQQ
1439 of chapter 29 of the General Laws, if the comptroller has determined that General Fund revenues are sufficient to
1440 accommodate the schedule of transfers. These funds may be expended only for services provided during state or federal
1441 fiscal year 2010, and no amounts previously or subsequently transferred into the Medical Assistance Trust Fund may be
1442 expended on payments described in the 1115 demonstration waiver for services provided during state fiscal year 2010
1443 or payments described in the state plan for services provided during federal fiscal year 2010. All payments from the
1444 Medical Assistance Trust Fund shall be subject to the availability of federal financial participation, shall be made only
1445 in accordance with federally-approved payment methods, shall be consistent with federal funding requirements and all
1446 federal payment limits as determined by the secretary of health and human services, and shall be subject to the terms
1447 and conditions of an agreement with the executive office of health and human services. Any increase in payment made
1448 from the trust fund totaling an amount greater than $251,000,000 in fiscal year 2010 shall be made only after the
1449 secretary of health and human services certifies that any increase in payments from the trust fund shall not exceed the
1450 negotiated limit for section 1115 waiver spending. The secretary of health and human services shall notify, in writing,
1451 the house and senate committees on ways and means and the house and the joint committee on healthcare financing for
1452 any increases in payments within 15 days. The secretary of the executive office of health and human services shall make
1453 a payment of up to $265,000,000 from the Medical Assistance Trust Fund to the Cambridge public health commission
1454 for dates of service in state and federal fiscal year 2010 only after the Cambridge public health commission transfers up
1455 to $106,000,000 of its funds to the Medical Assistance Trust Fund, using a federally permissible source of funds which
1456 shall fully satisfy the non-federal share of such payment. Notwithstanding any provision to the contrary, for state and
1457 federal fiscal year 2010, such payment to the Cambridge public health commission from this fund may include an
1458 amount up to $20,000,000 for which no intergovernmental transfer is required, but for which federal financial
1459 participation is otherwise available.

1460 SECTION 77. Notwithstanding any general or special law to the contrary, an eligible individual pursuant to
1461 section 3 of chapter 118H of the General Laws shall not include persons who cannot receive federally-funded benefits
1462 under sections 401, 402 and 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub.
1463 L. No. 104-193, as amended, for fiscal year 2010. The Commonwealth Health Insurance Connector Authority shall
1464 provide notice at least 45 days prior to termination of benefits for any member pursuant to this section.

1465 SECTION 78. Notwithstanding any general or special law to the contrary, the secretary of health and human
1466 services may, consistent with federal law, pursue an alternative payment demonstration project with 1 or more hospitals
1467 or hospital systems. For the purposes of this section, “alternative payment” shall mean a methodology that establishes
1468 an aggregate prospective payment to cover the total cost of a defined set of health care services provided by a hospital
1469 or hospital system, that creates incentives for such providers to integrate services, manage costs and utilization and that

1470 ensures high-quality care. In implementing any such alternative payment demonstration project, the secretary shall
1471 consider using information systems to monitor performance of the hospital or hospital system and apply measures of
1472 cost and quality.

1473 SECTION 79. Notwithstanding any general or special law to the contrary, and in order to maintain the fiscal
1474 viability of the subsidized catastrophic prescription drug insurance program, hereinafter referred to as the prescription
1475 advantage program, authorized by section 39 of chapter 19A of the General Laws, cost-sharing required of enrollees in
1476 the form of co-payments, premiums and deductibles, or any combination thereof, may be adjusted by the department of
1477 elder affairs to reflect price trends for outpatient prescription drugs, as determined by the secretary of elder affairs. In
1478 addition to the eligibility requirements set forth in said section 39 of said chapter 19A, to be considered eligible for the
1479 prescription advantage program, individuals who receive Medicare and are applying for, or are then enrolled in, the
1480 prescription advantage program shall also be enrolled in a Medicare prescription drug plan, a Medicare Advantage
1481 prescription drug plan or in a plan which provides creditable prescription drug coverage as defined in section 104 of the
1482 Medicare Prescription Drug, Improvement and Modernization Act of 2003, hereinafter referred to as "MMA," and
1483 which provides coverage of the cost of prescription drugs actuarially equal to or better than that provided by Medicare
1484 Part D, hereinafter referred to as a "creditable coverage" plan. In addition to the eligibility requirements set forth in said
1485 section 39 of said chapter 19A, to be considered eligible for the prescription advantage program, individuals who
1486 receive Medicare and are applying for or are enrolled in the prescription advantage program shall apply for the low-
1487 income subsidy provided under MMA Subpart P: Premium and Cost-Sharing Subsidies for Low-income Individuals, if
1488 such individuals qualify for such subsidy. To the extent permitted by MMA, regulations promulgated thereunder, and all
1489 other applicable federal law, the prescription advantage program may apply on behalf of a member for enrollment into a
1490 Medicare prescription drug plan or for the low-income subsidy provided under MMA, and may receive information
1491 about the member's eligibility and enrollment status necessary for the operation of the prescription advantage program.
1492 For enrollees who qualify for enrollment in a Medicare Part D plan, the prescription advantage program shall provide a
1493 supplemental source of financial assistance for prescription drug costs, hereinafter referred to as "supplemental
1494 assistance," in lieu of the catastrophic prescription drug coverage provided pursuant to said section 39 of said chapter
1495 19A. The prescription advantage program shall provide supplemental assistance to eligible individuals enrolled in a
1496 Medicare prescription drug plan, Medicare Advantage prescription drug plan, or a plan offering creditable coverage,
1497 and may do so to assist with premiums, deductibles, payments and/or co-payments that are required by such plans. The
1498 department shall establish the amount of the supplemental assistance to be provided to enrollees based on a sliding
1499 income scale and the coverage provided by the enrollees' Medicare prescription drug plan, Medicare Advantage
1500 prescription drug plan or creditable coverage plan. In addition to the eligibility requirements set forth in said section 39
1501 of said chapter 19A, to be considered eligible for the prescription advantage program, an individual shall have a
1502 household income of less than 500 per cent of the poverty guidelines updated periodically in the Federal Register by the
1503 United States Department of Health and Human Services pursuant to 42 U.S.C. 9902(2). Residents of the
1504 commonwealth who are not eligible for Medicare shall continue to be eligible for the prescription advantage program
1505 pursuant to said section 39 of said chapter 19A.

1506 SECTION 80. (a) Notwithstanding any general or special law to the contrary, upon the request of the board of
1507 selectmen in a town, the city council in a plan E city, or the mayor in any other city, the department of revenue may

1508 recalculate the minimum required local contribution, as defined in section 2 of chapter 70 of the General Laws, in the
1509 fiscal year ending June 30, 2010. Based on the criteria established in this section, the department shall recalculate the
1510 minimum required local contribution for a municipality's local and regional schools and shall certify the amounts
1511 calculated to the department of elementary and secondary education.

1512 (b) A city or town that used qualifying revenue amounts in a fiscal year which will not be available for use in
1513 the next fiscal year or that will be required to use revenues for extraordinary non school-related expenses for which it
1514 did not have to use revenues in the preceding fiscal year, or that has an excessive certified municipal revenue growth
1515 factor which is also greater than or equal to 1.5 times the state average municipal revenue growth factor or whose fiscal
1516 year 2008 actual local contributions were lower than the amounts calculated in the one-time adjustment used pursuant to
1517 the fiscal year funding formula under chapter 70 of the General Laws, may appeal to the department of revenue not later
1518 than October 1, 2009, for an adjustment of its minimum required local contribution and net school spending.

1519 (c) If a claim is determined to be valid, the department of revenue may reduce proportionately the minimum
1520 required local contribution amount based on the amount of shortfall in revenue or based on the amount of increase in
1521 extraordinary expenditures in the current fiscal year, but no adjustment to the minimum required local contribution on
1522 account of an extraordinary expense in the budget for the fiscal year ending on June 30, 2010 shall affect the calculation
1523 of the minimum required local contribution in subsequent fiscal years. Qualifying revenue amounts shall include, but
1524 not be limited to, extraordinary amounts of free cash, overlay surplus and other available funds.

1525 (d) If, upon submission of adequate documentation, the department of revenue determines that the
1526 municipality's claim regarding an excessive municipal revenue growth factor is valid, the department shall recalculate
1527 the municipal revenue growth factor and the department of elementary and secondary education shall use the revised
1528 growth factor to calculate the preliminary local contribution, the minimum required local contribution and any other
1529 factor that directly or indirectly uses the municipal revenue growth factor. Any relief granted as a result of an excessive
1530 municipal revenue growth factor shall be a permanent reduction in the minimum required local contribution.

1531 (e) The board of selectmen in a town, the city council in a plan E city, the mayor in any other city, or a majority
1532 of the member municipalities of a regional school district, which used qualifying revenue amounts in a fiscal year that
1533 will not be available for use in the next fiscal year, may appeal to the department of revenue not later than October 1,
1534 2009, for an adjustment to its net school spending requirement. If the claim is determined to be valid, the department of
1535 revenue shall reduce the net school spending requirement based on the amount of the shortfall in revenue and reduce the
1536 minimum required local contribution of member municipalities accordingly. Qualifying revenue amounts shall include,
1537 but not be limited to, extraordinary amounts of excess and deficiency, surplus and uncommitted reserves.

1538 (f) If the regional school budget has already been adopted by two-thirds of the member municipalities then,
1539 upon a majority vote of the member municipalities, the regional school committee shall adjust the assessments of the
1540 member municipalities in accordance with the reduction in minimum required local contributions approved by the
1541 department of revenue or the department of elementary and secondary education in accordance with this section.

1542 (g) Notwithstanding clause (14) of section 3 of chapter 214 of the General Laws or any other general or special
1543 law to the contrary, the amounts so determined pursuant to this section shall be the minimum required local contribution
1544 described in chapter 70 of the General Laws. The department of revenue and the department of elementary and
1545 secondary education shall notify the house and senate committees on ways and means and the joint committee on
1546 education of the amount of any reduction in the minimum required local contribution amount.

1547 (h) If a city or town has an approved budget that exceeds the recalculated minimum required local contribution
1548 and net school spending amounts for its local school system or its recalculated minimum required local contribution to
1549 its regional school districts as provided by this section, the local appropriating authority shall determine the extent to
1550 which the community shall avail itself of any relief authorized pursuant to this section.

1551 (i) The amount of financial assistance due from the commonwealth in fiscal year 2010 pursuant to chapter 70 of
1552 the General Laws or any other law shall not be changed on account of any redetermination of the minimum required
1553 local contribution pursuant to this section.

1554 (j) The department of revenue and the department of elementary and secondary education shall issue guidelines
1555 for their respective duties pursuant to this section.

1556 SECTION 81. Notwithstanding any general or special law to the contrary, in hospital fiscal year 2010, the
1557 office of the inspector general may continue to expend funds from the Health Safety Net Trust Fund for the costs
1558 associated with maintaining a pool audit unit within the office. The unit shall continue to oversee and examine the
1559 practices in all hospitals including, but not limited to, the care of the uninsured and the resulting free care charges. The
1560 inspector general shall submit a report to the house and senate committees on ways and means on the results of the
1561 audits and any other completed analyses not later than March 1, 2010. For the purposes of these audits, allowable free
1562 care services shall be defined pursuant to chapter 118G of the General Laws and any regulations adopted thereunder.

1563 SECTION 82. Notwithstanding any general or special law to the contrary, the executive office of health and
1564 human services, acting in its capacity as the single state agency under Title XIX of the Social Security Act and as the
1565 principal agency for all of the agencies within the executive office and other federally-assisted programs administered
1566 by the executive office, may enter into interdepartmental services agreements with the University of Massachusetts
1567 Medical School to perform activities that the secretary, in consultation with the comptroller, determines are appropriate
1568 and within the scope of the proper administration of Title XIX and other federal funding provisions to support the
1569 programs and activities of the executive office. These activities may include: (1) providing administrative services
1570 including, but not limited to, activities such as providing the medical expertise to support or administer utilization
1571 management activities, determining eligibility based on disability, supporting case management activities and similar
1572 initiatives; (2) providing consulting services related to quality assurance, program evaluation and development, integrity
1573 and soundness and project management; and (3) providing activities and services for the purpose of pursuing federal
1574 reimbursement or avoiding costs, third party liability and recouping payments to third parties. Federal reimbursement
1575 for any expenditures made by the University of Massachusetts Medical School relative to federally-reimbursable
1576 services the university provides under these interdepartmental service agreements or other contracts with the executive

1577 office of health and human services shall be distributed to the university and recorded distinctly in the state accounting
1578 system. The secretary may negotiate contingency fees for activities and services related to the purpose of pursuing
1579 federal reimbursement or avoiding costs and the comptroller shall certify these fees and pay them upon the receipt of
1580 this revenue, reimbursement or demonstration of costs avoided. Contracts for contingency fees shall not extend longer
1581 than 3 years and shall not be renewed without prior review and approval from the executive office for administration
1582 and finance. The secretary shall not pay contingency fees in excess of $40,000,000 for state fiscal year 2010, but
1583 contingency fees paid to the University of Massachusetts Medical School under the terms of any interagency service
1584 agreement for recoveries related to the special disability workload projects shall be excluded from that $40,000,000
1585 limit for fiscal year 2010. The secretary of health and human services shall submit to the secretary for administration
1586 and finance and the senate and house committees on ways and means a quarterly report detailing the amounts of the
1587 agreements, the ongoing and new projects undertaken by the university, the amounts spent on personnel and the amount
1588 of federal reimbursement and recoupment payments that the university collected.

1589 SECTION 83. Notwithstanding subclause (a) of clause (xxiii) of the third paragraph of section 9 of chapter
1590 211B of the General Laws or any other general or special law to the contrary, the chief justice for administration and
1591 management may, from the effective date of this act through April 30, 2010, transfer funds from any item of
1592 appropriation within the trial court, except item 0339-1001, to any other item of appropriation within the trial court,
1593 except said item 0339-1001. These transfers shall be made in accordance with schedules submitted to the house and
1594 senate committees on ways and means. The schedule shall include the following: (1) the amount of money transferred
1595 from 1 item of appropriation to another; (2) the reason for the necessity of the transfer; and (3) the date on which the
1596 transfer is to be completed. A transfer under this section shall not occur until 10 days after the revised funding schedules
1597 have been submitted in writing to the house and senate committees on ways and means.

1598 SECTION 84. Notwithstanding section 4 of chapter 185C of the General Laws and sections 1 and 57 of
1599 chapter 218 of the General Laws or any other general or special law to the contrary, the chief justice for administration
1600 and management may temporarily transfer the jurisdiction of a division of the district court department, the juvenile
1601 court department or the housing court department to another division of that department. Any permanent amendment to
1602 such jurisdiction shall require the amendment of the applicable General Laws.

1603 SECTION 85. Notwithstanding any general or special law to the contrary, the operational services division,
1604 which, under section 22N of chapter 7 of the General Laws, is responsible for determining prices for programs under
1605 chapter 71B of the General Laws, shall set those prices in fiscal year 2010 at the same level calculated for fiscal year
1606 2009, except the prices for those programs for extraordinary relief and reconstruction, as defined in the division's
1607 regulations; provided, however, that programs for which prices in fiscal year 2009 were lower than the full amount
1608 permitted by the division may charge in fiscal year 2009 the full price calculated for fiscal year 2010; provided further,
1609 that the operational services division shall authorize a minimum price for the program to charge out-of-state purchasers;
1610 and provided further, that upon request of a program, the division shall determine the minimum price for out-of-state
1611 purchasers by identifying the most recent price calculated for the program and applying the estimated rates of inflation
1612 which are established by December 1 of each year pursuant to said section 22N of said chapter 7 in a compounded
1613 manner for each fiscal year following the most recent calculated price.

1614 SECTION 86. Notwithstanding federal income tax treatment to the contrary, for purposes of chapters 62 and
1615 63 of the General Laws, the rules of section 382 of the Internal Revenue Code shall be applied without regard to the
1616 treatment of a change in ownership of a bank or other corporation provided in Internal Revenue Service Notice 2008-83
1617 or in any federal statutory or administrative codification, supplement, or implementation of such Notice. For purposes of
1618 said chapters 62 and 63, Internal Revenue Service Notice 2008-83 and any such codification, supplement, or
1619 implementation shall have no force or effect in any taxable year.

1620 SECTION 87. Notwithstanding federal income tax treatment to the contrary, for purposes of chapters 62 and
1621 63 of the General Laws, section 382(n) of the Internal Revenue Code, inserted by the American Recovery and
1622 Reinvestment Act of 2009, shall have no force or effect in any taxable year.

1623 SECTION 88. The department of public utilities shall, within 120 days after the effective date of this act,
1624 complete a cost analysis report evaluating all technically-feasible supply and demand proposals capable of ensuring
1625 electricity reliability on Cape Cod. The analysis shall include proposals which will reduce or eliminate existing uplift
1626 charges imposed upon ratepayers in the Southeastern Massachusetts Reliability Region as defined by ISO New England
1627 Inc. The report shall include, but not be limited to, a cost comparison of any technically-feasible proposal including
1628 transmission improvements, demand-side management programs, the health and environmental impacts of energy
1629 alternatives, repowering of existing power generation units in the Southeastern Massachusetts Reliability Region or the
1630 development of new peaking generation facilities.

1631 SECTION 89. Notwithstanding any general or special law to the contrary, the commonwealth hereby
1632 designates the Massachusetts School Building Authority, established pursuant to section 1A of chapter 70B of the
1633 General Laws, to allocate to governmental issuers of bonds within the commonwealth, pursuant to section 54F(d)(1) of
1634 the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, including to said authority, the limitation
1635 amount allocated to the commonwealth by the United States Department of the Treasury, but not including the amount
1636 allocated to large local educational agencies pursuant to section 54F(d)(2) of said act except to the extent that any such
1637 large local educational agency reallocates amounts to the commonwealth pursuant to said section 54F(d)(2), in which
1638 case such reallocated amounts shall also be allocated by said authority.

1639 SECTION 89A. (a) Notwithstanding any general or special law to the contrary, any purchasing authority
1640 who purchases on behalf of the commonwealth, a political subdivision thereof, an authority or a municipality may, as a
1641 result of the present depressed economic climate, renew or renegotiate a contract with a vendor who presently possesses
1642 a valid, binding contract with the commonwealth, a political subdivision thereof, an authority or a municipality if the
1643 vendor is willing to renew the contract at or below the pricing terms of the present contract, for a period not to exceed 3
1644 years. Any other purchasing authority on behalf of the commonwealth, a political subdivision thereof, an authority or a
1645 municipality may take advantage of this cost-saving program by being able to purchase from those vendors who
1646 presently possess contracts for the same or similar services with the aforementioned governmental entities at or below
1647 the same contract terms as are presently in effect for a period not to exceed 3 years.

1648 (b) All purchasing agents on behalf of the commonwealth, a political subdivision thereof, an authority or a
1649 municipality shall make capital investments that result in the greatest benefits with the least cost, and shall institute a

1650 program of routine and scheduled maintenance on its equipment, facilities and any service expansion if such action is
1651 more cost effective or produces quantifiable savings, instead of investing in new capital investments. Before investing
1652 in capital expenditures, a purchasing authority shall produce an analysis which demonstrates the cost effectiveness of
1653 capital investment versus maintenance.

1654 (c) For the purpose of facilitating the cost savings benefit of this section for any purchasing authority that
1655 wishes to participate in this program, the operational services division shall issue a temporary statewide contract number
1656 to any vendor who presently holds a contract with the commonwealth, a political subdivision thereof, an authority or a
1657 municipality commencing on July 1, 2009.

1658 (d) Nothing herein shall allow any otherwise valid contract of any of the parties referred to herein to be
1659 terminated before any cancellation of the contract by its terms, unless agreed to by the parties.

1660 SECTION 90. The commissioner of the department of revenue shall submit a report, no later than August 1,
1661 2010 to the secretary of administration and finance, the chairs of the joint committee on revenue and the chairs of the
1662 house and senate committees on ways and means on the methods used and accuracy of the capital gains forecast used
1663 for fiscal year 2010 and any recommendations relative to improving such process for fiscal year 2011.

1664 SECTION 90A. In the case of retail sales of gas, steam, electricity, or telecommunications services, billed on a
1665 recurring basis, the rate stated in section 2 of chapter 64H of the General laws and section 2 of chapter 64I of the
1666 General Laws shall apply as of the first billing period starting on or after the effective date.

1667 SECTION 90B. Notwithstanding any general or special law to the contrary, the division of local services in
1668 the department of revenue shall conduct a study on the ability of existing or former military facilities to levy local
1669 option taxes and their distribution to host cities and towns. The study shall examine methods of equitably distributing
1670 revenues to host cities and towns and shall provide recommendations on the manner of expeditiously and efficiently
1671 providing the opportunity for communities or facilities to adopt local option taxes.

1672 SECTION 90C. Within 1 year after the effective date of this act, the commissioner of revenue shall
1673 promulgate regulations that provide for the implementation and collection of taxes due from operators of other transient
1674 accommodations under section 3A of chapter 64G of the General Laws and shall prescribe forms for the payment of
1675 such taxes, which may include entering into agreements with municipal governments to carry out the this section and
1676 said section 3A of said chapter 64G.

1677 SECTION 90D. Notwithstanding section 22 of chapter 546 of the acts of 1969, the additional tax imposed by
1678 that section shall not apply to any tax imposed by section 2 of chapter 64M of the General Laws.

1679 SECTION 90E. Chapter 64M of the General Laws, inserted by section 32G, shall take effect on July 1, 2009
1680 and shall apply to gross revenues derived by a direct broadcast satellite service provider that are billed to subscribers or
1681 customers on or after that date.

1682 SECTION 90F. The tax imposed in section 2 of chapter 64L of the General Laws shall apply to sales on or
1683 after September 1, 2009.

1684 SECTION90G. The department of conservation and recreation shall conduct an environmental study in the
1685 city of Worcester and in certain other Worcester county towns to determine the long-term effects due to the eradication
1686 process for the permanent removal of the Asian longhorned beetle. The area of study shall include the city of Worcester
1687 and the towns of West Boylston, Boylston, Holden and Shrewsbury. The study shall determine the impact on the
1688 immediate environment. Included in the study shall be the replacement of a natural barrier, the restoration of
1689 indigenous wildlife, the cost of such remediation and long-term planning and solutions. The department of conservation
1690 and recreation shall report to the general court the results of its investigation and study and its recommendations, if any,
1691 together with drafts of legislation necessary to carry its recommendations into effect by filing the same with the clerks
1692 of the house of representatives and the senate on or before December 31, 2009.

1693 SECTION 90H. There shall be a special commission to investigate and study the reform and core functions of
1694 state government in order to determine what are the essential services the commonwealth must deliver to its citizens.
1695 The study shall include, but not be limited to, an examination of projected revenue, a prioritization of the core services
1696 of state government, establishment of the most efficient manner to deliver those services and determining how the
1697 commonwealth can measure progress in achieving those goals. The commission shall consist of 5 members of the
1698 house of representatives, 1 of whom shall be appointed by the minority leader, 5 members of the senate, 1 of whom
1699 shall be appointed by the minority leader, and the secretary of administration and finance or her designee. The
1700 commission shall file a report of the results of its investigation with the clerks of the house of representatives and senate
1701 and the clerks of the house and senate committees on ways and means not later than December 31, 2009.

1702 SECTION 90I. Notwithstanding any special or general law to the contrary the excise levied on the sale of
1703 motor vehicles pursuant to section 25 of chapter 64H of the General Laws shall be at the rate of 3 per cent of the gross
1704 receipts for 6 months from the date of the passage of this act.

1705 Notwithstanding any special or general law to the contrary, this section shall not take effect until such time as
1706 the department of revenue has submitted the results of a study of the impact on the economy and the revenue cost to the
1707 commonwealth and cities and towns including, but not limited to, a distributional analysis showing the impact on
1708 taxpayers of varying income levels, the current practice of other states and any anticipated change in employment and
1709 ancillary economic activity to the joint committee on revenue and until legislation has been enacted pursuant to article II
1710 of section 1 of chapter 1 of part the second of the constitution.

1711 SECTION 90J. The department of revenue shall conduct a study to determine the impact on revenue that
1712 would otherwise be collected from the excise imposed pursuant to chapter 64H of the General Laws from the
1713 implementation of an annual 2-day weekend during which certain nonbusiness sales at retail of tangible personal
1714 property would be exempt from the payment of such excise. Said department shall submit the results of its study not
1715 later than December 1, annually, to the clerks of the house of representatives and the senate.

1716 SECTION 90K. The secretary of administration and finance, in consultation with the department of revenue,
1717 the Massachusetts Municipal Association and organized labor organizations representing municipal employees, shall
1718 study the schedule for the full funding of municipal pension funds under section 22D of chapter 32 of the General Laws.
1719 The secretary shall consider, but not be limited to, whether the state of the economy and the projected state of the
1720 economy provides adequate reason to amend said section 22D of said chapter 32 to reflect the capability of
1721 municipalities to provide requisite funding to pension funds while maintaining acceptable levels of services to their
1722 inhabitants. The secretary shall report the results of the study to the clerks of the senate and house of representatives not
1723 later than December 1, 2009.

1724 SECTION 90L. Notwithstanding any general or special law to the contrary, the amounts transferred pursuant
1725 to subdivision (1) of section 22C of chapter 32 of the General Laws shall be made available for the Commonwealth's
1726 Pension Liability Fund established in section 22 of said chapter 32. The amounts transferred pursuant to said
1727 subdivision (1) of said section 22C of said chapter 32 shall meet the commonwealth's obligations pursuant to said
1728 section 22C of said chapter 32, including retirement benefits payable by the state employees' and the state teachers'
1729 retirement systems, for the costs associated with a 3 per cent cost-of-living adjustment pursuant to section 102 of said
1730 chapter 32, for the reimbursement of local retirement systems for previously authorized cost-of-living adjustments
1731 pursuant to said section 102 of said chapter 32 and for the costs of increased survivor benefits pursuant to chapter 389 of
1732 the acts of 1984. The state board of retirement and each city, town, county and district shall verify these costs, subject
1733 to the rules adopted by the state treasurer. The state treasurer may make payments upon a transfer of funds to reimburse
1734 certain cities and towns for pensions to retired teachers, including any other obligations which the commonwealth has
1735 assumed on behalf of any retirement system other than the state employees' or state teachers' retirement systems and
1736 also including the commonwealth's share of the amounts to be transferred pursuant to section 22B of said chapter 32
1737 and the amounts to be transferred pursuant to clause (a) of the last paragraph of section 21 of chapter 138 of the General
1738 Laws. All payments for the purposes described in this section shall be made only pursuant to the distribution of monies
1739 from the fund and any distribution and the payments for which distributions are required shall be detailed in a written
1740 report filed quarterly by the secretary of administration and finance with the house and senate committees on ways and
1741 means and the joint committee on public service in advance of this distribution. Distributions shall not be made in
1742 advance of the date on which a payment is actually to be made. The state board of retirement may expend an amount for
1743 the purposes of the board of higher education's optional retirement program pursuant to section 40 of chapter 15A of the
1744 General Laws. To the extent that the amount transferred pursuant to said subdivision (1) of said section 22C of said
1745 chapter 32 exceeds the amount necessary to adequately fund the annual pension obligations, the excess amount shall be
1746 credited to the Pension Reserves Investment Trust Fund, established in subdivision (8) of section 22 of said chapter 32,
1747 for the purpose of reducing the unfunded pension liability of the commonwealth.

1748 SECTION 90M. Notwithstanding any general or special law to the contrary, the the secretary of
1749 administration and finance shall develop a report detailing all action undertaken by the executive branch in fiscal year
1750 2009 and those planned to be undertaken in 2010 to reduce the costs of employee compensation. The report shall
1751 include an itemization of any stuffing reductions, furlough and salary wage reductions in addition to any salary and
1752 wage increases and any increases in staffing levels from 2008 to 2009 to those projected for 2010. The report shall be
1753 filed with the clerks of the senate and house of representatives and the clerks of the senate and house committees on

1754 ways and eans and posted electronically on the commonwealth's official website not later than 3 months after the
1755 effective date of this act.

1756 SECTION 90N. Nothing in section 66A shall affect the validity of any action taken pursuant to chapter 524 of
1757 the acts of 2008 between April 15, 2009 and effective date of this act.

1758 SECTION 90O. Notwithstanding any general or special law to the contrary, the department of environmental
1759 protection shall authorize the transfer of $4,000,000 previously appropriated or loans repaid pursuant to item 1231-
1760 1020 of section 2 of chapter 151 of the acts of 1996 to the lead paint abatement program established by section 197E of
1761 chapter 111 of the General Laws.

1762 SECTION 90P. The executive offices of housing and economic development, labor and workforce
1763 development and education shall collaborate to develop a technology based statewide economic development strategy in
1764 order to provide the foundation for new economic growth in all the regions across the commonwealth. This strategy
1765 shall include a plan for workforce training and development, increased capital access for small businesses, research
1766 support and encouragement of the commercialization of emerging technologies and incentives to foster
1767 entrepreneurship.

1768 SECTION 90Q: . Notwithstanding section 19A of chapter 78 of the General Laws or any other general or
1769 special law to the contrary, for the fiscal year 2010 state aid to public libraries program, the board of library
1770 commissioners shall consider that the town of Wareham has met the standard of minimum hours of service as set forth
1771 in section 19B of said chapter 78 and defined in section 4.01(3) of chapter 605 of the Code of Massachusetts
1772 regulations; provided, however, that the library shall demonstrate compliance with the minimum hours open
1773 requirement in fiscal year 2010 by December 15, 2009, and shall successfully complete the annual certification process
1774 of the board in fiscal year 2010.

1775 SECTION 90R. Notwithstanding any general or special law to the contrary, there is hereby established a
1776 special commission to examine the financial circumstances of private, non-profit hospitals licensed by the department of
1777 public health as chronic and rehabilitation hospitals that treat either adult or pediatric patients, or both. The special
1778 commission shall focus particularly on the adequacy of rates of payment under the Medicaid program to allow for the
1779 long-term financial sustainability of such hospitals in order to continue their provision of high quality health care
1780 services to publicly aided patients. The special commission shall consist of the speaker of the house of representatives
1781 or his designee, the senate president or her designee, the secretary of health and human services or her designee, and 4
1782 members appointed by the governor, 1 of whom shall be appointed from recommendations of the Massachusetts
1783 Hospital Association, 2 of whom shall be representatives of 1 or more health care systems that include 2 or more
1784 separately licensed non-profit chronic and rehabilitation hospitals in the commonwealth and 1 of whom shall be a
1785 person with expertise in health economics and with an understanding of the finances of non-profit chronic and
1786 rehabilitation hospitals. The special commission shall submit a final report to the house and senate committees on ways
1787 and means and to the governor no later than October, 31, 2009. The final report shall contain the special commission's
1788 analysis, findings and recommendations for legislative, regulatory or administrative actions, including any suggested

1789 changes in the methodologies used under the Medicaid program to pay for the services of non-profit licensed chronic
1790 and rehabilitation hospitals in the commonwealth.

1791 SECTION 90S. As used in this section, the following words shall, unless the context clearly indicates
1792 otherwise, have the following meanings:-

1793 "Commissioner", the commissioner of the division of capital asset management and maintenance;

1794 "Developer", a person, entity or governmental body that acquires an ownership or leasehold interest in the site,
1795 as hereinafter defined, or any portion thereof pursuant to this section;

1796 "Division", the division of capital asset management and maintenance;

1797 "MDC committee", the Monson Developmental Center Reuse Committee, which shall include 3
1798 representatives of the town of Monson, 1 of whom shall be a member of the Monson board of selectmen or their
1799 designee who shall serve as chairperson, 1 of whom shall be a member of the Monson planning board or their designee,
1800 and 1 of whom shall be chosen by the Monson board of selectmen; 1 representative of the community preservation
1801 committee; 1 representative of the division of capital asset management and maintenance; 1 representative of Parents
1802 and Friends; and the senator and representative who represent the town as ex-officio members. Such members should
1803 be appointed annually by the local governing authority;

1804 “MDC site,” the area of state-owned land located in the town of Monson known as the Monson Developmental
1805 Center, together with the buildings and improvements thereon and the rights, easements and other interests appurtenant
1806 thereto.

1807 "Plan", a reuse plan prepared by the MDC committee and TDC committee which shall be approved by the
1808 commissioner and filed in accordance with subsection (b); provided, however, that the plan may be enhanced, refined or
1809 amended from time to time as provided in this section and shall include uses that promote environmental preservation,
1810 open space and any other use found to be appropriate by the town and the committee;

1811 "Selection committee", the proposal selection committee established to review proposals and make
1812 recommendations to the commissioner, which shall include 1 representative of the respective town chosen by the board
1813 of selectmen to be appointed annually; 1 representative of the division of capital asset management and maintenance; 1
1814 representative from the MDC committee; and 1 representative from the TDC committee**;**

1815 “TDC committee”, the Templeton Developmental Center Reuse Committee, which shall include 3
1816 representatives of the town of Templeton, 1 of whom shall be a member of the Templeton board of selectmen or their
1817 designee who shall serve as chairperson, 1 of whom shall be a member of the Templeton planning board or their
1818 designee, and 1 of whom shall be chosen by the Templeton board of selectmen; 1 representative of the community
1819 preservation committee; 1 representative of the division of capital asset management and maintenance; 1 representative
1820 of the legal guardians of the clients currently housed at Templeton Developmental Center**;** and the senator and

1821 representative who represent the town as ex-officio members. Such members should be appointed annually by the local
1822 governing authority; and

1823 "TDC site", the area of state-owned land located in the town of Templeton known as the Templeton
1824 Developmental Center, together with the buildings and improvements thereon and the rights, easements and other
1825 interests appurtenant thereto.

1826 (b) The commissioner shall undertake planning, studies and preparation of plans and specifications necessary
1827 to carry out the provisions of this section consistent with the plan. The TDC committee and MDC committee shall file
1828 the plans with the commissioner within 180 days after the effective date of this section. The commissioner shall consult
1829 with the TDC committee and the MDC committee on any amendment to the plan and shall develop, issue and advertise
1830 requests for proposals consistent with the plan within 90 days of receipt of the plan. Upon receipt of proposals the
1831 commissioner shall convene the selection committees for the purpose of reviewing and making recommendations
1832 regarding selection to the commissioner. The respective town's governing authority shall be encouraged to submit
1833 proposals for uses consistent with the plan for some or all of the property. Should proposals from the municipalities be
1834 among those recommended to the commissioner, the commissioner shall reasonably accommodate the schedule
1835 required for town meeting votes, should said vote be required to complete or approve a proposal, prior to making any
1836 final decisions on the proposals. In regard to TDC, any re-use must be consistent with chapter 504 of the acts of 2002
1837 which limits some uses on the TDC site and restrictions resulting from the TDC site being listed on the National
1838 Historic Register.

1839 (c) The commissioner may, subject to sections 40E to section 40J, inclusive, of chapter 7 of the General Laws,
1840 and in accordance with this section and the plan and subject to such terms and conditions as the commissioner may,
1841 from time to time, prescribe, solicit, evaluate and select development proposals, enter into land disposition agreements,
1842 enter into agricultural leases for up to 5 years, sell, lease for terms of up to 99 years including extensions or otherwise
1843 grant, convey or transfer to a developer, any interest in the site or portions thereof and any facilities, associated
1844 improvements or appurtenances thereon, on such terms and conditions as the commissioner deems appropriate provided
1845 the end use meets the guidelines developed by the MDC committee and the TDC committee. The amount of
1846 consideration for the sale, lease or other disposition of any interest in the sites or portion thereof shall be the full and fair
1847 market value or the highest and best value of the property determined by independent appraisal. Additionally, the
1848 respective towns shall be granted the ability to collect property taxes or payments in lieu of taxes if land is leased or
1849 sold for taxable uses. The inspector general shall review and comment on the appraisal and the review shall include an
1850 examination of the methodology used for the appraisal. The inspector general shall prepare a report of his review and
1851 file said report with the commissioner for submission to the house and senate committees on ways and means and the
1852 chairmen of the joint committee on state administration. No less than 2 public comment sessions shall take place. The
1853 developer shall be responsible for any costs of appraisals, surveys and other expenses relating to the transfer of the
1854 parcel or for any costs, liabilities and expenses of any nature and kind for the development, maintenance or operation of
1855 the parcel. In the event the parcel of land ceases to be used at any time for the purposes contained herein as deemed by
1856 the appropriate reuse committee, the parcel of land shall revert to the care and control of the division of capital asset
1857 management and maintenance and any further disposition of the parcel of land shall be subject to said sections 40E to

1858 40J, inclusive, of said chapter 7. The town that contains the affected property shall retain the right to contend that the
1859 current use of the property is not appropriate through action of the local board of selectmen or town meeting vote. The
1860 commissioner shall, 30 days before the execution of any agreement or amendment thereto authorized by this section,
1861 submit the agreement or amendment and a report thereon to the inspector general for review and comment. No less than
1862 2 public comment sessions shall take place. The inspector general shall issue his review and comment within 30 days
1863 after receipt of any agreement or amendment. The commissioner shall submit the agreement and any subsequent
1864 amendments thereof, the reports and the comments of the inspector general, if any, to the house and senate committees
1865 on ways and means and the chairmen of the joint committee on state administration at least 30 days before execution.

1866 (d) The effected town's board of selectmen shall have the right of first refusal before any decision is made as to
1867 the reuse or sale of either the land or facilities in each town.

1868 (e) Notwithstanding any general or special law to the contrary, the commissioner may, subject to appropriation,
1869 and subject to sections 40E to 40G, inclusive, 40I and 40J, of chapter 7 of the General Laws retain, accept or acquire by
1870 purchase, transfer, lease, eminent domain, pursuant to chapter 79 of the General Laws or otherwise, grant by deed,
1871 transfer, lease, eminent domain, pursuant to said chapter 79 or otherwise, or grant by deed, transfer, lease or otherwise,
1872 any rights-of-way or easements, in, over and beneath the site or portions thereof or other property in the commonwealth
1873 contiguous to the site for drainage, access, egress, utilities and other purposes, as the commissioner deems necessary
1874 and appropriate to carry out the purposes of this section. The commissioner shall seek advice from the appropriate
1875 reuse committee prior to the implementation of any action.

1876 (f) The department of developmental services, with the approval of the commissioner, may enter into contracts
1877 for the provision of building management services for buildings and facilities located on the site as deemed by the
1878 commissioner and the reuse committee.

1879 (g) Notwithstanding any general or special law to the contrary, the commissioner may employ designers who
1880 prepare studies or programs or other design services for the construction, renovation, reconstruction, alteration,
1881 improvement, demolition, expansion or repair of buildings on the MDC site and the TDC site to prepare plans and
1882 specifications and provide any other design services deemed necessary by the commissioner for such projects. The
1883 commissioner shall obtain an independent comprehensive value engineering review of the completed study and program
1884 to identify proposed functions of the facility, evaluate the construction cost estimates, calculate estimated life-cycle cost
1885 and develop recommended design changes that will produce a more cost-effective facility by modifying or eliminating
1886 features that add cost but do not add to the quality, useful life, utility or appearance of the facility. The commissioner
1887 shall obtain an independent comprehensive value engineering review of the completed schematic design documents to
1888 identify proposed functions of the facility, evaluate the construction cost estimates, calculate estimated life-cycle costs
1889 and develop recommended design changes that will produce a more cost-effective facility by modifying or eliminating
1890 features that add cost but do not add to the quality, useful life, utility or appearance of the facility before the acceptance
1891 by the commissioner. The commissioner shall document the reasons for accepting, modifying or rejecting all value
1892 engineering recommendations.

1893 SECTION 90T. Notwithstanding any general or special law to the contrary, the secretary of administration
1894 and finance shall conduct a study of immigrant services and enforcement mechanisms, which shall include a cost-
1895 benefit analysis of the costs of services that immigrants receive compared to the contributions thereof to the economy of
1896 the commonwealth and a comparison of the costs of enhanced measures to ensure that immigrants do not unlawfully
1897 access services, licenses or jobs and the savings resulting from such measures.

1898 SECTION 90U. There is hereby established a special commission to study public-private partnerships in the
1899 commonwealth. The commission shall consist of the secretary for administration and finance, who shall also serve as
1900 chair, the auditor and the inspector general. The commission shall submit a report and any recommendations for
1901 legislation to the house and senate committees on ways and means and the joint committee on state administration and
1902 oversight by January 1, 2010. The report shall include, but not be limited to, an analysis of the cost effectiveness of
1903 current statute and regulations and best practices utilized by other state governmental entities.

1904 SECTION 90V. The executive office of housing and economic development, in consultation with the
1905 department of revenue, shall conduct a study to determine the economic impact of chapter 158 of the acts of 2005 and
1906 chapter 63 of the acts of 2007. The study shall include, but not be limited to: the increase of in-state jobs as a result of
1907 this credit; the potential for job creation in the industry in the commonwealth; the availability of similar tax credit
1908 programs in other states; a comparison of the Massachusetts program with similar credit programs in other states; and,
1909 an analysis and comparison of each state's programs' respective benefits and resulting economic impact. A copy of the
1910 study shall be submitted by December 1 of each odd-numbered year to the clerks of the house of representatives and the
1911 senate.

1912 SECTION 90W. (a) There shall be a special water infrastructure finance commission to develop a
1913 comprehensive, long-range water infrastructure finance plan for the commonwealth and municipalities.

1914 (b) The commission shall consist of the commissioner of environmental protection or his designee; the state
1915 treasurer or his designee; 1 member of the senate; 1 member of the house of representatives; 1 person to be appointed by
1916 the president of the senate and 1 person to be appointed by the speaker of the house of representatives, each of whom
1917 shall be a representative of a planning organization, environmental consumer organization or other public interest
1918 organization; 1 person to be appointed by the minority leader of the senate and 1 person to be appointed by the minority
1919 leader of the house of representatives, each of whom shall be from different geographic regions of the commonwealth
1920 and who shall be representatives of the business community; a representative of the Boston Water and Sewer
1921 Commission; and 9 persons to be appointed by the governor who shall not be employees of the executive branch and
1922 who shall reside in different geographic regions of the commonwealth, 1 of whom shall be a representative of the
1923 American Council of Engineering Companies of Massachusetts, 1 of whom shall be a representative of the Utility
1924 Contractors' Association of New England, 1 of whom shall be a representative of the Massachusetts Waterworks
1925 Association, 1 of whom shall be a representative of the Massachusetts Municipal Association, 1 of whom shall be a
1926 representative of Clean Water Action, 1 of whom shall be a representative of Associated Industries of Massachusetts, 1
1927 of whom shall be a representative of the Environmental League of Massachusetts, 1 of whom shall be a representative
1928 of the Conservation Law Foundation and 1 of whom shall be a representative of the Massachusetts Water Pollution

1929 Control Association. Each of those organizations shall provide a list of at least 3 but not more than 5 candidates for
1930 consideration by the governor. Each of the members shall be an expert or shall have experience in the field of law or
1931 public policy, water, wastewater or storm water planning, design and construction of water, wastewater or storm water
1932 projects, utility management, management consulting or organizational finance; provided, however, that at least 1
1933 member shall have expertise in organizational finance. The governor shall designate a member to serve as the
1934 chairperson of the commission but the chairperson shall not be the commissioner of environmental protection, the state
1935 treasurer or their designees. The members of the commission shall be appointed not later 90 days after the effective
1936 date of this act and shall serve until the completion of the long-range infrastructure finance plan.

1937 (c) In the course of its deliberations, the commission shall make it a priority to examine the technical and
1938 financial feasibility of sustaining, integrating and expanding public water systems, conservation and efficiency
1939 programs, wastewater systems and storm water systems of municipalities and the commonwealth, including regional or
1940 district systems. Further, the commission shall: (1) examine the water infrastructure needs of the commonwealth for the
1941 next 25 years as they relate to the funding gap between the water infrastructure needs of the commonwealth and the
1942 existing, available sources of funding; (2) develop mechanisms for additional funding for water infrastructure by
1943 increasing investment in critical water, wastewater, storm water and water conservation infrastructure; (3) provide
1944 mechanisms for improvements in the handling and management of water programs; (4) examine the potential threats to
1945 public health and public safety from the existing shortfalls in funding for water infrastructure; (5) examine and develop
1946 recommendations on ways in which the commonwealth and its municipalities may meet operation and maintenance, and
1947 capital improvement and reconstruction needs for the next 25 years including, without limitation, recommendations
1948 regarding debt reduction, enhancing existing sources of revenues, developing new sources of revenues, establishing new
1949 incentives for public-private partnerships in the development of real property resources and funding resources; and (6)
1950 examine the expanded use of full accounting systems and enterprise funding, asset management systems and best
1951 management practices, compliance with chapter 21G of the General Laws and Massachusetts water policy, and current
1952 federal and state funding programs.

1953 (d) The commission shall examine the finances of the various municipalities and regional water districts,
1954 including state and federal aid levels, and make recommendations for improvements to financial policies and
1955 procedures. The commission shall identify areas where cost savings can be achieved across water agencies by
1956 consolidation, coordination and reorganization. The commission shall examine the projected federal funding, projected
1957 state funding, projected local funding, projected fee-based funding, debt financing and any other sources of projected
1958 funding to finance water infrastructure needs identified by the commission.

1959 (e) The commission shall develop recommendations as to what funding or finance measures the
1960 commonwealth or municipalities may pursue to satisfy any unmet funding needs identified by the commission. The
1961 recommendations shall also include any recommendation for interagency agreements, intermunicipal agreements,
1962 consolidations or mergers to enable the commonwealth and municipalities to make the most effective use of water
1963 funding resources. The recommendations shall identify fair and equitable means of financing water infrastructure
1964 investments through taxes, fees, user charges or other sources.

1965 (f) The commission may hold public hearings to assist in the collection and evaluation of data and testimony.

1966 (g) The commission shall prepare a written report detailing its financials relative to identified funding sources
1967 and its recommendations, if any, together with drafts of legislation necessary to carry those recommendations into
1968 effect. The commission shall submit its initial report to the governor, the secretary of environmental affairs, the clerks
1969 of the senate and house of representatives, the chairs of the house and senate committees on ways and means and the
1970 joint committee on the environment not later than 2 years after the effective date of this act.

1971 (h) Any research, analysis or other staff support that the commission reasonably requires shall be provided by
1972 the executive office of environmental affairs and its agencies, with assistance from the Massachusetts Water Resources
1973 Authority.

1974 SECTION 90X. (a) Notwithstanding sections 40E to 40K, inclusive, and sections 52 to 55, inclusive, of
1975 chapter 7 of the General Laws, and using competitive proposal processes as the division of capital asset management
1976 and maintenance considers necessary or appropriate, the division, in consultation with the department of conservation
1977 and recreation, may lease and enter into other agreements, for terms not to exceed 25 years, to 1 or more proponents, for
1978 Ulin memorial rink in the town of Milton, so as to provide for the continued use, operation, maintenance repair and
1979 improvement of such state-owned buildings and facilities, together with the land and appurtenances associated
1980 therewith,

1981 (b) The failure of a city or town to apply for prequalification, as set forth below, shall not prohibit that city or
1982 town from bidding under this section.

1983 (c) Before the division, in consultation with the department, sends out a request for proposals under this
1984 section, the division shall hold open a prequalification period of 30 days for the towns of Milton and any nonprofit
1985 organizations that desire to bid on rinks that are listed in this section and are located within the towns of Milton, or for
1986 the partnership of municipalities which share geographic boundaries as long as the subject rink is located within the
1987 geographic area of the municipalities comprising the partnership. A city, town, nonprofit organization or partnership of
1988 municipalities that desires to lease a rink under this section may submit materials for prequalification. The
1989 prequalification determination may consider, but need not be limited to, the city's, town's, nonprofit organization's or
1990 partnership's ability to finance the capital improvements determined to be necessary at the rink by the division and to
1991 manage, operate and maintain the properties. The division, in consultation with the department, shall determine
1992 whether a city, town, nonprofit or partnership is prequalified within 15 days of the end of the prequalification period. If
1993 a city, town, nonprofit organization or partnership is determined to be prequalified, that city, town, non-profit
1994 organization or partnership shall be awarded the lease for the rink under the terms and conditions set forth in this
1995 subsection (a). If a city, town, nonprofit organization or partnership is determined to be prequalified, that city, town,
1996 non-profit organization or partnership shall pay consideration for a lease subject to the required capital improvements,
1997 performance specifications and other prequalification requirements and terms of the division and submitted proposal.
1998 The length of the lease shall be determined between the division and the city, town, nonprofit organization or
1999 partnership.

2000 (d) The lease and other agreements shall be on terms acceptable to the commissioner of capital asset
2001 management and maintenance, after consultation with the commissioner of conservation and recreation and,
2002 notwithstanding any general or special law to the contrary, shall provide for the lessees to operate, manage, improve,
2003 repair and maintain the properties and to undertake initial capital improvements the commissioner determines is
2004 necessary due to the structural condition of the property. Leases or other arrangements requiring improvements to be
2005 made on the property may include a description of the initially required improvements and performance specifications.
2006 Ice time at rinks under the jurisdiction of the division of urban parks and recreation shall be allocated to user groups in
2007 the following order of priority: general public skating; non-profit youth groups; high school hockey; for-profit youth
2008 groups, and adult organizations or informal groups. Ice time may be allocated at the discretion of the operator, but
2009 general public skating shall be booked, in 2-hour contiguous blocks at a minimum of 12 hours per week, with a range of
2010 times and days which reasonably allow for public skaters of all ages to participate in some public skating sessions.
2011 Every effort shall be made to balance the ice allocation needs of long-established youth organizations and newly-formed
2012 youth organizations in a manner that provides equal opportunity and equal access for youths of each gender. The leases
2013 and other agreements authorized in this section shall provide that any benefits to the communities and the costs of
2014 improvements and repairs made to the property provided by the lessees or the recipients of the property shall be taken
2015 into account as part of the consideration for such leases or other agreements. Consideration received from the leases or
2016 other agreements for Ulin Memorial Rink in Milton shall be payable to the department of conservation and recreation
2017 for deposit into the General Fund. The lessees or the recipients of the properties shall bear the costs considered
2018 necessary or appropriate by the commissioner of conservation and recreation for the transactions including, without
2019 limitation, costs for legal work, survey, title and the preparation of plans and specifications

2020 (e) The names of the ice skating rink and facilities referenced in this section shall not be altered or changed
2021 under the leases or agreements.

2022 SECTION 90Y. (a) There is hereby established a charter school working group to study the financing of and
2023 caps imposed upon charter schools pursuant to section 89 of chapter 71 of the General Laws.

2024 (b) The working group shall consist of the speaker of the house of representatives or his designee; the senate
2025 president or her designee; the senate and house minority leaders or their designees; the house and senate chairs of the
2026 joint committee on education who shall serve as co-chairs; the chairs of the house and senate committees on ways and
2027 means; the secretary of administration and finance or her designee; the secretary of education or his designee; the
2028 commissioner of elementary and secondary education, or his designee; and 2 person to be appointed by the governor, 1
2029 of whom shall be representative of charter schools and 1 of whom shall be representative of districts.

2030 (c) In carrying out its responsibilities, the working group shall investigate and study and make
2031 recommendations on:

2032 (1) the appropriateness of the financing and reimbursement under section 89 of chapter 71 of the
2033 General Laws as a mechanism for the financing of charter schools;

2034 (2) the extent to which the reimbursements under said section 89 of said chapter 71 are effective
2035 at minimizing the adverse financial impact of charter schools on sending school districts while
2036 providing sufficient resources for the successful operation of charter schools;

2037 (3) the appropriateness of the caps and limits imposed in subsection (i) of said section 89 of said
2038 chapter 71 on the number of, enrollments in, percentage of net school spending directed to, and
2039 location of charter schools; and

2040 (4) any other financial issues brought to the attention of the working group during its existence.

2041 (d) The working group shall solicit advice from such persons and entities as it deems necessary, including the
2042 department of education, associations representing superintendents, other educational administrators, teachers, school
2043 business officers, municipal officials and charter schools.

2044 (e) The working group shall report its findings and conclusions to the general court and its recommendations,
2045 together with drafts of legislation necessary to implement those recommendations, by filing the same with the joint
2046 committee on education and the clerks of the senate and house of representatives not later than 6 months after the first
2047 meeting of the working group. The first meeting of the working group shall take place within 30 days after the effective
2048 date of this act.

2049 SECTION 90Z. (a) There shall be a special commission on police career incentives consisting of 3 members of
2050 the senate, 1 of whom shall be the senate chair of the joint committee on higher education, 1 of whom shall be the
2051 senate chair of the joint committee on public safety and 1 of whom shall be a member of the minority party who shall be
2052 appointed by the minority leader; provided, however, that 1 member of the senate shall be designated as co-chair of the
2053 commission; 3 members of the house of representatives, 1 of whom shall be the house chair of the joint committee on
2054 higher education, 1 of whom shall be the house chair of the joint committee on public safety and 1 of whom shall be a
2055 member of the minority party who shall be appointed by the minority leader; provided, however, that 1 member of the
2056 house shall be designated as co-chair of the commission; the secretary of administrative and finance or her designee; the
2057 secretary of public safety and security or his designee; the chancellor of higher education or his designee; the president
2058 of the Massachusetts Chiefs of Police Association or his designee; a representative of the Massachusetts Police
2059 Association; the president of the Massachusetts Municipal Association or his designee and 1 person to be appointed by
2060 the governor who shall have expertise in the field of criminal justice.

2061 (b) The organizational session of the commission shall be convened by the co-chairs not later than 60 days
2062 after the effective date of this act whether or not the governor's designee has been appointed.

2063 (c) The special commission shall make an investigation and study of the status of the career incentive pay
2064 program established in section 108L of chapter 41 of the General Laws including, but not limited to: (1) an assessment
2065 of the number of police officers with higher education degrees; (2) an investigation of salaries paid to officers utilizing
2066 the incentive program as compared with neighboring states' salaries and incentive programs; (3) an assessment on the
2067 impact said program has had on decreasing the number of lawsuits against police officers and municipalities; (4) the

2068 cumulative cost to state and local governments in terms of increased operating costs for wages and impact on state and
2069 municipal pension liability; (5) an assessment on the current incentives provided to officers and a determination of how
2070 wages for officers with higher education degrees would be affected without the incentive program; (6) the impact of
2071 requiring a higher education degree for all police officers as a job requirement; (7) a comparison of the wage benefits
2072 conferred by the incentive program with the increase in earning power expected to be experienced by all persons in the
2073 commonwealth as a result of higher educational attainment; (8) an appropriate role for the commonwealth in the future
2074 of the career incentive pay program; and (9) any other matters that the commission considers relevant to its purpose.

2075 (d) The board of higher education and the executive office of public safety and security shall provide staff and
2076 other resources as the commission and those agencies consider appropriate. The special commission shall make its final
2077 report and recommendations, together with drafts of legislation necessary to implement those recommendations, by
2078 filing the same with the joint committee on public safety not later than January 1, 2010; provided, however, that the
2079 special commission may make such interim reports as it considers appropriate.

2080 SECTION 90AA. Notwithstanding any general or special law to the contrary, applications for assistance from
2081 the emergency housing program established by section 30 of chapter 23B of the General Laws shall be taken and
2082 processed at offices of the department of transitional assistance unless and until the department of housing and
2083 community development develops an operational plan ensuring that convenient access to emergency housing assistance
2084 will not be impaired by any alternative arrangement. The department shall provide the joint committee on children,
2085 families and persons with disabilities, the joint committee on housing and the house and senate committees on ways and
2086 means with 180 days advance notice of any proposal to stop making emergency housing assistance accessible in offices
2087 of the department of transitional assistance. The department shall provide said committees with a copy of the
2088 operational plan and, in cooperation with the department of transitional assistance, an analysis of the impact of such
2089 plan on the ability of homeless and at-risk families to conveniently access emergency housing assistance, food stamps,
2090 and cash assistance. Nothing in this section shall prevent the department from making emergency housing assistance
2091 available at locations in addition to offices of the department of transitional assistance.

2092 SECTION 90BB. There is hereby established a special commission to investigate and study methods of
2093 improving the accountability, economy and efficiency of the government of the commonwealth and the operation of the
2094 agencies, departments and instrumentalities thereof. The commission shall make recommendations to the governor and
2095 the general court to promote economy, efficiency and improved service in the transaction of the public business in the
2096 various departments, agencies and instrumentalities in the executive, legislative and judicial branches of state
2097 government, and in making the operation of all state departments, agencies and instrumentalities and all expenditures of
2098 public funds, more directly responsive to the needs of the people of the commonwealth, by any of the following means:

2099 (a) adopting methods and procedures for reducing expenditures to the lowest amount consistent with the
2100 efficient performance of essential services, activities, and functions;

2101 (b) eliminating duplication of overlapping services, activities and functions and time-consuming or
2102 wasteful practices;

2103 (c) consolidating services, activities and functions of a similar nature;
2104 (d) abolishing unnecessary services, activities and functions of state government;
2105 (e) eliminating unnecessary state departments and agencies, creating new state departments and agencies,
2106 reorganizing existing state departments and agencies and transferring of functions and responsibilities among state
2107 departments and agencies;
2108 (f) defining or redefining duties and responsibilities of state officers;
2109 (g) revising present provisions for continuing or permanent appropriations of state funds or bond
2110 authorizations, eliminating any such existing provisions and adopting new provisions;
2111 (h) establishing means for performance measurement and methods of reporting such measurement;
2112 (i) reorganizing all aspects of state career public service including, but not limited to, methods of
2113 recruitment and retention of state employees; training and retraining of state employees; job classification, salaries and
2114 benefits of state employees; discipline and termination of state employees; clarifying the responsibilities and functions
2115 that are best served by regular state employees and those best served by contract employees and encouraging and
2116 facilitating opportunities for private sector and nonprofit sector employees to work in state government for limited
2117 periods of time;
2118 (j) analyzing and evaluating all state contracts with private vendors for the purpose of confirming that all
2119 contracted approaches to the delivery of goods and services are accountable, economical and efficient; and
2120 (k) reviewing state requirements for contracting for goods and services and for the retention of
2121 professional services to determine the most effective means of determining the most qualified vendor including, but not
2122 limited to, a review of a method by which state agencies, authorities, boards and commissions retain legal counsel and
2123 accounting, architectural and engineering services.

2124 The commission shall consist of 3 members of the senate, 2 of whom shall be appointed by the minority leader,
2125 3 members of the house of representatives, 2 of whom shall be appointed by the minority leader, the chairs of the senate
2126 and house committees on ways and means and the senate and house chairs of the joint committee on revenue. The
2127 commission shall also consist of 7 persons to be appointed by the governor, 3 persons to be appointed by the senate
2128 president and 3 persons to be appointed by the speaker of the house; provided, however, that not more than 7 of those
2129 members shall be registered voters in the same political party nor shall any of them hold public office in the executive
2130 or legislative branches of state government. The appointing members shall consider residents of the commonwealth
2131 who are experts in the fields of business and government management, accounting, labor relations, finance or human
2132 relations including, but not limited to, deans of schools of business, public administrators and other scholars. The
2133 commission shall also consist of the governor, the senate president, the speaker of the house, the state auditor and the
2134 inspector general, all of whom shall serve ex officio. The governor, the senate president and the speaker of the house,
2135 shall jointly designate the chair or co-chairs of the commission.

2136 The commission shall meet monthly and may, subject to the approval of the secretary of administration and
2137 finance, request staff support and research from state agencies to carry out its responsibilities. The commission may
2138 seek assistance from other organizations or individuals without compensation. The commission shall file its final report
2139 with the clerks of the senate and house of representatives not later than June 30, 2010. The commission may make

2140 interim reports as appropriate in order to address the serious fiscal problems facing the commonwealth in the next few
2141 years

2142 SECTION 91. Section 1 shall be effective for taxable years ending on or after January 1, 2009.

2143 SECTION 92. Section 12 shall take effect on June 30, 2010.

2144 SECTION 93. Sections 19, 28, 30 and 32 shall apply to obligations issued after August 31, 2008 in taxable
2145 years ending after that date.

2146 SECTION 94. Sections 27, 29 and 31 shall be effective for discharges in taxable years ending after December
2147 31, 2008.

2148 SECTION 95. Section 49 shall take effect on October 1, 2012.

2149 SECTION 95A. Section 89A shall expire on June 30, 2012.

2150 SECTION 96. Except as otherwise specified, this act shall take effect on July 1, 2009.