HOUSE . . . . . No. 3401

House, No. 3400, as changed by the committee on Bills in the Third Reading, and as amended and passed to be engrossed by the House. April 28, 2011.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2012 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.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is immediately to make appropriations for the fiscal year beginning July 1, 2011, and to make certain changes in law, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

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, 2E and 3, for the several purposes and subject to the conditions specified in sections 2, 2B, 2D, 2E and 3, are hereby appropriated from the General Fund unless specifically designated otherwise, subject to the provisions of law regulating the disbursement of public funds and the approval thereof for the fiscal year ending June 30, 2012. 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, 2012, are necessary and sufficient to provide the means to defray the appropriations and expenditures from such funds for that fiscal year as set forth and authorized in section 2. The comptroller shall keep a distinct account of actual receipts from each such source by each such fund, 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 in this section, and include a full statement comparing such actual and projected receipts in the annual report for that fiscal year pursuant to section 12 of chapter 7A of the General Laws. These 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 2012 Revenue by Source and Budgeted Fund (in Millions)

Source	All Budgeted Funds*	General Fund	Commonwealth Transportation Fund	SMART	MBTA	Other Budgeted Funds
Alcoholic Beverages	73.1	73.1	-	-	-	-
Cigarettes	445.6	445.6	-	-	-	-
Corporations	1,763.2	1,763.2	-	-	-	-
Deeds	120.6	120.6	-	-	-	-
Estate Inheritance	226.9	226.9	-	-	-	-
Financial Institutions	47.6	47.6	-	-	-	-
Income	11,577.8	11,577.8	-	-	-	-
Insurance	339.9	339.9	-	-	-	-
Motor Fuels	688.3	-	687.4	-	-	0.9
Public Utilities	(0.6)	(0.6)	-	-	-	-
Room Occupancy	119.4	77.6	-	-	-	41.8
Sales - Regular	3,574.9	2,125.1	220.2	572.0	657.6	-
Sales - Meals	848.4	796.1	52.3	-	-	-
Sales - Motor Vehicles	663.4	394.4	40.9	106.1	122.0	-
Miscellaneous	16.5	16.5	-	-	-	-
UI Surcharges	19.9	-	-	-	-	19.9
Total Tax Revenues	**20,525.0**	**18,003.9**	**1,000.8**	**678.1**	**779.6**	**62.6**
SBA Transfer	(678.1)	-	-	(678.1)	-	-
MBTA Transfer	(779.6)	-	-	-	(779.6)	-
Pension Transfer	(1,478.0)	(1,478.0)	-	-	-	-

Source	All Budgeted Funds*	General Fund	Commonwealth Transportation Fund	SMART	MBTA	Other Budgeted Funds
Workforce Training Fund Adjustment	(19.9)	-	-	-	-	(19.9)
Total ConsensusTaxes for Budget	**17,569.4**	**16,525.9**	**1,000.8**	**-**	**-**	**42.7**
Revenue Initiatives						
DOR Administrative Provisions	61.5	61.5	-	-	-	-
Delay of FAS 109 Deduction	45.9	45.9	-	-	-	-
Life Science Tax Credit	5.0	5.0	-	-	-	-
Total Revenue Initiatives	**112.4**	**112.4**	**-**	**-**	**-**	**-**
Total Taxes Available for Budget	**17,681.8**	**16,638.3**	**1,000.8**	**-**	**-**	**42.7**
Non-Tax Revenue						
Federal Reimbursements	7,755.2	7,749.0	-	-	-	6.2
Departmental Revenues	2,860.3	2,320.4	524.1	-	-	15.8
Consolidated Transfers	1,964.4	2,175.1	-	-	-	(210.7)
Grand Total	30,261.7	28,882.8	1,524.9	-	-	(146.0)

*Includes revenue deposited into the Workforce Training Fund, Mass Tourism Fund, Inland Fish and Game Fund, and Stabilization 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 fiscal year 2012 pursuant to section 12 of chapter 7A of the General Laws. The quarterly and annual reports shall also include detailed statements of any other sources of revenue for the budgeted funds in addition to those specified in this section.

Source	Unrestricted Non-Tax Revenue	Restricted Non-Tax Revenue	Total Non-Tax Revenue
Administrative Law Appeals Division	45,000.00	0.00	45,000.00
Appeals Court	427,741.00	0.00	427,741.00
Appellate Tax Board	2,057,005.00	300,000.00	2,357,005.00
Attorney General Office	31,781,748.00	775,000.00	32,556,748.00
Berkshire Community College	202,950.00	0.00	202,950.00
Board of Library Commissioners	2,000.00	0.00	2,000.00

Source	Unrestricted Non-Tax Revenue	Restricted Non-Tax Revenue	Total Non-Tax Revenue
Bridgewater State College	1,307,087.00	0.00	1,307,087.00
Bristol Community College	656,803.00	0.00	656,803.00
Bunker Hill Community College	999,634.00	0.00	999,634.00
Bureau of State Buildings	168,600.00	0.00	168,600.00
Campaign and Political Finance	60,050.00	0.00	60,050.00
Cape Cod Community College	456,343.00	0.00	456,343.00
Capital Asset Management and Maintenance Division	5,979,922.00	16,550,000.00	22,529,922.00
Chief Medical Examiner	0.00	2,060,000.00	2,060,000.00
Civil Service Commission	20,000.00	0.00	20,000.00
Commission Against Discrimination	176,500.00	2,000,380.00	2,176,880.00
Commission for the Deaf and Hard of Hearing	164,047.00	0.00	164,047.00
Committee for Public Counsel Services	4,000,000.00	750,000.00	4,750,000.00
Criminal History Systems Board	6,992,440.00	0.00	6,992,440.00
Department Conservation and Recreation	12,447,192.00	8,484,831.00	20,932,023.00
Department of Agricultural Resources	6,133,970.00	0.00	6,133,970.00
Department of Children and Families	188,283,152.00	4,058,735.00	192,341,887.00
Department of Correction	10,292,323.00	3,600,000.00	13,892,323.00
Department of Developmental Services	474,664,961.00	150,000.00	474,814,961.00
Department of Early Education and Care	199,152,214.00	0.00	199,152,214.00
Department of Elder Affairs	1,388,715,677.00	750,000.00	1,389,465,677.00
Department of Elementary and Secondary Education	6,194,962.00	1,265,038.00	7,460,000.00
Department of Energy Resources	3,208,536.00	0.00	3,208,536.00
Department of Environmental Protection	31,315,435.00	3,313,439.00	34,628,874.00
Department of Fire Services	12,949,610.00	8,500.00	12,958,110.00
Department of Fish and Game	15,312,500.00	304,989.00	15,617,489.00
Department of Industrial Accidents	23,003,250.00	0.00	23,003,250.00
Department of Labor	2,521,649.00	0.00	2,521,649.00
Department of Mental Health	84,946,456.50	125,000.00	85,071,456.50

Source	Unrestricted Non-Tax Revenue	Restricted Non-Tax Revenue	Total Non-Tax Revenue
Department of Public Health	102,337,624.00	52,388,461.00	154,726,085.00
Department of Public Safety	20,882,294.00	5,590,182.00	26,472,476.00
Department of Public Utilities	13,281,437.00	2,633,333.00	15,914,770.00
Department of Revenue	197,470,612.00	6,547,280.00	204,017,892.00
Department of State Police	665,717.00	32,465,950.00	33,131,667.00
Department of Telecommunication and Cable	4,786,219.00	0.00	4,786,219.00
Department of Transitional Assistance	428,344,120.00	0.00	428,344,120.00
Department of Youth Services	2,963,963.00	0.00	2,963,963.00
Department of Housing and Community Development	2,045,146.00	2,000,000.00	4,045,146.00
Department of Workforce Development	475,342.00	0.00	475,342.00
Division of Banks	20,231,891.00	2,650,000.00	22,881,891.00
Division of Insurance	82,301,571.00	0.00	82,301,571.00
Division of Labor Relations	88,500.00	0.00	88,500.00
Division of Operational Services	3,407,183.00	4,292,876.00	7,700,059.00
Division of Professional Licensure	17,151,199.00	0.00	17,151,199.00
Division of Standards	1,615,925.00	418,751.00	2,034,676.00
Emergency Management Agency	710,021.00	0.00	710,021.00
Executive Office for Administration and Finance	55,465,500.00	1,000,000.00	56,465,500.00
Executive Office of Environmental Affairs	4,332,000.00	300,000.00	4,632,000.00
Executive Office of Health and Human Services	4,784,173,159.00	223,860,000.00	5,008,033,159.00
Executive Office of Public Safety and Homeland Security	50,000.00	0.00	50,000.00
Fitchburg State College	2,334,287.00	0.00	2,334,287.00
Framingham State College	2,017,273.00	0.00	2,017,273.00
Greenfield Community College	206,784.00	0.00	206,784.00
Group Insurance Commission	798,121,545.00	1,028,612.00	799,150,157.00
Health Care Finance and Policy	308,738,211.00	4,100,000.00	312,838,211.00
Holyoke Community College	931,611.00	0.00	931,611.00

Source	Unrestricted Non-Tax Revenue	Restricted Non-Tax Revenue	Total Non-Tax Revenue
Human Resources Division	1,000.00	1,606,966.00	1,607,966.00
Information Technology Division	0.00	609,730.00	609,730.00
Lottery Commission	175,901,733.00	803,922,617.00	979,824,350.00
Massachusetts Bay Community College	362,817.00	0.00	362,817.00
Massachusetts Commission for the Blind	2,986,692.00	0.00	2,986,692.00
Massachusetts Rehabilitation Commission	4,462,690.00	0.00	4,462,690.00
Massachusetts College of Liberal Arts	371,415.00	0.00	371,415.00
Massachusetts Department of Transportation	524,260,000.00	0.00	524,260,000.00
Massachusetts Maritime Academy	318.00	0.00	318.00
Massasoit Community College	811,418.00	0.00	811,418.00
Middlesex Community College	431,435.00	0.00	431,435.00
Military Division	0.00	1,400,000.00	1,400,000.00
Mt Wachusett Community College	381,498.00	0.00	381,498.00
Municipal Police Training Committee	100.00	900,000.00	900,100.00
North Shore Community College	781,979.00	0.00	781,979.00
Northern Essex Community College	498,919.00	0.00	498,919.00
Office of Consumer Affairs and Business Regulation	563,661.00	500,000.00	1,063,661.00
Office of the Inspector General	0.00	600,000.00	600,000.00
Office of the Comptroller	6,458,285.00	0.00	6,458,285.00
Office of the Comptroller	500,103,682.00	0.00	500,103,682.00
Office of the Comptroller	9,000.00	0.00	9,000.00
Office of the State Treasurer	314,976,217.00	29,000,000.00	343,976,217.00
Parole Board	0.00	600,000.00	600,000.00
Quinsigamond Community College	383,760.00	0.00	383,760.00
Roxbury Community College	185,333.00	529,843.00	715,176.00
Salem State College	3,225,560.00	0.00	3,225,560.00
Secretary of State	210,758,316.00	30,000.00	210,788,316.00
Sheriff Department Barnstable	31,285.00	250,000.00	281,285.00

Source	Unrestricted Non-Tax Revenue	Restricted Non-Tax Revenue	Total Non-Tax Revenue
Sheriff Department Berkshire	0.00	781,000.00	781,000.00
Sheriff Department Bristol	0.00	8,000,000.00	8,000,000.00
Sheriff Department Essex	689,800.00	2,000,000.00	2,689,800.00
Sheriff Department Franklin	64,860.00	2,100,000.00	2,164,860.00
Sheriff Department Hampden	736,000.00	2,851,900.00	3,587,900.00
Sheriff Department Hampshire	36,500.00	350,000.00	386,500.00
Sheriff Department Middlesex	194,000.00	925,000.00	1,119,000.00
Sheriff Department Nantucket	0.00	11,000.00	11,000.00
Sheriff Department Norfolk	0.00	1,200,000.00	1,200,000.00
Sheriff Department Plymouth	0.00	16,000,000.00	16,000,000.00
Sheriff Department Suffolk	0.00	8,000,000.00	8,000,000.00
Sheriff Department Worcester	151,680.00	0.00	151,680.00
Sheriffs Department Association	0.00	344,790.00	344,790.00
Soldiers' Home in Holyoke	13,456,200.00	380,000.00	13,836,200.00
Soldiers' Home in Massachusetts	13,338,222.00	370,000.00	13,708,222.00
Springfield Technical Community College	855,067.00	0.00	855,067.00
Supreme Judicial Court	2,975,015.00	0.00	2,975,015.00
Trial Court	123,883,000.00	0.00	123,883,000.00
University of Massachusetts System	35,104,420.00	0.00	35,104,420.00
Westfield State College	1,676,170.00	0.00	1,676,170.00
Worcester State College	1,978,891.00	0.00	1,978,891.00
Total Non-Tax Revenue	**11,312,855,829.50**	**1,267,034,203.00**	**12,579,890,032.50**

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 $7,400,478

0320-0010 For the operation of the clerk's office of the supreme judicial court for Suffolk county..... $1,131,858

0321-0001 For the operation of the commission on judicial conduct $575,359

0321-0100 For the services of the board of bar examiners $1,057,789

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 January 30, 2012, 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; and provided further that the committee shall submit quarterly reports to the house and senate committees on ways means starting on October 3, 2011 and ending on June 29, 2012 that shall include but not be limited to, the following: (a) the number of public defenders that have been hired in fiscal year 2012; (b) the offices and divisions that these public defenders have been assigned to; (c) the number of cases that have been assigned to these public defenders; (d) the total number of cases that have been assigned to all of the public defenders; (e) the number of cases that have been assigned to the private bar advocates; (f) the billing improvements that have been made; (g) the staffing efficiencies that have been achieved; (h) the expected deficiency for the 0321-1510 account; (i) the number of public defender vacancies to be filled; (j) the savings that has been realized from hiring more public defenders; (k) the number and cost of private investigators used, delineated by firm; (l) the number and cost of psychologists and psychiatrists used, delineated by firm; (m) the cost effectiveness of private bar advocates; (n) the total billable hours to date of the private bar advocates; and (o) the billable hours of the private bar advocates broken down by: travel time, time spent in court, including wait time, trial prep time, including interview time, investigating time, and research time $45,304,806

0321-1510 For compensation paid to private counsel assigned to criminal and civil cases under paragraph (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 2012 ..... $93,255,462

0321-1518 For the chief counsel for the committee for public counsel 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 2012 ..... $11,793,312

Massachusetts Legal Assistance Corporation.

0321-1600 For the Massachusetts Legal Assistance Corporation to provide legal representation for indigent or otherwise disadvantaged residents of the commonwealth; provided, that the corporation shall submit a report to the house and senate committees on ways and means not later than January 30, 2012 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; provided further, that the corporation may contract with any organization for the purpose of providing the representation; and provided further, that notwithstanding the first paragraph of section 9 of chapter 221A of the General Laws, funds shall be expended for the Disability Benefits Project, the Medicare Advocacy Project, and the Battered Women's Legal Assistance Project $9,500,000

Mental Health Legal Advisors.

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. $781,177

Prisoners' Legal Services.

0321-2100 For Prisoners' Legal Services, formerly known as the Massachusetts correctional legal services committee $902,016

Social Law Library.

0321-2205 For the expenses of the social law library located in Suffolk county $1,000,000

Appeals Court.

0322-0100 For the appeals court, including the salaries, traveling allowances and expenses of the chief justice, recall judges and the associate justices $10,501,429

Trial Court.

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

0330-0300 For the central administration of the trial court, including costs associated with trial court non-employee services, trial court dental and vision health plan agreements, jury expenses, trial court law libraries, statewide telecommunications, private and municipal court rentals and leases, operation of courthouse facilities, rental of county court facilities, witness

fees, printing expenses, equipment maintenance and repairs, the court interpreter program, insurance and chargeback costs, the Massachusetts sentencing commission, court security and judicial training; provided, that funds shall be expended on permanency mediation services; provided further , that the chief justice for administration and management shall submit a report to the house and senate committees on ways and means not later than February 2, 2012, detailing the number of court officers, per diem court officers and security personnel located in each trial court of the commonwealth; provided further, that the chief justice for administration and management may expend funds for guardian ad litem services; provided further, that not less than $20,000 shall be spent for the "Grandparents Raising Grandchildren Project" to provide legal services to such grandparents in the areas of family law and public benefits and further requiring the chief justice of administration and management to make a report to the Legislature no later than January 2012 of all the above grandparents who requested legal services, were eligible for legal services and were denied because of insufficient resources, including the legal problem for which they sought assistance; provided further, that notwithstanding any general or special law to the contrary, the chief justice for administration and management shall submit a report to the joint committee on the judiciary and the house and senate committees on ways and means 90 days prior to the temporary closure or temporary relocation of courthouses; provided further, that said report shall include, but not be limited to, the transfer of personnel, the reallocation of resources, the impact on other courthouses resulting from the temporary closure of said court and other factors that may affect implementation of said temporary closure; provided further, 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 of the General Laws, 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 of the General Laws, 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 of the General Laws; 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 9, 2012 ..... $186,060,141

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 January 30, 2012 ..... $8,657,833

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 $26,685,345

District Court Department.

0332-0100 For the operation of the district court department, including a civil conciliation program; provided, that notwithstanding the provisions of any general or special law to the contrary, the district court of Chelsea shall be the permanent location for the northern trial session to handle 6 person jury cases; provided further, that all personnel within said district court whose duties relate to said northern trial session shall report to the clerk magistrate of said district court; and provided further, that the clerk magistrate shall utilize whatever space within the facility-at-large he deems necessary to comply with S.J.C. Rule 3:12, Canon 3(A)6 ..... $52,931,616

Probate and Family Court Department.

0333-0002 For the operation of the probate and family court department $23,809,999

Land Court Department.

0334-0001 For the operation of the land court department $2,518,960

Boston Municipal Court Department.

0335-0001 For the operation of the Boston municipal court department $11,276,456

Housing Court Department.

0336-0002 For the operation of the housing court department $5,957,386

Juvenile Court Department.

0337-0002 For the operation of the juvenile court department; provided that in fiscal year 2012 the department shall not reduce the amount allocated to the CASA programs as appearing in items 0337-0300, 0337-0400, 0337-0600, 0337-0700, 0337-0900 of section 2 of chapter 182 of the acts of 2008 ..... $14,178,054

Office of the Commissioner of Probation.

0339-1001 For the office of the commissioner of probation; provided further, that 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 intensive supervision and community restraint services described in item 0339-1003; provided further, that funds from this item shall be expended for the costs associated with full implementation of chapter 303 of the acts of 2006 and chapter 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 item to cover the costs of building leases; provided further, that notwithstanding any general or special law, rule or regulation to the contrary, probation officer personnel and probation clerical support staff assigned to the courts shall be provided with suitable office space in their current location in and around the various divisions and departments of the trial court, as the case may be, or in suitable office space as appropriate, with the advice and consent of the commissioner; provided further, that the office shall enter into an interagency service agreement with the department of revenue to verify income data and to use the department's wage reporting and bank match system for the purpose of weekly tape-matching to determine 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 joint committee on the judiciary and the house and senate committees on ways and means detailing the progress of eligibility verification with the department; and provided further, that the report shall include, but not be limited to: (a) the number of individuals to be found misrepresenting assets; (b) the revenue generated through collection of indigent client fees; (c) the average indigent client fee that each court division collects per case since the effective date of this act; (d) recommendations on improvements in verifying eligibility for counsel; and (e) other pertinent information to ascertain the effectiveness of verification .. $116,765,364

0339-1003 For the operation of the office of community corrections, including the costs of personnel; provided, that funds shall be expended for the costs of intensive supervision and community corrections programs; provided further, that the 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; provided further, that the number of placements in the programs shall not exceed a daily average goal of 5,000 intensively-supervised probationers; provided further, that funds from this item shall be expended to cover the costs of the programs that are undertaken and administered by court probation offices and county sheriffs' offices; provided further, that funds shall be expended to such programs in each county in fiscal year 2012; provided further, that the executive director of the office of community corrections shall enter into interagency service agreements and memoranda of understanding with the probation offices and sheriffs' offices for the provision of such programs, including the contracting for detention space for probationers arrested for violating probation and awaiting court action and detention space for probationers who have been ordered by the trial court to be supervised at a higher level of restraint; provided further, that such agreements and memoranda shall be entered into at the direction of the executive director; provided further, that the executive director shall submit a spending and management plan for the programs to the house and senate committees on ways and means not later than January 30, 2012; and provided further, that the plan shall include the projected number of probationers to be served by each program and a description of the oversight and services provided to the probationers $22,024,310

0339-2100 For the office of the jury commissioner in accordance with chapter 234A of the General Laws $2,335,818

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 not later than January 30, 2012, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2011 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 not later than January 30, 2012, 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 2009, 2010 and 2011; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 2, 2012; 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 $16,052,775

0340-0101 For the overtime costs of state police officers assigned to the Suffolk district attorney's office $354,303

Middlesex District Attorney.

0340-0200 For the Middlesex district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association not later than January 30, 2012, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2011 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 not later than January 30, 2012, 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 2009, 2010 and 2011; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 2, 2012; 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 $13,690,462

0340-0201 For the overtime costs of state police officers assigned to the Middlesex district attorney's office $516,485

Eastern District Attorney.

0340-0300 For the Eastern district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association no later than January 30, 2012, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2011 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 January 30, 2012, 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 2009, 2010 and 2011; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 2, 2012; 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 $8,411,609

0340-0301 For the overtime costs of state police officers assigned to the Eastern district attorney's office $504,351

Worcester District Attorney.

0340-0400 For the Worcester district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association not later than January 30, 2012, summarizing the number and types of criminal cases managed or prosecuted by the office in

calendar year 2011 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 not later than January 30, 2012, 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 2009, 2010 and 2011; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 2, 2012; 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 $8,889,774

0340-0401 For the overtime costs of state police officers assigned to the Worcester district attorney's office $413,499

0340-0410 For the analysis of narcotic drug synthetic substitutes, poisons, drugs, medicines and chemicals at the University of Massachusetts Medical School in order to support the law enforcement efforts of the district attorneys, the state police and municipal police departments $420,000

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 not later than January 30, 2012, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2011 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 not later than January 30, 2012, 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 2009, 2010 and 2011; (b) a

description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 2, 2012; 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 $8,004,233

0340-0501 For the overtime costs of state police officers assigned to the Hampden district attorney's office $339,899

Hampshire/Franklin District Attorney.

0340-0600 For the Hampshire/Franklin district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association not later than January 30, 2012, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2011 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 not later than January 30, 2012, 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 2009, 2010 and 2011; (b) a description of how the funds were used in said fiscal years; and (c) the balance of the trust fund as of January 2, 2012; 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 $4,983,716

0340-0601 For the overtime costs of state police officers assigned to the Hampshire/Franklin district attorney's office $294,248

Norfolk District Attorney.

0340-0700 For the Norfolk district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association not later than January 30, 2012, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2011 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 not later than January 30, 2012, 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 2009, 2010 and 2011; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 2, 2012; 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 $8,200,596

0340-0701 For the overtime costs of state police officers assigned to the Norfolk district attorney's office $427,306

Plymouth District Attorney.

0340-0800 For the Plymouth district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association not later than January 30, 2012, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2011 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 not later than January 30, 2012, 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 2009, 2010 and 2011; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 2, 2012; 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 $7,113,287

0340-0801 For the overtime costs of state police officers assigned to the Plymouth district attorney's office $429,842

Bristol District Attorney.

0340-0900 For the Bristol district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association not later than January 30, 2012, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2011 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 not later than January 30, 2012, 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 2009, 2010 and 2011; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 2, 2012; 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 $7,401,003

0340-0901 For the overtime costs of state police officers assigned to the Bristol district attorney's office $326,318

Cape and Islands District Attorney.

0340-1000 For the Cape and Islands district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided further, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association not later than January 30, 2012, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2011 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 not later than January 30, 2012, 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 2009, 2010 and 2011; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 2, 2012; 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 $3,617,658

0340-1001 For the overtime costs of state police officers assigned to the Cape and Islands district attorney's office $278,735

Berkshire District Attorney.

0340-1100 For the Berkshire district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program, the drug task force and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts District Attorneys Association not later than January 30, 2012, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2011 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 not later than January 30, 2012, 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 2009, 2010 and 2011; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 2, 2012; 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 $3,522,666

0340-1101 For the overtime costs of state police officers assigned to the Berkshire district attorney's office $215,126

DISTRICT ATTORNEYS ASSOCIATION.

0340-2100 For the operation of the Massachusetts District Attorneys Association, including the implementation and related expenses of the district attorneys' office automation and case management and tracking system; provided, that expenses associated with the system may be charged directly to this item; provided further, that the department shall work in conjunction with the disabled persons protection commission and the 11 district attorneys' offices to prepare a report that shall include, but not be limited to, the following: (a) the number of abuse cases that are referred to each district attorney office for further investigation; (b) the number of said referrals resulting in the filing of criminal charges, delineated by type of charge; (c) the number of cases referred to each district attorneys office that remain open as of the date for submission of said report; and (d) the number of cases resulting in a criminal prosecution, and the disposition of each such prosecution; provided further, that said report shall be submitted to the house and senate committees on ways and means on or before March 12, 2012; provided further, 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; provided further, that the association shall work in conjunction with the 11 district attorneys' offices to prepare and submit a report to the house and senate committees on ways and means not later than February 28, 2012, summarizing the number and types of criminal cases managed or prosecuted by all district attorneys' offices in calendar year 2011 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 the 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 association shall work in conjunction with the 11 district attorneys' offices to prepare and submit a report to the house and senate committees on ways and means not later than February 28, 2012, detailing all district attorney offices' 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) amount of the funds deposited into an office's special law enforcement trust fund in fiscal years 2009, 2010 and 2011; (b) how the funds were used in those fiscal years; and (c) balance of the trust fund as of January 2, 2012; provided further, that the department shall work together with the 11 district attorneys' offices to submit a report to the house and senate committees on ways and means not later than January 30, 2012, 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 at each of the 11 district attorneys' offices; (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 $1,660,006

0340-2117 For the retention of assistant district attorneys with more than 3 years of experience; provided, that the Massachusetts District Attorneys Association shall transfer funds to the AA object class in each of the 11 district attorney offices in the commonwealth; provided further, that the

association shall develop a formula for distribution of the funds; provided further, that funds distributed from this item to the district attorneys' offices shall be used for retention purposes and shall not be transferred out of the AA object class; provided further, that not more than $100,000 shall be distributed to any 1 district attorney's office; provided further that not less than 60 days prior to the distribution of funds the District Attorneys Association shall notify the house and senate committees on ways and means detailing: (a) the methodology used to determine the amount to be dispersed; (b) the amount to be given to each district attorney's office; (c) the reasoning behind the distribution; and (d) the number of assistant district attorneys from each office who would receive funds from this item; and provided further, that no funds shall be expended on the administrative costs of the association $500,000

0340-8908 For the costs associated with maintaining the Massachusetts District Attorneys Association's wide area network $1,317,090

EXECUTIVE.

0411-1000 For the offices of the governor, the lieutenant governor and the governor's council; provided, that the amount appropriated in this item may be used at the discretion of the governor for the payment of extraordinary expenses not otherwise provided for and for transfer to appropriation accounts where the amounts otherwise available may be insufficient; provided further, that funds may be expended for the governor's commission on intellectual disability; provided further, that funds may be expended for the governor's development coordinating council; and provided further, that the advisory council on Alzheimer's disease and related disorders, as established in the office of the governor by section 379 of chapter 194 of the acts of 1998 and section 80 of chapter 236 of the acts of 2000, shall continue during fiscal year 2012 ..... $4,293,342

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 secretary may transfer funds between items 0540-0900, 0540-1000, 0540-1100, 0540-1200, 0540-1300, 0540-1400, 0540-1500, 0540-1600, 0540-1700, 0540-1800, 0540-1900, 0540-2000 and 0540-2100 pursuant to an allocation schedule filed with the house and senate committees on ways and means not less than 30 days before the transfer; provided further, that each register of deeds using electronic record books shall ensure that all methods of electronically recording instruments conform to the regulations or standards established by the secretary of state and the records conservation board; and provided further, that those regulations shall be issued not later than June 30, 2012 ..... $5,912,424

0511-0001 For the secretary of state who 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

0511-0002 For the operation of the corporations division; provided, that the division shall implement a corporate dissolution program which shall have a specific focus on limited liability corporations and limited liability partnerships that have failed in their statutory responsibility to file an annual report; and provided further, that the division shall file quarterly reports with the house and senate committees on ways and means detailing the total number of annual reports filed as a result of this program and the amount of revenue generated for the commonwealth $254,213

0511-0200 For the operation of the archives division $378,121

0511-0230 For the operation of the records center $36,217

0511-0250 For the operation of the archives facility $296,521

0511-0260 For the operation of the commonwealth museum $243,684

0511-0270 For the secretary of state who shall contract with the University of Massachusetts Donahue Institute to provide the commonwealth with technical assistance on United States census data and to prepare annual population estimates provided that all estimate data and reports be made available to the joint committee on redistricting in electronic files and estimate data formatted to be compatible with GIS software 500,000

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

0517-0000 For the printing of public documents $600,000

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; and provided further, that the registration and education activities may be conducted by community-based voter registration and education organizations $5,175,000

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, 2012; provided further that all information contained in the Central Voter Registration Computer System as described in MGL 51 § 47C and all election results since January 1, 2001 for which the office of the State Secretary has any involvement under MGL 54 be made available to the joint committee on redistricting for the purpose of the redistricting under Article XVI and Article CI of the Massachusetts Constitution $4,937,121

0524-0000 For providing information to voters $335,528

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

0527-0100 For the operation of the ballot law commission $10,545

0528-0100 For the operation of the records conservation board $34,056

0540-0900 For the registry of deeds located in the city of Lawrence in the former county of Essex $1,048,798

0540-1000	For the registry of deeds located in the city of Salem in the former county of Essex	$2,787,199
0540-1100	For the registry of deeds in the former county of Franklin	$463,183
0540-1200	For the registry of deeds in the former county of Hampden	$1,693,918
0540-1300	For the registry of deeds in the former county of Hampshire	$486,003
0540-1400	For the registry of deeds located in the city of Lowell in the former county of Middlesex	$1,148,053
0540-1500	For the registry of deeds located in the city of Cambridge in the former county of Middlesex	$2,963,930
0540-1600	For the registry of deeds located in the town of Adams in the former county of Berkshire	$258,124
0540-1700	For the registry of deeds located in the city of Pittsfield in the former county of Berkshire	$430,612
0540-1800	For the registry of deeds located in the town of Great Barrington in the former county of Berkshire	$215,166
0540-1900	For the registry of deeds in the former county of Suffolk	$1,777,527
0540-2000	For the registry of deeds located in the city of Fitchburg in the former county of Worcester	$672,325
0540-2100	For the registry of deeds located in the city of Worcester in the former county of Worcester	$2,228,331

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 of the general laws; provided further, that the report shall be submitted to the board on or before January 16, 2012; provided further, that funds may be expended for the payment of bank fees; provided further, that financial assistance shall be made available to injured firefighters; and provided further, that the treasurer's office shall pay half of the administrative costs of the municipal finance oversight board from this item	$9,181,660
0610-0010	For programs to promote and improve financial literacy of Massachusetts residents	$85,000

0610-0050 For the administration of the alcoholic beverages control commission in its efforts to regulate and control the conduct and condition of traffic in alcoholic beverages; provided, that 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 shall seek out matching federal dollars and apply for federal grants that may be available to assist in the enforcement of laws pertaining to the traffic of alcoholic beverages $1,993,336

0610-0051 For the operations of the alcoholic beverages control commission relative to the prevention of underage drinking and related programs, including but not limited to applying for and obtaining federal Alcohol, Tobacco, and Firearms funds, grants, and other federal appropriations; provided further, that the commission is hereby authorized to expend revenues up to $171,664 collected from fees generated by said commission; provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenue and related expenditures, said 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 $171,664

0610-0060 For the costs associated with the investigation and enforcement division of the alcoholic beverages control commission's implementation of the enhanced liquor enforcement programs, known as Safe Campus, Safe Holidays, Safe Prom, and Safe Summer; provided, that funds from this appropriation shall not support other operating costs of item 0610-0050; and provided further, that said commission shall submit a report to the house and senate committees on ways and means not later than March 2, 2012 detailing the results of said program $100,000

0610-0140 For the purpose of funding administrative, transactional and research expenses associated with maintaining and increasing the interest earnings on the General Fund and the Commonwealth Stabilization Fund investments $21,582

0610-2000 For payments made to veterans pursuant to section 16 of chapter 130 of the acts of 2005, section 32 of chapter 132 of the acts of 2009 and section 11 of chapter 112 of the acts of 2010; provided, that the office of the state treasurer may expend not more than $205,000 for costs incurred in the administration of these payments; and provided further, that the treasurer shall notify the house and senate committees on ways and means upon the expenditure of the funds appropriated herein $2,155,604

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

0612-0105 For payment of the public safety employee killed in the line of duty benefit authorized by section 100A of chapter 32 of the General Laws; provided, that the treasurer's office shall provide immediate written notification to the secretary of administration and finance and the house and senate committees on ways and means upon the expenditure of the funds appropriated herein $100,000

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 all necessary steps shall be taken to implement player activated terminals and raffle-style games in fiscal year 2012; 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 $77,721,702

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 $2,715,484

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

0640-0096 For the purpose of the commonwealth's fiscal year 2012 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 888, 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 a person employed under this item shall be considered an employee within the meaning of section 1 of chapter 150E of the General Laws and shall be placed in the appropriate bargaining unit; and provided further, that funding provided in this item shall be in addition to $3,000,000 in funding from the Massachusetts Development Finance Authority made available for the Massachusetts cultural council $5,449,866

Debt Service.

0699-0005 The state treasurer may retain and expend an amount not to exceed $20,000,000 in fiscal year 2012 from premiums paid on the sales of revenue anticipation notes and expend such premium payments for the purposes of paying principal and interest on account of the revenue anticipation notes $20,000,000

0699-0015 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 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, 2012, 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, 2012; 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 Commonwealth Transportation Fund..... $1,883,842,211

General Fund 56.87%
Commonwealth Transportation Fund 43.13%

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 $25,217,567

Commonwealth Transportation Fund 100%

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..... $86,189,403

Commonwealth Transportation Fund 100%

0699-9100 For the payment of costs associated with any bonds, notes or other obligations of the commonwealth, including issuance costs, interest on bonds, bond and revenue anticipation notes, commercial paper, and other notes pursuant to sections 47 and 49B of chapter 29 of the General Laws and for the payment to the United States pursuant to section 148 of the Internal Revenue Code of 1986 of any rebate amount or yield reduction payment owed with respect to any bonds or notes or other obligations of the commonwealth; provided, that the treasurer shall certify to the comptroller a schedule of the distribution of costs among the various funds of the commonwealth; provided further, that 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, 2012 shall be charged to the various funds or to the General Fund or Commonwealth Transportation Fund debt service reserves $27,951,544

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 $22,607,000

Commonwealth Transportation Fund 100%

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 30, 2011 on the secretariat's implementation of and the outreach efforts of the so-called "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; provided further, the department shall conduct a study of expanded treatment and residential services for veterans with head injuries and other trauma caused by Improvised Explosive Devices and other concussive weapons encountered on the modern battlefield; provided further, not less than $15,000 shall be expended for the Vietnam Veterans Moving Wall project in the metro west region; and provided further that not less than $25,000 be expended for the USS Massachusetts at Battle Ship Cove $2,402,778

1410-0012 For services to veterans, including the maintenance and operation of outreach centers; provided, 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 provide services to veterans who were discharged after September 11, 2001, and their families; and provided further, that the department shall not reduce the amount allocated to a program or its successor from the amount appropriated in section 2 of chapter 131 of the acts of 2010..... $1,738,686

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

1410-0018 For the department of veterans' services which 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; prior appropriation continued $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..... $96,350

1410-0250 For veterans' homelessness services; provided, that the department shall not reduce the amount allocated to a program or its successor from the amount appropriated in section 2 of chapter 131 of the acts of 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 $2,278,543

1410-0300 For the payment of annuities to certain disabled veterans and the parents and un-remarried spouses of certain deceased veterans; provided, that the payments shall be made pursuant to section 6B of chapter 115 of the General Laws; provided further, that the department shall take 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 2012 shall not exceed the amount appropriated herein; and provided further, that the secretary of veterans' services shall file with the house and senate committees on ways and means a report detailing the number of applications received for annuities offered under this program at the end of each fiscal quarter $20,135,820

1410-0400 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 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 pursuant to section 9 of said chapter 115, the department shall reimburse cities and towns for the cost of United States flags placed on the graves of veterans on Memorial Day; provided further, that notwithstanding any general or special law to the contrary, the secretary of veterans' services shall continue a training program for veterans' agents and directors of veterans' services in cities and towns; provided further, that the department of veterans' services shall provide such training in several locations 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 to 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 chapter 118E applications and advise the applicant and the veterans' agent of the applicant's eligibility for said chapter 118E healthcare; provided further, that the veterans' agent shall advise the applicant of the right to assistance for medical benefits under said chapter 115 pending approval of the application for assistance under said chapter 118E by the executive office; provided further, that the secretary may supplement healthcare pursuant to said chapter 118E with healthcare coverage under said chapter 115 if 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 $38,980,045

1410-0630 For the administration of the veterans' cemeteries in the towns of Agawam and Winchendon $948,313

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 $13,659,122

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

0710-0200 For the operation of the bureau of special investigations; provided, that the office shall file quarterly reports with the house and senate committees on ways and means detailing the total amount of fraudulently obtained benefits identified by the bureau 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 $1,812,420

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, 2011 to the house and senate committees on ways and means detailing all findings on activities and payments made through the MassHealth system $897,829

ATTORNEY GENERAL.

Office of the Attorney General.

0810-0000 For the office of the attorney general, including the administration of the local consumer aid fund, the operation of the anti-trust division, all regional offices, a high-tech crime unit and the victim and witness compensation program; provided, that the victim and witness assistance program shall be administered in accordance with chapters 258B and 258C of the General Laws; and provided further, that the attorney general shall submit to the general court and the secretary of administration and finance a report detailing the claims submitted to the state treasurer for payment under item 0810-0004 indicating both the number and costs for each category of claim .. $22,251,155

0810-0004 For compensation to victims of violent crimes; provided, that notwithstanding chapter 258C of the General Laws, if a claimant is 60 years of age or older at the time of the crime and is not employed or receiving unemployment compensation, 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 this item; 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 $340,676

0810-0013 For the office of the attorney general which may expend for a false claims program an amount not to exceed $775,000 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 $775,000

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

0810-0021 For the operation of the Medicaid fraud control unit; provided, that the federal reimbursement for any expenditure from this item shall not be less than 75 per cent of the expenditure; provided further, that funds shall continue to be used specifically for the investigation and prosecution of abuse, neglect, mistreatment and misappropriation based on referrals from the department of public health pursuant to section 72H of chapter 111 of the General Laws; provided further, that the unit shall provide training for all investigators of the department's division of health care quality responsible for the investigations on a periodic basis pursuant to a comprehensive training program to be developed by the division and the unit; and provided further, that training shall include instruction on techniques for improving the efficiency and quality of investigations of abuse, neglect, mistreatment and misappropriation pursuant to said section 72H of said chapter 111 ..... $4,064,923

0810-0045 For the labor law enforcement program pursuant to subsection (b) of section 1A of chapter 23 of the General Laws; provided, that notwithstanding any general or special law to the contrary, a non-management position funded by this item shall be considered a job title in a collective bargaining unit as prescribed by the labor relations commission and shall be subject to chapter 150E of the General Laws $2,952,428

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; 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 and the associated fringe benefits costs for personnel paid 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 and the associated fringe benefits costs for personnel paid from this item $438,506

0810-0399 For the investigation and prosecution of workers' compensation fraud; provided, that notwithstanding any general or special law to the contrary, the amount assessed for these costs shall be equal to the amount appropriated by this item and the associated fringe benefits costs for personnel paid from this item; provided further, that the attorney general shall investigate and prosecute, when appropriate, employers who fail to provide workers' compensation insurance in accordance with the laws of the commonwealth; and provided further, that the 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 16, 2012 ..... $494,923

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, 2012, 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 $1,796,500

OFFICE OF CAMPAIGN AND POLITICAL FINANCE.

0920-0300 For the operation of the office of campaign and political finance $1,270,342

OFFICE OF THE INSPECTOR GENERAL.

0910-0200 For the operation of the office of the inspector general $2,231,913

0910-0210 For the office of the inspector general which may expend revenues collected up to a maximum of $600,000 from the fees charged to participants in the Massachusetts public purchasing official certification program and the certified public manager program for the operation of such programs; provided, that for the purpose of accommodating discrepancies between the receipts of retained revenues and related expenditures, the office of the inspector general may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $600,000

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 1, 2011, 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 7, 2012; 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 1, 2011, 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 the 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 2011 and the total number of cases closed by the commission in fiscal year 2011; 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 $2,446,868

0940-0101 For the Massachusetts commission against discrimination which may expend not more than $2,030,380 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 2012 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 $2,030,380

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

0950-0050 For the Commission on Gay, Lesbian, Bisexual and Transgender Youth; provided, that funds shall be used to address issues related to the implementation of the state's anti-bullying law (Chapter 92 of the Acts of 2010) $25,000

OFFICE OF THE STATE COMPTROLLER.

1000-0001 For the office of the state comptroller; provided, that the amount of any federal funds and grant receipts credited and expended from this item shall be reported to the house and senate committees on ways and means; provided further, that the comptroller shall maintain a special federal and non-tax revenue unit which shall operate under policies and procedures developed in conjunction with the secretary of administration and finance; provided further, that the comptroller shall provide quarterly reports to the house and senate committees on ways and means which shall include for each state agency for which the commonwealth is billing, the eligible state services and the full-year estimate of revenues and revenues collected; provided further, that 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 $7,800,434

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Office of the Secretary of Administration and Finance.

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 the resulting recommendations to the head of the particular agency, board, department, commission or division, to the governor and to the Massachusetts commission against discrimination; provided further, that the secretary shall report on the status of each agency, board, department, commission or division receiving monies under this act, 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, 2011; 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..... $2,776,193

1100-1201 For the operation of the office of commonwealth performance, accountability and transparency; provided, that the activities funded from this item may include, but not be limited to, the operations and maintenance of a performance management program, maximization of federal revenue opportunities and oversight of compliance with federal reporting requirements including the implementation and oversight of the Federal Financial Accountability and Transparency Act section 14c of chapter 7 of the general laws and other statewide transparency initiatives to enhance program integrity and ongoing efforts to prevent fraud, waste and abuse throughout the executive branch; provided further, that funds may be expended for performing enhanced economic forecasting and analysis; and provided further, that the unit may develop guidelines and methodologies for agencies to follow in the forecasting of caseloads and revenue $350,000

1100-1700 For the provision of information technology services within the executive office for administration and finance $24,651,208

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 buildings; provided, that the bureau shall continue to provide funding for all janitorial services at the same level provided in fiscal year 2011 for all the buildings under the jurisdiction of the state superintendent; and provided further, that the bureau shall retain jurisdiction over all contracts, purchases and payments for materials and services required in the operation of the bureau $5,051,138

1102-3302 For the purposes of utility costs and associated contracts for the properties managed by the bureau of state office buildings $6,205,820

1102-3306 For the maintenance and joint operation of the state house under the jurisdiction of the state superintendent of state office buildings and the legislature's joint committee on rules; provided, that the bureau shall work in coordination with the house of representatives and the senate relative to the maintenance, repair, purchases and payments for materials and services $700,034

1102-3307 For state house accessibility coordination, including communications access to public hearings and meetings; provided, that access shall include interpreter services for the deaf and hard of hearing $138,476

Office on Disability.

1107-2400 For the Massachusetts office on disability $562,272

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 department of developmental services, the department of 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 shall be capable of being recorded, that all persons who call the hotline shall be immediately informed that all calls are routinely recorded and that each such person shall be provided with the opportunity to elect that the call not be recorded $2,210,698

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 provide for 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 $417,043

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 $2,436,709

1108-5200 For the commonwealth's share of the group insurance premium and plan costs incurred in fiscal year 2012; 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 2012, and any unexpended balance in this item shall revert to the General Fund on June 30, 2012; 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 amounts received in payment of all such charges or such 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 chapter 32A of the General Laws and for the purposes of section 14 of said chapter 32A, the commonwealth's share of the group insurance premiums for state employees who have retired before July 1, 1994, shall be 90 per cent and the commonwealth's share of the group insurance premiums for state employees who have retired on or after July 1, 1994, shall be 85 per cent; provided further, that the commonwealth's share of the group insurance premiums for active state employees hired on or before June 30, 2003 and their dependents shall be 80 per cent; provided further, that the commonwealth's share of the group insurance premiums for active state employees hired after June 30, 2003 and their dependents shall be 75 per cent; provided further, that the commonwealth's share of the group insurance premiums for active state employees who filed an application for retirement on or after August 7, 2009, and on or before October 1, 2009, for a retirement date not later than January 31, 2010, shall be 85 per cent; provided further, that the commonwealth's share of the group insurance premiums for active state employees who file an application for retirement after October 1, 2009, shall be 80 per cent until a different contribution rate is established under said section 8 of chapter 32A; provided further, that the commission shall notify the house and senate committees on ways and means by April 1 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..... $1,160,967,124

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 $1,028,612 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..... $1,028,612

1108-5350 For elderly governmental retired employee premium payments $496,458

1108-5400 For the costs of the retired municipal teachers premiums and the audit of such premiums..... $74,016,306

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 $9,104,973

Division of Administrative Law Appeals.

1110-1000 For the operation of the division of administrative law appeals, established by 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; and provided further, that every decision issued by a commissioner or other head of agency, or designee, following the issuance of a recommended decision by an administrative law judge of the division, shall be an agency decision subject to judicial review pursuant to chapter 30A of the General Laws $1,017,068

George Fingold Library.

1120-4005 For the administration of the George Fingold Library $796,229

1120-4006 The state library may expend for library expenses an amount not to exceed $5,000 from fees charged for copying services $5,000

Department of Revenue.

1201-0100 For the operation of the department of revenue, including tax collection administration, audits of certain foreign corporations and the division of local services; provided, that the department may allocate funds to the office of the attorney general for the purpose of the tax prosecution unit; provided further, that the department may charge the expenses for computer services, including the costs of personnel and other support costs provided to the child support enforcement unit, from this item to item 1201-0160, consistent with the costs attributable to 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 $80,469,544

1201-0130 For the department of revenue which may expend for the operation of the department not more than $23,940,257 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 2008, 2009, 2010, and 2011 ..... $23,940,257

1201-0160 For child support enforcement; 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 ..... $33,676,820

1201-0164 For the child support enforcement division; provided, that the division may expend revenues in an amount not to exceed $6,547,280 from the federal reimbursements awarded for personnel and lower subsidiary related expenditures; and provided further, that 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

1231-1000 For the Commonwealth Sewer Rate Relief Fund, established in section 2Z of chapter 29 of the General Laws; provided, that the Massachusetts Water Resources Authority shall submit a report to the house and senate committees on ways means and the secretary of administration and finance no later than September 30, 2011 that shall include, but not be limited to, the following: (a) an analysis of the options for reducing operating costs of the authority; (b) the use of contracts with private entities for the operation and maintenance of facilities owned or operated by the authority; and (c) the cost savings and any legislation necessary to effectuate the proposed recommendations of the report $500,000

1232-0100 For underground storage tank reimbursements to parties that have remediated spills of petroleum products pursuant to chapter 21J of the General Laws $13,099,454

1232-0200 For the Underground Storage Tank Petroleum Cleanup Fund Administrative Review Board established by section 8 of chapter 21J of the General Laws and for the administration of the underground storage tank program associated with the implementation of said chapter 21J; provided, that notwithstanding section 4 of said chapter 21J or any other general or special law to the contrary, appropriations made in this item shall be sufficient to cover the administrative expenses of the underground storage tank program; provided further, that the board shall submit to the house and senate committees on ways and means a semi annual 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, the reimbursements for remediated petroleum spills, and the number of backlog claims; 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 16, 2012 ..... $2,033,299

1233-2000 For the tax abatement program for certain veterans, widows, blind persons and the elderly; provided, that cities and towns shall be reimbursed for the abatements granted under clauses Seventeenth, Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E, Thirty-seventh, Thirty-seventh A, Forty-first, Forty-first B, Forty-first C, Forty-first C 1/2 and Fifty-second of section 5 of chapter 59 of the General Laws; provided further, that the commonwealth shall reimburse each city or town that accepts said clause Forty-first B or 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 funds in this item shall be available 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 ..... $833,980,293

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 $25,270,000

1233-2401 For reimbursements to certain cities and towns for additional educational costs pursuant to chapter 40S of the general laws, provided further that cities and towns eligible for funding in fiscal year 2010 shall be reimbursed $363,699

Appellate Tax Board.

1310-1000 For the operation of the appellate tax board; provided, that the board shall schedule hearings in Barnstable, Gardner, Lawrence, Milford, Northampton, Pittsfield, Springfield, Worcester and southeastern Massachusetts; and provided further, that the board shall report to the

house and senate committees on ways and means not later than December 1, 2011, on the number of hearings held at each location $1,662,980

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.

1599-0018 For a reserve to fund revenue maximization efforts that cannot be realized on a contingent basis; provided, that the secretary for administration and finance shall pursue these efforts in consultation with the state comptroller and other state agencies where appropriate $1,000,000

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

1599-0026 For a multi-year competitive grant program to provide financial support for one-time or transition costs related to regionalization and other efficiency initiatives, with allowable applicants to include municipalities or regional planning agencies and councils of governments serving as the administrative or fiscal agent on behalf of municipalities; provided, that the secretary of administration and finance shall consider the feasibility of utilizing funds authorized through this line item for grants to regional school districts; provided, that funds may be expended by the Edward J. Collins, Jr. center for public management at the University of Massachusetts at Boston's McCormack graduate school of policy studies to develop and drive a program of performance management, accountability and transparency for local government; and provided further, that not less than $2,000,000 shall be expended to fund the District Local Technical Assistance Fund, including projects that encourage regionalization, to be administered by the division of local services and distributed through the District Local Technical Assistance Fund, established in section 2XXX of chapter 29 of the General Laws $9,700,000

1599-0050 For Route 3 North contract assistance payments $5,409,158

Commonwealth Transportation Fund..... 100%

1599-0093 For contract assistance to the water pollution abatement trust for debt service obligations of the trust, pursuant to sections 6, 6A and 18 of chapter 29C of the General Laws $70,000,000

1599-1970 For a reserve for the Massachusetts department of transportation for the purpose of defraying costs of the Massachusetts Turnpike Authority, or its

successor, incurred in fiscal year 2012 under section 138 of chapter 27 of the acts of 2009 ..... $125,000,000

Commonwealth Transportation Fund..... 100%

1599-1977 For contract assistance to the Massachusetts Development Finance Agency for payment of debt service and other obligations of the agency in connection with bonds issued by the agency under chapter 293 of the acts of 2006 and chapter 303 of the acts of 2008 ..... $2,165,500

1599-3234 For the commonwealth's South Essex sewerage district debt service assessment $90,100

1599-3384 For a reserve for the payment of certain court judgments, settlements and legal fees, in accordance with regulations promulgated by the comptroller, which were ordered to be paid in the current fiscal year or a prior fiscal year; provided, that the comptroller shall report quarterly to the house and senate committees on ways and means on the amounts expended from this item $5,000,000

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

1599-3857 For capital lease payments from the University of Massachusetts to the Massachusetts Development Finance Agency and for annual operations of the advanced technology and manufacturing center in Fall River $1,581,922

1599-4417 For the Edward J. Collins, Jr. center for public management at the University of Massachusetts $496,518

1599-7104 For a reserve for the facilities costs associated with the college of visual and performing arts at the University of Massachusetts at Dartmouth; provided, that funds may be expended for Bristol Community College $2,700,000

Division of Human Resources.

1750-0100 For the operation of the human resources division and the costs of administration, training and customer support related to the commonwealth's human resources and compensation management system; provided, that the information technology division shall continue a chargeback system for its bureau of computer services, including the operation of the commonwealth's human resources and compensation management system, which complies with the requirements of section 2B; provided further, that the division shall be responsible for the administration of examinations for state and municipal civil service titles, establishment of eligible lists, certification of eligible candidates to state and municipal appointing authorities, 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 $2,618,785

1750-0102 For the human resources division which may expend not more than $2,056,966 from revenues collected from fees charged to applicants for civil service and non-civil service examinations and fees charged for the costs of goods and services rendered in administering training programs; provided, that the division shall collect from participating non-state agencies, political subdivisions and the general public, fees sufficient to cover all costs of the programs, including, but not limited to, a fee to be collected from each applicant for a civil service examination or non-civil service examination, notwithstanding clause (n) of section 5 of chapter 31 of the General Laws or any other general or special law to the contrary; 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 $2,056,966

1750-0119 For payment of workers' compensation benefits to certain former employees of Middlesex and Worcester counties; provided, that the division shall routinely recertify the former employees pursuant to current workers' compensation procedures $52,057

1750-0300 For the commonwealth's contributions in fiscal year 2012 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..... $26,950,000

Operational Services Division.

1775-0100 For the operation of the operational services division; provided, that the division shall expend funds for the purpose of achieving savings pursuant to this act; provided further, that notwithstanding any general or special law to the contrary, the operational services division, which under section 22N of chapter 7 of the General Laws is responsible for determining prices for programs under chapter 71B of the General Laws, shall set the prices in fiscal year 2012 by increasing the final fiscal year 2011 price by the rate of inflation as determined by the division; provided further, that the division shall also adjust prices for Extraordinary Relief, as defined in 808 CMR

1.06(4); provided further, that the department shall accept application for Program Reconstruction in fiscal year 2012; provided further, that upon the request of a program, the operational services division shall authorize a minimum price for the program to charge out-of-state purchasers; and provided further, that the division shall determine the minimum price for out-of-state purchasers by identifying the most recent price calculated for the program and applying the estimated rates of inflation which are established by December 1 of each year pursuant to section 22N of chapter 7 of the General Laws in a compounded manner for each fiscal year following the most recent calculated price $200,000

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 $2,989,876 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 $2,989,876

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 22N of chapter 7 of the General Laws; and provided further, that the division may only retain revenues collected in excess of $207,350 ..... $500,000

1775-0200 For the operation and administration of the supplier diversity office; provided, that the office shall provide training and other services to supplier diversity office certified minority- and women-owned businesses, which allows them to better compete for state contracts and also ensures that equitable practices and policies in the public marketplace are maintained; provided further, that the office shall administer an electronic business certification application which shall be accessible to business applicants through 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 to all supplier diversity office qualified applicants, throughout the commonwealth and beyond, whichever is applicable; and provided further, that the office shall develop and implement measures and procedures to continue to improve the efficiency and the timeliness of the certification process $546,768

1775-0600 For the operational services division; provided, that the division may expend not more than $750,000 in revenues from the sale of state surplus personal property and the disposal of surplus motor vehicles, including, but not limited to, state police vehicles from vehicle accident and damage claims and from manufacturer warranties, rebates and settlements for the payment, expenses and liabilities for the acquisition, warehousing, allocation and distribution of surplus property and the purchase of motor vehicles; 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 3, 2011; 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 $750,000

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

1775-0900 For the operational services division, which may expend not more than $55,000 in revenues collected under chapter 449 of the acts of 1984 and section 4L of chapter 7 of the General Laws, including the costs of personnel, from the sale of federal surplus property, including the payment, expenses and liabilities for the acquisition, warehousing, allocation and distribution of federal surplus property; provided, 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 $55,000

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 website, that shall include all necessary application forms and a grant program reference in a format that is retrievable and printable; provided further, that the 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 a status report with the house and senate committees on ways and means by May 31, 2012, with actual and projected savings and expenditures for the audits in the fiscal year ending June 30, 2012; 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 by the secretary with the house and senate committees on ways and means not later than December 15, 2011, 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 $3,189,613

1790-0150 For the operation of the geographic information system established in subsection (d) of section 4A of chapter 7 of the General Laws $70,000

1790-0151 For the division of information technology which may expend an amount not to exceed $55,000 from fees charged to entities other than political subdivisions of the commonwealth for the distribution of digital cartographic and other data $55,000

1790-0300 For the information technology division which may expend not more than $554,730 from revenues collected from the provision of computer resources and services to the general public for the costs of the bureau of computer services, including the purchase, lease or rental of telecommunications lines, services and equipment; 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 division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system $554,730

EXECUTIVE OFFICE OF 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; provided, that the secretary shall file a plan with the house and senate committees on ways and means, the house and senate committees on global warming and climate change, and the joint committee on environment, natural resources and agriculture 90 days prior to the initiation of any proposal or plan that would consolidate any function with any of the departments or divisions under said secretariat or any department, division or office under the executive office for administration and finance; provided further, that the report shall include, but not be limited to, the following: (a) an identification of the employees that would be affected by consolidation and the item of appropriation from which they are paid; (b) the savings or efficiencies to be realized; (c) the improvements to the services expected; and (d) the source and amount of funding necessary to accomplish the consolidation; provided further, that the secretary shall provide a 90 day notice prior to the implementation of any memorandum of understanding, interagency service agreements, or other

contacts, or agreements that would enable such consolidation of services to take place; and provided further, that the secretary of energy and environmental affairs may enter into interagency agreements with any line agency within the secretariat, whereby the line agency may render data processing services to said secretary $5,545,430

2000-1011 The office of environmental law enforcement may expend revenues in an amount not to exceed $85,000 from the administrative handling charge revenues received from electronic transactions processed through its online licensing and registration systems; provided, that 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 office of environmental law enforcement 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 $85,000

2000-1700 For the operation of information technology services within the executive office of energy and environmental affairs $7,482,556

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; and provided further, that funds from this item shall not be expended for the purposes of item 2030-1004 ..... $7,973,112

2030-1004 For environmental police private details; provided, that the office may expend revenues of up to $300,000 collected from the fees charged for private details; and provided further, that 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 $300,000

Department of Public Utilities.

2100-0012 For the operation of the department of public utilities; provided, that notwithstanding the second sentence of the first paragraph of section 18 of chapter 25 of the General Laws to the contrary, the assessments levied for fiscal year 2012 under said first paragraph shall be made at a rate sufficient to produce the amount expended from this item as well as the associated fringe benefits costs for personnel paid from this item $7,611,781

2100-0013 For the operation of the transportation division $375,051

2100-0014 For the department of public utilities which may expend for the operation of the energy facilities siting board an amount not to exceed $50,000 from application fees collected in fiscal year 2012 and prior fiscal years from utility companies $50,000

2100-0015 For the department of public utilities which may expend for the operation of the transportation division an amount not to exceed $2,300,000 from unified carrier registration fees collected in fiscal year 2012 and prior fiscal years from motor carrier companies $2,300,000

2100-0016 For the department of public utilities to regulate steam distribution companies; provided, that notwithstanding section 18A of chapter 25 of the

General Laws to the contrary, the assessments levied for fiscal year 2012 shall be made at a rate sufficient to produce the amount expended from this item and the associated fringe benefits costs for personnel paid from this item $300,000

Department of Environmental Protection.

2200-0100 For the operation of the department of environmental protection, including the environmental strike force, the bureau of policy and planning, the bureau of resource protection, the bureau of waste prevention, the Senator William X. Wall experimental station, and a contract with the University of Massachusetts for environmental research; provided, that section 3B of chapter 7 of the General Laws shall not apply to fees established pursuant to section 18 of chapter 21A of the General Laws $22,932,305

2200-0102 For the department of environmental protection which may expend an amount not to exceed $260,812 from revenues collected from fees for 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 $260,812

2200-0107 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 ..... $275,000

2210-0105 The department of environmental protection may expend for the administration and implementation of the Massachusetts Toxics Use Reduction Act under chapter 21I of the General Laws an amount not to exceed $3,052,627 from the revenue collected from fees, penalties, grants and tuition under said chapter 21I; provided, that not less than $1,629,860 from this item shall be made available for the operation of the Toxics Use Reduction Institute program at the University of Massachusetts at Lowell; provided further, that the department shall enter into an interagency service agreement with the University of Massachusetts to make such funding available for this purpose; provided further, that not less than $644,096 from this item shall be made available for toxics use reduction technical assistance and technology in accordance with said chapter 21I; provided further, that the department shall submit a report to the house and senate committees on ways and means not later than February 1, 2011 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; provided further, that the department shall enter into an interagency service agreement with the executive office of energy and environmental affairs to make such funding available for this

purpose; and provided further, that 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 $3,052,627

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 $798,593

2220-2221 For the administration and implementation of the operating permit and compliance program required under the federal Clean Air Act..... $1,667,239

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..... $1,264,499

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 $11,973,797

2260-8872 For the brownfields site audit program $1,038,908

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 $345,475

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, 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; and provided further, that the amount and contribution from each division or program shall be determined by the commissioner of fish and game; provided further, that the department shall file a report with the secretary of administration and finance, the chairs of the house and senate committee on ways and means, the chairs of the joint committee on environment, natural resources and agriculture on or before April 30, 2012, detailing a plan for a long term funding solution for issues pertaining to repairs and maintenance of dams throughout the commonwealth; and provider further, that the report shall include, but not be limited too, the feasibility of a revolving loan program and utilization of seaport bonds $658,880

2300-0101 For a division of ecological restoration and riverways protection program, for the promotion of public access to rivers and wetland restoration, including grants to public and nonpublic entities; provided, that the

positions funded in this item shall not be subject to chapter 31 of the General Laws $410,000

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 may be expended for the natural heritage and endangered species program $9,900,019

Inland Fisheries and Game Fund 100%

2310-0306 For the hunter safety training program $406,510

Inland Fisheries and Game Fund 100%

2310-0300 For the operation of the natural heritage and endangered species program $150,000

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%

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

Inland Fisheries and Game Fund 100%

2320-0100 For the administration of the public access board, including the maintenance, operation, and improvements 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 $411,746

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; 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; provided further, that the commissioner shall develop a management plan to enable the Newburyport shellfish purification plant to accept for treatment those shellfish harvested by valid permit holders from waters not meeting the requirements for open status for acceptable water quality as a result of heavy rainfall pursuant to the national shellfish sanitation program guide for the control of molluscan shellfish; and

provided further than $400,000 shall be spent for the operation of the Newburyport shellfish purification plant $4,355,647

2330-0150 For the operation and maintenance of the Newburyport shellfish purification plant; provided, that the division of marine fisheries may expend not more than $100,000 from revenue collected from fees generated by operations; and provided further, that the division shall submit a report detailing the revenues collected and expended and shellfish volume increase realized from the acceptance of shellfish from rainfall closures to the executive office of environmental affairs, the executive office for administration and finance, and the house and senate committee on ways and means by June 30, 2012 ..... $100,000

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..... $515,754

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 $204,989 collected from federal sportfish restoration funds and from the sale of materials which promote marine recreational fishing $204,989

2330-0300 For the administration and operation of the saltwater fishing permit program, in accordance with chapter 161 of the acts of 2009 ..... $491,761

Marine Recreational Fisheries Development Fund 100%

Department of Agricultural Resources.

2511-0100 For the operation of the department of agricultural resources, including the division of administration, the 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 no less than $200,000 shall be expended to enhance the buy local effort in western, central, northeastern and southern Massachusetts $4,400,108

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 $11,500,000

2511-3002 For the integrated pest management program $50,000

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 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, 2012; provided further, that funds shall be expended for the cleanup of Pilayella algae; provided further, that no funds shall be expended from this item for personnel overtime costs; 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; provided further, that the department shall file a report with the secretary of administration and finance, the chairs of the house and senate committee on ways and means, the chairs of the joint committee on environment, natural resources and agriculture on or before April 30, 2012, detailing a plan for a long term funding solution for issues pertaining to repairs and maintenance of seawalls throughout the commonwealth; and provider further, that the report shall include, but not be limited too, the feasibility of a revolving loan program and utilization of seaport bonds $3,308,980

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 the amount of the payment shall be charged to the General Fund and shall not be included in the amount of the annual determination of fiscal year charges to the Massachusetts Water Resources Authority assessed to the authority under the General Laws; provided further, that the department shall continue to make payments pursuant to chapter 307 of the acts of 1987 for the use of certain land; and provided further, that the department shall continue to make payments pursuant to chapter 616 of the acts of 1957, as amended by section 89 of chapter 801 of the acts of 1963 ..... $1,002,565

2800-0401 For a program to provide stormwater management for all properties and roadways under the care, custody and control of the department of conservation and recreation; provided, that the department shall implement a stormwater management program in compliance with federal and state stormwater management requirements; provided further, that the department shall inventory all stormwater infrastructure, assess its stormwater practices, analyze long term capital and operational needs and

develop a stormwater management plan to comply with federal and state regulatory requirements; and provided further, that in order to protect public safety and to protect water resources for water supply, recreational and ecosystem uses, the department shall immediately implement interim stormwater management practices including, but not limited to, street sweeping, inspection and cleaning of catch basins and emergency repairs to roadway drainage..... $391,237

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 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 2011 shall continue to receive such benefits in fiscal year 2012 during the period of their seasonal employment; provided further, that notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by this item shall be positions requiring the services of an incumbent, on either a full-time or less than full-time basis beginning not earlier than April 1 and ending not later than November 30, or beginning not earlier than September 1 and ending not later than April 30; provided further, that no expenditures shall be made from this item other than for the purposes identified in this item; 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..... $11,611,671

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 16, 2011, 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 2012; and (c) the number of dams that are in need of repair or replacement $290,151

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 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; and (c) the total acreage of each park $41,550,075

2810-2041 For the division of state parks and recreation which may expend not more than $5,229,030 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 $5,229,030

2820-0101 For the costs associated with the department's urban 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 urban park rangers at the state house $1,327,967

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 division 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 operation of street lighting and the expenses of maintaining the parkways of the department of conservation and recreation; provided, 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 $3,115,033

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, 2011, and April 30, 2012, for an 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 $1,098,011 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, 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 a full-time basis beginning not earlier than April 1 and ending not later than November 30..... $1,098,011

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, 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 a full-time basis beginning not earlier than April 1 and ending not later than November 30..... $824,790

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 Law; provided, that the assessments levied for fiscal year 2012 pursuant to chapter 465 of the acts of 1980 shall be made at a rate sufficient to produce the amount expended from this item as well as the associated fringe benefit costs for personnel paid from this item $203,112

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 as well as the associated fringe benefit costs for personnel paid from this item and shall include the associated fringe benefit costs for personnel paid from this item and for the residential conservation services program..... $3,100,434

Department of Early Education and Care.

3000-1000 For the administration of the department of early education and care and the costs of field operations and licensing provided through the department; provided, that the department shall report on the first business day of each month to the joint committee on education, the joint committee on children, families and persons with disabilities, the house and senate committees on ways and means, and the secretary of administration and finance on the unduplicated number of children on waiting lists for state-subsidized early education and care programs and services, including supportive child care services; provided further, that notwithstanding chapter 66A of the General Laws, the department of early education and care, the lead agencies of community partnership councils, the child care resource and referral agencies, the department of elementary and secondary education, the department of transitional assistance, the department of children and families and the department of public health may share with each other personal data regarding the parents and children who receive services provided under early education and care programs administered by the commonwealth for waitlist management, program implementation and evaluation, reporting, and policy development purposes; provided further, that the department shall issue monthly reports detailing the number and average cost of voucher and contracted slots funded by the department by category of eligibility, including children who have been the subject of supported 51A cases, children referred by or transitioning from the department of children and families and children of income-eligible families; provided further, that said reports shall include the number of recipients subject to subsection (f) of section 110 of chapter 5 of the acts of 1995; provided further, that the department shall issue a report by February 15, 2012 detailing the feasibility of centralizing the following responsibilities provided through item 3000-2000 in fiscal year 2011 with the department: program coordination and support, voucher management, outreach to hard-to-reach populations, intake and eligibility services for families seeking financial assistance to enroll in early education and care programs, resource and referral for families with disabilities in child care programs, and walk-in services for homeless families; provided further, that the department shall issue a report to the house and senate committees on ways and means and the executive office for administration and finance not later than February 15, 2012 detailing the projected fiscal year 2012 caseload for children who have been the subject of supported 51A cases, children of families who are eligible for child care as entitled under said section 110 of said chapter 5 and children whose families are income-eligible; provided further, that this report shall include the anticipated cost of contracts and vouchers to fund said contracts; provided further, that the department shall report not later than September 1, 2011, to the joint committee on education and the house and senate committees on ways and means, on efficiencies and cost savings realized in the department's accounts in fiscal year 2011 and anticipated cost savings in fiscal year 2012; provided further, that the report shall include, but not be limited to, an itemized accounting of services transferred between items, original cost of those services, all transition costs or expenditures and total cost savings

realized; and provided further, that the report shall include an accounting of federal ARRA funding expended for the services and transition costs..... $11,683,491

3000-2000 For regional administration and coordination of services provided by child care resource and referral agencies $5,933,862

3000-2050 For the administration of the Children's Trust Fund; provided, that the department shall not exercise any supervision or control with respect to the board $1,026,106

3000-3050 For supportive early education and care services; provided, that funds from this item shall only be expended for early education and care costs of children with active cases at the department of children and families; provided further, that the department of early education and care, in collaboration with the department of children and families, shall maintain a centralized list detailing the number of children eligible for services in this item, the number of supportive slots filled, and the number of supportive slots available; provided further, that no waiting list for the services shall exist; provided further, that funds may be used to provide services during a transition period of 6 months for families upon the closure of their case; 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 30 days before the transfer $77,448,576

3000-4050 For financial assistance for families currently involved with or transitioning from transitional aid to families with dependent children to enroll in an early education and care program; provided, that early education and care shall be available to former participants who are working for up to 1 year after termination of their benefits; provided further, that post-transitional early education and care benefits shall be provided to participants who are working for up to 1 year after the transitional period; provided further, that the department shall issue monthly reports detailing the number and average cost of voucher and contracted slots funded from this item and item 3000-3050; 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 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 2012 ..... $133,371,287

3000-4060 For income-eligible early education and care programs; provided, 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 the department may expend funds from this item on grants to support inclusive learning environments; 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 2012; 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 committees on ways and means, 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 $237,397,940

3000-5000 For grants to head start programs; provided, that funds from this item may be expended on early head start programs $7,500,000

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; 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 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 $7,500,000

3000-6075 For early childhood mental health consultation services in early education and care programs in the commonwealth; provided, that preference shall be given to those services designed to limit the number of expulsions and suspensions from said programs; and provided further, that eligible recipients for such grants shall include community partnership councils, municipal school districts, regional school districts, educational collaboratives, head start programs, licensed child care providers, child care resource and referral centers and other qualified entities $750,000

3000-7000 For statewide neonatal and postnatal home parenting education and home visiting programs for at-risk newborns to be administered by the Children's Trust Fund; provided, that such 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 $10,463,346

3000-7050 For the coordinated family and community engagement grant program**,** which shall establish a statewide network of supports for early education; provided, that the department shall distribute the grants no later than August 31, 2011, in order to allow a full year of service for families involved in these programs; 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, school readiness and family support programs, licensed child care providers, and child care resource and referral centers; provided further, that supports funded through this item shall be in alignment with the quality requirements of the Massachusetts

Universal Pre-Kindergarten Program and the development of the quality rating and improvement system; provided further, that the department shall encourage and support early childhood education and care providers to obtain associate and bachelor degrees through professional development programs, including, but not limited to, the building careers program model; provided further, that the department shall take steps to streamline activities and programs funded through this line item; provided further, that funds shall be expended for the home-based parenting, family literacy, and school readiness program known as the parent-child home program; and provided further, that the department may expend funds from the item on grants for supplemental services for children with individualized education..... $18,986,633

3000-7070 For Reach Out and Read, a research-proven, pediatric literacy intervention, which trains doctors and nurse practitioners to provide advice to parents on reading aloud to children and books for children living in poverty and in underperforming school districts through programs established in community health centers, medical practices, and hospitals; provided further, that the funds distributed through Reach Out and Read program shall be contingent upon a match of not less than $1 in private or corporate contributions for every $1 in state grant funding..... $500,000

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 $167,708

4000-0300 For the operation of the executive office of health and human services, including the operation of the managed care oversight board; provided, that the executive office shall provide technical and administrative assistance to agencies under the purview of the secretariat receiving federal funds; provided further, that the Executive Office of Health and Human Services and its agencies, when contracting for services on the islands of Martha's Vineyard and Nantucket, shall take into consideration the increased costs associated with the provision of goods, services and housing on 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 in consultation with the division of health care finance and policy, no rate increase shall be provided to existing Medicaid provider rates without taking all measures possible under Title XIX of the Social Security Act to ensure that rates of payment to providers do not exceed the

rates that are necessary to meet only those costs which must be incurred by efficiently and economically operated providers in order to provide services of adequate quality; provided further, that funds may be expended for the operation of the office of health equity within the executive office of health and human services; provided further, that 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 of health and human services may continue to recover provider overpayments made in the current and prior fiscal years through the Medicaid management information system, and that these recoveries shall be considered current fiscal year expenditure refunds; provided further, that the executive office may collect directly from a liable third party any amounts paid to contracted providers under chapter 118E of the General Laws for which the executive office later discovers another third party is liable if no other course of recoupment is possible; provided further, that not less than $250,000 shall be expended on a statewide program of technical assistance to community health centers to be provided by a state primary care association qualified under Section 330(f)(l) of the United States Public Health Service Act at 42 USC 254c(f)(l); 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 November 1, 2011, the executive office of health and human services shall submit a report to the house and senate committees on ways and means detailing the methodology used for projecting MassHealth enrollment and utilization in fiscal year 2012 and evaluating the accuracy of the caseload and utilization projection methodologies used to project caseload and utilization in fiscal year 2011 and fiscal year 2012; provided further, that notwithstanding any general or special law to the contrary, the state Medicaid office is hereby authorized to conduct a trial to determine the effectiveness of various fraud management tools to identify potential fraud prior to payment; provided further, any such trial may test innovative technologies to improve medical fraud detection and evaluate the efficacy of, among things, a real time, pro-active model to identify specific suspicious provider billing patterns, document the results of any potential fraud findings and estimated savings to benefit the commonwealth

associated with such a fraud detection system; and provided further, that any projection of deficiency in items 4000-0430, 4000-0500, 4000-0600, 4000-0700, 4000-0870, 4000-0875, 4000-0880, 4000-0890, 4000-0895, 4000-0950, 4000-0990, 4000-1400 or 4000-1405 shall be reported to the house and senate committees on ways and means not less than 90 days before the projected exhaustion of funding; and provided further, that any unexpended balance in these accounts shall revert to the General Fund on June 30, 2012; provided further, that funds shall be provided in an amount not less than the total appropriated in item 1599-2009 in section 2 of chapter 182 in the acts of 2008 ..... $83,734,473

4000-0301 For the costs of MassHealth provider and member audit and utilization review activities including, but not limited to, eligibility verification, disability evaluations, provider financial and clinical audits, and initiatives intended to enhance program integrity $1,736,425

4000-0320 For the executive office of health and human services which may expend for medical care and assistance rendered in the current year an amount not to exceed $225,000,000 from the monies received from recoveries and collections of any current or prior year expenditures; provided, that notwithstanding any general or special law to the contrary, the balance of any personal needs accounts collected from nursing and other medical institutions upon a medical assistance member's death and held by the executive office for more than 3 years may be credited to this item; and provided further, that no funds from this item shall be used for the purposes of item 4000-0300 ..... $225,000,000

4000-0430 For the CommonHealth program to provide primary and supplemental medical care and assistance to disabled adults and children under sections 9A, 16 and 16A of chapter 118E of the General Laws; provided, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years; provided further, that the executive office 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 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 $130,439,637

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 the executive office shall maintain the fiscal year 2011 overall reimbursement rate for the commonwealth's only medical respite program for the homeless; provided

further, that expenditures from this item shall be made only for the purposes expressly stated herein; provided further, that the executive office shall maximize federal reimbursements for state expenditures made to these providers; and provided further, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years $3,875,835,669

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 2011; provided further, that the eligibility requirements for this demonstration project shall not be more restrictive than those established in fiscal year 2011; provided further, that the executive office of health and human services shall submit a report to the house and senate committees on ways and means detailing the projected costs and the number of individuals served by the community choices initiative in fiscal year 2012 delineated by the federal poverty level; provided further, that notwithstanding any general or special law to the contrary, funds shall be expended from this item for the purpose of maintaining a personal needs allowance of $72.80 per month for individuals residing in nursing homes and rest homes who are eligible for MassHealth, Emergency Aid to the Elderly Disabled and Children program or Supplemental Security Income; provided further that effective July 1, 2011 for the fiscal year ending June 30, 2012, the division of health care finance and policy shall establish nursing facility MassHealth rates that are $12 million in payments above the payments made to nursing facilities for the fiscal year ended 2011 for the purpose of recognizing the Medicaid share of the nursing home assessment established by section 25 of Chapter 118G of the General Laws; provided further, that funds shall be expended from this item to implement the provisions of section 2 of chapter 211 of the acts of 2006, the pre-admission counseling and assessment program, which shall be implemented on a statewide basis through aging and disability resource consortia; provided further, that notwithstanding any general or special law to the contrary, for any nursing home or non-acute chronic disease hospital that provides kosher food to its residents, the executive office of elder affairs, in consultation with the division of health care finance and policy, in recognition of the unique special innovative program status granted by the executive office of health and human services, shall continue to make the standard payment rates established in fiscal year 2006 to reflect the high dietary costs incurred in providing kosher food; provided further, that not less than $2,800,000 shall be expended as fiscal year 2012 incentive payments to nursing facilities meeting the criteria determined by the MassHealth Nursing Facility Pay for Performance Program in 114.2 CMR 6.07 and that have established and participated in a cooperative effort in each qualifying nursing facility between representatives of employees and management, that is focused on implementing that criteria and improving the quality of services available

to MassHealth members; provided further that the MassHealth agency shall adopt regulations and procedures necessary to carry out section; and provided further, that notwithstanding any general or special law to the contrary, nursing facility rates effective July 1, 2011 may be developed using the costs of calendar year 2005 ..... $2,520,402,264

4000-0640 For nursing facility Medicaid rates; provided, that notwithstanding any general or special law to the contrary, in fiscal year 2012 the division of health care finance and policy shall establish nursing facility Medicaid rates that cumulatively total $288,500,000 more than the annual payment rates established by the division under the rates in effect as of June 30, 2002; provided further, that an amount for expenses related to the collection and administration of section 25 of chapter 118G of the General Laws shall be transferred to the division of health care finance and policy; and provided further, that the payments made 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 of chapter 118E of the General Laws and section 16C of said chapter 118E; provided, that no payments for special provider costs shall be made from this item without the prior written approval of the secretary of administration and finance; provided further, that no funds shall be expended from this item for children and adolescents under clause (c) of said subsection (2) of said section 9A of said chapter 118E whose family incomes, as determined by the executive office, exceed 150 per cent of the federal poverty level; provided further, that children who have aged out of the custody of the department of children and families shall be eligible for benefits until they reach age 21; provided further, that funds shall be expended from this item for members who qualify for early intervention services; provided further, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years; provided further, that the executive office shall maximize federal reimbursements for state expenditures made to these providers; provided further, that the executive office shall not, in fiscal year 2012, fund programs relating to case management with the intention of reducing length of stay for neonatal intensive care unit cases; provided further, that notwithstanding the foregoing, funds may be expended from this item for the purchase of third party insurance including, but not limited to, Medicare for any medical assistance recipient; provided further, that the executive office may reduce MassHealth premiums or copayments or offer other incentives to encourage enrollees to comply with wellness goals; and provided further, that funds may be expended from this item for activities relating to disability determinations or utilization management and review, including patient screenings and evaluations, regardless of whether such activities are performed by a state agency, contractor, agent or provider $2,026,206,633

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 $157,016,626

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 benefits shall be extended solely for the duration of the cancerous condition; provided further, that before the provision of any benefits covered by this item, the executive office shall require screening for either breast or cervical cancer through the comprehensive breast and cervical cancer early detection program operated by the department of public health, in accordance with item 4570-1512 of section 2D; and provided further, that funds may be expended from this item for health care services provided to these recipients in prior fiscal years $4,770,999

4000-0880 For MassHealth benefits under clause (c) of subsection (2) of section 9A of chapter 118E of the General Laws and section 16C of said chapter 118E for children and adolescents whose family incomes as determined by the executive office are above 150 per cent of the federal poverty level; provided, that funds may be expended from this item for health care services provided to these children and adolescents in prior fiscal years $207,173,987

4000-0890 For the cost of health insurance subsidies paid to employees and employers of small businesses in the insurance reimbursement program under section 9C of chapter 118E of the General Laws; provided, that funds may be expended from this item for health care services provided to these persons in prior fiscal years $38,181,956

4000-0895 For the healthy start program to provide medical care and assistance to pregnant women and infants residing in the commonwealth pursuant to section 10E of chapter 118E of the General Laws; provided, that funds may be expended from this item for health care services provided to these persons in prior fiscal years $13,154,576

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 funds may be expended from this item for health care services provided to these persons in prior fiscal years; provided further, 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, an analysis of compliance with the terms

of the settlement agreement to date, a detailed itemization of services and service utilization by service type, geographical location and the age of the member receiving the service, data detailing the time that elapses between a member's request for services and commencement of an initial assessment for services, the time to complete the initial assessment and the time that elapses between initial assessment for services and commencement of services and a quarterly update of whether projected expenditures are likely to exceed the amount appropriated herein $214,743,708

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 $12,600,000

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 $18,541,135

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

may be expended from this item for health care services provided to recipients in prior fiscal years..... $389,757,408

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 $211,370,985

4000-1700 For the provision of information technology services within the executive office of health and human services $82,571,886

Office for Refugees and Immigrants.

4003-0122 For a citizenship for new Americans program to assist legal permanent residents of the commonwealth in becoming citizens of the United States; provided, that the office for refugees and immigrants shall administer the program; provided further, that the program funded by this item shall provide assistance to persons who are within 3 years of eligibility to become citizens of the United States; provided further, that services shall be designed to include: ESOL/civics classes, citizenship application assistance, interview preparation and support services including, but not limited to, interpretation and referral services; provided further, that persons who would qualify for benefits under chapter 118A of the General Laws but for their status as legal 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 $237,500

Division of Health Care Finance and Policy.

4100-0060 For the operation of the division of health care finance and policy and the administration of the Health Safety Net Trust Fund established in section 36 of chapter 118G of the General Laws; provided, that notwithstanding any general or special law to the contrary, the assessment to acute hospitals authorized pursuant to section 5 of said chapter 118G for the estimated expenses of the division shall include in fiscal year 2012 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 2012 from: (1) filing fees; (2) fees and charges generated by the division's publication or dissemination of reports and information; and (3) federal financial participation received as reimbursement for the division's administrative costs; provided further, that the assessed amount shall not be less than 55 per cent of the total expenses appropriated for the division and the health safety net office; provided further, for the purposes of supporting the division's expanded role in developing health care policies that benefit government entities, providers, purchasers, and consumers, the division shall assess surcharge payors as defined in section 34 of said chapter 118G, not less than 10 per cent of the total estimated expenses appropriated for the division and the health safety net office, including indirect costs, in fiscal year 2012, less amounts projected to be collected in fiscal year 2012 from: (1) filing fees; (2) fees and charges generated by the division's publication or dissemination of reports and information; and (3) federal financial participation received as reimbursement for the division's administrative costs; provided further, that the assessment on surcharge payors shall be

calculated in a manner similar to the assessment authorized under section 38 of said chapter 118G, and shall be collected in a manner consistent with the provisions of said chapter 118G and deposited in the General Fund; 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 this data; provided further, that the division, in consultation with the executive office of health and human services, shall not promulgate any increase in Medicaid provider rates without taking all measures possible under Title XIX of the Social Security Act or any successor federal 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 this 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, 2011 a report detailing utilization of the Health Safety Net Trust Fund; provided further, that the report shall include: (1) the number of persons in the commonwealth whose medical expenses were billed to the Health Safety Net Trust Fund in fiscal year 2011; (2) the total dollar amount billed to the Health Safety Net Trust Fund in fiscal year 2011; (3) the demographics of the population using the Health Safety Net Trust Fund; and (4) the types of services paid for out of the Health Safety Net Trust Fund in fiscal year 2011; 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 funds shall be expended for the operation of the Health Care Quality and Cost Council established per section 16K of chapter 6A of the General Laws to promote high-quality, cost-effective, patient-centered care; 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/or industrial accident patients; provided further, that the division is hereby authorized to change the pricing standard used by the division when determining the rate of

payment to pharmacy providers for prescribed drugs for publicly-aided and/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 this data, the division shall estimate the program savings for the remainder of fiscal year 2012; provided further, that the division, after consultation with the secretary of health and human services 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, 2012 ..... $21,157,507

4100-0061 For the division of health care finance and policy for the development, operations, and maintenance of an All Payer Claims Database; provided, that the division may expend an amount not to exceed $4,000,000 from amounts paid to the division for any and all fees paid for health data information and from any federal financial participation associated with the collection and administration of health care claims data $4,000,000

4100-0360 For the health care quality and cost council established in section 16K of chapter 6A of the General Laws; provided, that the council may expend an amount not to exceed $100,000 from the monies received from the sale of data reports $100,000

OFFICE OF DISABILITIES AND COMMUNITY SERVICES.

Massachusetts Commission for the Blind.

4110-0001 For the office of the commissioner $965,851

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; provided further that $50,000 be expended for assistive technologies $3,911,398

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 $10,704,159

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 $3,008,118

Massachusetts Rehabilitation Commission.

4120-1000 For the operation of the commission; provided, that the commissioner shall report quarterly to the house and senate committees on ways and means and the secretary of administration and finance on the number of clients served and the amount expended on each type of service; provided further, that upon the written request of the commissioner of revenue, the commission shall provide lists of individual clients to whom or on behalf of whom payments have been made for the purpose of verifying eligibility and detecting and preventing fraud, error and abuse in the programs administered by the commission; 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..... $408,720

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 and any other such indirect cost of the 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 $10,013,228

4120-3000 For employment assistance services; provided, that vocational evaluation and employment services for severely disabled adults may be provided..... $2,428,315

4120-4000 For independent living assistance services; provided further that $50,000 be expended for assistive technologies..... $10,950,074

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

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

4120-5000 For homemaking services $4,340,799

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 $11,171,360

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; provided further that $50,000 be expended for assistive technologies..... $5,010,393

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; and 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 2011 ..... $25,940,788

4180-1100 For the Soldiers' Home in Massachusetts which may expend not more than $370,000 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, prior appropriation continued $370,000

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 2011; and provided further, that the rates of the co-payments and the procedures for their administration shall be determined annually by the solders' home superintendent..... $19,774,292

4190-0101 For the Soldiers' Home in Holyoke which may expend for its operation an amount not to exceed $5,000 from the licensing of the property for placement of aerial antennas $5,000

4190-0102 For the Soldiers' Home in Holyoke which may expend for the outpatient pharmacy program an amount not to exceed $110,000 from co-payments which it may charge to users of the program; provided, that the rates of the co-payments and the procedures for their administration shall be determined annually by the soldiers' home superintendent… $110,000

4190-0200 For the Soldiers' Home in Holyoke which may expend not more than $35,000 from fees collected from veterans in its care for the purposes of providing television and telephone services to residents; provided, that fees from the use of telephones and televisions shall only be expended for payments to vendors for said services; 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..... $35,000

4190-1100 For the Soldiers' Home in Holyoke which may expend not more than $250,000 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, prior appropriation continued $250,000

OFFICE OF CHILDREN, YOUTH AND FAMILY SERVICES.

Department of Youth Services.

4200-0010 For the administration of the department of youth services; provided, that the department shall continue to collaborate with the department of elementary and secondary education 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; provided further, that the department shall continue to execute its education funding initiative; and provided further, that the commissioner of youth services, in conjunction with the department of elementary and secondary education, shall submit a report on progress made and projected needs in fiscal years 2012 and 2013 to the house and senate committees on ways and means by December 1, 2011..... $4,141,463

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 the house and senate committees on ways and means a plan showing the amounts to be transferred and the reason for the proposed transfer $21,498,016

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 $18,256,369

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 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 $96,421,853

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

Department of Transitional Assistance.

4400-1000 For the central administration of the department of transitional assistance; provided, that all costs associated with verifying disability for all programs of the department shall be paid from this item; provided further, that the department shall submit on a monthly basis to the house and senate committees on ways and means and the secretary of administration and finance a status report on program expenditures, savings and revenues, error rate measurements 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; and 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 $53,097,438

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 nutrition assistance program applications; provided further, that the department shall not require supplemental nutrition assistance program applicants to provide re-verification of eligibility factors previously verified and not subject to change; provided further, that notwithstanding any general or special law to the contrary, the department shall require only 1 signature from supplemental nutrition assistance program applicants; provided further, that the department shall fund a unit staffed by department employees to respond to supplemental nutrition assistance program inquiries, and arrange for and conduct telephone interviews for initial supplemental

nutrition assistance program applications from this item; provided further, that the department shall fund a system to image and catalogue eligibility documents electronically from this item; provided further, that funds may be expended for supplemental nutrition assistance program outreach; and provided further, that the department shall report to the house and senate committees on ways and means not later than December 1, 2011 on the status of these programs $2,933,683

4400-1025 For domestic violence specialists at local area offices $748,734

4400-1100 For the payroll of the department's caseworkers; provided, that only employees of bargaining unit 8 shall be paid from this item $57,535,677

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 from this item may be expended on former recipients of the program for up to 1 year after termination of their benefits; provided further, that the young parents program shall receive no less than the amount expended in the previous fiscal year; provided further, that the DTA works internship program shall receive no less than the amount expended in the previous fiscal year; provided further, that funds shall be provided for learning disability assessments through the University of Massachusetts; provided further, that funds may be expended for trauma informed employment services, including Project SAFE; provided further, that the department may expend funds for vocational specialists staffed by the university of Massachusetts; provided further, that the department shall expend no less than $3,000,000 for providers with whom the department entered into service agreements with in fiscal year 2011 as procured under the Competitive Integrated Employment Services 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 $6,689,934

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 benefit under this item shall be made available to illegal or undocumented aliens; provided further, that the need standard shall be equal to the standard in effect in fiscal year 2011 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 2012, pursuant to the state plan required under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996**,** and pursuant to said act and not withstanding section 218 of chapter 149 of the acts of 2004, or any

other special or general law to the contrary, the recipients defined in said section 218 whose youngest child of record is of the age at which full time schooling is mandatory or older shall meet the federal standard of 30 hours per week of work-related activity; provided further, that the department shall notify parents under the age of 20 receiving benefits from the program of the requirements 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 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 such woman in the month of payment would be categorically and financially eligible for transitional aid to families with dependent children benefits; provided further, that certain families that suffer a reduction in benefits due to a loss of earned income and participation in retrospective budgeting may receive a supplemental benefit to compensate them for the loss; provided further, that the department shall report to the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities 90 days before any changes to the disability standards are proposed; provided further, that no funds from this item shall be expended by the department for child care or transportation services for the employment and training program; provided further, that no funds from this item shall be expended by the department for family reunification benefits or informal child care; provided further, that the department shall provide oral and written notification to all recipients of their child care benefits at the time of application and on a semi-annual basis; provided further, that the notification shall include the full range of child care options available, including center-based child care, family-based child care and in-home relative child care; provided further, that the notification shall detail available child care benefits for current and former recipients, including employment and training benefits and transitional benefits; provided further, that the notice shall further advise recipients of the availability of supplemental nutrition assistance program benefits; provided further, that in promulgating, amending or rescinding its regulations 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; provided further, that the report shall state exactly which components of the current benefit package shall be altered and the department's assessment

of the effects of such benefit or eligibility changes upon recipient families and the number of families affected by the benefit changes; provided further, that the report shall outline all steps that the department has taken to avoid or mitigate any such benefit changes; provided further, that the report shall detail the savings realized by any such changes to benefits or eligibility; and provided further that no benefit changes shall go into effect prior to January 17, 2012 ..... $312,838,539

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..... $900,000

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 $6,577,740

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 grants 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 $224,656,525

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 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; 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; provided further, that the report shall state exactly which components of the current benefit package shall be altered and the department's assessment of the effects of such benefit or eligibility changes upon recipient families and the number of families affected by the benefit changes; provided further, that the report shall outline all steps that the department has taken to avoid or mitigate any such benefit changes; provided further, that the report shall detail the savings realized by any such changes to benefits or eligibility; and provided further that no benefit changes shall go into effect prior to January 17, 2012.. $88,958,966

OFFICE OF HEALTH SERVICES.

Department of Public Health.

4510-0020 For the department of public health; which may expend not more than $375,000 in revenues collected from fees charged by the food protection programs for program costs of the Department's Food Protection Program; 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 lesser of this authorization or the most recent revenue estimate as reported in the state accounting system $375,000

4510-0025 For the department of public health, which may expend not more than $889,889 for a school-based sealant program known as the SEAL Program from revenues collected from MassHealth and other third party reimbursement for preventive oral health procedures; provided, that 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 $889,889

4510-0040 For the department of public health, which may expend for the regulation of all pharmaceutical and medical device companies that market their products in the commonwealth an amount not to exceed $421,539 from fees assessed under chapter 111N of the General Laws; provided, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $421,539

4510-0100 For the administration and operation of the department, including the personnel support of programmatic staff within the department, including the health statistics program, and the operation of the registry of vital records and statistics; provided, that the department shall make every effort to obtain maximum federal financial participation, including grants, relating to its programs; provided further, that the department shall give specific consideration to additional monies available pursuant to the Patient Protection and Affordability Act of 2010, Public Law 111-148 and the Health Care and Education Reconciliation Act of 2010, Public Law 111-152; and provided further, that the department shall file a report with the house and senate committees on ways and means detailing the grants for which it has applied and received approval not later than February 1, 2012 ... $13,644,748

4510-0110 For community health center services $713,949

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 3, 2011 ..... $3,099,632

4510-0615 The department may expend not more than $180,000 from assessments collected under section 5K of chapter 111 of the General Laws for services provided to monitor, survey and inspect nuclear power reactors; provided further, that not less than $90,000 shall be expended to the C-10 Research & Education Foundation of Newburyport for the purposes of providing radiological monitoring of the six Massachusetts communities within the plume exposure emergency planning zone of Seabrook Nuclear Power Plant; provided, that the department may expend not more than $1,354,791 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 $1,624,791

4510-0710 For the operation of the division of health care quality and the office of patient protection; provided, that the division shall be responsible for assuring the quality of patient care provided by the commonwealth's health care facilities and services, and for protecting the health and safety of patients who receive care and services in nursing homes, rest homes, clinical laboratories, clinics, institutions for 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; 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; provided further, that services funded through this item shall include, but not be limited to: education, training, intervention, support, surveillance and evaluation; and provided further, that the department shall report to the house and senate committees on ways and means on the results of the program not later than January 13, 2012 and the report shall include, but not be limited to, the following information: (a) the number of individuals trained; (b) the facilities and cities and towns in which these professionals work; (c) an evaluation of the impact of the program on best practices, models of quality care giving and the culture of workforce retention within the facilities and any recommendations, if needed, for improving upon these areas; (d) an evaluation of the education, training, intervention, support and surveillance services funded through this item and any recommendations, if needed, for improving upon these services; and (e) an evaluation of any changes in the quality of care in long-term

care facilities due to the program, including the number of patients affected by such changes $5,992,959

4510-0712 For the department of public health; provided, that the department may expend not more than $457,671 in revenues collected from the licensure of health facilities for program costs of the division of health care quality; provided further, that the department may expend not more than $877,402 from revenues collected from individuals applying for emergency medical technician licensure and recertification; 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 as reported in the state accounting system $1,335,073

4510-0721 For the operation and administration of the board of registration in nursing; provided, that the board shall prepare an annual report detailing the total number of cases referred to and investigated by the board, the resolution of these cases, the approximate number of cases assigned to each investigator and any increases or decreases in cases referred to the board in the previous 6 months; provided further, that the board shall submit the report to the house and senate committees on ways and means, the joint committee on health care financing, the joint committee on public health and the commissioner of public health; provided further, that the board shall prepare a compilation of cases involving preventable medical error that resulted in harm to a patient or health care provider for the purpose of assisting health care providers, hospitals and pharmacies to modify their practices and techniques to avoid error; and provided further, that the board shall submit the compilation to the house and senate committees on ways and means, the joint committee on health care financing, the joint committee on public health and the commissioner of the department of public health by January 4, 2012, and shall make the compilation widely available, including by electronic means, to the public and to all hospitals, pharmacies and health care providers doing business in the commonwealth $795,800

4510-0722 For the operation and administration of the board of registration in pharmacy; provided, that the board shall prepare an annual report detailing the total number of cases referred to and investigated by the board, the resolution of these cases, the approximate number of cases assigned to each investigator and any increases or decreases in cases referred to the board in the previous 6 months; provided further, that the board shall submit the report to the house and senate committees on ways and means, the joint committee on health care financing, the joint committee on public health and the commissioner of the department of public health; provided further, that the board shall prepare a compilation of cases involving preventable medical error that resulted in harm to a patient or health care provider for the purpose of assisting health care providers, hospitals and pharmacies to modify their practices and techniques to avoid error; and provided further, that the board shall submit the compilation to the house and senate committees on ways and means, the joint committee on health care financing, the joint committee on public health and the commissioner of the department of public health by January 4, 2012, and shall make the compilation widely available, including by electronic means,

to the public and to all hospitals, pharmacies and health care providers doing business in the commonwealth $194,806

4510-0723 For the operation and administration of the board of registration in medicine and the committee on acupuncture; provided, that the board of registration in medicine shall prepare an annual report addressing its activities with respect to licensing, enforcement, law and policy, patient safety and other relevant topics including, but not limited to: (a) the total number of cases referred to and reviewed by the board; (b) the resolution of such cases; (c) the approximate number of cases assigned to each investigator; (d) any increases or decreases in cases referred to the board in the previous 6 months; and (e) a compilation of cases from its patient care assessment program describing incidents involving preventable medical error that resulted in harm to a patient or health care provider for the purpose of assisting the providers, hospitals and pharmacies to modify their practices and techniques to avoid error and any other relevant topics; provided further, that the board shall submit the report to the house and senate committees on ways and means, the joint committee on health care financing and the joint committee on public health by January 4, 2012, and shall make the compilation widely available, including by electronic means, to the public; and provided further, that the board shall promulgate rules and regulations to coordinate their patient care assessment program with the boards of registration in nursing and pharmacy $997,001

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 $273,383

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

4510-0790 For regional emergency medical services; provided, that no funds shall be expended in the AA object class; and provided further, that the regional emergency medical services councils, designated under 105 CMR 170.101 and the C-MED medical emergency communications centers that were in existence on January 1, 1992, shall remain the designated councils and C-MED communications centers $931,959

4510-0810 For a statewide sexual assault nurse examiner program and pediatric sexual assault nurse examiner program for the care of victims of sexual assault; provided, that funds shall be expended to support children's advocacy centers; and provided further, that the program shall operate under specific statewide protocols and by an on-call system of nurse examiners..... $3,160,740

4512-0103 For human immunodeficiency virus and acquired immune deficiency syndrome services and programs and related services for persons affected by the associated conditions of viral hepatitis and sexually transmitted infections; provided, that particular attention shall be paid to direct funding proportionately to each of the demographic groups afflicted by HIV/AIDS and associated conditions; and provided further, that no funds from this item shall be expended for disease research in fiscal year 2012 ..... $33,597,810

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 services provided for court adjudicated indigent clients; provided, that programs shall receive the same percentage of funding in fiscal year 2012 as received in fiscal year 2011; and provided further, that not less than $125,000 shall be expended for Self Esteem Boston's substance abuse direct service prevention, and provider training programs $75,310,802

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; and provided further, that the department shall submit quarterly to the house and senate committees on ways and means a report on the number of individuals served by the step-down recovery services program $4,800,000

4512-0225 For the department of public health which may expend not more than $1,000,000 for a compulsive gamblers' treatment program from unclaimed prize money held in the State Lottery Fund for more than 1 year from the date of the drawing 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 as reported in the state accounting system $1,000,000

4512-0500 For dental health services; provided, that funds shall be expended to maintain a program of dental services for the developmentally disabled; and provided further, that the department shall submit to the house and senate committees on ways and means a quarterly report on the number of children served by this dental health services program and the number of children waiting to be served by the program; and provided further, that funds shall be expended for the Forsyth Institute's Center for Children's Oral Health $1,395,761

4513-1000 For the provision of family health services; provided, that funds shall be provided for comprehensive family planning services, including HIV counseling and testing, community-based health education and outreach services provided by agencies certified as comprehensive family planning agencies; and provided further, that funds may be expended for the Massachusetts birth defects monitoring program $3,959,311

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 $10,266,617

4513-1012 For the department of public health, which may expend not more than $24,510,000 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 $24,510,000

4513-1020 For the early intervention program; provided, that the department shall report quarterly to the house and senate committees on ways and means the total number of units of service purchased and the total expenditures for the units of service paid by the department, the executive office of health and human services and third party payers for early intervention services for the following services categories: home visit, center-based individual, child-focused group, parent-focused group, and screening and assessment; provided further, that the department shall make all reasonable efforts to secure third party and Medicaid reimbursements for the services funded in this item; provided further, that funds from this item shall be expended to provide respite services to families of children enrolled in early intervention programs who have complex care requirements, multiple disabilities and extensive medical and health needs; provided further, that priority shall be given to low and moderate income families; provided further, that the department shall submit to the house and senate committees on ways and means a report on the number of families served by the program and the amount of funds appropriated in this item granted to qualified families not later than February 2, 2012; provided further, that no claim for reimbursement made on behalf of an uninsured person shall be paid from this item until the program receives notice of a denial of eligibility for the MassHealth program from the executive office of health and human services; provided further, that MassHealth shall fully reimburse the Department of Public Health for all costs incurred for the transportation of MassHealth members who participate in the early intervention program; provided further, that nothing in this item shall give rise to or shall be construed as giving rise to enforceable legal rights to any such services or an enforceable entitlement to the early intervention services funded in this item; provided further, that the department shall provide written notification to the senate and house committees on ways and means 90 days prior to any change to its current eligibility criteria; and provided further, that these funds may be used to pay for current and prior year claims $23,991,404

4513-1026 For the provision of statewide and community-based suicide prevention, intervention, post-intervention and surveillance activities and the implementation of a statewide suicide prevention plan; provided, that funds shall be expended for a program to address elder suicide behavior and attempts with the geriatric mental health services program within the department of elder affairs; provided further, that funds shall be expended for a veterans in crisis hotline; provided further, that the hotline shall be for the use of veterans who seek counseling programs operated by the department of veterans affairs or concerned family members of those veterans so that they may be directed towards the programs and services

offered by their local or regional Veterans Administration office; and provided further, that the hotline shall be staffed by counselors or outreach programs contracted by the department and trained in issues of mental health counseling and veterans services $3,569,444

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 screening, information, education and treatment programs and the Multiple Sclerosis Home Living Navigating Key Services program administered by the Central New England Chapter of the National Multiple Sclerosis Society; colorectal cancer prevention; 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 to section 25A of chapter 111 of the General Laws; and maintenance of the statewide lupus database; and provided further, that funds may be expended for the operation of the Betsy Lehman Center for patient safety $3,400,000

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 intervention services for crisis housing for sexual violence and intimate partner violence in the gay, lesbian, bisexual and transgender community $4,907,970

4516-0263 For the department of public health; provided, that said department may expend not more than $1,112,974 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 as reported in the state accounting system $1,112,974

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; 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; and provided further, that funds from this item may be expended for the purchase of equipment for the drug laboratory at the state laboratory institute $12,263,002

4516-1010 For state matching funds required by the Pandemic and All-Hazards Preparedness Act $2,277,134

4516-1022 For the department of public health, which may expend not more than $250,619 generated by fees collected from insurers for tuberculosis tests performed at the state laboratory institute; provided 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 $250,619

4518-0200 For the department of public health which may expend not more than $415,275 generated by fees collected from the following services provided at the registry of vital records and statistics: amendments of vital records, requests for vital records not issued in person at the registry, requests for heirloom certificates and research requests performed by registry staff at the registry; provided, that revenues so collected may be used for all program costs, including the compensation of employees; provided further, that the registrar of vital records and statistics shall exempt from payment of a fee any person requesting a verification of birth for the purpose of establishing eligibility for Medicaid; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system $415,275

4530-9000 For teenage pregnancy prevention services; provided, that applications for such funds shall be administered through the department upon receipt and approval of coordinated community service plans to be evaluated in accordance with guidelines issued by the department; provided further, that portions of the grants may be used for state agency purchases of designated services identified by the community service plans; provided further, that funding shall be expended on those communities with the highest teen birth rates according to an annual statistical estimate conducted by the department; provided further, that funds shall be expended on programming directed at children under the care of the department of children and families who are at high risk for teenage pregnancy; and provided further, that the department shall collaborate with the department of children and families on this programming $2,378,410

4570-1502 For the purposes of implementing a proactive statewide infection prevention and control program $251,281

4580-1000 For the operation of the universal immunization program; 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; and provided further, that notwithstanding any general or special law to the contrary, the costs of purchasing and distributing childhood vaccines for children in this item may be assessed, in an amount not less than the amount assessed in fiscal year 2011, on surcharge payers under section 38 of chapter 118G of the General Laws and may be collected in a manner consistent with said chapter 118G $50,024,589

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 the services shall meet standards and eligibility guidelines established by the department in consultation with the department of elementary and secondary education; provided further, that funding may be expended to address the recommendations of the commission on gay, lesbian, bisexual and transgender youth, established in section 67 of chapter 3 of the General Laws, for the reduction of health disparities for gay, lesbian bisexual and transgendered youth; and provided further, that the department shall expend the same percentage of funds for the school nurse programs as those expended in fiscal year 2011; and provided further, that funds may be expended for the Massachusetts Model of Community Coalitions. $11,597,967

4590-0300 For smoking prevention and cessation programs $4,485,983

4590-0912 For the department of public health, which may expend an amount not to exceed $15,962,194 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 chargebacks and motor vehicle replacement; provided further, that all revenues expended shall be pursuant to schedules submitted to the secretary of administration and finance and the house and senate committees on ways and means; provided further, that notwithstanding any general or special law to the contrary, the western Massachusetts hospital shall be eligible to receive and retain full payment under the medical assistance program administered by the executive office of health and human services 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 $16,212,194

4590-0913 For the department of public health which may expend not more than $499,827 for payments received for those services provided by the Lemuel Shattuck hospital to inmates of county correctional facilities; provided, that

for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system $499,827

4590-0915 For the maintenance and operation of Tewksbury hospital, Massachusetts hospital school, Lemuel Shattuck hospital and the hospital bureau, including the state office of pharmacy services; provided, that no funds 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; 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; provided further, that the Massachusetts hospital school shall maintain not less than 120 beds for clients in its inpatient setting; and provided further, that notwithstanding any general or special law to the contrary, the department shall seek to obtain federal financial participation for care provided to inmates of the department of correction and of county correctional facilities who are treated at the public health hospitals $139,037,382

4590-0917 For the department of public health, which may expend an amount not to exceed $4,046,265 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 as reported in the state accounting system $4,046,265

4590-1503 For the pediatric palliative care program established in section 24K of chapter 111 of the General Laws $788,452

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 one-time and grants may not annualize in fiscal year 2013; 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, 2011, detailing the grant amount awarded to each recipient and a description of each grant; and provided further, that each grant recipient shall provide the department of public health with a comprehensive list of best practices that have been instituted as a result of these grants $1,500,000

4590-1507 For matching grants to the Massachusetts Alliance of Boys & Girls Clubs, the Alliance of Massachusetts YMCAs, the YWCA organizations, nonprofit community centers, and youth development programs; provided, that the department of public health shall award the full amount of each grant to each organization previously included in the youth-at-risk grants, upon commitment of matching funds from such organizations; provided further, that each organization previously included in the youth-at-risk grants shall receive in fiscal year 2012 a grant amount not less than that received in fiscal year 2011; and provided further, that any allocation less than $2,000,000 to a recipient of a youth-at-risk grant must be distributed equally between said recipient's member organizations $1,700,000

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 notwithstanding any general or special law to the contrary, the department shall not reduce recoupment amounts recommended by the state auditor; provided further, that by October 3, 2011, the department shall issue draft revised regulations for public comment which shall ensure that the department maintains an independent, timely and fair administrative hearings system and shall issue final regulations by December 1, 2011; provided further, that not later than October 1, 2011, the department shall; (a) revise its procedures to ensure that newly requested administrative hearings are scheduled and decided upon on a timely basis; and (b) submit to the joint committee on children, families and persons with disabilities a plan for eliminating its backlog of administrative hearing requests; provided further, that the plan shall identify the number of fair hearing requests that were pending as of July 1, 2011,

and shall set quarterly benchmarks for elimination of the backlog; provided further, that the department shall submit quarterly reports to the joint committee on children, families, and persons with disabilities on the status of the backlog; provided further, that the department shall employ not less than 1 full-time board-certified physician; provided further, that the department shall employ not less than 4 full-time board certified or board eligible child psychiatrists to serve the area offices; provided further, that hiring and supervision shall be done in conjunction with the department of mental health; provided further, that such physicians shall collaborate with the department's social workers; provided further, that not later than February 15, 2012, 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 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 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 not later than November 1, 2011, the department shall submit a report to the house and senate committees on ways and means and the chairs of the joint committee on children and families that includes any rules, regulations, or guidelines established by the department to carry out its duties pursuant to chapter 119 of the General Laws, including, but not limited to (a) criteria used to determine whether a child has been abused or neglected; (b) guidelines for removal of a child from the home; and (c) standards to determine what reasonable efforts are made to keep a child in the home; provided further, that the commissioner of the department of children and families may transfer funds between items 4800-0038, 4800-0040 and 4800-0041, for services only and no transfers shall be made for administrative costs**,** 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 2012 ..... $63,677,819

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 the department 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 releases, or other community residents considered to have employment needs $2,000,000

4800-0025 For foster care review services $2,824,059

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

4800-0038 For guardianship, foster care, adoption, family preservation, and kinship services provided by the department of children and families; provided, that services funded through this item shall include shelter services, substance abuse treatment, young parent programs, parent aides, education and counseling services, foster care, adoption and guardianship subsidies, tiered reimbursements used to promote the foster care placement of children with special medical and social needs, assessment of the appropriateness of adoption for children in the care of the department for more than 12 months, protective services provided by partnership agencies, targeted recruitment and retention of foster families, respite care services, post-adoption services, support services for foster, kinship and adoptive families and juvenile firesetter programs; provided further, that funding shall be expended on children's advocacy centers, services for child victims of sexual abuse and assault; provided further, that funds may be expended on programs that received funding in fiscal year 2011; and, provided further, that a children's advocacy center shall be established in Bristol County $242,507,069

4800-0040 For family preservation and reunification; provided, that services shall include family support and stabilization services provided by the department; and provided further, that no funds shall be expended from this item for the compensation of administrative employees and associated administrative costs of the department $39,750,000

4800-0041 For congregate care services; provided, that funds may be expended from this item to provide intensive community-based services, including intensive in-home support and stabilization services, to children who would otherwise be placed in residential settings; and provided further, that the department shall oversee area review teams that shall evaluate the feasibility of maintaining the child in the community in this manner wherever possible before recommending placement in a residential setting . $192,364,169

4800-0091 For the department of children and families which may expend not more than $2,058,735 in federal reimbursements received under Title IV-E of the Social Security Act during fiscal year 2012 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; and provided further, that notwithstanding section 1 or any other general or special law to the contrary, federal reimbursements received in excess of $2,058,735 shall be credited to the General Fund $2,058,735

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 $276,243

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; and provided further, that only employees of bargaining unit 8 as identified in the Massachusetts personnel administrative reporting and information system shall be paid from this item $159,452,441

4800-1400 For shelters and support services for people at risk of domestic violence and for the operation of the New Chardon Street homeless shelter; 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 $20,125,062

OFFICE OF HEALTH SERVICES.

Department of Mental Health.

5011-0100 For the operation of the department of mental health..... $26,747,749

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; and 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 $71,773,509

5046-0000 For adult mental health and support services; provided, that the department shall allocate funds in an amount not to exceed $5,000,000 from item 5095-0015 to this item, as necessary, 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

the Department of Mental Health is authorized to utilize one time trust fund monies in an amount not greater than $5,558,637, to expand community services, provided that said services shall include, but not be limited to, residential, clinical and support services to appropriately discharge an adult to the community and to provide them with services necessary to manage their illness and support recovery; provided further, that of said trust fund monies, $558,637 shall be expended on clubhouse services; provided further, that said funds shall not be expended until the department of mental health submits a report to the house and senate committees on ways and means and the joint committee on mental health and substance abuse services detailing the number of individuals to be discharged, the facilities from which they will be discharged and the specific community based services that will be developed to assist them in the community provided further, that the same level of funding be expended in fiscal year 2012 as expended in the prior fiscal year for jail diversion programs in municipalities that provide equal matching funds from other public or private sources; and provided further, that the department shall report to the house and senate committees on ways and means on the distribution of funds per adult and child planning population and the types of services received in each region for fiscal year 2012, not later than February 1, 2012 ..... $323,197,164

5046-2000 For homelessness services $20,134,424

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

5047-0001 For emergency service programs and acute inpatient mental health care services; provided, that the department shall continue an interagency service agreement with the executive office of health and human services for the purchase of services and for such other services as the agreement may provide; provided further, that the department shall require a performance specification to be developed for safe aftercare options for adults upon release from acute inpatient mental health care services; and provided further, that the emergency service programs shall take all reasonable steps to identify and invoice the third party insurer of all persons serviced by the programs $35,122,197

5055-0000 For forensic services provided by the department; provided, that funds may be expended for Juvenile Court Clinics $8,097,163

5095-0015 For the operation of hospital facilities and community-based mental health services; provided, that in order to comply with the decision in Olmstead v. L.E. 527 U.S. 581 and to enhance care 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; and provided further, that the department may allocate funds in an amount not to exceed $5,000,000 from this item to item 5046-0000, as necessary, under allocation plans submitted to the house and senate committees on ways and means 30 days before any transfer, for residential and day services for clients formerly receiving inpatient care at the centers and facilities; provided further, that the department shall file a report with the secretary of administration and finance and the chairs of the house and senate committees on ways on or before December 31, 2011, detailing the procedure, implementation and timing for the closure of any existing inpatient hospital beds and shall include a determination of the capacity in the inpatient public mental health system to effectively and appropriately meet the needs of individuals suffering from mental illness and whether individuals are receiving timely access to state hospital beds $128,500,803

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 submit a report on the number of applicants and the number of residents estimated and the feasible costs of serving those applicants and potential applicants to the house and senate committees on ways and means no later than January 3, 2012, detailing associated service costs by type; and 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 $60,672,283

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 $11,641,431

5920-2000 For vendor-operated, community-based, residential adult services, including intensive individual supports; provided, 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 2012 ..... $751,797,120

5920-2002 For court monitor costs in compliance with the terms of the Rolland settlement agreement, dated June 16, 2008, Civil Action No. 98-30208-KPN, filed in the United States District Court of Massachusetts in order to provide active services for class members $400,000

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 $164,790,661

5920-2025 For community-based day and work programs for adults..... $124,267,971

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

5920-3010 For contracted support services for families with autistic children through the autism division at the department of developmental services; provided, that funds shall be expended for the purposes of providing services under the Children's Autism Spectrum Disorder Waiver; provided further, that the department shall expend not less than $3,000,000 on the Children's Autism Spectrum Disorder Waiver; provided further, that at a minimum, this waiver shall include children with autism spectrum disorder ages 0 to 8, inclusive, including children with autism spectrum disorder ages 0 to 3, inclusive, receiving services through the department of public health's early intervention program; provided further, that the 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, 2012; and provided further, that such report shall include, but not be limited to, the services provided by the Children's Autism Spectrum Disorder Waiver, with information regarding the number of children enrolled in the waiver and receiving services, linguistic and cultural diversity, age, gender and geographic representation of the applicants and the children enrolled in the program, and department plans to continue to assess the demand for waiver services, any executive office of health and human services plans to expand the waiver for children on the autism spectrum of all ages in the future and any other information determined relevant by the department; and provided further, that the department shall submit copies of any amended waiver to the house and senate committees on ways and means, the joint committee on education and the joint committee on children, families and persons with disabilities upon submission of the amendment $4,621,177

5920-5000 For services to clients of the department who turn 22 years of age during state fiscal year 2012; provided, that the department shall report to the house and senate committees on ways and means not later than January 4, 2012, 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 individuals with intellectual disabilities; 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; and provided further, that the department may allocate funds from this item to items 5920-2000, 5920-2010, and 5920-2025, as necessary, under allocation

plans submitted to the house and senate committees on ways and means 30 days before any transfer, for residential and day services for clients formerly receiving inpatient care at ICF/MRs; provided, that the department shall report on all efforts to comply with the provisions of the Olmstead decision, the enhancement of care within available resources to clients served by the department and the steps taken to consolidate or close intermittent care facilities for persons with intellectual and developmental disabilities, in this item called ICF/MRs, provided further, that the department shall submit a progress report to the joint committee on children, families and persons with disabilities and the house and senate committees on ways and means on such initiatives by December 1, 2011, including both past actions and proposed future actions $142,156,836

5982-1000 For the department of developmental services which may expend not more than $150,000 accrued through the sale of milk and other farm-related and forestry products at the Templeton Developmental Center for program costs of the center, including supplies, equipment, and maintenance of the facility; provided, 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 therefore as reported in the state accounting system $150,000

Board of Library Commissioners.

7000-9101 For the operation of the board of library commissioners $914,448

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; provided further, that notwithstanding any general or special law to the contrary, in calculating the fiscal year 2012 distribution of funds appropriated in this item, the board of library commissioners shall employ population figures used to calculate the fiscal year 2010 distribution; and provided further, that notwithstanding any general or special law to the contrary, the library of the commonwealth shall receive not less than thirty-five and nine tenths cents for each resident of the commonwealth $9,131,475

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 2012 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, the library incentive grant program and the nonresident circulation offset program; 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 $6,823,657

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

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; 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 $421,473

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, 2012 ..... $2,000,000

7002-0017 For the provision of information technology services within the executive office of housing and economic development, including the homeless management information system $2,161,747

Department of Housing and Community Development.

7004-0001 For the commission on Indian affairs $103,457

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 7004-9009, 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 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; 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; and provided further, that the department shall, not later than September 1, 2011, reaffirm regulations clarifying that a household that otherwise qualifies for any preference or priority for state subsidized housing or rental assistance based on homeless or at-risk status shall retain that preference or priority notwithstanding receipt of rental assistance that is intended to be temporary including, but not limited to, any temporary or bridge subsidies provided with state or federal funds; provided further, that not less than $100,000 shall be expended to the town of Holbrook for a one-time community action grant which will fund an upgrade to town facilities; provided further, that not less than $175,000 shall be expended annually for provisions of emergency services that provide domestic violence intervention, workforce development, housing assistance, foreclosure prevention assistance, operation of food vouchers, winter coats for kids and holiday dinners operated by Community Action Programs Inter-City, Inc. for the communities of Chelsea, Revere and Winthrop $6,742,317

7004-0100 For the operations of the homeless shelter and services unit, including the compensation of caseworkers and support personnel $4,970,557

7004-0101 For certain expenses of the emergency assistance program pursuant to section 30 of chapter 23B of the General Laws as follows: (i) contracted family shelters; (ii) congregate emergency housing programs; (iii) short-term housing assistance; provided, that eligibility shall be limited to families with income at or below 115 per cent of the 2009 or a later-issued higher federal poverty level; provided further, however, that any family whose income exceeds 115 per cent of the federal poverty level while the family is receiving assistance funded by this item shall not become ineligible for assistance due to exceeding the income limit for a period of 6 months from the date that the 115 per cent level was exceeded; provided further, that funds shall be expended for homelessness prevention services and resources for families who have incomes at or below 115 per cent of the

federal poverty limit and include a child under age 21 or a pregnant woman; provided further, that such prevention services shall be administered by community action agencies and other community based organizations, shall be provided on first-come, first-serve basis and shall include landlord/tenant mediation, legal assistance to prevent eviction, housing search services stabilization services; provided further, that those families that shall be eligible for assistance through a temporary emergency family shelter shall include (a) families that are at risk of domestic abuse in their current housing situation; (b) families that, through no fault of their own, are homeless due to fire or natural disaster; and (c) those families with a head of household 21 years and younger which shall be served through the young families congregate housing program; provided further, that families may receive temporary assistance from this item to compensate for timing placement issues with item 7004-0108; provided further, temporary assistance under this item shall be terminated upon the offer of housing assistance under 7004-0108; provided further, a family may not decline an offer for housing assistance provided that the offer adequately accommodates the size of the family and the new housing placement shall not result in a job loss for the client; provided further, any family that declines an adequate offer of housing assistance shall become ineligible for housing assistance from this item; provided further, however, that any family receiving temporary emergency family shelter benefits pursuant to section 30 of chapter 23B as of June 30, 2011, shall not become ineligible for temporary emergency family shelter benefits; provided, that such families in which the head of household is more than 21 years of age shall transfer to the short-term housing transition program as such assistance becomes available, and such families in which the head of household is not more than 21 years of age shall transfer to a young families congregate housing facility as such facilities become available; provided further, that the department shall establish reasonable requirements for such families to escrow a portion of their income; provided further, that the 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 who are approved for shelter placement shall be placed in shelters, regardless if they are placed through this line item or any other, 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 should a family with a child under the age of 3 be placed in a hotel or motel, the department of housing and community development

shall ensure that the hotel or motel provides a crib for each child under the age of 3 that meets all state and federal safety codes; provided further, that notwithstanding any other general or special law to the contrary, the department shall immediately provide shelter for up to 30 days to families who appear to be eligible for such shelter based on statements provided by the family and any other information in the possession of the department, but who need additional time to obtain any third-party verifications reasonably required by the department; provided further, that 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 the department shall use its best efforts to ensure that a family placed by the emergency assistance program shall be provided with access to refrigeration and basic cooking facilities; provided further, that 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 the clerks of the senate and house of representatives 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 in fiscal year 2012, no such determination and report shall be filed prior to December 5, 2011; provided further, that all of this item shall be subject to appropriation and, in the event of a deficiency, nothing in this item shall give rise to or shall be construed as giving rise to any enforceable right or entitlement to services in excess of the amounts appropriated in this item; provided further, that any amounts appropriated in this item may be transferred to item 7004-0108 upon the approval of the secretary of administration and finance and the chairs of house and senate committees on ways and means; provided further, that any transfer of funds shall not leave this item in a projected deficit; provided further, that not less than $3,500,000 shall be expended to directly reduce the usage of shelter, including hotels and motels, by the emergency assistance program; provided further, that funds shall be used to transition families served by the program to more rapidly move them into temporary or permanent sustainable housing; provided further, that the department shall develop a strategic plan detailing the expenditure of these funds and shall submit the plan to the office of administration and finance and the house and senate committees on ways and means not later than August 16, 2011; provided further, that the department shall submit quarterly reports to the house and senate committees on ways and means, detailing the number of families transitioned from shelter benefits to affordable, subsidized or otherwise assisted housing through this program; provided further, that no funds shall be expended for personnel or administrative costs; provided further, that no funds shall be expended for costs associated with the homeless management information system; provided further, that the quarterly report shall also contain the same data

required in item 4403-2120 of section 2 of chapter 139 of the acts of 2006; provided further, said report shall include the number of families served with transitional housing or short-term housing assistance, the nature of such assistance provided, the average, minimum and maximum cost per family of such assistance, the number of families served who required further assistance at a later date, the type of assistance later required and provided and the current housing stability of each family who received transitional housing or short-term housing assistance within the prior 18 months including those served through item 7004-0108; and provided further, the Department of Housing and Community Development shall notify local school departments of the placement of a family in its district within five days of placement $97,797,200

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; provided further, that the department may allocate funds to other agencies for the purposes of this program; and provided further, that no funds shall be expended for costs associated with the homeless management information system $37,292,852

7004-0104 For the home and healthy for good program operated by the Massachusetts Housing and Shelter Alliance for the purpose of reducing the incidence of chronic homelessness in the commonwealth; provided, that the Massachusetts Housing and Shelter Alliance shall be solely responsible for the administration of this program; provided further, that the Massachusetts Housing and Shelter Alliance shall file a report with the clerks of the house and senate, the undersecretary of the department of housing and community development and the chairs of the house and senate committees on ways and means not later than March 1, 2012, the number of people served, the average cost per participant, the demographics of those served, whether participants have previously received government services and any projected cost-savings in other state-funded programs $1,200,000

7004-0108 For a program of short-term housing assistance for (i) families that would otherwise be eligible for temporary emergency family shelter pursuant to section 30 of chapter 23B of the General Laws and all other applicable statutory and regulatory requirements and (ii) for families where the head of household is 21 years of age or younger provided such families have successfully exited a young parents congregate shelter as described in line item 7004-0101; provided further, that the assistance may include, but shall not be limited to: payments of rent and utility arrears; a portion of the household's monthly rent, first month's rent, last month's rent, security deposit, utility charges, extraordinary medical bills so long as such assistance will maintain housing; (iii) immediate temporary housing arrangements, so long as such assistance will maintain housing for the family; provided further, that assistance towards a portion of the households' monthly rent shall be an eligible use of funds hereunder only in the event that the monthly rent for the housing does not exceed 80% of the fair market rent for such housing, as determined in accordance with the U.S. Department of Housing and Urban Development; provided further, that the administering agency shall be able to allow for a higher monthly rent in the event that a household transitioning to housing pursuant to this

line item from another time-limited assistance program would be displaced due to the restriction on fair market rent or if the administering agency has been unable to find a feasible rental property in a reasonable amount of time due to the lack of safe available rental housing in the region; provided further, that eligible families shall not pay more than 35% of household income towards rent utilities; provided further, that a family's eligibility for such assistance shall not exceed a period of 36 successive months; provided further, that such payments shall not exceed (1) $4,000 for the initial 12 month period for which the family receives assistance hereunder, or (2) if assistance is used for a portion of the household's monthly rent and utility costs, the difference between 35% of household income and the monthly cost of rent and utilities for such housing; provided further, that assistance shall be reduced by (1) 5% for each of the next 12 month periods for which the family receives assistance hereunder, or (2) such lesser amount as maintains the eligible family's contribution towards rent and utilities at not more than 35% of household income; provided further, that a family that exceeds the income eligibility criteria pursuant to section 30 of chapter 23B of the General Laws shall be eligible for continued assistance hereunder so long as they meet the requirements of their housing stabilization plan and do not exceed 50 per cent of area median income; provided further, that the continued eligibility of the family shall be determined on an annual basis; 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 short-term housing transition program including a wage match agreement with the department of revenue; provided further, that a family that would otherwise be eligible for temporary emergency family shelter that applies for assistance and is directed to this program shall have housing made immediately available to them or be able to access shelter if no other viable option exists until an apartment is available for the family to rent utilizing benefits hereunder; provided further, that assistance received under this program shall render a family that did not make a good faith effort to secure an apartment or did not make a good faith effort to follow their housing stabilization plan ineligible for benefits pursuant to section 30 of chapter 23B and short-term housing transition benefits for a period of no more than 24 months from the later of the date upon which the family exits a temporary emergency family shelter or a monthly rental assistance payments is made to or on behalf of the family or 12 months for a family that received assistance only for rent arrears, utility charges or extraordinary medical bills, provided further, that no family with a head of household who is over the age of 60 years or disabled will be denied emergency family shelter benefits because of participation in this program or failure to meet the goals established in a housing stabilization plan; provided further, that the department, as a condition of continued eligibility for assistance pursuant to this program, may require disclosure of social security numbers by all members of a family in the Massachusetts short-term housing transition program for use in verification of income with other agencies, departments and executive offices; provided further, that any family in which a member of the family shall fail to provide a social security number for use in verifying the family's income and eligibility shall no longer be eligible to receive benefits from the short-term housing transition program; provided further, that the department shall administer the short-term housing transition program through the following agencies unless and until administering agencies are

otherwise procured by the department: Berkshire Housing Development Corp., Central Massachusetts Housing Alliance, Community Teamwork, Inc., Housing Assistance Corp., Franklin County Housing and Redevelopment Authority, Hap, Inc., Metropolitan Boston Housing Partnership, South Middlesex Opportunity Council, Inc., and South Shore Housing Development Corporation and RCAP Solutions, Inc; provided further, that the department of housing and community development shall reallocate financing based on performance based statistics from under-performing service providers to above average service providers in order to move as many families from hotel, motels, or shelters into more sustainable housing; provided further, that the department shall use funds provided for this program for stabilization workers to focus efforts on housing retention, and link households to supports including job training, education, job search, and childcare opportunities available and may enter into agreements with other public and private agencies for the provision of such services, and that a stabilization worker shall be assigned to each household; provided further, that all of this item shall be subject to appropriation and, in the event of a deficiency, nothing in this item shall give rise to or shall be construed as giving rise to any enforceable right or entitlement to services in excess of the amounts appropriated in this item; and provided further, that the department shall issues rules and regulations for the short-term housing transition program..... $38,561,732

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 the department shall report to the house and senate committees on ways and means not later than March 1, 2012 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 $1,495,996

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 that contain individuals 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, 2011, 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 2012 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; and provided further, that the administration shall make every attempt to direct efforts toward rehabilitating local housing authority family units requiring $10,000 or less in repairs $62,500,000

7004-9024 For a program of rental assistance for low-income families and elderly persons through mobile and project-based vouchers; provided, that rental assistance shall only be paid under a program 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 month's 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 whose use 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, 2011, if the participant's annual eligibility recertification date occurs between June 30, 2011 and September 1, 2011, 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, at 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, 2011 ..... $36,000,000

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 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 2013; 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 The department of housing and community development may expend for the administration and monitoring of the low-income housing tax credit and local administration programs an amount not to exceed $2,323,853 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; provided, 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 $2,323,853

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 $2,500 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, 2007; 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 not later than March 1, 2012, 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 $260,000

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 $770,019

7006-0043 For the office of consumer affairs which may expend for the administration and enforcement of the home improvement contractor program an amount not to exceed $500,000 from the revenue collected from fees for the registration and renewal of home improvement contractor registrations under section 11 of chapter 142A of the General Laws; provided, that 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 $500,000

Division of Banks.

7006-0010 For the operation of the division of banks; provided, that notwithstanding any general or special law to the contrary, the division shall assess 100 per cent of the amount appropriated in this item, and the associated fringe benefits costs for personnel paid from this item, upon financial institutions which the division currently regulates under section 2 of chapter 167 of the General Laws $13,203,351

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 $2,650,000 from the revenue received from administrative fees associated with the licensure fees and from civil administrative penalties pursuant to said chapter 255F; provided further, that the division may expend from such revenue an amount to be determined by the commissioner of banks as grants for the operation of a program for best lending practices, first-time homeowner counseling for non-traditional loans and 10 or more foreclosure education centers pursuant to section 16 of chapter 206 of the acts of 2007, and that the grants shall be awarded through a competitive application process under criteria created by the division and that no funds shall be expended from this item in the AA object class for the compensation of state employees for such 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 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 $2,650,000

Division of Insurance.

7006-0020 For the operation of the division of insurance, including the expenses of the board of appeal on motor vehicle policies and bonds and the associated fringe benefits costs for personnel paid from this item 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 notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item, and the associated fringe costs of personnel paid from this item, shall be assessed upon the institutions which the division currently regulates under general or special laws or regulations, except for licensed business entity producers; provided further, that the assessment shall be in addition to any and all assessments currently assessed upon the institutions $11,731,274

7006-0029 For the operation of the health care access bureau of the division of insurance; provided, that under section 7A of chapter 26 of the General Laws, the full amount appropriated in this item, as well as the associated fringe benefits costs for personnel paid from this item, shall be assessed upon the carriers licensed under chapters 175, 176A, 176B and 176G of the General Laws $1,100,000

Division of Professional Licensure.

7006-0040 For the operation and administration of the division of professional licensure; 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 $2,272,285

7006-0110 For the operation of the state racing commission $1,540,878

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 $1,150,000

7006-0151 For the division of professional licensure which may expend for the oversight of proprietary schools an amount not to exceed $540,123; provided, that no expenditures made in advance of the receipts shall be permitted to exceed 50 per cent of the amount of revenues projected by the first quarterly statement required by section 1B $540,123

Division of Standards.

7006-0060 For the operation of the division of standards $741,007

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 $160,372

7006-0067 For the division of standards; provided, that the division may expend for enforcement of weights and measures laws an amount not to exceed $58,751 from revenues received from item pricing violations collected through municipal inspection efforts, and from weights and measures fees and fines collected from cities and towns $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 2012 under this section shall be made at a rate sufficient to produce 100 per cent of the amount appropriated in this item, and the associated fringe benefits costs for personnel paid from this item $2,708,411

Department of Business Development.

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 $1,624,028

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 $200,000

7007-0800 For a grant for the state match for a small business development center; provided, that no funds shall be expended from this item until such time as the United States Small Business Administration has made a payment or has executed a contract to pay the University of Massachusetts at Amherst for the operation of the center; provided further, that the funds expended from this item shall not exceed 25 per cent of the gross operating cost of said center; provided further, that not more than $300,000 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 for 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 $704,286

7007-0801 For microlending grants of up to $100,000 to be issued to established Community Development Financial Institutions making direct microenterprise and small business loans to borrowers on a regional basis, as well as providing technical assistance to applicants and borrowers in order to foster business establishment and success; provided, that the funds will be used to support the eligible organization's lending and technical assistance activities $200,000

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; provided further, that the corporation shall report to the house and senate committees on ways and means not later than February 1, 2012, 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; and provided further, that not less than $750,000 shall be expended on a matching program to encourage private and corporate donations to support the Franklin Park Zoo and Stone Zoo $3,500,000

Massachusetts Marketing Partnership.

7008-0900 For the operation of the Massachusetts office of travel and tourism; provided, that the office shall be the official and lead agency to facilitate and attract major sports events and championships in the commonwealth; provided further, that the office shall be the official and lead agency to facilitate motion picture production and development within the commonwealth; provided further, that funds appropriated within this item shall also be used for financial assistance to local tourist councils pursuant to section 14 of chapter 23A of the General Laws; and provided further, that not less than $200,000 shall be expended as grants for the Bay State Games..... $1,988,167
Massachusetts Tourism Fund 100%

7008-1000 For assistance to regional tourist councils under section 14 of chapter 23A of the General Laws; provided, that notwithstanding any general or special law or rule or regulation to the contrary, each of the councils may expend an amount not to exceed 20 per cent of the funds appropriated in this item for the cost of administrative services..... $6,000,000

Massachusetts Tourism Fund.....100%

7008-1300 For the operation of the Massachusetts International Trade Office..... $100,000
Massachusetts Tourism Fund 100%

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.

Office of the Secretary.

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 3, 2012, the director of workforce development shall submit to the house and senate committees on ways and means a report describing 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, the costs and the sources of revenue for such services $726,875

7002-0170 For the provision of information technology services within the executive office of labor and workforce development $240,284

Department of Labor Standards.

7002-0200 For the operation of the department of labor standards; 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; proved further, that $278,747 shall be made available to fund the Division of Apprentice Training $2,022,215

7002-0201 For the department of labor standards; provided, that the division may expend an amount not to exceed $452,850 received from fees authorized under section 3A of chapter 23 of the General Laws and civil fines issued under section 197B of chapter 111 of the General Laws, section 46R of chapter 140 of the General Laws and section 6F1/2 of chapter 149 of the General Laws $452,850

7002-0500 For the operation and administrative expenses of the division of industrial accidents; provided, that said division shall submit a report not later than February 1, 2012 to the house and senate committees on ways and means detailing the scope, objective and results of grant recipients' safety training program; provided further, 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 $19,106,544

7002-0900 For the operation of the division of labor relations $1,809,882

7002-0901 For the division of labor relations which may expend for the operation of the division an amount not to exceed $100,000 from fees collected under section 3B of chapter 7 of the General Laws or section 6 of chapter 150 of the General Laws; provided, that the first $100,000 of such fees collected by the division shall be deposited into the General Fund and any fees collected in excess of $200,000 shall be deposited into the General Fund; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system $100,000

Department of Career Services.

7003-0605 For the operation and maintenance of the Massachusetts Manufacturing Extension Partnership for the purpose of maintaining and promoting manufacturing as an integral part of the economy of the commonwealth and for programs designed to assist small and mid-sized manufacturing companies $325,000

7003-0702 For the Massachusetts Service Alliance to administer State Service Corps grants and provide training and support to volunteer and service organizations; provided, that not less than $250,000 shall be expended for the New England Farm Workers Council; provided further, that not less than $250,000 shall be expended for the Urban League of Eastern Massachusetts; provided further, that programs that develop, promote and protect Latino businesses and communities in Massachusetts that were funded in the fiscal year 2010 general appropriations act shall receive the same level of funding as appropriated to said program in item 7003-0702 in chapter 27 of the acts of 2009; and provided further, that programs supporting and promoting cultural heritage and diversity and education, career development and employment service programs in the city of Boston in the city of Boston that were funded in the fiscal year 2009 general appropriations act shall receive 50 per cent of the amount appropriated to said program in item 7003-0702 in the chapter 182 of the acts of 2008 ..... $1,350,000

7003-0803 For the one-stop career centers $4,994,467

EXECUTIVE OFFICE OF EDUCATION.

Office of the Secretary of Education.

7009-1700 For the operation of information technology services within the executive office of education $7,800,454

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 $726,986

Department of Elementary and Secondary Education.

7010-0005 For the operation of the department of elementary and secondary education..... $12,767,009

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; provided further, that the secretary of education., shall report, no later than July 1, 2012, to the house and senate committees on ways and means on student achievement growth by METCO students relative to their peers in both sending and receiving districts and on the academic success of former METCO students who attended two and four year public colleges and universities in the commonwealth relative to their peers from both sending and receiving districts at said public institutions of higher education; including enrollment in remedial coursework, grade point averages, and college graduation rates; and provided further, that METCO, Inc., shall make available to the secretary of education information necessary to complete said report $17,642,582

7010-0020 For the Bay State Reading Institute; provided, that the program shall be administered under contract to Middlesex Community College in programmatic collaboration with Framingham State College and Fitchburg State College; provided further, that the Institute shall provide literacy based intervention in schools and districts at risk of or determined to be underperforming in accordance with sections 1J and 1K of chapter 69 of the General Laws; and provided further, that funds appropriated in this item for this initiative may be expended through June 30, 2013 ..... $400,000

7010-0033 For literacy and early literacy programs; provided, that these programs shall provide ongoing evaluation of the outcomes thereof and shall document the outcomes annually to the department and to the house and senate committees on ways and means $3,147,940

7030-1005 For Reading Recovery, a one-to-one, early intervention, individual tutorial literacy program designed as a pre-special education referral and short-term intervention for children who are at risk of failing to read in the first grade; provided, that said program shall provide ongoing documentation and evaluation of results $400,000

7027-1004 For English language acquisition professional development to improve the academic performance of English language learners and effectively implement sheltered English immersion as outlined in chapter 71A of the

General Laws; 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, 2012, provide a report on the number of educators who have received such training since passage of said chapter 71A, 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 committees on ways and means and the house and senate chairs of the joint committee on education; provided further, that funds may be expended through August 31, 2012; and provided further, that no funds shall be expended for personnel costs $364,937

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, 2011..... $7,345,373

7030-1002 For kindergarten expansion grants to provide grant awards to continue quality enhancement of existing full-day kindergarten classrooms and to encourage transition of half-day kindergarten classrooms into 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, and schools districts which serve free or reduced lunch to at least 35 per cent of its students, 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 17, 2012, 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 2012; provided further, that the commissioner of elementary and secondary education shall have discretion to grant funds for new programs to transition from half-day to full-day kindergarten; provided further, that all kindergarten programs previously funded through community partnership councils at the department of early education and care may receive grants from this item in amounts equal to the amounts they received in fiscal year 2011; and provided further, that no funds shall be expended for personnel costs $22,948,947

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 $27,702,108

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; provided further, that the department of elementary and secondary education shall report to the house and senate committees on ways and means no later than February 1, 2012, on the cost of providing 100% reimbursement for out-of-district transportation expenses to communities hosting homeless families in hotels and motels $40,521,000

7035-0007 For reimbursements to cities, towns, regional vocational or county agricultural school districts, independent vocational school, 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 of said chapter 74, 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 school, 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 $400,000

7051-0015 For operating funds to distribute food for the Massachusetts emergency food assistance program..... $1,000,000

7053-1909 For reimbursements to cities and towns for partial assistance in the furnishing of lunches to school children, including partial assistance in the furnishing of lunches to school children as authorized by section 6 of chapter 348 of the acts of 1948 as inserted by chapter 538 of the acts of 1951, and for supplementing funds allocated for the special milk program; provided, that notwithstanding any general or special law to the contrary, payments so authorized in the aggregate for partial assistance in the furnishing of lunches to school children shall not exceed the required state revenue match contained in Public Law 79-396, as amended, cited as the National School Lunch Act and in the regulations implementing the act..... $5,426,986

7053-1925 For the school breakfast program for public and nonpublic schools and for grants to improve summer food programs during the summer school vacation period; provided, that funds shall be expended for the summer food service outreach program and the school breakfast outreach program; provided further, that within the summer food program, priority shall be given to extending 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 2012; 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, 2012; 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 chapter 69 of the General Laws where 60 per cent or more of the students are eligible for free or reduced-price meals under the federally-funded school meals program; provided further, that the department shall select school sites for programs authorized by this item not later than November 16, 2011, and shall report to the house and senate committees on ways and means on the preliminary results of these grants not later than January 7, 2012; 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, 2012, prior appropriation continued $4,121,215

7061-0008 For school aid to cities, towns, regional school districts, counties maintaining agricultural schools, independent vocational schools and independent agricultural and technical schools to be distributed under chapters 70 and 76 of the General Laws and section 3 ..... $3,990,812,680

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 2011 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 no less than $6,500,000 available to the department of developmental services for the voluntary residential placement prevention; provided further, that the department shall expend funds to provide books in accessible synthetic audio format made available through the federal NIMAS-NIMAC book repository for the outreach and training of teachers and students for the use of NIMAS-NIMAC and human speech audio digital textbooks; provided further, that the department shall expend funds for the costs of borrowing audio textbooks by special education students; provided further, that funds may be expended for the monitoring and follow-up activities of the department's complaint management system, review and approval of local educational 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 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 2012 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 2011 to costs reimbursable under said section 5A of said chapter 71B and incurred during fiscal year 2012 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 one-time grants and shall not decrease reimbursements in the following fiscal year; provided further, that the department shall conduct audits of fiscal year 2011 claims; provided further, that if the claims are found to be inaccurate, the department shall recalculate the fiscal year 2012 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, 2012, on the results of the audit $213,119,160

7061-0029 For the office of school and district accountability, established in section 55A of chapter 15 of the General Laws; provided, that notwithstanding said 55A of said chapter 15 of the General Laws, the office shall perform not less than 20 school district audits for fiscal year 2012..... $939,083

7061-0033 For a reserve to assist towns negatively impacted by shortfalls in federal impact aid for the education of children in families employed by the federal government on military reservations located within the town's limits; provided, that any grants provided under this item shall be expended by a school committee without further appropriation $1,300,000

7061-9010 For fiscal year 2012 reimbursements to certain cities, towns and regional school districts of charter school tuition and the per pupil capital needs component included in the charter school tuition amount for commonwealth charter schools, as calculated under subsections (ff) and (gg) of section 89 of chapter 71 of the General Laws; provided, that notwithstanding said subsection (ff) of said section 89 of said chapter 71 or any other general or special law to the contrary, the per pupil capital needs component of the commonwealth charter school tuition rate for fiscal year 2012 shall be $893; and provided further, that if the amount appropriated is insufficient to fully fund all reimbursements required by said section 89 of said chapter 71, the department shall fully reimburse the cost of such per pupil capital needs component and shall prorate the tuition reimbursements calculated under said subsection (gg) of said section 89 of said chapter 71; and provided further, that the Department may retain not more than one percent of tuition payments to charter schools for the administration of the charter school program $73,215,427

7061-9200 For the education technology program $861,405

7061-9400 For student and school assessment including the administration of the Massachusetts comprehensive assessment system 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 $24,362,278

7061-9404 For grants to cities, towns and regional school districts to provide targeted remediation programs for students in the classes of 2003 to 2016, 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 the provisions of 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 said 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 2012, and operated by public institutions of higher learning or by public-private partnerships in the commonwealth, for students in the graduating classes of 2003 to 2014, inclusive, who may have completed all other high school requirements but have not yet obtained a competency determination as defined in said section 1D of said chapter 69 as measured by the MCAS assessment instrument authorized by said section 1I of said chapter 69, but who are working to pass the English, math, and Science, Technology, and Engineering 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, 2012, to allow for summer remediation programs; provided further, that not less than $200,000 shall be expended for JFY Networks for the purposes of enhancing student performance and addressing achievement gaps through the use of instructional software, teacher training, and support; provided further, that funds shall be expended for competitive grants to fund Pathways programs targeting students in the graduating classes of 2003-2015, 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 2016, inclusive, who have not obtained a competency determination or have scored in levels 1 or 2 on either the English or math MCAS exams or level 1 on Science, Technology and Engineering MCAS; provided further, that the department of elementary and secondary education may give preference for such assistance to those districts with a high percentage of high school students scoring in level 1 on the MCAS exam in English, math and Science, Technology and Engineering; provided further, that eligible applicants shall include individual high schools, and those institutions which shall have partnered with a high school or group of high schools; provided further, that no district shall receive a grant from this appropriation until the district 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 any evaluation will 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, 2012, 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 2016, inclusive, funded by items this item 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 funds shall be expended for personnel costs $9,575,175

7061-9408 For targeted intervention to schools and districts at risk of or determined to be underperforming under sections 1J and 1K of chapter 69 of the General Laws, 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; 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 except where 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 funds may be expended for the commonwealth pilot school initiative established by the board in November 2006; provided further, that the department shall issue a report not later than February 2, 2012, 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 the report shall be provided to the secretary of administration and finance, the senate president, the speaker of the house, the chairs of the house and senate 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; provided further, that for the purpose of this item, appropriated funds may be expended through August 31, 2012, to allow for intervention and school and district improvement planning in the summer months; 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; and provided further, that in carrying out the provisions of this item, the department may contract with vendors that have an established record of working with schools to target and enhance middle school academic support services, provided the department shall give priority to programs that have the capacity to serve not less than 25% of a district's middle school population, make available documentation of a minimum of $1 in private sector local or federal funds for every $1 in state funds, extend the learning day for students on site in the same building where students attend school during

the day by a minimum of 10 hours per school week, provided further, said programs shall have conducted at least one independent longitudinal study demonstrating gains in student performance in any of the following areas; MCAS scores, school attendance, student grades, or long-term high school graduation rates, teach students in groups with ratios no larger than one to eighteen, integrate an extended school faculty which includes an on-site leader, and further, said program shall develop data sharing agreements and MOUs with middles schools to ensure the timely and effective sharing of grade progress and other formative or diagnostic measurement of student progress $7,692,193

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 2011 and which include a minimum of an additional 300 hours on a mandatory basis for all children attending that school; provided further, that in approving expanded learning time implementation grant applications, preference shall be given to districts with high poverty rates or a high percentage of students scoring in levels 1 or 2 on the Massachusetts comprehensive assessment system, those districts with proposals that have the greatest potential for district-wide impact, those districts that plan to utilize partnerships with community-based organizations and institutions of higher education and those districts with proposals that include a comprehensive restructuring of the entire school day or year to maximize the use of the additional learning time; provided further, that the department shall approve implementation proposals that include an appropriate mix of additional time spent on core academics, additional time spent on enrichment opportunities such as small group tutoring, homework help, music, arts, sports, physical activity, health and wellness programs, project-based experiential learning and additional time for teacher preparation or professional development; provided further, that the department shall only approve implementation proposals that assume not more than $1,300 per pupil per year in future state appropriations of expanded learning time implementation funds; provided further, that in extraordinary cases the department may exceed the $1,300 per pupil per year limit; provided further, that the department shall review all qualified proposals and award approved grants not later than August 16, 2011; provided further, that in carrying out the provisions of this item, funds may be expended by the department to support the impact and effectiveness of the program; provided further, that the department shall issue an annual report, not later than February 2, 2012, on the implementation of plans in all participating districts; provided further, that the 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 for this item, appropriated funds may be expended through August 31, 2012, to allow for planning and implementation during the summer months;

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 $13,918,030

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 Laws between the ages of 18 and 22, inclusive; provided, that the grant program will be limited to students who are considered to have severe disabilities and, in the case of students ages 18 to 19, shall be limited to students with severe disabilities who have been unable to achieve the competency determination necessary to pass the Massachusetts comprehensive assessment system exam; provided further, that 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 will 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 the department, in consultation with the department of higher education, shall develop strategies and procedures to help sustain and replicate the existing inclusive concurrent enrollment programs initiated through this pilot program, including, but not limited to: provision of funds to retain employment specialists and assist students in meeting competitive employment and other transition-related goals, and adoption of procedures and funding mechanisms to ensure that new partnerships of institutions of higher education and school districts providing inclusive concurrent enrollment programs fully utilize the models and expertise developed in existing partnerships; provided further that the department shall develop a mechanism to encourage existing and new partnerships to expand capacity to respond to individual parents that request an opportunity for their children to participate in the inclusive concurrent enrollment initiative; and provided further that tuition for courses shall be waived by the institutes of higher education for students enrolled through this grant program; 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; 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 the discretionary grant program not later than February 15, 2012; provided further, that no funds shall be expended for personnel employed by the department of elementary and secondary education; and provided further, that for the purpose of this item, appropriated funds may be expended through August 31, 2012 ..... $400,000

7061-9601 For the department of elementary and secondary education; provided that the department shall expend funds not to exceed $1,265,038 for teacher preparation and certification from fees relating to such service; 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 shall certify for payments amounts not to exceed the amount of appropriation $1,367,409

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 of elementary and secondary education shall fund only those applications which contain accountability systems and measurable outcomes, under guidelines to be determined by the department in consultation with the department of early education and care; provided further, that applicants shall detail funds received from all public sources for existing after-school and out-of-school programs and the types of programs and type of students served by the funds; provided further, that funds 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 funds shall be expended for services that actively include children with disabilities in after-school programs that also serve non-disabled children and services that include children where English is a second language, including but not limited to: increased per-child reimbursement rates, additional staff, technical assistance, training and transportation; 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, 2011, and shall report on the preliminary results of said grants not later than February 15, 2012, 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; provided further, that for the purpose of

this item, appropriated funds may be expended through August 31, 2012, to allow for implementation of said programs during the summer months; and provided further, funds shall be expended to convene regional networks, to work with the department of elementary and secondary education and the department of early education and care to support the implementation of school-community partnerships and to submit a report by October 15, 2011, to the general court and the administration making recommendations on how to enhance school-community partnerships and positive outcomes for children and youth through funding as provided in this item $1,500,000

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 $146,140

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

7061-9626 For grants and contracts with YouthBuild programs for the purposes of providing comprehensive YouthBuild services $1,300,000

7061-9634 For a transfer of this item to the Mass Mentoring Partnership, which shall be responsible for administering a competitive statewide grant program for public and private agencies to start or expand youth mentoring programs according to current best practices and for purposes including advancing academic performance, self-esteem, social competence and workforce development; provided, that the department of elementary and secondary education shall transfer the amount appropriated in this item to the Mass Mentoring Partnership for 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 Mass Mentoring Partnership shall submit a report detailing the impact of grants, expenditure of funds and the amount and source of matching funds raised to the department of elementary and secondary education..... $250,000

7061-9804 For teacher content training in math and science; provided, that said training shall include math specialist and Massachusetts test for educator licensure preparation; provided further, that not less than $400,000 shall be expended on a program which shall provide advanced placement math, science and English teacher training in at least 40 school districts, provided that such program shall provide a matching amount of at least $400,000 in private funding; and provided further, that the department shall deliver to the legislature an independent evaluation of the program and its impact on student achievement, particularly as it relates to closing achievement gaps; 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, 2012, 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 ways and means committees and the house and senate chairs of the joint committee on education; provided further, that no funds shall be expended for personnel costs; and provided further, that for the purpose of this item, appropriated funds may be expended through August 31, 2012 ..... $753,227

7061-9810 For regional bonus aid pursuant to M.G.L. Chapter 71 Section 16(D)(g)..... $300,000

Department of Higher Education.

7066-0000 For the operation of the department of higher education; provided, that the department shall recommend savings proposals that permit institutions of public 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 $1,657,950

7066-0005 For the commonwealth's share of the cost of the compact for education $82,620

7066-0009 For the New England board of higher education $367,500

7066-0015 For the community college workforce training incentive grant program established in section 15F of chapter 15A of the General Laws $1,250,000

7066-0016 For a program of financial aid to support the matriculation of certain persons at public and private institutions of higher learning; provided, that only persons in the custody of the department of children and families under a care and protection petition upon reaching the age of 18, or persons in the custody of the department matriculating at such an institution at an earlier age, shall qualify for such aid; provided further, that no such person shall be required to remain in the custody of the department beyond age 18 to qualify for such aid; provided further, that this aid shall not exceed $6,000 per recipient per year; and provided further,

that this aid shall be granted after exhausting all other sources of financial support $1,075,299

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

7066-0020 For the nursing and allied health workforce development initiative, to develop and support strategies that increase the number of public higher education faculty members and students who participate in programs that support careers in fields related to nursing and allied health; provided, that the amount appropriated in this item shall be transferred to the Massachusetts Nursing and Allied Health Workforce Development Trust Fund established in section 33 of chapter 305 of the acts of 2008; 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. $635,250

7066-0021 For reimbursements to public institutions of higher education for foster and adopted child fee waivers under section 19 of chapter 15A of the General Laws; provided, that no funds shall be distributed from this line 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 foster and adopted children attending public institutions of higher education under said section 19 of said chapter 15A that would otherwise have been retained by the campuses, according to procedures and regulations promulgated by the board of higher education $935,400

7066-0024 For the school of excellence program at the Worcester Polytechnic Institute; provided, that every effort shall be made to recruit and serve equal numbers of male and female students; provided further, that sending districts of students attending the Institute shall not be required to expend any funds for the cost of these students while in attendance at the Institute; provided further, that the Massachusetts Academy of Mathematics and Science shall provide professional development activities at the school located at Worcester Polytechnic Institute, including salary and benefits for master teachers and visiting scholars; provided further, that the academy shall file a report with the joint committee on education and the house and senate committees on ways and means no later than February 1, 2012, detailing the professional development activities; and provided further, that the department of elementary and secondary education shall provide a subsidy to the Worcester Polytechnic Institute to operate a school of excellence in mathematics and science $1,300,000

7066-0025 For the performance management set aside incentive fund for the University of Massachusetts, the state universities, and the community colleges; provided, that these funds shall be distributed by the department of higher education to public institutions of higher education through a competitive grant process based on priorities determined by the department in pursuit of goals articulated in the commonwealth's Vision Project $2,500,000

7070-0065 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 funds from this item may be expended on the administration of the scholarship program; provided further, that the commissioner of higher education, in coordination with the Massachusetts state scholarship office, shall adopt regulations governing the eligibility and the awarding of financial assistance; provided further, that the board shall continue to administer all programs funded in this item at an amount not less than that expended in fiscal year 2010; and provided further, that funds from this item shall be in addition to $1,000,000 made available by the Massachusetts Education Finance Authority in fiscal year 2012 for a program of needs-based financial assistance for Massachusetts residents enrolled in and pursuing a program of higher education at the University of Massachusetts, the state universities, or the community colleges $87,607,756

7077-0023 For a contract with the Tufts School of Veterinary Medicine; provided, that funds appropriated in this item shall be expended under a tuition remission plan as approved by the commissioner of higher education, for supportive veterinary services provided to the commonwealth; provided further, that prior year costs may be paid from this item; provided further, that funds appropriated in this item shall support bioterrorism prevention research related to diseases that can be transmitted from animals to humans, in consultation with Massachusetts emergency authorities $2,000,000

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

University of Massachusetts.

7100-0200 For the operation of the University of Massachusetts; provided, that notwithstanding any general or special law to the contrary, the university may establish and organize auxiliary organizations, subject to policies, rules and regulations adopted by the board, to provide essential functions which are integral to the educational mission of the university; provided further, that notwithstanding any general or special law to the contrary, the university may enter into leases of real property without prior approval of the division of capital asset management and maintenance; provided further, that the University of Massachusetts shall expend funds, for the operation of the Massachusetts Office of Public Collaboration at the University of Massachusetts Boston, for capital lease payments from the University of Massachusetts to the Massachusetts Development Finance Agency and for annual operations of the advanced technology and manufacturing center in Fall River; and provided further, that funds may be expended for the UMass Extension, and for the statewide 4-H program $417,982,753

State Colleges.

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

7110-0100 For Fitchburg State College $23,467,616

7112-0100 For Framingham State College $21,266,256

7113-0100	For the Massachusetts College of Liberal Arts	$12,559,859
7114-0100	For Salem State College	$34,614,021
7115-0100	For Westfield State College	$20,139,642
7116-0100	For Worcester State College	$19,941,794
7117-0100	For the Massachusetts College of Art	$13,405,202
7118-0100	For the Massachusetts Maritime Academy	$12,330,691

Community Colleges.

7502-0100	For Berkshire Community College	$7,988,207
7503-0100	For Bristol Community College	$13,885,391
7504-0100	For Cape Cod Community College	$9,823,796
7505-0100	For Greenfield Community College	$7,805,699
7506-0100	For Holyoke Community College	$16,074,594
7507-0100	For Massachusetts Bay Community College	$11,859,106
7508-0100	For Massasoit Community College	$17,376,153
7509-0100	For Mount Wachusett Community College	$11,007,508
7510-0100	For Northern Essex Community College	$16,305,635
7511-0100	For North Shore Community College, including the post-secondary programs of the Essex Agricultural and Technical Institute operated by North Shore Community College	$17,629,907
7512-0100	For Quinsigamond Community College	$12,980,557
7514-0100	For Springfield Technical Community College	$21,070,398
7515-0100	For Roxbury Community College	$9,729,356
7515-0121	For the Reggie Lewis Track and Athletic Center at Roxbury Community College; provided, that the college may expend an amount not to exceed $529,843 received from fees, rentals and facility expenses associated with the running and operation of national track meets, high school track meets, high school dual meets, Roxbury Community College athletic events, other special athletic events, conferences, meetings and programs; and provided further, that only expenses for contracted services associated with these events and for the capital needs of the facility shall be funded from this item	$529,843
7516-0100	For Middlesex Community College	$17,121,183
7518-0100	For Bunker Hill Community College;	$17,496,631

EXECUTIVE OFFICE OF PUBLIC SAFETY AND HOMELAND 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; provided, that the secretary shall, to the fullest extent consistent with the duties of the office, prioritize the development and implementation of a real-time data-sharing system between federal, state and municipal law enforcement to facilitate interdepartmental cooperation and assistance; and provided further, that the secretary may enter into an agreement with a state college or university to provide for the expansion of a comprehensive law enforcement and emergency response training program for local, state and federal criminal justice and homeland security professionals, subject to the receipt of federal matching funds $1,905,427

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

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

8000-1700 For the provision of information technology services within the executive office of public safety and security $17,803,749

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 in the commonwealth; provided, that 1 unit shall be located in Hampden county to serve the needs of incarcerated persons in the care of Berkshire, Franklin, Hamden, Hampshire, and Worcester counties; provided further, that 1 unit shall be located in Middlesex County to serve the needs of incarcerated persons in the care of Barnstable, Bristol, Dukes, Essex, Nantucket, Middlesex, Norfolk, Plymouth, and Suffolk counties; provided further, that the services of the units shall be made available to incarcerated persons in the care of the department of correction; provided further, that the Massachusetts sheriffs' association, in conjunction with the department of correction, shall prepare a report that shall include, but not be limited to: (a) the number of incarcerated persons in facilities located in counties that were provided services in each unit; (b) the number of incarcerated persons in department of correction facilities that were provided services in each unit; (c) the alleviation in caseload at Bridgewater state hospital associated with fewer incarcerated persons in the care of counties being attended to at the hospital; and (d) the estimated and projected cost-savings in fiscal year 2012 to the sheriff departments and the department of correction associated with the regional units; provided further, that the report shall be submitted to the house and senate committees on ways and means not later than March 15, 2012; and provided further, that the department of mental health shall maintain monitoring and quality review functions of the units $1,886,335

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 17, 2012 detailing the caseload of the office; and provided further, that the 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 2010 and 2011 ..... $7,210,507

8000-0122 For the office of the chief medical examiner, which may expend for its operations an amount not to exceed $1,860,000 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 $1,860,000

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 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 30, 2011, concerning, but not limited to, 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 a district attorney delineated by county $12,993,541

Department of Criminal Justice Information Services.

8000-0110 For the operation of the department of criminal justice information services, including criminal justice information services, criminal offender record information services, firearms support services and victim services; provided, that funds may be expended for the purpose of enabling local housing authorities' access to criminal offender record information when qualifying applicants for state-assisted housing $2,531,924

Sex Offender Registry.

8000-0125 For the operation of the sex offender registry, including, but not limited to, the costs of maintaining a computerized registry system and the classification of persons subject to the registry; provided, that notwithstanding any general or special law to the contrary, that the

registration fee paid by convicted sex offenders under section 178Q of chapter 6 of the General Laws shall be retained and expended by the sex offender registry board $3,379,442

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 and the payment of overtime for state police officers; provided further, that the department shall maintain the division of field services which shall include, but not be limited to, the bureau of metropolitan district operations; provided further, that not fewer than 40 officers may be provided to the department of conservation and recreation for the purpose of patrolling the watershed property of the department of conservation and recreation; 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 31, 2012, on traffic details worked by the department of state police, including troops A, B, C, D, E, F, and H, over the last year, 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 done by state police officers and the city or town in which traffic details are performed by state police officers; provided further, that funds may be expended for a new state police class; provided further, that not less than $1,000,000 shall be expended for the payroll costs of the state police directed patrols; provided further, that any community that was selected to receive earmarked funds for directed patrols in fiscal year 2008 shall receive 100 percent of the amount so earmarked in fiscal year 2012; 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 $227,725,459

8100-0006 For private police details; provided, that the department may expend up to $27,500,000 in revenues collected from fees charged for private police details and for the costs of administering such details; and provided further, that 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 2012 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 2012..... $27,500,000

8100-0011 For the department of state police, which may expend an amount not to exceed $3,100,000 for certain police activities provided pursuant to agreements authorized in this item; provided, that for fiscal year 2012, 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 therefore; 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 as reported in the state accounting system $3,100,000

8100-0012 For the department of state police, which may expend for the costs of security services provided by state police officers, including overtime and administrative costs, an amount not to exceed $1,050,000 from fees charged for these services; provided, that 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 therefore as reported in the state accounting system $1,050,000

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 $57,500 from fees for services performed through the auto etching program and from assessments upon the insurance industry..... $57,500

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 attorney's offices, may apply for such funds; provided further, that such funds shall be considered one-time and grants awarded to public agencies and shall not annualize into fiscal year 2013 or subsequent years; provided further, that administrative costs for successful grant applications shall not exceed 3 per cent of the value of the grant; provided further, that no grants shall be awarded to the department of state police; provided further, that no grant funds shall be expended on food or beverages; provided further, that the executive office of public safety and security shall publish guidelines and an application for the competitive portion of the grant program not later than August 16, 2011; provided further, that awards shall be made to applicants not later than December 15, 2011; and provided further, that the executive office of public safety and security may expend not more than $100,000 of the sum appropriated in this item for its costs in administering the program..... $3,000,000

8100-0515 For the expenses of training and equipping additional state police recruit training troops $2,500,000

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 under no circumstances shall any expenditures authorized by this item be charged to item 8200-0222; provided further, that no less than $25,000 be provided for towns in Worcester County hosting municipal police training

academies; and provided further, 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 $2,500,378

8200-0222 For the municipal police training committee, which 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, 2011; 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 2011 and 2012; provided further, that the report shall be submitted to the house and senate committees on ways and means not later than January 3, 2012; 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 payments not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $900,000

Department of Public Safety.

8311-1000 For the administration of the department of public safety, including the division of inspections, the board of building regulations and standards, and the architectural access board; provided, that the department may charge fees for permitting the operation of amusement devices and to support the department's participation in the National Council for Amusement and Recreational Equipment Safety; provided further, that the department may charge fees for amusement operator certification; provided further, that the salaries of the commissioner and the deputy commissioner of the department of public safety 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 the department shall employ not less than 42 full-time equivalent elevator inspectors, including an additional engineer inspector; provided further, that such additional engineer inspectors' duties shall include, but not be limited to, administering pipefitter license examinations; provided further, that such an additional engineer inspector and elevator inspectors shall be regular state employees compensated from the AA object class of this item; provided further, that such additional engineer inspector position shall be in addition to any such positions added during fiscal year 1995; 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 3, 2011; provided further, that the division shall develop and 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; provided further, that the division shall inspect all elevators in the state house and the McCormack office building; and provided further, that the board of building regulations and standards shall expend funds from this item for the purpose of providing for the limited use of first-class mail to send Construction Supervisor License notifications to those who are unable to access notifications via e-mail..... $4,604,082

8315-1020 For the department of public safety, which may expend not more than $5,500,000 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 committee shall maintain the existing level of elevator inspectors to further manage the existing elevator inspection backlog; provided further, that funds shall be expended for escalator inspections; provided further, that the department shall make efforts to employ inspectors that will perform overnight and weekend inspections as their regular work shift; provided further, that the department shall provide a full waiver of the inspection fee for an individual who requires a wheelchair lift as a medical necessity and whose annual income does not exceed the maximum allowable federal SSI 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..... $5,500,000

8315-1025 For the department of public safety, which may collect and expend an amount not to exceed $90,182 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. $90,182

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 the amount allocated for programs providing information about the fire risks caused by smoking, the regional dispatch center, critical incident stress intervention programs and fire department training academies listed in item 8324-0000 of section 2 of chapter 182 of the acts of 2008 shall be allocated to each program in fiscal year 2012; provided further, that the amount allocated for critical incident stress management residential services in item 8000-0000 of said section 2 of said chapter 182 shall be allocated to the program in fiscal year 2012; provided further, that the amount allocated for hazardous material response teams specifically listed in item 8324-0000 of said section 2 of said chapter 182 shall be allocated to each program in fiscal year 2012 and shall not be reduced by more than 57 per cent; 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 $16,644,000

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 $8,500 from revenue generated under chapter 148A of the General Laws $8,500

Military Division.

8700-0001 For the operation of the military division, including the offices of the adjutant general and state quartermaster, the operation of the armories, the camp Curtis Guild rifle range and certain national guard aviation facilities; provided, that notwithstanding chapter 30 of the General Laws, certain military personnel in the military division may be paid salaries according to military pay grades; provided further, that the division may expend funds appropriated in this item for the administration of budgetary, procurement, fiscal, human resources, payroll and other administrative services; 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 $7,801,491

8700-1140 For the military division, which may expend for the costs of national guard missions and division operations an amount not to exceed $1,400,000 from fees charged for the non-military rental or use of armories and from reimbursements generated by national guard missions $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, 2012 for the reimbursement of the tuition and fees waived for classes taken during the summer months; provided further, that the military division of the Massachusetts national guard and the board of higher education shall issue a joint report not later than February 15, 2012 on the implementation of this waiver; provided further, that the report shall be submitted to the secretary of administration and finance, the chairs of the house and senate committees on ways and means, the house and senate chairs of the joint committee on veterans and federal affairs and the house and senate chairs of the joint committee on higher education; and provided further, that the military division may expend funds from this item for administrative services $3,600,000

8700-1160 For life insurance premiums under section 88B of chapter 33 of the General Laws $1,040,000

Massachusetts Emergency Management Agency.

8800-0001 For the operations of the Massachusetts emergency management agency; provided, that expenditures from this item shall be contingent upon the prior approval of the proper federal authorities $1,361,395

8800-0100 For the nuclear safety preparedness program of the Massachusetts emergency management agency; provided, that the costs of the program, including fringe benefits and indirect costs, shall be assessed upon Nuclear Regulatory Commission licensees operating nuclear power generating

facilities in the commonwealth; provided further, that the department of public utilities shall develop an equitable method of apportioning such assessments among such licensees; and provided further, that such assessments shall be paid during the current fiscal year as provided by the department $429,268

8800-0200 For the Radiological Emergency Response Program; provided, that the cost of the program, including associated fringe benefits and indirect costs, shall be assessed on electric companies in the commonwealth which own, in whole or in part, or purchase power from, nuclear power plants located outside the commonwealth whose nuclear power plant areas, as defined in section 2B of chapter 639 of the acts of 1950, include communities located within the commonwealth and shall be credited to the General Fund; provided further, that the department of public utilities shall develop an equitable method of apportioning such assessments among the licensees; provided further, that such assessments shall be paid during the current fiscal year as provided by the department; and provided further, that for the purposes of this item, electric companies shall mean all persons, firms, associations and private corporations which own or operate 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 $280,753

Department of Correction.

8900-0001 For the operation of the commonwealth's department of correction; provided, that before closing any correctional facility, the commissioner of corrections and the secretary of public safety and security shall report to the house and senate committees on ways and means and public safety and homeland security 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, the commissioner of corrections and the secretary of public safety and security shall report to the house and senate committees on ways and means and public safety and homeland security before January 1 of each year the point score compiled by the department of corrections objective classification system for all prisoners confined in each prison operated by the department; provided further, that the amount allocated for programs for incarcerated mothers in item 8900-0001 of section 2 of Chapter 131 of the Acts of 2010 shall be consistent with 8900-0001 of section 2 of Chapter 61 of the Acts of 2007 relative to MCI-Cedar Junction; provided further, that the department shall expend not less than $500,000 for cities and towns hosting facilities; provided further, that the department of corrections shall expend funds for the operation of the Massachusetts Alcohol and Substance Abuse Center; and 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 $520,143,025

8900-0010 For prison industries and farm services; provided, that the commissioner of correction or designee shall determine the cost of manufacturing motor vehicle registration plates and certify to the comptroller the amounts to be transferred from the Commonwealth Transportation Fund to the General Fund $2,082,694

8900-0011 For the prison industries and farm services program, which may expend for the operation of the program 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; provided, 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 $1,000,000 from revenues received from federal inmate reimbursements; provided, that $900,000 from these reimbursements shall not be available for expenditure and shall be deposited in the General Fund before the retention by the department of any of these reimbursements; and provided further, that 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 $1,000,000

8900-1100 For re-entry programs at the department of correction intended to reduce recidivism rates; provided, that said programs shall be in addition to those provided in fiscal year 2006; provided further, that the department shall report to the house and senate committees on ways and means not later than January 20, 2012 on re-entry programming at the department of correction; and provided further that the report shall include information on the type of programs provided and the recidivism rate of the offenders who successfully complete the programs $550,139

Parole Board.

8950-0001 For the operation of the parole board $16,986,537

8950-0002 For the victim and witness assistance program of the parole board under chapter 258B of the General Laws $212,130

8950-0008 For the operation of the parole board's sex offender management program and the supervision of high-risk offenders; provided, that the parole board may expend an amount not to exceed $600,000 from revenues collected from fees charged for parolee supervision; provided, that the parole board shall file a report with the house and senate committees on ways and means not later than February 1, 2012, which shall include, but not be limited to, the number of parolees participating in the program and the re-incarceration rate of participating parolees $600,000

Sheriffs.

Hampden Sheriff's Department.

8910-0102 For the operation of the Hampden sheriff's department; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's department shall submit reports, utilizing

standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the department shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's department shall also report, in a format developed jointly by the Massachusetts sheriffs' association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's department shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association $64,209,988

8910-1000 For the Hampden sheriff's department, which may expend for prison industries programs an amount not to exceed $2,251,900 from revenues collected from the sale of products, for materials, supplies, equipment, maintenance of facilities, reimbursement for community service projects and compensation of employees of the program; and provided further, that 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 $2,251,900

8910-2222 For the Hampden sheriff's department, which may expend for the operation of the department an amount not to exceed $600,000 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 $600,000

Worcester Sheriff's Department.

8910-0105 For the operation of the Worcester sheriff's department; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's department shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the department shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's department shall also report, in a format developed jointly by the Massachusetts sheriffs' association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's department shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association $39,729,986

Middlesex Sheriff’s Department.

8910-0107 For the operation of the Middlesex sheriff’s department; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's department shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the department shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's department shall also report, in a format developed jointly by the Massachusetts sheriffs’ association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's department shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association $58,708,427

8910-0160 For a retained revenue account for the Middlesex sheriff’s department for reimbursements from the federal government for costs associated with the incarceration of federal inmates at the Billerica house of correction; provided, that the department may expend for the operation of the department an amount not to exceed $850,000 from revenues collected from the incarceration of federal inmates; 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 therefore as reported in the state accounting system; 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 $850,000

8910-1100 For the Middlesex sheriff’s department, which may expend for the operation of a prison industries program an amount not to exceed $75,000 from revenues collected from the sale of products, for materials, supplies, equipment, maintenance of facilities and compensation of employees of the program; and provided further, that all expenditures from this item shall be subject to chapter 29 of the General Laws and recorded in the Massachusetts management accounting and reporting system $75,000

Hampshire Sheriff’s Department.

8910-0110 For the operation of the Hampshire sheriff’s department; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's department shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the department shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30

days after the last day of each quarter; provided further, that each sheriff's department shall also report, in a format developed jointly by the Massachusetts sheriffs' association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's department shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association..... $11,559,175

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 $158,068 in revenue; provided, that the sheriff shall enter into agreements to provide detention services to various law enforcement agencies and municipalities and shall determine and collect fees for those detentions from the law enforcement agencies and municipalities..... $158,068

Berkshire Sheriff's Department.

8910-0145 For the operation of the Berkshire sheriff's department; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's department shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the department shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's department shall also report, in a format developed jointly by the Massachusetts sheriffs' association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's department shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association..... $14,108,413

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

8910-0446 For the Berkshire sheriff's department, which may expend an amount not to exceed $500,000 from revenues collected from Berkshire County public schools; provided, that funds shall be expended for the operation of the Juvenile Resource Center; 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 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; and provided further, that expenditures from this item

shall be subject to chapter 29 of the General Laws and recorded on the Massachusetts management accounting and reporting system..... $500,000

Franklin Sheriff's Department.

8910-0108 For the operation of the Franklin sheriff's department; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's department shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the department shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's department shall also report, in a format developed jointly by the Massachusetts sheriffs' association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's department shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association..... $8,671,430

8910-0188 For the Franklin sheriff's department, which may expend for the operation of the department an amount not to exceed $2,100,000 from revenues received from any state or 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 therefore as reported in the state accounting system $2,100,000

Essex Sheriff's Department.

8910-0619 For the operation of the Essex sheriff's department; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's department shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the department shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's department shall also report, in a format developed jointly by the Massachusetts sheriffs' association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's department shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association $43,356,922

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; provided further, that the quarterly payments shall total $600,000 in fiscal year 2012; provided further, that said sheriff may expend from this item costs associated with joint federal and state law enforcement activities from federal reimbursements received; 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

Massachusetts Sheriff's Association.

8910-7100 For the Massachusetts Sheriffs Association, which may expend for its operation an amount not to exceed $344,790 in revenue collected from voluntary contributions from all sheriffs; provided, that the sheriffs shall appoint persons to serve as executive director, assistant executive director and research director and other staff positions as necessary 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 2011; and provided further, that the report shall be submitted to the house and senate committees on ways and means not later than February 1, 2012 ..... $344,790

Barnstable Sheriff's Department.

8910-8200 For the operation of the Barnstable sheriff's department; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's department shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the department shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's department shall also report, in a format developed jointly by the Massachusetts sheriffs' association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's department shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association..... $21,517,391

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

Bristol Sheriff's Department.

8910-8300 For the operation of the Bristol sheriff's department; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's department shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the department shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's department shall also report, in a format developed jointly by the Massachusetts sheriffs' association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's department shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association..... $27,202,704

8910-8310 For the Bristol 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..... $8,460,000

Dukes Sheriff's Department.

8910-8400 For the operation of the Dukes sheriff's department; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's department shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the department shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's department shall also report, in a format developed jointly by the Massachusetts sheriffs' association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that

the sheriff's department shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association..... $2,453,748

Nantucket Sheriff's Department.

8910-8500 For the operation of the Nantucket sheriff's department; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's department shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the department shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's department shall also report, in a format developed jointly by the Massachusetts sheriffs' association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's department shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association..... $747,844

Norfolk Sheriff's Department.

8910-8600 For the operation of the Norfolk sheriff's department provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's department shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the department shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's department shall also report, in a format developed jointly by the Massachusetts sheriffs' association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's department shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association..... $23,980,272

8910-8610 For the Norfolk sheriff's department, which may expend for the operation of the department an amount not to exceed $1,200,000 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

Plymouth Sheriff's Department.

8910-8700 For the operation of the Plymouth sheriff's department; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's department shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the department shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's department shall also report, in a format developed jointly by the Massachusetts sheriffs' association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's department shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association..... $24,810,825

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

Suffolk Sheriff's Department.

8910-8800 For the operation of the Suffolk sheriff's department; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's department shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the department shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's department shall also report, in a format developed jointly by the Massachusetts sheriffs' association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's department shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association..... $88,042,732

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

Department of Elder Affairs.

9110-0100 For the operation of the executive office of elder affairs and regulation of assisted living facilities; provided, that the executive office of elder affairs shall report 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..... $1,994,374

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 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 2012, 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 executive office shall submit drafts of legislation required to implement such actions for review and analysis by the general court; provided further, that any cost savings to this item realized pursuant to the Patient Protection and Affordability Act of 2010, Public Law 111-148 and the Health Care and Education Reconciliation Act of 2010, Public Law 111-152, shall be used to expand coverage and benefits available under this program upon the prior written approval of the secretary of administration and finance; provided further, that notification shall be given to the house and senate committees on ways and means at least 30 days prior to any coverage or benefits expansions; provided further, that the executive office shall seek to obtain maximum federal funding for discounts on prescription drugs available to the executive office and to prescription advantage enrollees; provided further, that the executive office shall take steps for the coordination of benefits with the Medicare prescription drug benefit created pursuant to the federal Medicare Prescription Drug Improvement and Modernization Act of 2003 to ensure that Massachusetts residents take advantage of this benefit; provided further, that the executive office 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 the 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; and provided further, that the executive office shall allow those who meet the program eligibility criteria to enroll in the program at any time during the year $21,602,546

9110-1500 For the provision of enhanced home care services, including case management to elders who meet the eligibility requirements of the home care program and need services above the level customarily provided under the program to remain safely at home, including elders previously enrolled in the managed care in housing, enhanced community options, and chronic care enhanced services programs; provided, that the secretary shall 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 2011 federal poverty income levels and 2011 social security income standards; provided further, that the report shall be submitted not later than February 1, 2012; and provided further, that the executive office shall submit a report not later than October 14, 2011, to the house and senate committees on ways and means which shall include the number of individuals on a waiting list for these services on October 1, 2011, compared to the number of individuals on a waiting list on July 1, 2011 ..... $45,789,340

9110-1604 For the operation of the supportive senior housing program at state or federally-assisted housing sites; provided, that funds shall be expended to fund existing sites..... $4,014,802

9110-1630 For the operation of the elder home care program, including contracts with aging service access points or other qualified entities for the home care program, home care, health aides, home health and respite services, geriatric mental health services, and other services provided to the elderly; provided, that sliding-scale fees shall be charged to qualified elders; provided further, that the secretary of elder affairs may waive collection of sliding-scale fees in cases of extreme financial hardship; provided further, that not more than $11,500,000 in revenues accrued from sliding-scale fees shall be retained by the individual home care corporations without re-allocation by the executive office of elder affairs, and shall be expended for the purposes of the home care program, consistent with guidelines to be issued by the executive office; provided further, that 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-scale fees; provided further, that the executive office shall report quarterly to the house and senate committees on ways and means and the executive office for administration and finance on the amount expended from this item for purchase of service expenditures by category of service as set forth in 651 C.M.R. 3.01 and 651 C.M.R. 3.06; provided further, that no rate increase shall be awarded in fiscal year 2012 which would cause a reduction in client services or the number of clients served; provided further, that no funds shall be expended from this item to pay for salary increases for direct service workers who provide state-funded homemaker

and home health aid services which would cause a reduction in client services; and provided further, that funding shall be expended for provider training and outreach for LGBT elders and caregivers; and provided further, that the secretary of elder affairs may transfer an amount not to exceed 3 per cent of the funds appropriated in this item to item 9110-1633 for case management services and the administration of the home care program $97,780,898

9110-1633 For the operation of the elder home care case management program, including contracts with aging service access points, or other qualified entities for home care case management services and the administration of the home care corporations funded through item 9110-1630 and item 9110-1500; provided, that such contracts shall include the costs of administrative personnel, home care case managers, travel, rent and other costs deemed appropriate by the executive office of elder affairs; provided further, that no funds appropriated in this item shall be expended for the enhancement of management information systems; and provided further, that the secretary of elder affairs may transfer an amount not to exceed 3 per cent of the funds appropriated herein to item 9110-1630 ..... $35,738,377

9110-1636 For the elder protective services program, including, but not limited to, protective services case management, guardianship services, the statewide elder abuse hotline, money management services, and the elder-at-risk program $16,250,554

9110-1660 For congregate and shared housing services for the elderly $1,503,617

9110-1700 For residential assessment and placement programs for homeless elders $136,000

9110-1900 For the elder nutrition program $6,275,328

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

9110-9002 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 of elder affairs; and provided further, that such distribution schedules shall be submitted to the house and senate committees on ways and means $8,254,327

LEGISLATURE.

Senate.

9500-0000 For the operation of the senate $17,350,256

9510-0000 For expenses incurred by the senate related to the joint committee on redistricting, prior appropriation continued $750,000

House of Representatives.

9600-0000 For the operation of the house of representatives $34,324,791

9610-0000 For expenses incurred by the house of representatives related to the joint committee on redistricting, prior appropriation continued $750,000

Joint Legislative Expenses.

9700-0000 For the joint operations of the legislature $7,733,424

SECTION 2B.

SECTION 2B Notwithstanding any general or special law to the contrary, the agencies listed in this section may expend the amounts listed in this section for the provision of services to agencies listed in section 2. All expenditures made under this section shall be accompanied by a corresponding transfer of funds from an account listed in section 2 to the Intragovernmental Service Fund, established by section 2Q of chapter 29 of the General Laws. All revenues and other inflows shall be based on rates published by the seller agency that are developed in accordance with cost principles established by the United States Office of Management and Budget Circular A-87, "Cost Principles for State, Local and Indian Tribal Governments." All rates shall be published within 30 days of the enactment of this section. No expenditures shall be made from the Intragovernmental Service Fund which would cause that fund to be in deficit at the close of fiscal year 2012. 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 2012 shall be transferred to the General Fund.

OFFICE OF THE SECRETARY OF STATE.

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

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

TREASURER AND RECEIVER GENERAL.

0699-0018 For the cost of debt service for the fiscal year ending June 30, 2012 for the clean energy investment program and other projects or programs for which an agency has committed to fund the associated debt service; provided, that the treasurer may charge other appropriations and federal grants for the cost of the debt service $6,217,722

OFFICE OF THE STATE COMPTROLLER.

1000-0005 For the cost of the single state audit for the fiscal year ending June 30, 2012; provided, that the comptroller may charge other appropriations and federal grants for the cost of the audit $850,000

1000-0008 For the costs of operating and managing the MMARS and New MMARS accounting system for fiscal year 2012 ..... $2,730,000

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 $21,973,602

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, 2011 a monthly report on the agencies that currently, or will during fiscal year 2012 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 $165,000

1102-3336 For the operation and maintenance of the space in the Hurley state office building occupied by the division of unemployment assistance $3,133,900

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 items amounts equivalent to the amounts of any prior year deficiency, subject to the conditions stated in this item; provided further, that the comptroller shall only assess chargebacks to those current fiscal year appropriations when the account to which the chargeback is applied is the same account to which the prior year deficiency pertains or, if there is no such account, to the current fiscal year appropriation for the general administration of the department that administered the account to which the prior year deficiency pertains; provided further, that no chargeback shall be made which would cause a deficiency in any current fiscal year item; provided further, that the comptroller shall report with such

schedule a detailed reason for the prior year deficiency on all chargebacks assessed that exceed $1,000 including the amount of the chargeback, the item and object class charged; and provided further, that the comptroller shall report on a quarterly basis on all chargebacks assessed, including the amount of the chargeback, the item, object class charged and the reason for the prior year deficiency..... $10,000,000

1599-3100 For the cost of the commonwealth's employer contributions to the Unemployment Compensation Fund and the Medical Security Trust Fund; provided, that the secretary of administration and finance shall authorize the collection, accounting and payment of such contributions; and provided further, that in executing these responsibilities the comptroller may charge, in addition to individual appropriation accounts, certain non-appropriated funds in amounts that are computed on the same basis as the commonwealth's contributions are determined, including expenses, interest expense or related charges $34,000,000

Division of Human Resources.

1750-0101 For the cost of goods and services rendered in administering training programs, including the cost of training unit staff; provided, that the division shall charge to other items for the cost of participants enrolled in programs sponsored by the division or to state agencies employing such participants; provided further, that the division may collect from participating state agencies a fee sufficient to cover administrative costs of the commonwealth's performance recognition programs and to expend such fees for goods and services rendered in the administration of these programs; 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..... $282,628

1750-0105 For the cost of workers' compensation paid to public employees; provided, that the secretary of administration and finance shall charge other items or state agencies for costs incurred on behalf of these state agencies; provided further, that the secretary may transfer workers' compensation-related fringe benefit assessments from federal grants and trust accounts to this item; provided further, that no funds shall be expended from this item that would cause the item to be deficient; provided further, that the secretary shall provide projected costs of workers' compensation costs incurred by agencies in fiscal year 2012 to the house and senate committees on ways and means no later than March 2, 2012; 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 2012 as provided in this item for workers' compensation costs, including related administrative expenses incurred on behalf of the employees of the agencies; provided further, that administrative expenses shall be allocated; provided further, that the personnel administrator shall administer the charges on behalf of the secretary, and may establish such rules and procedures as deemed necessary to implement this item; provided further, that the personnel administrator shall: (1) notify agencies regarding the chargeback methodology to be used in fiscal year 2012; (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 2012 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 2012 shall be transferred to the General Fund; provided further, that any unspent balance at the close of fiscal year 2012 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 2013; provided further, that the personnel administrator may expend in fiscal year 2012 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

1750-0106 For the workers‘ compensation litigation unit, including the costs of personnel $684,091

1750-0600 For the cost of core human resources administrative processing functions $2,500,000

1750-0601 The human resources division may, on behalf of the division, the comptroller's office and the Information technology division, charge and collect from participating state agencies a fee sufficient to cover administrative costs and expend such fees for goods and services rendered in the administration of the human resources compensation management system program $6,773,950

Operational Services Division.

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

1775-1000 For printing, photocopying, and related graphic art or design work, including all necessary incidental expenses and liabilities; provided, that the secretary 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 2012; 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 2012 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 2013 ..... $66,377,703

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 $2,349,000

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 $4,789,108

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..... $8,086,443

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 as core administrative functions in order to improve administrative efficiency and preserve fiscal resources; provided further,

that common functions that may be designated core administrative functions include human resources, financial management and leasing and facility management; provided further, that all employees performing functions so designated may be employed by the executive office, and the executive office shall charge the agencies, departments, offices, divisions and commissions for such services; provided further, that upon the designation of a function as a core administrative function, the employees of each agency, department, office or commission who perform such core administrative functions may be transferred to the executive office of health and human services; provided further, that 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 $20,003,583

4000-1701 For the cost of information technology services provided to agencies of the executive office of health and human services $31,441,744

Massachusetts Commission for the Deaf and Hard of Hearing.

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

Department of Public Health.

4510-0108 For the costs of pharmaceutical drugs and services provided by the state office for pharmacy services, in this section called SOPS; provided, that SOPS shall notify in writing all agencies listed below of their obligations under this item by July 15, 2011; 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 2012; 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 not later than April 16, 2012 detailing the projected savings realized by each transitioning agency in comparison to their pharmacy costs in fiscal year 2011 and their projected savings for fiscal year 2013; 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 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 8910-0102, 8910-0105, 8910-0107, 8910-0108, 8910-0110, 8910-0145, 8910-0619, 8910-8200, 8910-8300, 8910-8400, 8910-8500, 8910-8600, 8910-8700 and 8910-8800 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 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 $3,649,696

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 $19,041,430

EXECUTIVE OFFICE OF EDUCATION.

Office of the Secretary.

7009-1701 For the cost of information technology services provided to agencies of the executive office of education..... $1,837,477

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY.

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

State Police.

8100-0002 For the costs of overtime associated with requested police details; provided, that for the purpose of accommodating discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate thereof as reported in the state accounting system $33,000,000

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.

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, 2011, and not included as part of an appropriation item in this section, is hereby made available for expenditure during fiscal year 2012, in addition to any amount appropriated in this section.

JUDICIARY.

Supreme Judicial Court.

0320-1700 For the purposes of a federally funded grant entitled, CIP Basic Grant $240,000

0320-1701 For the purpose of a federally funded grant entitled, CIP Data Sharing Grant $107,860

0320-1703 For the purpose of a federally funded grant entitled, CIP Training Grant $198,000

Committee for Public Counsel Services.

0320-1800 For the purpose of a federally funded grant entitled, Innocence Project and Wrongful Conviction $229,290

DISTRICT ATTORNEYS.

Northern District Attorney.

8000-4620 For the purposes of a federally funded grant entitled, Violence Against Women Act $49,538

Eastern District Attorney.

0340-0305 For the purposes of a federally funded grant entitled, Enhanced Youthful Diversion $63,738

0340-0371 For the purposes of a federally funded grant entitled, Enhanced Vertical Prosecution $125,000

Middle District Attorney.

0840-0110 For the purposes of a federally funded grant entitled, Victims of Crime Act $47,349

8000-4620 For the purposes of a federally funded grant entitled, Violence Against Women Act $13,420

Hampden District Attorney.

0340-0590 For the purposes of a federally funded grant entitled, Community Oriented Policing Services $229,305

Plymouth District Attorney.

0340-0821 For the purposes of a federally funded grant entitled, Brockton's Promise-Youth Mentoring $34,621

0340-0823 For the purposes of a federally funded grant entitled, Internet Sexual Predator Grant $43,194

0340-0825 For the purposes of a federally funded grant entitled, ARRA-Justice Assistance Grant Local Solicitation $275,000

Cape and Islands District Attorney.

8000-4620 For the purposes of a federally funded grant entitled, Violence Against Women Act $55,000

Berkshire District Attorney.

8100-2639 For the purposes of a federally funded grant entitled, Internet Crimes Against Children - ARRA $38,626

District Attorneys' Association.

0340-2112 For the purposes of a federally funded grant entitled, Community Oriented Policing Services $25,000

8000-4620 For the purposes of a federally funded grant entitled, Violence Against Women Act $44,150

8000-4804 For the purposes of a federally funded grant entitled, Highway Safety Division $42,058

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 $908,000

ATTORNEY GENERAL.

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

Victim and Witness Assistance Board.

0840-0109 For the purposes of a federally funded grant entitled, Victim of Crimes Assistance Program – ARRA $310,000

0840-0110 For the purposes of a federally funded grant entitled, Victims of Crime Assistance Programs $7,593,010

0840-4611 For the purposes of a federally funded grant entitled, Byrne Federal Grant $307,500

0840-4620 For the purposes of a federally funded grant entitled, VAWA Federal Grant $274,050

Massachusetts Development Disabilities Council.

1100-1703 For the purposes of a federally funded grant entitled, Implementation of the Federal Developmental Disabilities..... $1,840,016

Massachusetts Office on Disability.

1107-2450 For the purposes of a federally funded grant entitled, Client Assistance Program $239,000

Department of Revenue.

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

1201-0126 For the purposes of a federally funded grant entitled, Family Centered Services for Unwed Parents in the IVD Caseload $149,511

1201-0128 For the purposes of a federally funded grant entitled, CSE Modification Grant $91,748

1201-0412 For the purposes of federally funded grants entitled, Child Support Enforcement Grants, Child Support IVD Companion account to CSE Demonstration Grants..... $660,788

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS.

Office of the Secretary.

2000-0141 For the purposes of a federally funded grant entitled, Coastal Zone Management and Development $2,501,914

2000-0142 For the purposes of a federally funded grant entitled, CZ Coastal Hazards..... $48,584

2000-0180 For the purposes of a federally funded grant entitled, Battlefield Protection – National Parks..... $42,126

2000-0186 For the purposes of a federally funded grant entitled, Aquatic Nuisance Species Management Plan $67,895

2000-0248 For the purposes of a federally funded grant entitled, National Estuary Program - Operation $620,520

2000-0550 For the purposes of a federally funded grant entitled, Pollution Prevention $31,700

2000-9735 For the purposes of a federally funded grant entitled, Buzzards Bay Estuary Program $713,828

2030-0013 For the purposes of a federally funded grant entitled, Fisheries Enforcement $950,000

2030-9701	For the purposes of a federally funded grant entitled, Safe Boating Program	$1,601,038

Department of Public Utilities.

7006-9002	For the purposes of a federally funded grant entitled, Pipeline Security	$895,466

Department of Environmental Protection.

2200-9706	For the purposes of a federally funded grant entitled, Water Quality Management Planning	$653,422
2200-9712	For the purposes of a federally funded grant entitled, Cooperative Agreement-Leaking Underground Storage Tanks	$1,032,829
2200-9717	For the purposes of a federally funded grant entitled, D.O.D. Environment Restoration Program for Department of Defense	$1,494,183
2200-9724	For the purposes of a federally funded grant entitled, Superfund Block Grant	$924,699
2200-9728	For the purposes of a federally funded grant entitled, Brownfields Assessment Program - Multi-Site Cooperative Agreement.	$225,000
2200-9731	For the purposes of a federally funded grant entitled, Brownfield Response	$1,440,520
2200-9732	For the purposes of a federally funded grant entitled, Brownfield Support Team – Statewide	$851,492
2230-9702	For the purposes of a federally funded grant entitled, Air, Water and Hazardous Waste Management Regulatory Programs	$17,346,657
2230-9712	For the purposes of a federally funded grant entitled, FY09 Exchange Network – NPDES	$163,058
2230-9713	For the purposes of a federally funded grant entitled, Exchange Network	$1,890
2230-9714	For the purposes of a federally funded grant entitled, FY ’10 Exchange Network	$150,000
2240-9762	For the purposes of a federally funded grant entitled, Reimbursement to Operators to Small Water Systems for Training and Certification	$164,265
2240-9773	For the purposes of a federally funded grant entitled, Technical Assistance and Training for Drinking Water	$39,868
2240-9775	For the purposes of a federally funded grant entitled, Special Set Aside	$96,249
2240-9776	For the purposes of a federally funded grant entitled, EQE-RP9776-FEM9613491	$44,250
2250-9712	For the purposes of a federally funded grant entitled, Clean Air Act-Fine Particulate Matter Air Monitoring	$465,737

2250-9716	For the purposes of a federally funded grant entitled, Ambient Air Toxics Pilot Project.	$41,606
2250-9726	For the purposes of a federally funded grant entitled, Homeland Security Co-op Agreement	$1,252,085
2250-9729	For the purposes of a federally funded grant entitled, Composting and Recycling	$17,000
2250-9730	For the purposes of a federally funded grant entitled, Air Toxic Spatial Trends	$42,000
2250-9731	For the purposes of a federally funded grant entitled, Diesel EMM Reduction Project	$352,941
2250-9732	For the purposes of a federally funded grant entitled, Underground Storage	$697,745
2290-3000	For the purposes of a federally funded grant entitled, State Clean Diesel Grant Program	$15,978
2290-4000	For the purposes of a federally funded grant entitled, ARRA LUST Trust Fund Program	$437,347

Department of Fish and Game.

2300-0113	For the purposes of a federally funded grant entitled, NRCS Emergency Watershed Protection Program	$25,000
2300-0114	For the purposes of a federally funded grant entitled, USFWS Partnership Program	$30,000
2300-0115	For the purposes of a federally funded grant entitled, US Fish and Wildlife Service Eastern Brook Trout Joint Venture	$90,000
2300-0116	For the purposes of a federally funded grant entitled, Riverways - Natural Resource Conservation Services Wildlife Habitat Incentive Program	$149,832
2300-0117	For the purposes of a federally funded grant entitled, USFWS – Coastal Program	$30,000
2300-0179	For the purposes of a federally funded grant entitled, National Coastal Wetland Conservation	$300,000
2310-0115	For the purposes of a federally funded grant entitled, Land Owner Incentive Program – Tier I	$65,000
2310-0116	For the purposes of a federally funded grant entitled, Land Owner Incentive Program – Tier II	$200,000
2310-0117	For the purposes of a federally funded grant entitled, Chronic Wasting Disease	$60,000
2310-0120	For the purposes of a federally funded grant entitled, NE Cottontail Initiative	$120,000
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	$150,000
2330-9713	For the purposes of a federally funded grant entitled, Right Whale Conservation	$420,000
2330-9714	For the purposes of a federally funded grant entitled, Commercial Fisheries Extension	$4,000
2330-9721	For the purposes of a federally funded grant entitled, Anadromous Fisheries Management .	$41,000
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 .	$240,000
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
2330-9738	For the purposes of a federally funded grant entitled, Red Tide Economic Relief .	$800,000
2330-9739	For the purposes of a federally funded grant entitled, Turtle Disengagement .	$850,000
2330-9742	For the purposes of a federally funded grant entitled, Age and Growth Segment One .	$250,000

Department of Agricultural Resources.

2511-0310	For the purposes of a federally funded grant entitled, Pesticide Enforcement	$379,993
2511-0400	For the purposes of a federally funded grant entitled, Cooperative Pest Survey Program .	$195,280
2511-0401	For the purposes of a federally funded grant entitled, Cooperative Pesticide Record keeping Program .	$10,000
2511-0972	For the purposes of a federally funded grant entitled, Farmland Protection	$5,954,859
2511-1025	For the purposes of a federally funded grant entitled, Country of Origin Labeling	$112,877
2515-1002	For the purposes of a federally funded grant entitled, Animal Disease Surveillance Homeland Security	$24,750
2515-1004	For the purposes of a federally funded grant entitled, Scrapie Disease Surveillance and Flock Certification	$5,460

2515-1008	For the purposes of a federally funded grant entitled, Highly Pathogenic Avian Influenza	$70,000
2516-9002	For the purposes of a federally funded grant entitled, Development of Institutional Marketing	$468,783
2516-9003	For the purposes of a federally funded grant entitled, Farmer‘s Market Coupon Program	$488,348
2516-9004	For the purposes of a federally funded grant entitled, Senior Farmers Market Nutrition Program	$570,760
2516-9007	For the purposes of a federally funded grant entitled, Organic Certification Cost-Share Program	$47,000

Department of Conservation and Recreation.

2800-9707	For the purposes of a federally funded grant entitled, National Flood Insurance Program	$184,000
2800-9710	For the purposes of a federally funded grant entitled, FEMA Flood Map Modernization Effort	$110,000
2800-9722	For the purposes of a federally funded grant entitled, Heritage Landscape Atlas NCPTT Grant	$10,000
2800-9726	For the purposes of a federally funded grant entitled, FEMA National Dam Safety Program	$105,959
2800-9729	For the purposes of a federally funded grant entitled, US Dept of Education Rehabilitation Grand	$168,151
2820-9702	For the purposes of a federally funded grant entitled, Rural Community Fire Protection	$77,000
2820-9704	For the purposes of a federally funded grant entitled, NRCS Wildlife Habitat Incentives Program	$19,510
2820-9705	For the purposes of a federally funded grant entitled, Animal and Plant Health Inspections	$6,305,485
2821-9705	For the purposes of a federally funded grant entitled, Urban and Community Forestry Program	$256,666
2821-9709	For the purposes of a federally funded grant entitled, Forestry Stewardship, Forest Legacy and Conservation Education	$1,103,207
2821-9711	For the purposes of a federally funded grant entitled, State Fire Assistance Grant	$308,124
2821-9713	For the purposes of a federally funded grant entitled, Wildland Urban Interface Fuels Management	$334,857
2821-9715	For the purposes of a federally funded grant entitled, Creating Buy Local Model – Stewardship Redesign	$247,862

2821-9726	For the purposes of a federally funded grant entitled, Forest Health Management - US Forest Service	$112,160
2821-9800	For the purposes of a federally funded grant entitled, ARAA – USFS Native Species Ecological Restoration	$53,828
2821-9801	For the purposes of a federally funded grant entitled, ARRA – USFS Southeast Mass Fuel Mitigation	$348,697
2821-9802	For the purposes of a federally funded grant entitled, USFS ALB Area Watershed Flood Control Reservoir Maintenance Funds	$1,211,125
2830-9705	For the purposes of a federally funded grant entitled, SUASCO Watershed Flood Control Reservoir	$3,507
2840-9709	For the purposes of a federally funded grant entitled, Waquoit Bay National Estuarine Research Reserve Consolidated Funding	$716,055
2850-9701	For the purposes of a federally funded grant entitled, Recreational Trails Program	$1,091,652
2850-9702	For the purposes of a federally funded grant entitled, Mount Greylock TCSP	$572,007

Department of Energy Resources.

7006-7016	For the purposes of a federally funded grant entitled, Stripper Oil Wel	$25,000
7006-7060	For the purposes of a federally funded grant entitled, Energy Efficiency Expand Trust	$293,080
7006-7061	For the purposes of a federally funded grant entitled, Energy Resources Credit	$227,112
7006-9300	For the purposes of a federally funded grant entitled, Massachusetts Save Energy Now	$250,000
7006-9303	For the purposes of a federally funded grant entitled, SEP Advance Energy Codes	$68,000
7006-9720	For the purposes of a federally funded grant entitled, State Heating Oil and Propane Program	$22,228
7006-9730	For the purposes of a federally funded grant entitled, State Energy Program II - September	$605,000
7006-9743	For the purposes of a federally funded grant entitled, State Energy Plan	$100,000
7006-9800	For the purposes of a federally funded grant entitled, Energy Ramp Up	$10,016,055
7006-9801	For the purposes of a federally funded grant entitled, Energy Assistance Planning	$257,480
7006-9803	For the purposes of a federally funded grant entitled, Energy Efficiency and Conservation Block Grant Program	$1,269,469

7006-9804 For the purposes of a federally funded grant entitled, ARRA - Save Energy Now $24,431

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

Office of the Secretary.

4000-0024 For the purposes of a federally funded grant entitled, Consumer Assistance Program Grant $185,722

4000-0323 For the purposes of a federally funded grant entitled, Personal and Home Care Aid State Training Program $738,993

4000-0544 For the purposes of a federally funded grant entitled, CHIPRA Quality Demonstration Grant $2,666,404

4000-0748 For the purposes of a federally funded grant entitled, Money Follow's the Person $49,976

4000-7590 For the purposes of a federally funded grant entitled, USDA – School Nutrition Grant $145,800

4000-9058 For the purposes of a federally funded grant entitled, My Child $1,875,000

4000-9401 For the purposes of a federally funded grant entitled, Community Mental Health Services $8,050,963

Office for Refugees and Immigrants.

4003-0801 For the purposes of a federally funded grant entitled, Targeted Assistance Program $335,000

4003-0803 For the purposes of a federally funded grant entitled, Refugee School Impact $421,375

4003-0804 For the purposes of a federally funded grant entitled, Refugee Targeted Assistance Grant $612,539

4003-0805 For the purposes of a federally funded grant entitled, Refugee Resettlement Program $1,269,656

4003-0806 For the purposes of a federally funded grant entitled, Refugee Cash, Medical and Administration $7,900,000

4003-0811 For the purposes of a federally funded grant entitled, Massachusetts Refugee Entrepreneurship Program (REAP) $250,705

4003-0812 For the purposes of a federally funded grant entitled, Services to Older Refugees $215,000

4003-0813 For the purposes of a federally funded grant entitled, A Cuban-Haitian Initiative for Entry into Viable Employment (ACHIEVE) $195,000

4003-0814 For the purposes of a federally funded grant entitled, Massachusetts Refugee Preventative Health Project (MRPHP) $200,000

4003-0815 For the purposes of a federally funded grant entitled, Massachusetts Wilson/Fish Program (MWFP) $3,465,070

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 costs of federally reimbursed state employees $150,000

4110-3021 For the purposes of a federally funded grant entitled, Basic Support Grant for the Blind $7,933,592

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 $775,000

4110-3027 For the purposes of a federally funded grant entitled, Rehabilitation Training $20,000

4110-3028 For the purposes of a federally funded grant entitled, Supported Employment for the Blind $111,000

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 $44,148,383

4120-0021 For the purposes of a federally funded grant entitled, ARRA - Basic Vocational Rehabilitation Support $522,825

4120-0040 For the purposes of a federally funded grant entitled, Vocational Rehabilitation and Comprehensive Systems of Personnel Development Training $92,700

4120-0187 For the purposes of a federally funded grant entitled, Supported Employment Program $485,611

4120-0191 For the purposes of a federally funded grant entitled, Informed Members Planning and Assessing Choices Together (IMPACT) $177,829

4120-0511 For the purposes of a federally funded grant entitled, Disability Determination Services $45,262,721

4120-0603 For the purposes of a federally funded grant entitled, Innovation Strategies for Transition Youth with Disabilities $401,787

4120-0608	For the purposes of a federally funded grant entitled, Traumatic Brain Injury (TBI) Implementation Grant	$256,304
4120-0760	For the purposes of a federally funded grant entitled, Independent Living	$1,554,180
4120-0761	For the purposes of a federally funded grant entitled, ARRA – State Independent Living Services	$163,780
4120-0762	For the purposes of a federally funded grant entitled, ARRA – Centers for Independent Living Recovery Act	$794,196
4120-0768	For the purposes of a federally funded grant entitled, Assistive Technology Act	$505,715

Department of Veterans' Services.

1410-0054	For the purposes of a federally funded grant entitled, Non-Urban Homeless Veterans Reintegration	$200,000
1410-0055	For the purposes of a federally funded grant entitled, Urban Homeless Veterans Reintegration	$300,000
1410-0056	For the purposes of a federally funded grant entitled, Veterans' Workforce Investment Program	$500,000

Department of Transitional Assistance.

4400-1998	For the purposes of a federally funded grant entitled, DoD Supplemental Nutrition Assistance Program	$1,000,000
4400-3067	For the purposes of a federally funded grant entitled, Food Stamp Employment and Training	$2,100,000
4400-3068	For the purposes of a federally funded grant entitled, Reaching Underserved Elderly and Working Poor in SNAP	$100,000
4400-3069	For the purposes of a federally funded grant entitled, Full Employment Food Stamp Cash-Out	$15,000
4400-3064	For the purposes of a federally funded grant entitled, SNAP Education	$3,000,000
4400-3080	For the purposes of a federally funded grant entitled, SNAP healthy Incentive Pilot	$2,696,689

Department of Public Health.

4500-1000	For the purposes of a federally funded grant entitled, Preventive Health Services Block Grant	$2,708,393
4500-1030	For the purposes of a federally funded grant entitled, Strengthening Public Health Infrastructure	$1,960,128
4500-1050	For the purposes of a federally funded grant entitled, Rape Prevention and Education	$813,484

4500-1051	For the purposes of a federally funded grant entitled, Sexual Assault Services Program	$198,380
4500-1054	For the purposes of a federally funded grant entitled, Sexual Assault Services Program	$198,380
4500-1060	For the purposes of a federally funded grant entitled, Rape Prevention Program Planning and Evaluation Capacity Building	$100,000
4500-1065	For the purposes of a federally funded grant entitled, State Partnership to Improve Minority Health	$140,000
4500-1066	For the purposes of a federally funded grant entitled, 2010 Oil and Hazardous Material State Partnership Grant Program	$140,000
4500-2000	For the purposes of a federally funded grant entitled, Maternal and Child Health Services Block Grant	$11,921,902
4502-1012	For the purposes of a federally funded grant entitled, Cooperative Health Statistics System	$490,482
4510-0109	For the purposes of a federally funded grant entitled, State Loan Repayment Project	$350,000
4510-0111	For the purposes of a federally funded grant entitled, ARRA – State Loan Repayment Program	$100,000
4510-0113	For the purposes of a federally funded grant entitled, Office of Rural Health	$188,929
4510-0115	For the purposes of a federally funded grant entitled, ARRA State Primary Care Offices	$42,701
4510-0118	For the purposes of a federally funded grant entitled, Primary Care Cooperative Agreement	$110,923
4510-0119	For the purposes of a federally funded grant entitled, Rural Hospital Flexibility Program	$320,300
4510-0219	For the purposes of a federally funded grant entitled, Small Rural Hospital Improvement Program	$81,000
4510-0221	For the purposes of a federally funded grant entitled, Targeted Oral Health Services	$160,000
4510-0222	For the purposes of a federally funded grant entitled, Massachusetts Oral Health Workforce in New Sites II	$411,411
4510-0400	For the purposes of a federally funded grant entitled, Medicare and Medicaid Survey and Certification	$10,049,537
4510-0404	For the purposes of a federally funded grant entitled, Bioterrorism Hospital Preparedness.	$8,141,118
4510-0406	For the purposes of a federally funded grant entitled, Emergency System for Advance Registration of Volunteer Health Professionals (ESAR-VHP)	$200,000

4510-0408	For the purposes of a federally funded grant entitled, Medical Malpractice and Patient Safety	$926,080
4510-0409	For the purposes of a federally funded grant entitled, Massachusetts System for Advance Registration for Volunteer Health Professionals - MSAR	$200,000
4510-0500	For the purposes of a federally funded grant entitled, Clinical Laboratory Improvement Amendments	$310,881
4510-0609	For the purposes of a federally funded grant entitled, NRC Security Inspections	$19,373
4510-0619	For the purposes of a federally funded grant entitled, FDA Inspection of Food Establishments	$340,704
4510-0626	For the purposes of a federally funded grant entitled, Statewide Surveillance of Health Concerns and Toxic Algae Blooms	$149,939
4510-0636	For the purposes of a federally funded grant entitled, Childhood Lead Paint Poisoning Prevention	$600,000
4510-0639	For the purposes of a federally funded grant entitled, Food Protection Rapid Response Team	$494,582
4510-0640	For the purposes of a federally funded grant entitled, Massachusetts Food Protection Task Force Conference	$5,000
4510-0641	For the purpose of a federally funded grant entitled, Harold Rogers Drug Monitoring Program	$52,269
4510-0643	For the purpose of a federally funded grant entitled, FY 10 Rogers Drug Monitoring Enhancement of IT	$200,000
4510-9014	For the purposes of a federally funded grant entitled, Mammography Quality Standards Act Inspections.	$224,394
4510-9043	For the purposes of a federally funded grant entitled, Demonstration Program to Conduct Toxic Waste Site Health Impact Assessments	$402,895
4510-9048	For the purposes of a federally funded grant entitled, Indoor Radon Development Program	$155,000
4510-9053	For the purposes of a federally funded grant entitled, BEACHES Environmental Assessment	$263,742
4510-9055	For the purposes of a federally funded grant entitled, Assessment & Planning to Develop Climate Change Programs	$120,000
4510-9056	For the purposes of a federally funded grant entitled, National Environmental Public Health Tracking	$950,844
4512-0102	For the purposes of a federally funded grant entitled, Sexually Transmitted Disease Control	$1,566,298
4512-0178	For the purposes of a federally funded grant entitled, ARRA Immunization	$5,679,847

4512-0179	For the purposes of a federally funded grant entitled, Vaccination Assistance Project	$1,146,270
4512-0180	For the purposes of a federally funded grant entitled, Epidemiology and Lab Surveillance	$34,836
4512-0181	For the purposes of a federally funded grant entitled, Meningococcal Virus Protection	$301,237
4512-0182	For the purposes of a federally funded grant entitled, ARRA Preventing Healthcare Associated Infections	$301,237
4512-0184	For the purposes of a federally funded grant entitled, Viral Hepatitis Prevention Services Integration into Existing Programs	$211,202
4512-0185	For the purposes of a federally funded grant entitled, ARRA – IT - ELC	$211,202
4512-0186	For the purposes of a federally funded grant entitled, Building and Strengthening Epidemiology, Laboratory and Health Information System Capacity	$838,673
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, Massachusetts Screening and Brief Intervention	$700,000
4512-9068	For the purposes of a federally funded grant entitled, Massachusetts Collaborative for Action, Leadership, and Learning.	$523,251
4512-9069	For the purposes of a federally funded grant entitled, Substance Abuse Prevention and Treatment Block Grant	$38,255,001
4512-9070	For the purposes of a federally funded grant entitled, Promoting Safe and Stable Families	$500,000
4512-9072	For the purposes of a federally funded grant entitled, Access to Recovery	$3,352,000
4512-9426	For the purposes of a federally funded grant entitled, Uniform Alcohol and Drug Abuse Data Collection	$82,227
4513-0111	For the purposes of a federally funded grant entitled, Housing Opportunities - People with AIDS	$146,000
4513-1123	For the purposes of a federally funded grant entitled, Adult Viral Hepatitis Prevention Coordinator	$118,608
4513-9007	For the purposes of a federally funded grant entitled, Nutritional Status of Women, Infants, and Children (WIC)	$97,011,530
4513-9018	For the purposes of a federally funded grant entitled, Augmentation and Evaluation of Established Health Education – Risk Reduction HIV Grant	$8,805,373
4513-9020	For the purposes of a federally funded grant entitled, Expanded & Integrated HIV Testing	$929,301

4513-9021	For the purposes of a federally funded grant entitled, Program for Infants and Toddlers with Handicaps	$8,019,076
4513-9022	For the purposes of a federally funded grant entitled, Prevention Disability State-Based Project	$279,600
4513-9023	For the purposes of a federally funded grant entitled, Mass HIV/AIDS National Behavioral Surveillance	$402,617
4513-9024	For the purposes of a federally funded grant entitled, Expanded and Integrated HIV Testing (Cycle II)	$922,802
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 MA Children and Youth	$100,000
4513-9037	For the purposes of a federally funded grant entitled, Ryan White Comprehensive AIDS Resources	$20,481,053
4513-9038	For the purposes of a federally funded grant entitled, Shelter Plus Care - Worcester	$298,836
4513-9039	For the purposes of a federally funded grant entitled, HIV/AIDS Surveillance Enhancing Laboratory Reporting	$89,628
4513-9040	For the purposes of a federally funded grant entitled, AIDS Surveillance and Seroprevalance Project	$972,637
4513-9046	For the purposes of a federally funded grant entitled, Congenital Anomalies Center of Excellence	$1,000,000
4513-9051	For the purposes of a federally funded grant entitled, Rural Domestic Violence and Children Victimization Project	$164,047
4513-9060	For the purposes of a federally funded grant entitled, Residential Fire Injury Prevention, Intervention and Surveillance	$7,109
4513-9066	For the purposes of a federally funded grant entitled, Universal Newborn Hearing Screening - Enhancement Project	$300,000
4513-9071	For the purposes of a federally funded grant entitled, Early Hearing Detection and Intervention (EHDI) Tracking and Research	$194,579
4513-9076	For the purposes of a federally funded grant program entitled, Early Childhood Comprehensive Systems	$140,000
4513-9077	For the purposes of a federally funded grant entitled, Emergency Medical Services for Children Partnership II	$130,000
4513-9083	For the purposes of a federally funded grant entitled, Massachusetts Youth Suicide Prevention Program	$625,000

4513-9085	For the purposes of a federally funded grant entitled, Massachusetts Pregnancy Risk	$173,064
4513-9088	For the purposes of a federally funded grant entitled, Helping Hands for Infants and their Families	$475,000
4513-9091	For the purposes of a federally funded grant entitled, AR NHI Health Disparities (READY)	$149,364
4513-9092	For the purposes of a federally funded grant entitled, Addressing Asthma From a Public Health Perspective	$508,880
4513-9093	For the purposes of a federally funded grant entitled, Massachusetts LAUNCH	$850,000
4513-9096	For the purposes of a federally funded grant entitled, ACA Maternal, Infant, and Early Childhood Home Visiting Program	$1,776,000
4513-9097	For the purposes of a federally funded grant entitled, Healthy Homes Tech Studies	$333,024
4514-1007	For the purposes of a federally funded grant entitled, WIC/MIS	$104,765
4514-1008	For the purposes of a federally funded grant entitled, WIC Enhanced Referral and Family Support Project	$5,000
4515-0115	For the purposes of a federally funded grant entitled, Tuberculosis Control Project	$1,567,826
4515-0121	For the purposes of a federally funded grant entitled, Tuberculosis Epidemiological Studies Consortium	$265,778
4515-0204	For the purposes of a federally funded grant entitled, Strengthening Surveillance for Infectious Disease	$420,000
4515-0205	For the purposes of a federally funded grant entitled, HIV Training through Prevention Training Centers	$524,970
4515-0206	For the purposes of a federally funded grant entitled, Health Literacy and Oral Health Status of African Refugees	$513,560
4515-0207	For the purposes of a federally funded grant entitled, Health, Training and Technical Assistance to Refugee Serving Agencies	$374,929
4515-1124	For the purposes of a federally funded grant entitled, Adult Viral Hepatitis Prevention Coordinator	$56,660
4516-1021	For the purposes of a federally funded grant entitled, Public Health Preparedness and Response for Bioterrorism	$14,285,663
4518-0505	For the purposes of a federally funded grant entitled, Tech Data - Massachusetts Birth/Infant Death File Linkage and Analysis	$52,513
4518-0514	For the purposes of a federally funded grant entitled, National Violent Death Reporting System	$287,569

4518-0534	For the purposes of a federally funded grant entitled, Public Health Injury Surveillance and Prevention	$738,946
4518-1000	For the purposes of a federally funded grant entitled, Procurement of Information for the National Death Index	$27,500
4518-1002	For the purposes of a federally funded grant entitled, Massachusetts Death File - Social Security Administration	$33,000
4518-1003	For the purposes of a federally funded grant entitled, Massachusetts Birth Records - Social Security Administration	$212,075
4518-9023	For the purposes of a federally funded grant entitled, Census of Fatal Occupational Injuries	$47,192
4518-9030	For the purpose of a federally funded grant entitled, Public Health Injury Surveillance and Prevention Program	$10,378
4518-9033	For the purposes of a federally funded grant entitled, Teen Dating Violence Prevention	$16,767
4518-9041	For the purposes of a federally funded grant entitled, Surveillance Work Related to Amputations and Carpal Tunnel	$145,944
4518-9044	For the purposes of a federally funded grant entitled, MA Citizen Verification for Federal Employment	$40,000
4518-9045	For the purposes of a federally funded grant entitled, MA Integration of Chronic Disease - ARRA	$98,859
4570-1509	For the purposes of a federally funded grant entitled, Massachusetts Cardiovascular Disease Prevention.	$1,194,522
4570-1512	For the purposes of a federally funded grant entitled, National Cancer Prevention Control	$4,979,553
4570-1513	For the purposes of a federally funded grant entitled, Colorectal Cancer Screening	$1,000,000
4570-1514	For the purposes of a federally funded grant entitled, MA Wise Woman	$900,000
4570-1516	For the purposes of a federally funded grant entitled, Paul Coverdell Acute Stroke Registry	$600,000
4570-1517	For the purposes of a federally funded grant entitled, Nutrition Obesity	$1,000,152
4570-1520	For the purposes of a federally funded grant entitled, Massachusetts Integration of Chronic Disease	$2,531,966
4570-1521	For the purposes of a federally funded grant entitled, 901 ARRA Component 1-MA Integration of Chronic Disease	$223,434
4570-1522	For the purposes of a federally funded grant entitled, 901 ARRA Component 2-MA Integration of Chronic Disease	$278,516

4570-1523	For the purposes of a federally funded grant entitled, 901 ARRA Component 3-MA Integration of Chronic Disease	$180,803
4570-1525	For the purposes of a federally funded grant entitled, FDA – 10 – Tobacco	$432,389
4570-1526	For the purposes of a federally funded grant entitled, Demonstrating Capacity for Cancer Control	$175,000
4570-1527	For the purposes of a federally funded grant entitled, Personal Responsibility Education (PREP)	$575,610
4570-1529	For the purposes of a federally funded grant entitled, MA Support for Pregnant Teens and Women	$1,648,438

Department of Children and Families.

4800-0005	For the purposes of a federally funded grant entitled, Children's Justice Act	$332,603
4800-0007	For the purposes of a federally funded grant entitled, The Family Violence Prevention and Support Services Act	$1,868,196
4800-0009	For the purposes of a federally funded grant entitled, Chafee Foster Care Independence Program Title IV-E	$2,996,999
4800-0013	For the purposes of a federally funded grant entitled, Promoting Safe and Stable Families Program	$4,928,994
4800-0085	For the purposes of a federally funded grant entitled, Educational & Training Voucher Program	$1,004,749
4899-0001	For the purposes of a federally funded grant entitled, Title IV-B Child Welfare Services	$4,423,131
4899-0022	For the purposes of a federally funded grant entitled, Child Abuse and Neglect Prevention and Treatment	$501,268

Department of Mental Health.

5012-9121	For the purposes of a federally funded grant entitled, Project for Assistance in Transition from Homelessness	$1,768,195
5012-9160	For the purposes of a federally funded grant entitled, Jail Diversion and Trauma Recovery	$412,500
5012-9161	For the purposes of a federally funded grant entitled, Community Re-entry for Women Program	$67,227
5012-9163	For the purposes of a federally funded grant entitled, CCP Crisis Counseling	$71,445
5012-9164	For the purposes of a federally funded grant entitled, DIG 2011	$132,937
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. $392,523

Department of Developmental Services.

5947-0012 For the purposes of a federally funded grant entitled, Life Span Federal Grant $89,903

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION.

6440-0088 For the purposes of a federally funded grant entitled, Perform Registry Info Management System $137,426

6440-0089 For the purposes of a federally funded grant entitled, Commercial Vehicle Information Systems and Networks $2,278,878

6440-0090 For the purposes of a federally funded grant entitled, CDL Information System Enhancement $1,337,816

6440-0097 For the purposes of a federally funded grant entitled, Commercial Drivers License Information System..... $94,282

6440-0098 For the purposes of a federally funded grant entitled, Safety Data Improvement Program $325,908

6440-0099 For the purposes of a federally funded grant entitled, Real ID Demonstration Program $1,098,276

6642-0018 For the purposes of a federally funded grant entitled, Section 5311 Non-Urbanized Area Formula Program $3,477,592

6642-0020 For the purposes of a federally funded grant entitled, Section 5316 Job Access and Reverse Commute $3,570,460

6642-0023 For the purposes of a federally funded grant entitled, Section 5303 and 5304 Metropolitan Transportation Planning $4,900,710

6642-0026 For the purposes of a federally funded grant entitled, Section 5317 New Freedom Operating Segment $2,734,306

6642-0028 For the purposes of a federally funded grant entitled, Intermodal Transportation Center $5,568,318

6642-0049 For the purposes of a federally funded grant entitled, Section 56310 Special Needs for Elderly Individuals..... $2,866,287

6830-3250 For the purposes of a federally funded grant entitled, Statewide Airport Systems Plan $84,645

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.

7002-1625 For the purposes of a federally funded grant entitled, Veterans Workforce Investment Program FY11 ..... $757,412

7002-4203	For the purposes of a federally funded grant entitled, Occupational Substance and Health Administration Statistical Survey	$73,345
7002-4204	For the purposes of a federally funded grant entitled, Adult Blood Lead Levels Surveillance	$195,000
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	$360,000
7002-4215	For the purposes of a federally funded grant entitled, Occupational Illness and Injury	$86,707
7002-6621	For the purposes of a federally funded grant entitled, Department of Workforce Development Administrative Services & Technology	$18,170,477
7002-6624	For the purposes of a federally funded grant entitled, Unemployment Insurance Administration	$79,000,000
7002-6626	For the purposes of a federally funded grant entitled, Employment Service Programs Administration	$16,269,778
7002-6627	For the purposes of a federally funded grant entitled, Occupational Substance and Health Administration On-site Consultation Program	$1,413,000
7002-6628	For the purposes of a federally funded grant entitled, Disabled Veterans Outreach	$1,600,000
7002-6629	For the purposes of a federally funded grant entitled, Local Veterans Employment Representative	$2,100,000
7002-6646	For the purposes of a federally funded grant entitled, WIA Recovery Act Employer Services	$4,500,000
7002-9701	For the purposes of a federally funded grant entitled, Federal Bureau of Labor Statistics Grant	$2,569,258
7003-1010	For the purposes of a federally funded grant entitled, Trade Expansion Act Program	$18,541,849
7003-1630	For the purposes of a federally funded grant entitled, Adult Activities – Workforce Investment Act Title I - Adult Activities	$21,077,233
7003-1631	For the purposes of a federally funded grant entitled, Youth Formula Grants – Workforce Investment Act Title I - Youth Formula Grants	$24,370,973
7003-1632	For the purposes of a federally funded grant entitled, Dislocated Workers – Workforce Investment Act Title I - Dislocated Workers	$28,612,463
7003-1633	For the purposes of a federally funded grant entitled, Work Incentive Grant Access to Employment for All	$450,000
7003-1640	For the purposes of a federally funded grant entitled, WIA Recovery Act Adult Workers.	$4,500,000

7003-1642	For the purposes of a federally funded grant entitled, WIA Recovery Act Dislocated Workers	$14,000,000
7003-1645	For the purposes of a federally funded grant entitled, ARRA State Energy Sector Partnership	$2,014,295
7003-1651	For the purposes of a federally funded grant entitled, WIA Recovery Act Youth Workers	$12,000,000
7003-2013	For the purposes of a federally funded grant entitled, Mine Safety and Health Training	$65,651

Department of Housing and Community Development.

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
7004-0305	For the purposes of a federally funded grant entitled, Lead Hazard Control	$469,982
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	$7,111,922
7004-2031	For the purposes of a federally funded grant entitled, Weatherization Assistance for Low Income	$10,395,482
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.	$210,212,673
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	$16,486,827
7004-2361	For the purposes of a federally funded grant entitled, Section 8 Substantial Rehabilitation Administrative Fee	$248,455
7004-2363	For the purposes of a federally funded grant entitled, Section 8 Administrative Fee Housing Voucher	$3,201,079
7004-2364	For the purposes of a federally funded grant entitled, Section 8 Administrative Fee Moderate Rehabilitation	$183,097
7004-2365	For the purposes of a federally funded grant entitled, Section 8 Administrative Fee New Construction	$381,179

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	$36,934,589
7004-3038	For the purposes of a federally funded grant entitled, Neighborhood Stabilization	$9,824,139
7004-3041	For the purposes of a federally funded grant entitled, Community Development Block Grant – ARRA	$2,000,000
7004-3051	For the purposes of a federally funded grant entitled, Homeless Prevention and Rapid Rehousing Program	$5,607,300
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	$9,446,234
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	$229,653,571
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	$9,460,745
7004-9020	For the purposes of a federally funded grant entitled, Section 8 New Construction Program; provided, that the department of housing and community development may provide monthly payments in advance to participating agencies	$6,746,500
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	$15,000,000
7004-9039	For the purposes of a federally funded grant entitled, Home Technical Assistance	$107,298
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	$79,000
7004-9313	For the purposes of a federally funded grant entitled, ARRA – Tax Credit Exchange Program	$22,928,537
7004-9314	For the purposes of a federally funded grant entitled, ARRA – Tax Credit Assistance Program	$14,901,408

EXECUTIVE OFFICE OF EDUCATION.

Department of Early Education and Care.

3000-0708	For the purposes of a federally funded grant entitled, Head Start Collaboration.	$175,000
3000-2009	For the purposes of a federally funded grant entitled, ARRA – Child Care Discretionary Funds	$3,569,912
3000-9002	For the purposes of a federally funded grant entitled, Child Abuse Prevention and Treatment Activities	$577,476

Department of Elementary and Secondary Education.

7010-9706	For the purposes of a federally funded grant entitled, Common Core Data Project	$355,000
7032-0217	For the purposes of a federally funded grant entitled, Robert C. Byrd Honors Scholarship Program — Distribution	$811,500
7035-0166	For the purposes of a federally funded grant entitled, Even Start Family Literacy — Distribution	$899,644
7035-0210	For the purposes of a federally funded grant entitled, Advanced Placement Fee Program	$250,000
7038-0107	For the purposes of a federally funded grant entitled, Adult Basic Education – Distribution	$10,122,643
7038-9004	For the purposes of a federally funded grant entitled, School Based Programs Distribution	$396,319
7043-1001	For the purposes of a federally funded grant entitled, Title I Grants to Local Educational Agencies	$224,208,043
7043-1004	For the purposes of a federally funded grant entitled, Migrant Education	$1,673,173
7043-1005	For the purposes of a federally funded grant entitled, Title I Neglected and Delinquent Children	$1,975,418
7043-2001	For the purposes of a federally funded grant entitled, Teacher and Principal Training and Recruiting	$49,768,717
7043-2002	For the purposes of a federally funded grant entitled, Enhancing Education through Technology	$1,413,323
7043-2003	For the purposes of a federally funded grant entitled, Title I Math and Science Partnerships	$2,128,970
7043-3001	For the purposes of a federally funded grant entitled, English Language Acquisition	$12,776,615

7043-4001	For the purposes of a federally funded grant entitled, Safe and Drug Free Schools and Communities	$4,322,352
7043-4002	For the purposes of a federally funded grant entitled, After School Learning Centers	$18,776,307
7043-6001	For the purposes of a federally funded grant entitled, Grants for State Assessments and Related Activities	$7,655,840
7043-6501	For the purposes of a federally funded grant entitled, Education for Homeless Children/Youth	$970,684
7043-7001	For the purposes of a federally funded grant entitled, Special Education Grants	$282,381,862
7043-7002	For the purposes of a federally funded grant entitled, Preschool Grants	$9,735,461
7043-8001	For the purposes of a federally funded grant entitled, Vocational Education Basic Grants	$18,934,258
7043-8002	For the purposes of a federally funded grant entitled, Technical Preparation Education	$1,160,000
7044-0020	For the purposes of a federally funded grant entitled, Project Focus Academy	$2,076,363
7048-0229	For the purposes of a federally funded grant entitled, Promoting Science Based Approaches – Prevent Teen Pregnancy	$8,379
7048-1500	For the purposes of a federally funded grant entitled, High School Graduation Initiative	$3,000,000
7048-1616	For the purposes of a federally funded grant entitled, College Access Challenge Grant Program	$935,684
7048-2700	For the purposes of a federally funded grant entitled, Teacher Incentive Grant	$7,678,269
7048-7323	For the purposes of a federally funded grant entitled, Striving Readers Comprehensive Literacy Grant	$150,000
7048-9200	For the purposes of a federally funded grant entitled, Statewide Longitudinal Data Systems Grant	$2,332,414
7048-9414	For the purposes of a federally funded grant entitled, MSIX Data Quality Grants	$66,666
7053-2008	For the purposes of a federally funded grant entitled, Fresh Fruit & Veggie	$2,081,281
7053-2010	For the purposes of a federally funded grant entitled, Child Nutrition Grant St. Program Review	$1,093,325
7053-2112	For the purposes of a federally funded grant entitled, Special Assistance Funds	$155,833,146
7053-2117	For the purposes of a federally funded grant entitled, Child Care Program	$51,545,189

7053-2119	For the purposes of a federally funded grant entitled, NSLP Equipment Grant	$346,140
7053-2126	For the purposes of a federally funded grant entitled, Temporary Emergency Food Assistance	$690,200
7053-2202	For the purposes of a federally funded grant entitled, Special Summer Food Service Program for Children	$5,490,849
7062-0008	For the purposes of a federally funded grant entitled, Office of School Lunch Programs — Child Care Program Administration	$2,520,000

Department of Higher Education.

7066-1574	For the purposes of a federally funded grant entitled, Improving Teacher Quality Grants	$1,500,000
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	966,853
7100-0215	For the purposes of a federally funded grant entitled, Food Response Network	$52,188
7110-1182	For the purposes of a federally funded grant entitled, National Science Foundation	$75,000
7110-6019	For the purposes of a federally funded grant entitled, Upward Bound Payroll and Benefits - Fitchburg State College	$365,000
7110-6030	For the purposes of a federally funded grant entitled, Expanding Horizons Student Support Services - Fitchburg State College	$240,000
7110-6048	For the purposes of a federally funded grant entitled, Special Education Personnel Preparation - Fitchburg State College	$10,000
7116-6270	For the purposes of a federally funded grant entitled, National Science Foundation Recovery Act Research Support	$15,000
7410-3093	For the purposes of a federally funded grant entitled, Polymer Building Construction - University of Massachusetts Amherst	$832,264
7411-3092	For the purposes of a federally funded grant entitled, Massachusetts Rehabilitation Council – Interagency Service Agreement	$80,000
7611-8003	For the purposes of a federally funded grant entitled, Medicaid Infrastructure	$25,743

EXECUTIVE OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY.

Office of the Secretary.

8000-0088	For the purposes of a federally funded grant entitled, Bulletproof Vest Federal Receipt	$300,000
8000-2015	For the purposes of a federally funded grant entitled, ARRA Justice Assistant Grant	$600,000
8000-4603	For the purposes of a federally funded grant entitled, Juvenile Justice Delinquency and Prevention Act	$1,000,000
8000-4608	For the purposes of a federally funded grant entitled, Drug-Free Schools and Communities Act of 1986	$100,000
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
8000-4619	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	$200,000
8000-4624	For the purposes of a federally funded grant entitled, Prisoner Substance Abuse Treatment	$100,000
8000-4639	For the purposes of a federally funded grant entitled, Justice Loan Repayment Grant	$130,000
8000-4640	For the purposes of a federally funded grant entitled, Hampden Reentry Grant	$225,000
8000-4692	For the purposes of a federally funded grant entitled, State Homeland Security Program	$20,000,000
8000-4693	For the purposes of a federally funded grant entitled, Project Safe Neighborhood.	$200,000
8000-4694	For the purposes of a federally funded grant entitled, Homeland Urban Areas	$7,500,000
8000-4695	For the purposes of a federally funded grant entitled, Homeland Security Buffer Zone Protection	$1,200,000
8000-4696	For the purposes of a federally funded grant entitled, Transportation Security Grant	$10,000,000
8000-4697	For the purposes of a federally funded grant entitled, Homeland Security Interoperable Communication.	$8,000,000
8000-4699	For the purposes of a federally funded grant entitled, Homeland Citizen Corp	$295,000

8000-4700	For the purposes of a federally funded grant entitled, Homeland Medical Response	$400,000
8000-4701	For the purposes of a federally funded grant entitled, Homeland Port Security	$2,000,000
8000-4702	For the purposes of a federally funded grant entitled, Homeland Interoperable Communications	$500,000
8000-4703	For the purposes of a federally funded grant entitled, Homeland Catastrophic Preparation	$2,000,000
8000-4705	For the purposes of a federally funded grant entitled, Homeland Emergency Management Preparation	$4,000,000
8000-4706	For the purposes of a federally funded grant entitled, Homeland Emergency Operations Center	$50,000
8000-4804	For the purposes of a federally funded grant entitled, Highway Safety Grant	$16,000,000
8000-4840	For the purposes of a federally funded grant entitled, 2006 Enforcing Underage Drinking Laws	$300,000
8000-4841	For the purposes of a federally funded grant entitled, Fatality Analysis Reporting	$100,000
8000-4843	For the purposes of a federally funded grant entitled, Increased Endorsed Motorcyclists	$29,416
8000-4844	For the purposes of a federally funded grant entitled, Increased Blood Alcohol Reporting	$32,012
8000-6613	For the purposes of a federally funded grant entitled, Juvenile Accountability II	$700,000

Department of State Police.

8100-0209	For the purposes of a federally funded grant entitled, Region 1 Training Academy Motor Carrier Safety Assistance	$194,904
8100-0210	For the purposes of a federally funded grant entitled, FMCSA New Entrant Audit	$602,422
8100-2010	For the purposes of a federally funded grant entitled, Federal Motor Carrier Safety Basic Grant	$7,317
8100-2011	For the purposes of a federally funded grant entitled, FMCSA Basic Grant	$2,585,000
8100-2020	For the purposes of a federally funded grant entitled, FMCSA High Priority (Seat Belt)	$9,700
8100-2021	For the purposes of a federally funded grant entitled, FMCSA High Priority (Safety Admin Data Improve)	$15,000
8100-2058	For the purposes of a federally funded grant entitled, New England State Police Administrator‘s Conference - Regional Investigation	$4,867,198

8100-2639	For the purposes of a federally funded grant entitled, ARRA ICAC Task Force	$152,200
8100-2640	For the purposes of a federally funded grant entitled, Internet Crimes Against Children Continuation	$7,000
8100-2641	For the purposes of a federally funded grant entitled, Internet Crimes Against Children Data System	$460,448
8100-9706	For the purposes of a federally funded grant entitled, Cannabis Eradication Controlled Substance Prosecution DEA Cooperative Agreement	$50,753
8100-9747	For the purposes of a federally funded grant entitled, Forensic DNA Backlog Reduction Program FY09	$64,650
8100-9748	For the purposes of a federally funded grant entitled, FY10 Forensic DNA Backlog Reduction Program	$521,383
8100-9749	For the purposes of a federally funded grant entitled, Coverdell Forensics Science Improvement	$165,187

Department of Fire Services.

8324-1505	For the purposes of a federally funded grant entitled, USFA/NFA State Fire Training Program	$28,000

Military Division.

8700-0006	For the purposes of a federally funded grant entitled, Methuen National Guard Readiness Center	$9,647,217
8700-1001	For the purposes of a federally funded grant entitled, Army National Guard Facilities Programs Cooperative Agreement	$15,872,100
8700-1002	For the purposes of a federally funded grant entitled, Army National Guard Environmental Programs Cooperative Agreement	$3,149,000
8700-1003	For the purposes of a federally funded grant entitled, Army National Guard Security Cooperative Agreement	$1,410,800
8700-1004	For the purposes of a federally funded grant entitled, Army National Guard Electronic Security Cooperative Agreement	$200,000
8700-1005	For the purposes of a federally funded grant entitled, Army National Guard Communications and Information Management Cooperative Agreement	$2,435,400
8700-1007	For the purposes of a federally funded grant entitled, Army National Guard Sustainable Ranges Cooperative Agreement	$669,000
8700-1010	For the purposes of a federally funded grant entitled, Army National Guard Antiterrorism Cooperative Agreement	$100,000
8700-1021	For the purposes of a federally funded grant entitled, Air National Guard Facilities Operations and Maintenance Cooperative Agreement	$7,717,457

8700-1022 For the purposes of a federally funded grant entitled, Air National Guard Environment Cooperative Agreement $70,100

8700-1023 For the purposes of a federally funded grant entitled, Air National Guard Security Cooperative Agreement $1,594,000

8700-1024 For the purposes of a federally funded grant entitled, Air National Guard Fire Protection Cooperative Agreement $2,101,600

8700-1040 For the purposes of a federally funded grant entitled, Air National Guard Distributed Learning Program Cooperative Agreement $150,000

8700-2001 For the purposes of a federally funded grant entitled, Natick National Guard Readiness Center $9,716,000

8700-9021 For the purposes of a federally funded grant entitled, Army National Guard Energy Reduction Projects ARRA $150,000

Massachusetts Emergency Management Agency.

8800-0011 For the purposes of a federally funded grant entitled, Severe Repetitive Loss Grant $449,568

8800-0012 For the purposes of a federally funded grant entitled, Pre-Disaster Mitigation Competitive Grant $88,417

8800-0042 For the purposes of a federally funded grant entitled, Hazardous Materials Transportation Act $458,003

8800-0048 For the purposes of a federally funded grant entitled, Flood Mitigation Assistance Program $1,331,702

8800-0064 For the purposes of a federally funded grant entitled, Hazard Mitigation 1364 ..... $3,081,784

8800-0087 For the purposes of a federally funded grant entitled, Pre-Disaster Mitigation Competitive Grant $5,313,314

8800-1642 For the purposes of a federally funded grant entitled, May 2006 Floods FEMA $1,796,396

8800-1701 For the purposes of a federally funded grant entitled, April 2007 Storm FEMA $1,875,846

8800-1813 For the purposes of a federally funded grant entitled, December 2008 Ice Storm FEMA $4,845,557

8800-1895 For the purposes of a federally funded grant entitled, March 2010 Floods FEMA $14,296,039

Department of Correction.

8903-9003 For the purposes of a federally funded grant entitled, Second Chance Act Family Based Substance Abuse Treatment Grant $140,545

8903-9009	For the purposes of a federally funded grant entitled, Second Chance Act New Clean Green Energy Training Program	$382,780
8903-9709	For the purposes of a federally funded grant entitled, Grants to States for Workplace and Community Transition Training for Incarcerated Youth Offenders	$153,894

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	$9,500,703
9110-1076	For the purposes of a federally funded grant entitled, Medicare Enrollment Assistance Program ADRC	$22,262
9110-1077	For the purposes of a federally funded grant entitled, National Family Caregiver Support Program	$2,469,373
9110-1095	For the purposes of a federally funded grant entitled, Health Information Counseling and Assistance	$1,128,491
9110-1150	For the purposes of a federally funded grant entitled, Empowering Older People	$252,514
9110-1169	For the purposes of a federally funded grant entitled, ARRA - Chronic Disease Self Management	$1,140,273
9110-1173	For the purposes of a federally funded grant entitled, Older Americans Act - Title III Nutritional Program	$14,289,338
9110-1178	For the purposes of a federally funded grant entitled, Community Service Employment Program	$2,983,508
9110-1180	For the purposes of a federally funded grant entitled, 2007 Mippa Outreach to Lis/Msp	$15,051
9110-1182	For the purposes of a federally funded grant entitled, 2008 Mippa Outreach to Lis/Msp	$11,048
9110-3000	For the purposes of a federally funded grant entitled, Senior Medicare Patrol Integration	$193,895
9110-3031	For the purposes of a federally funded grant entitled, ADRC Strategic Planning	$250,000
9110-3037	For the purposes of a federally funded grant entitled, Massachusetts Community Living Program	$500,000
9110-3200	For the purposes of a federally funded grant entitled, Community Based Alzheimer Care Project	$250,000

9110-3300 For the purposes of a federally funded grant entitled, MA Next Generation Performance Outcome Measurement Project $111,505

SECTION 2E.

SECTION 2E. The sums set forth in this section are hereby appropriated from the General Fund unless specifically designated otherwise in this section, for the purposes and subject to the conditions specified in this section and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2012. Items in this section shall not be subject to allotment under section 9B of chapter 29 of the General Laws or reduction under section 9C of said chapter 29, without express authorization from the general court. Notwithstanding section 19A of said chapter 29, any transfer under this section shall be made by the comptroller in accordance with a transfer schedule to be developed for each item by the comptroller, after consulting with the appropriate agency secretary, the secretary of administration and finance and the state treasurer. The schedule for each appropriation shall provide for transfers in increments considered appropriate to meet the cash flow needs of each fund and all transfers under the schedule shall be completed not later than June 30, 2012. Not later than 7 days after the schedules receive final approval by the comptroller, they shall be reported to the house and senate committees on ways and means.

ADMINISTRATION AND FINANCE.

1599-6152 For an operating transfer to the State Retiree Benefits Trust Fund, established pursuant to section 24 of chapter 32A of the General Laws $414,325,940

HEALTH AND HUMAN SERVICES.

Office of the Secretary of Health and Human Services.

1595-1068 For an operating transfer to the MassHealth provider payment account in the Medical Assistance Trust Fund, established under section 2QQQ of chapter 29 of the General Laws; provided, that these funds may be expended only for services provided during state or federal fiscal year 2012, and no amounts previously or subsequently transferred into the Medical Assistance Trust Fund may be expended on payments described in the section 1115 demonstration waiver for services provided during state fiscal year 2012, or payments described in the state plan for services provided during federal fiscal year 2012; provided further, that all payments from the Medical Assistance Trust Fund shall be subject to the availability of federal financial participation, shall be made only in accordance with federally-approved payment methods, shall be consistent with federal funding requirements and all federal payment limits as determined by the secretary of health and human services and shall be subject to the terms and conditions of an agreement with the executive office of health and human services; provided further, that any increase in payment made from the trust fund totaling an amount greater than $251,000,000 in fiscal year 2012 shall be made only after the secretary of health and human services certifies that any increase in payments from the trust fund shall not exceed the negotiated limit for section 1115 waiver spending; provided further, that the secretary of health and human services shall notify, in writing, the house and senate committees on ways and means and the joint committee on health care financing of any increases in payments within 15 days; and provided further, that the secretary of health and human services shall make a payment of up to $308,050,000 from the Medical Assistance Trust

Fund to the Cambridge Public Health Commission for dates of service in state and federal fiscal year 2012, only after the Cambridge Public Health Commission transfers up to $154,025,000 of its funds to the Medical Assistance Trust Fund using a federally permissible source of funds which shall fully satisfy the nonfederal share of such payment $394,025,000

1595-1069 Notwithstanding any general or special law to the contrary, the comptroller shall transfer up to $500,000 from the General Fund to the Health Insurance Technology Trust Fund for the purpose of administering the Medicaid Electronic Health Record Incentive Payment program; provided, that all payments from the Health Insurance Technology Trust Fund shall be subject to the availability of federal financial participation $500,000

1595-5819 For an operating transfer to the Commonwealth Care Trust Fund, established under section 2OOO of chapter 29 of the General Laws; provided, that up to $15,000,000 shall be transferred from the Commonwealth Care Trust Fund to the Health Safety Net Trust Fund, established under section 36 of chapter 118G of the General Laws; provided further, that transfers from this item shall fund only the costs of the health safety net incurred between July 1, 2011 and December 31, 2011; provided further, that the hospital fiscal year 2011 payment amount to each hospital shall be funded by the Health Safety Net Trust Fund; provided further, that payments may be made either as safety net care payments under the commonwealth's section 1115 waiver, or as an adjustment to Title XIX service rate payments, or a combination thereof; provided further, that the executive office of health and human services and the health safety net office may use other federally permissible funding mechanisms available for public service hospitals, as defined in 114.1 CMR 36.02, to reimburse up to $70,000,000 of uncompensated care at the hospitals using sources distinct from the funding made available to the Health Safety Net Trust Fund; provided further that for the purpose of this line item, Massachusetts nonprofit disproportionate share hospitals with a Medicare payer mix percentage greater than 45% of Total Gross Patient Service Revenue using FY09 403 cost report data shall be defined as a public service hospital; further provided public service hospitals qualifying under this line item shall receive an equal payment of the amount of surplus public service hospital safety net care payment monies from public service hospitals qualifying under 114.1 CMR 36.02; further provided that these funds may only be disbursed if allowed by the Commonwealth's 1115 Medicaid waiver; provided further, that the secretary of administration and finance, in consultation with the secretary of health and human services and the executive director of the commonwealth health insurance connector authority, shall on a quarterly basis evaluate the revenue needs of the health safety net program funded by the Health Safety Net Trust Fund and the Commonwealth Care subsidized health insurance program funded by the Commonwealth Care Trust Fund, and if necessary, transfer monies between these funds for the purpose of ensuring that sufficient revenues are available to support projected program expenditures; provided further, that the secretary of administration and finance shall report any transfers made between the Health Safety Net Trust Fund and the Commonwealth Care Trust Fund to the house and senate committees on ways and means and the joint committee on healthcare financing within 30 days of the proposed transfer; provided further, that notwithstanding any general or special law to the contrary, if the secretary of administration and finance determines that amounts transferred from the General Fund to the Commonwealth Care Trust Fund are not needed to support the costs of

the Commonwealth Care and Commonwealth Care Bridge subsidized health insurance programs in fiscal year 2012, the secretary of administration and finance shall notify the comptroller and the house and senate committees on ways and means of this determination and the comptroller shall transfer such amounts from the Commonwealth Care Trust Fund back to the General Fund; and provided further, that up to $2,500,000 shall be applied for the purpose of providing small business health insurance wellness subsidies pursuant to section 7A of Chapter 176Q of the General Laws $363,505,911

1595-5820 For an operating transfer to the Commonwealth Care Trust Fund, established under section 2OOO of chapter 29 of the General Laws; provided, that up to $15,000,000 shall be transferred from the Commonwealth Care Trust Fund to the Health Safety Net Trust Fund, established under section 36 of chapter 118G of the General Laws; provided further, that transfers from this item shall fund only the costs of the health safety net incurred between January 1, 2012 and June 30, 2012; provided further, that no funds shall be expended from this item until the Secretary of Health and Human Services certifies to the Secretary of Administration and Finance and the House and Senate Committees on Ways and Means that the Division of Health Care Finance and Policy has successfully implemented a claims adjudication system for both inpatient and outpatient claims in accordance with provisions of Chapter 58 of the acts of 2006; provided further, that said Secretary shall also report on all measures undertaken to recover invalid payments made to health care safety net providers in prior fiscal years; provided further, that the hospital fiscal year 2011 payment amount to each hospital shall be funded by the Health Safety Net Trust Fund; provided further, that payments may be made either as safety net care payments under the commonwealth's section 1115 waiver, or as an adjustment to Title XIX service rate payments, or a combination thereof; provided further, that the executive office of health and human services and the health safety net office may use other federally permissible funding mechanisms available for public service hospitals, as defined in 114.1 CMR 36.02, to reimburse up to $70,000,000 of uncompensated care at the hospitals using sources distinct from the funding made available to the Health Safety Net Trust Fund; provided further, that the secretary of administration and finance, in consultation with the secretary of health and human services and the executive director of the commonwealth health insurance connector authority, shall on a quarterly basis evaluate the revenue needs of the health safety net program funded by the Health Safety Net Trust Fund and the Commonwealth Care subsidized health insurance program funded by the Commonwealth Care Trust Fund, and if necessary, transfer monies between these funds for the purpose of ensuring that sufficient revenues are available to support projected program expenditures; provided further, that the secretary of administration and finance shall report any transfers made between the Health Safety Net Trust Fund and the Commonwealth Care Trust Fund to the house and senate committees on ways and means and the joint committee on healthcare financing within 30 days of the proposed transfer; provided further, that notwithstanding any general or special law to the contrary, if the secretary of administration and finance determines that amounts transferred from the General Fund to the Commonwealth Care Trust Fund are not needed to support the costs of the Commonwealth Care and Commonwealth Care Bridge subsidized health insurance programs in fiscal year 2012, the secretary of administration and finance shall notify the comptroller and the house and senate committees

on ways and means of this determination and the comptroller shall transfer such amounts from the Commonwealth Care Trust Fund back to the General Fund; and provided further, that up to $2,500,000 shall be applied for the purpose of providing small business health insurance wellness subsidies pursuant to section 7A of Chapter 176Q of the General Laws $363,505,911

TRANSPORTATION.

Department of Transportation.

1595-6368 For an operating transfer to the Massachusetts Transportation Trust Fund, established under section 4 of chapter 6C of the General Laws; provided, that the Massachusetts Department of Transportation shall expend $100,000 for the purposes of conducting a study to include field research, surveys, market studies, and other research methods as needed, to identify and determine additional recurring revenues through the leasing or disposition of commonwealth right-of-ways or other land, property, or interests therein, on the property of the Massachusetts Bay Transportation Authority and associated railroad or transportation related property of the commonwealth, inclusive of its rights-of-way, whether in use for rail, alternative access or abandoned; said study to be for the purpose of maximizing revenue to the commonwealth from installing utility and communication infrastructure including, but not limited to: utility pipelines, conduits, ditches, wires, poles, transmission lines, or transmission facilities for cellular phone devices, broadband, internet and wireless under existing agreements or permits or such agreements or permits or under existing laws, provided that such use does not interfere with the public use of the property for Massachusetts Bay Transportation Authority or other purposes. Said study shall be completed by February 1, 2012 and copies transmitted to the house and senate committees on ways and means and the joint committee on transportation $180,126,756

Commonwealth Transportation Fund 100%

1595-6369 For an operating transfer to the Massachusetts Bay Transportation Authority pursuant to clause (1) of subsection (d) of section 2ZZZ of chapter 29 of the General Laws $160,000,000

Commonwealth Transportation Fund 100%

1595-6370 For an operating transfer to the regional transit authorities organized under chapter 161B of the General Laws or predecessor statutes pursuant to clause (2) of subsection (d) of section 2ZZZ of chapter 29 of the General Laws $15,000,000

Commonwealth Transportation Fund 100%

1595-6379 For the operation of the motor vehicle insurance merit rating board, including the rent, related parking and utility expenses of the board; provided, that the amount appropriated in this item, and the associated fringe benefits, shall be borne by insurance companies doing motor vehicle insurance business within the commonwealth, under section 183 of chapter 6 of the General Laws; and provided further, that notwithstanding any general or special law to the contrary, no safe driver insurance plan shall require the payment of an unsafe driver point surcharge for the first offense

for non-criminal motor vehicle traffic violations as described in chapter 90C of the General Laws $8,106,972

Commonwealth Transportation Fund……..100%

7066-0035 For the support of the science, technology, engineering, and mathematics grant fund established by section 2MMM of chapter 29 of the General Laws..... $500,000

SECTION 3 LOCAL AID DISTRIBUTIONS.

SECTION 3. Notwithstanding any general or special law to the contrary, for the fiscal year ending June 30, 2012 the distribution to cities and towns of the balance of the State Lottery Fund, as paid from the General Fund in accordance with clause (c) of the second paragraph of section 35 of chapter 10 of the General Laws, and additional funds from the General Fund shall be $833,980,293 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 2012 the total amounts to be distributed and paid to each city and town from item 7061-0008 of section 2 shall be as set forth in the following lists. The specified amounts to be distributed from said item 7061-0008 of said section 2 shall be in full satisfaction of the amounts due under chapter 70 of the General Laws.

For fiscal year 2012, the foundation budget categories for each district shall be calculated in the same manner as in fiscal year 2011. The target local share shall be calculated using the same methodology used in fiscal year 2011. Preliminary local contribution shall be the municipality's fiscal year 2011 minimum required local contribution, increased or decreased by the municipal revenue growth factor; provided, that if a municipality's preliminary contribution as a percentage of its foundation budget is more than 5 percentage points lower than the target local share, the preliminary contribution shall be recalculated using the municipality's revenue growth factor plus 1 percentage point; and if a municipality's preliminary contribution as a percentage of its foundation budget is more than 10 percentage points lower than the target local share, the preliminary contribution shall be recalculated using the municipality's revenue growth factor plus 2 percentage points. Minimum required local contribution for fiscal year 2012 shall be, for any municipality with a fiscal year 2012 preliminary contribution greater than its fiscal year 2012 target contribution, the preliminary local contribution reduced by 20 per cent of the gap between the preliminary local contribution and the target local contribution. Required local contribution shall be allocated among the districts to which a municipality belongs in direct proportion to the foundation budgets for the municipality's pupils at each of those districts. For fiscal year 2012, "prior year aid" shall be the sum of: (a) fiscal year 2011 state-appropriated chapter 70 aid; and (b) state fiscal stabilization fund allocations as distributed by the department of elementary and secondary education. For fiscal year 2012, the "foundation aid increment" shall be the difference between: (a) the positive difference between a district's foundation budget and its required district contribution; and (b) prior year aid. Chapter 70 aid for fiscal year 2012 shall be the sum of prior year aid plus the foundation aid increment, if any. No non-operating district shall receive chapter 70 aid in an amount greater than the

district's foundation budget. If there is a conflict between the language of this section and the distribution listed below, the distribution below shall control.

The department of elementary and secondary education shall not consider health care costs for retired teachers to be part of net school spending for any district in which such costs were not considered part of net school spending in fiscal year 1994. No payments to cities, towns or counties maintaining an agricultural school pursuant to this section shall be made after November 30 of the fiscal year until the commissioner of revenue certifies acceptance of the prior fiscal year's annual financial reports submitted pursuant to section 43 of chapter 44 of the General Laws. Advance payments shall be made for some or all of periodic local reimbursement or assistance programs to any city, town, regional school district or independent agricultural and technical school that demonstrates an emergency cash shortfall, as certified by the commissioner of revenue and approved by the secretary of the executive office for administration and finance, pursuant to guidelines established by the secretary.

Municipality	Chapter 70	Unrestricted General Government Aid
ABINGTON	7,244,034	1,543,567
ACTON	5,188,231	1,097,608
ACUSHNET	6,039,807	1,189,719
ADAMS	0	1,837,004
AGAWAM	17,494,998	2,890,703
ALFORD	0	11,011
AMESBURY	8,422,786	1,526,501
AMHERST	5,813,638	6,605,976
ANDOVER	6,928,057	1,402,081
AQUINNAH	0	1,833
ARLINGTON	6,880,580	5,952,940
ASHBURNHAM	0	623,876
ASHBY	0	343,578
ASHFIELD	93,413	145,672
ASHLAND	4,877,035	1,061,106
ATHOL	0	2,077,367
ATTLEBORO	28,992,951	4,476,414
AUBURN	6,495,648	1,343,805
AVON	816,707	543,847
AYER	264,744	594,009
BARNSTABLE	7,184,728	1,650,493
BARRE	7,483	705,700
BECKET	76,563	71,258
BEDFORD	2,806,434	900,733
BELCHERTOWN	13,251,261	1,335,093
BELLINGHAM	8,028,300	1,331,436

Municipality	Chapter 70	Unrestricted General Government Aid
BELMONT	5,571,323	1,771,704
BERKLEY	3,805,913	477,426
BERLIN	500,103	158,198
BERNARDSTON	11,308	228,218
BEVERLY	6,730,266	4,582,242
BILLERICA	17,375,576	4,569,149
BLACKSTONE	84,251	1,074,007
BLANDFORD	42,726	99,633
BOLTON	0	154,921
BOSTON	205,414,453	148,660,757
BOURNE	4,684,058	1,150,250
BOXBOROUGH	1,294,018	197,930
BOXFORD	1,534,312	381,442
BOYLSTON	430,543	268,772
BRAINTREE	12,154,000	4,490,072
BREWSTER	887,884	309,819
BRIDGEWATER	36,107	2,857,894
BRIMFIELD	1,175,223	305,924
BROCKTON	139,582,640	16,429,406
BROOKFIELD	1,303,088	387,422
BROOKLINE	6,932,850	4,981,754
BUCKLAND	0	240,260
BURLINGTON	5,124,986	2,054,906
CAMBRIDGE	8,643,123	16,856,874
CANTON	3,838,238	1,682,666
CARLISLE	790,228	172,130
CARVER	9,573,059	1,146,273
CHARLEMONT	61,250	137,157
CHARLTON	21,176	1,136,799
CHATHAM	648,563	118,090
CHELMSFORD	9,880,853	3,982,596
CHELSEA	52,765,195	6,444,403
CHESHIRE	298,092	482,025
CHESTER	125,551	141,268
CHESTERFIELD	121,562	108,334
CHICOPEE	53,628,470	9,035,592
CHILMARK	0	2,943
CLARKSBURG	1,749,835	285,445
CLINTON	10,497,286	1,847,116
COHASSET	1,659,487	403,698
COLRAIN	0	226,462
CONCORD	1,998,997	910,291

Municipality	Chapter 70	Unrestricted General Government Aid
CONWAY	592,554	140,234
CUMMINGTON	73,684	65,458
DALTON	212,902	892,749
DANVERS	4,269,013	2,234,836
DARTMOUTH	8,983,576	1,978,014
DEDHAM	3,651,265	2,565,951
DEERFIELD	1,026,593	376,874
DENNIS	0	427,332
DEVENS	308,588	0
DIGHTON	0	606,730
DOUGLAS	8,368,517	572,620
DOVER	601,536	150,941
DRACUT	17,732,219	2,749,229
DUDLEY	0	1,401,958
DUNSTABLE	4,392	192,992
DUXBURY	4,387,890	695,530
EAST BRIDGEWATER	10,108,452	1,174,518
EAST BROOKFIELD	75,665	227,567
EAST LONGMEADOW	9,130,786	1,135,782
EASTHAM	315,916	116,902
EASTHAMPTON	7,568,672	2,205,513
EASTON	9,192,536	1,718,309
EDGARTOWN	422,688	52,267
EGREMONT	0	49,508
ERVING	408,645	52,739
ESSEX	0	192,114
EVERETT	42,993,143	5,420,954
FAIRHAVEN	7,217,965	1,769,396
FALL RIVER	93,795,275	18,698,842
FALMOUTH	4,846,696	1,087,838
FITCHBURG	40,477,603	6,696,216
FLORIDA	529,427	39,056
FOXBOROUGH	8,348,710	1,168,759
FRAMINGHAM	22,024,861	7,806,597
FRANKLIN	26,857,636	1,938,859
FREETOWN	353,070	745,088
GARDNER	18,037,844	3,325,039
GEORGETOWN	5,095,019	562,104
GILL	0	190,859
GLOUCESTER	5,755,585	3,133,846
GOSHEN	96,111	62,773
GOSNOLD	16,414	1,646

Municipality	Chapter 70	Unrestricted General Government Aid
GRAFTON	8,559,644	1,226,876
GRANBY	4,455,570	692,822
GRANVILLE	1,247,466	125,803
GREAT BARRINGTON	0	595,495
GREENFIELD	9,957,403	2,491,144
GROTON	3,201	607,821
GROVELAND	0	571,169
HADLEY	733,207	356,121
HALIFAX	2,645,042	712,283
HAMILTON	0	527,184
HAMPDEN	0	539,848
HANCOCK	190,460	44,301
HANOVER	5,967,516	1,662,196
HANSON	31,588	1,004,818
HARDWICK	0	365,295
HARVARD	1,718,626	1,162,031
HARWICH	1,735,977	337,990
HATFIELD	753,311	244,835
HAVERHILL	35,966,744	7,711,930
HAWLEY	28,250	33,958
HEATH	0	65,651
HINGHAM	5,553,035	1,238,357
HINSDALE	104,683	174,710
HOLBROOK	4,597,787	1,157,772
HOLDEN	0	1,500,208
HOLLAND	890,143	158,375
HOLLISTON	6,546,693	1,215,118
HOLYOKE	67,536,867	7,969,057
HOPEDALE	5,815,295	511,659
HOPKINTON	5,472,035	616,393
HUBBARDSTON	14,817	353,458
HUDSON	9,208,854	1,564,697
HULL	3,610,471	1,662,898
HUNTINGTON	214,868	270,427
IPSWICH	2,559,500	1,259,557
KINGSTON	4,014,844	753,151
LAKEVILLE	49,190	642,026
LANCASTER	0	750,048
LANESBOROUGH	799,588	270,670
LAWRENCE	145,883,335	15,406,602
LEE	1,918,169	488,670
LEICESTER	9,381,227	1,362,409

Municipality	Chapter 70	Unrestricted General Government Aid
LENOX	1,131,215	418,241
LEOMINSTER	41,456,131	4,490,816
LEVERETT	267,006	140,059
LEXINGTON	7,051,517	1,202,550
LEYDEN	0	64,606
LINCOLN	718,511	534,185
LITTLETON	3,503,626	557,764
LONGMEADOW	4,109,266	1,096,268
LOWELL	121,658,718	19,764,069
LUDLOW	13,097,378	2,397,042
LUNENBURG	4,522,545	829,777
LYNN	118,211,280	17,568,191
LYNNFIELD	3,799,686	816,068
MALDEN	44,091,112	9,844,375
MANCHESTER	0	174,499
MANSFIELD	17,873,614	1,750,267
MARBLEHEAD	4,548,961	893,530
MARION	431,669	177,050
MARLBOROUGH	14,405,503	4,271,401
MARSHFIELD	13,567,053	1,699,837
MASHPEE	4,200,511	288,692
MATTAPOISETT	526,956	318,023
MAYNARD	3,534,280	1,232,737
MEDFIELD	5,620,214	1,137,437
MEDFORD	10,836,793	9,517,872
MEDWAY	9,898,504	957,302
MELROSE	7,323,565	4,024,121
MENDON	24,883	320,659
MERRIMAC	0	660,204
METHUEN	38,823,822	4,266,346
MIDDLEBOROUGH	17,008,329	1,934,578
MIDDLEFIELD	18,050	41,714
MIDDLETON	1,483,356	429,332
MILFORD	16,702,939	2,396,675
MILLBURY	6,566,950	1,389,477
MILLIS	4,248,061	821,522
MILLVILLE	58,499	319,617
MILTON	5,504,287	2,521,257
MONROE	79,784	14,428
MONSON	7,259,850	1,024,283
MONTAGUE	0	1,124,542
MONTEREY	0	36,279

Municipality	Chapter 70	Unrestricted General Government Aid
MONTGOMERY	21,042	68,097
MOUNT WASHINGTON	32,776	23,522
NAHANT	440,741	296,479
NANTUCKET	1,334,173	62,171
NATICK	7,062,013	2,990,066
NEEDHAM	6,991,720	1,369,789
NEW ASHFORD	179,597	15,938
NEW BEDFORD	111,804,538	18,050,411
NEW BRAINTREE	0	103,584
NEW MARLBOROUGH	0	45,953
NEW SALEM	0	81,413
NEWBURY	0	406,371
NEWBURYPORT	3,143,161	2,001,229
NEWTON	13,504,221	4,611,231
NORFOLK	3,234,875	752,484
NORTH ADAMS	13,418,958	3,481,174
NORTH ANDOVER	6,124,740	1,608,071
NORTH ATTLEBOROUGH	19,528,781	2,257,483
NORTH BROOKFIELD	4,129,763	625,244
NORTH READING	6,459,260	1,393,231
NORTHAMPTON	6,843,064	3,448,824
NORTHBOROUGH	3,311,175	875,253
NORTHBRIDGE	14,034,106	1,656,314
NORTHFIELD	0	283,498
NORTON	12,147,905	1,630,853
NORWELL	3,008,400	841,158
NORWOOD	4,808,800	3,649,810
OAK BLUFFS	613,641	57,066
OAKHAM	0	150,544
ORANGE	5,117,899	1,268,097
ORLEANS	237,642	134,783
OTIS	0	28,541
OXFORD	9,764,153	1,613,477
PALMER	10,519,240	1,573,636
PAXTON	0	424,607
PEABODY	18,663,598	5,664,152
PELHAM	216,311	124,902
PEMBROKE	12,794,990	1,319,012
PEPPERELL	0	1,171,128
PERU	73,500	89,614
PETERSHAM	418,743	89,957
PHILLIPSTON	0	144,740

Municipality	Chapter 70	Unrestricted General Government Aid
PITTSFIELD	36,909,419	6,774,785
PLAINFIELD	51,024	39,366
PLAINVILLE	2,519,174	595,290
PLYMOUTH	21,778,007	3,074,658
PLYMPTON	566,871	186,155
PRINCETON	0	232,324
PROVINCETOWN	258,041	108,536
QUINCY	20,959,018	14,983,027
RANDOLPH	11,895,024	4,078,589
RAYNHAM	0	892,264
READING	9,488,181	2,543,818
REHOBOTH	0	817,945
REVERE	40,735,334	8,071,697
RICHMOND	330,519	84,892
ROCHESTER	1,705,807	333,266
ROCKLAND	10,022,160	2,074,337
ROCKPORT	1,271,798	343,349
ROWE	67,651	3,091
ROWLEY	0	423,746
ROYALSTON	0	141,068
RUSSELL	168,465	193,796
RUTLAND	0	725,867
SALEM	18,522,267	5,412,881
SALISBURY	0	495,790
SANDISFIELD	0	27,191
SANDWICH	6,376,393	884,410
SAUGUS	3,888,392	2,878,748
SAVOY	499,039	90,917
SCITUATE	4,832,136	1,578,512
SEEKONK	4,272,118	965,577
SHARON	6,562,832	1,098,429
SHEFFIELD	13,886	191,163
SHELBURNE	4,663	205,203
SHERBORN	499,848	169,965
SHIRLEY	0	1,029,497
SHREWSBURY	18,511,623	2,185,815
SHUTESBURY	571,885	133,065
SOMERSET	4,104,261	1,203,502
SOMERVILLE	19,108,128	19,770,620
SOUTH HADLEY	7,546,619	2,049,338
SOUTHAMPTON	2,425,096	499,982
SOUTHBOROUGH	2,654,636	343,199

Municipality	Chapter 70	Unrestricted General Government Aid
SOUTHBRIDGE	17,230,163	2,760,518
SOUTHWICK	0	989,791
SPENCER	8,131	1,774,784
SPRINGFIELD	275,403,995	29,705,191
STERLING	0	543,998
STOCKBRIDGE	0	78,217
STONEHAM	3,327,888	2,916,235
STOUGHTON	12,860,747	2,512,733
STOW	0	330,325
STURBRIDGE	2,351,516	607,924
SUDBURY	4,206,945	1,098,406
SUNDERLAND	826,903	396,605
SUTTON	5,102,475	612,529
SWAMPSCOTT	2,564,463	1,015,680
SWANSEA	4,715,991	1,473,767
TAUNTON	45,565,026	6,599,741
TEMPLETON	0	1,094,201
TEWKSBURY	12,317,499	2,183,935
TISBURY	380,594	76,942
TOLLAND	0	14,503
TOPSFIELD	1,025,939	481,291
TOWNSEND	0	1,031,249
TRURO	245,466	23,606
TYNGSBOROUGH	6,960,249	758,313
TYRINGHAM	35,721	9,963
UPTON	12,582	417,765
UXBRIDGE	8,948,989	1,079,683
WAKEFIELD	4,794,886	2,643,470
WALES	725,004	185,338
WALPOLE	7,106,855	1,999,825
WALTHAM	7,068,165	7,535,082
WARE	8,103,542	1,354,696
WAREHAM	12,225,154	1,552,495
WARREN	0	709,926
WARWICK	0	99,794
WASHINGTON	11,237	74,114
WATERTOWN	3,234,244	5,233,952
WAYLAND	3,144,868	709,290
WEBSTER	9,554,369	1,942,812
WELLESLEY	7,202,028	1,016,492
WELLFLEET	146,323	45,864
WENDELL	0	136,751

Municipality	Chapter 70	Unrestricted General Government Aid
WENHAM	0	336,112
WEST BOYLSTON	2,804,550	625,194
WEST BRIDGEWATER	2,441,892	513,118
WEST BROOKFIELD	201,348	382,187
WEST NEWBURY	0	232,501
WEST SPRINGFIELD	18,857,776	2,812,239
WEST STOCKBRIDGE	0	76,294
WEST TISBURY	0	145,748
WESTBOROUGH	4,206,047	909,295
WESTFIELD	32,546,677	4,939,735
WESTFORD	15,861,400	1,667,573
WESTHAMPTON	442,420	113,705
WESTMINSTER	0	513,668
WESTON	2,419,859	293,515
WESTPORT	4,154,597	954,650
WESTWOOD	3,777,085	572,463
WEYMOUTH	25,510,253	6,842,039
WHATELY	236,718	105,305
WHITMAN	112,364	1,900,068
WILBRAHAM	0	1,148,402
WILLIAMSBURG	415,779	237,562
WILLIAMSTOWN	895,366	749,163
WILMINGTON	10,186,107	1,951,163
WINCHENDON	11,115,275	1,320,096
WINCHESTER	6,241,118	1,160,984
WINDSOR	47,361	81,486
WINTHROP	5,157,850	3,307,962
WOBURN	6,256,312	4,697,651
WORCESTER	201,135,279	32,608,533
WORTHINGTON	49,000	98,563
WRENTHAM	3,538,923	731,568
YARMOUTH	4,574	990,716
Total Municipal	**3,359,222,997**	**833,980,293**

Regional School District	Chapter 70	Unrestricted General Government Aid
ACTON BOXBOROUGH	6,969,133	0
ADAMS CHESHIRE	9,835,636	0
AMHERST PELHAM	9,169,067	0
ASHBURNHAM WESTMINSTER	9,935,704	0
ASSABET VALLEY	3,066,115	0
ATHOL ROYALSTON	16,971,310	0
AYER SHIRLEY	7,844,036	0
BERKSHIRE HILLS	2,657,478	0
BERLIN BOYLSTON	871,873	0
BLACKSTONE MILLVILLE	10,511,449	0
BLACKSTONE VALLEY	7,614,352	0
BLUE HILLS	3,819,759	0
BRIDGEWATER RAYNHAM	20,050,371	0
BRISTOL COUNTY	2,949,242	0
BRISTOL PLYMOUTH	9,860,864	0
CAPE COD	2,020,767	0
CENTRAL BERKSHIRE	8,335,894	0
CHESTERFIELD GOSHEN	716,930	0
CONCORD CARLISLE	1,786,194	0
DENNIS YARMOUTH	6,403,644	0
DIGHTON REHOBOTH	12,192,746	0
DOVER SHERBORN	1,359,555	0
DUDLEY CHARLTON	23,487,058	0
ESSEX COUNTY	4,002,896	0
FARMINGTON RIVER	384,305	0
FRANKLIN COUNTY	3,268,850	0
FREETOWN LAKEVILLE	10,359,748	0
FRONTIER	2,704,790	0
GATEWAY	5,553,533	0
GILL MONTAGUE	5,967,929	0
GREATER FALL RIVER	13,916,182	0
GREATER LAWRENCE	19,868,513	0
GREATER LOWELL	21,736,787	0
GREATER NEW BEDFORD	22,674,551	0
GROTON DUNSTABLE	10,278,973	0
HAMILTON WENHAM	3,252,691	0
HAMPDEN WILBRAHAM	11,105,799	0
HAMPSHIRE	3,082,948	0
HAWLEMONT	603,737	0
KING PHILIP	7,025,455	0
LINCOLN SUDBURY	2,513,855	0
MANCHESTER ESSEX	2,106,931	0

Regional School District	Chapter 70	Unrestricted General Government Aid
MARTHAS VINEYARD	2,691,760	0
MASCONOMET	4,686,999	0
MENDON UPTON	11,857,016	0
MINUTEMAN	2,129,172	0
MOHAWK TRAIL	5,809,394	0
MONTACHUSETT	12,901,222	0
MOUNT GREYLOCK	1,648,423	0
NARRAGANSETT	9,607,394	0
NASHOBA	6,128,165	0
NASHOBA VALLEY	3,097,434	0
NAUSET	3,204,119	0
NEW SALEM WENDELL	621,347	0
NORFOLK COUNTY	1,028,147	0
NORTH MIDDLESEX	19,505,168	0
NORTH SHORE	1,530,490	0
NORTHAMPTON SMITH	885,640	0
NORTHBORO SOUTHBORO	2,721,210	0
NORTHEAST METROPOLITAN	7,985,945	0
NORTHERN BERKSHIRE	4,195,758	0
OLD COLONY	3,159,799	0
OLD ROCHESTER	1,959,917	0
PATHFINDER	4,923,562	0
PENTUCKET	12,521,127	0
PIONEER	3,971,891	0
QUABBIN	16,073,093	0
QUABOAG	8,393,766	0
RALPH C MAHAR	5,254,840	0
SHAWSHEEN VALLEY	5,600,595	0
SILVER LAKE	6,927,073	0
SOMERSET BERKLEY	3,120,169	0
SOUTH MIDDLESEX	2,652,751	0
SOUTH SHORE	3,614,091	0
SOUTHEASTERN	12,628,459	0
SOUTHERN BERKSHIRE	1,798,896	0
SOUTHERN WORCESTER	9,400,370	0
SOUTHWICK TOLLAND	8,183,967	0
SPENCER EAST BROOKFIELD	13,236,949	0
TANTASQUA	7,482,919	0
TRI COUNTY	5,198,118	0
TRITON	8,111,651	0
UPISLAND	781,612	0
UPPER CAPE COD	2,848,175	0

Regional School District	Chapter 70	Unrestricted General Government Aid
WACHUSETT	22,389,331	0
WHITMAN HANSON	23,464,624	0
WHITTIER	6,819,485	0
Total Regional	**631,589,683**	**0.00**
Total State	**3,990,812,680**	**833,980,293**

SECTION 4. Clause (20) of subsection (a) of section 172 of chapter 6 of the General Laws, as appearing in section 21 of chapter 256 of the acts 2010, is hereby amended by striking out the figure "183" and inserting in place thereof the following words:- 57A of chapter 6C.

SECTION 5. Section 183 of said chapter 6 is hereby repealed.

SECTION 6. Section 18½ of chapter 6A of the General Laws is hereby amended by striking out, in lines 12 and13, as appearing in the 2008 Official Edition, the words "the registry of motor vehicles, the merit rating board".

SECTION 7. Chapter 6C of the General Laws is hereby amended by inserting after section 57 the following section:-

Section 57A. (a) There shall be within the registry of motor vehicles a motor vehicle insurance merit rating board, in this section called the merit rating board. The merit rating board shall consist of the registrar of motor vehicles, who shall serve as chair, the commissioner of insurance and the attorney general or her designee. The merit rating board shall appoint a director, who shall not be subject to chapter 31. The merit rating board shall formulate and administer a plan for the compiling, gathering and disseminating of information, including operator records and histories, and other data as it deems necessary or appropriate pertaining to motor vehicle accidents, claims under motor vehicle policies and motor vehicle violations in order to facilitate the implementation and operation of the safe driver insurance plan provided in section 113B of chapter 175.

(b) The plan shall include a system for the gathering and maintaining of this information and for its prompt and efficient dissemination to insurance companies making inquiry with respect to the motor vehicle accident, motor vehicle insurance claim and motor vehicle violation record of any owner or operator insured by or applying for insurance from that insurer. These records and data disseminated by the plan shall be used exclusively for motor vehicle insurance purposes and criminal law enforcement purposes. Whoever disseminates or uses records or data disseminated under such plan contrary to this section shall be punished by a fine of not more than $1,000 for each offense or by imprisonment in a jail or house of correction for not more than 1 year, or by both such fine and imprisonment.

(c) The merit rating board shall have access to criminal offender record information for the purpose of developing the plan. The department of criminal justice information services shall certify the merit rating board and each insurance company doing motor vehicle insurance business within the commonwealth for access to criminal offender record information pertaining to violations of chapter 90 by its insureds. The merit rating board and each such company shall comply with the regulations of the department of criminal justice information services and be subject to sections 172 to 178, inclusive, of chapter 6.

(d) The merit rating board may expend for expenses and for legal, investigative, clerical and other assistance amounts appropriated for those purposes. All costs of administration and operation of the merit rating board shall be borne by insurance companies doing motor vehicle insurance business within

the commonwealth. The commissioner of insurance shall apportion estimated costs among all such companies and shall assess them for those costs on a fair and reasonable basis. These estimated costs shall be paid to the commissioner within 30 days after the date of the notice from the commissioner of these estimated costs. The commissioner shall subsequently apportion actual costs among all such companies and shall make assessment adjustments for any variation between estimated and actual costs on a fair and reasonable basis. These estimated and actual costs shall include an amount equal to indirect costs as determined by the secretary of administration and finance and shall also include the cost of fringe benefits as established by the secretary of administration and finance.

SECTION 8. The first paragraph of section 4A of chapter 7 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding the following sentence:- The executive office shall also include an office of commonwealth performance, accountability and transparency.

SECTION 9. Said section 4A of said chapter 7 is hereby amended by striking out, in line 74, as so appearing, the word "secretary" and inserting in place thereof the following word:- governor.

SECTION 10. The first paragraph of paragraph (d) of said section 4A of said chapter 7, as so appearing, is hereby further amended by adding the following sentence:- The division may also offer information technology services to the authorities, constitutional offices, municipalities and other political subdivisions of the commonwealth.

SECTION 11. Said section 4A of said chapter 7, as amended by section 8 of chapter 56 of the acts of 2010, is hereby further amended by adding the following paragraph:-

(e) The office of commonwealth performance, accountability, and transparency shall be headed by an assistant secretary for commonwealth performance, accountability and transparency, to be appointed by the secretary. The office shall: (1) execute a performance management program throughout the executive department, including within statutory limits for each agency defining missions, creating measurable goals, establishing strategies for achieving them, and relating them to budget development; (2) monitor and review federal grant applications made on behalf of the commonwealth and coordinate efforts to maximize federal revenue opportunities and oversight of compliance with federal reporting requirements; (3) ensure transparency of the commonwealth's administration and finance activities, including the operation of the searchable website required by section 14C; (4) establish and maintain a central intake unit for reports of fraud, waste and abuse; (5) establish and maintain an economic forecasting and analysis unit to coordinate all spending and revenue forecasting by state agencies; (6) perform the executive office's duties for privatization contracts under section 54; (7) reduce and simplify paperwork of stage agencies and departments by, wherever possible, adopting uniform forms or federal forms when they are more shorter than the corresponding state form; (8) implement and streamline electronic paperwork options to better facilitate public interaction with state agencies; and (9) collaborate with other state agencies, authorities and other entities to carry out these purposes.

SECTION 12. Section 4D of said chapter 7 is hereby amended by striking out the figure "4", inserted by section 9 of said chapter 56, and inserting in place thereof the following figure:- 2.

SECTION 13. Section 53 of said chapter 7 is hereby amended by striking out, in line 27, the word “legal”, as appearing in the 2008 Official Edition, and inserting in place thereof the following words:- information technology, legal.

SECTION 14. Section 58 of said chapter 7, inserted by section 2 of chapter 56 of the acts of 2010, is hereby amended by striking out the words “59 to 61” and inserting in place thereof the following words:- 59 to 62.

SECTION 15. Said section 58 of said chapter 7, inserted by said section 2 of chapter 56, is hereby amended by inserting after the definition of "Certified business enterprise" and "certified business" the following definition:-

"Disadvantaged business enterprise" or "DBE", a disadvantaged business enterprise as defined in the regulations of the federal Department of Transportation.

SECTION 16. Said section 58 of said chapter 7, inserted by said section 2 of chapter 56, is hereby further amended by inserting after the definition of "State purchasing agent" the following definition:-

"Unified certification program" or "UCP", the program, created as required by regulations of the federal Department of Transportation, which requires recipients of that Department 's financial assistance that are operating DBE programs to participate in a UCP. The UCP is designated by the commonwealth under federal regulation to require that an applicant apply only once for a DBE certification which shall be honored by all recipients in the commonwealth.

SECTION 17. Said chapter 7 is hereby further amended by adding the following section:-

Section 62. (a) There shall be established and set up a separate account to be known as the Unified Certification Program Trust Fund, in this section called the trust fund. The state purchasing agent shall expend funds in the trust fund, without further appropriation, exclusively for the operation of the UCP.

(b) Funds received from the federal government by the following state and regional authorities and municipal and regional airports, in this section collectively called the participants, and any others that take part in the UCP, for the purpose of operating the UCP, shall be deposited in the trust: the Massachusetts Department of Transportation, the Massachusetts Bay Transportation Authority, the Massachusetts Port Authority, the Berkshire Regional Transit Authority, the Brockton Area Transit Authority, the Cape Cod Regional Transit Authority, the Greater Attleboro-Taunton Regional Transit Authority, the Lowell Regional Transit Authority, the Merrimack Valley Regional Transit Authority, the Montachusett Regional Transit Authority, the Pioneer Valley Regional Transit Authority, the Southeastern Regional Transit Authority, the Worcester Regional Transit Authority, Barnstable municipal airport, Martha's Vineyard airport, Nantucket memorial airport, and New Bedford regional airport. The methodology used in determining the allocation of payments due from each participant shall be determined pursuant to a formula, subject to modification from time to time, that is established by and between the Massachusetts Department of Transportation, the participants and the federal Department of Transportation, consistent with applicable federal laws and regulations.

SECTION 24. Chapter 10 of the General Laws is hereby amended by inserting after section 35PP, inserted by section 8 of chapter 454 of the acts of 2010, the following 2 sections:-

Section 35RR. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Health Information Technology Trust Fund, in this section called the fund. There shall be credited to the fund revenues from federal reimbursements under the Health Information Technology for Economic and Clinical Health Act and any other federal reimbursements, grants, premiums, gifts or other contributions from any source received for or in the support of the health care provider incentive payment program and for the promotion of electronic health record adoption and health information exchange in the commonwealth. The secretary of health and human services shall be the fund's trustee, and shall expend the fund, without further appropriation, for incentive payments to eligible Medicaid health care providers in the commonwealth for the adoption, implementation, upgrade or meaningful use of certified electronic health record technology, and to support the planning, implementation and operating costs of administering these payments. The secretary may certify for payment amounts in anticipation of federal revenues collected for the corresponding quarter during the previous fiscal year. For the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the secretary may incur expenses, after written approval from the secretary of administration and finance, and the comptroller shall certify for payment, amounts not to exceed the recent revenue estimate as certified by the MassHealth director, as reported in the state accounting system.

Section 35SS. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Build America Bonds Subsidy Trust Fund, in this section called the fund. There shall be credited to the fund payments received from the United States Treasury for subsidies related to tax credit bonds issued by the commonwealth under the Build America Bonds program. The state treasurer shall be the fund's trustee, and shall expend from the fund, without further appropriation, for the purpose of paying debt service related to the Build America Bonds. The comptroller may, without further appropriation, transfer from any available appropriation any amount determined by the comptroller to have been withheld by the federal government from a Build America Bond subsidy payment.

SECTION 25. Section 6 of chapter 14 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting the following clause:-

9. Shall, on the first business day of each month, publish a report of policy issues under development which shall be accessible on the department website. Said report shall include all draft directives and technical information releases under consideration by the department for issuance in the current and following months, including a brief description of the issue covered by each draft directive or technical information release and the reason for the draft directive or technical information release.

No directive shall be released before it has been listed in two successive reports, excepting emergency circumstances. Emergency circumstances shall be defined as those instances in which the delayed issuance of said directive would significantly harm taxpayer compliance or oversight. Should emergency circumstances require the release of a directive before it has been listed in two successive reports, the department shall publish an emergency report of policy issues under development on its website. A directive listed in an emergency report may be released not sooner than 7 calendar days after the publication of said report.

SECTION 25A. Section 15E of chapter 15A of the General Laws, as amended by section 26 of chapter 189 of the acts of 2010, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:—

Subject to appropriation, the commonwealth shall contribute funds to each institution's recognized foundation in an amount necessary to match private contributions in the current fiscal year to the institutions or a foundation's endowment or capital outlay program based on the following matching formula: subject to appropriation, the commonwealth's contribution shall be equal to $1 for every $2, privately contributed to the university's board of trustees or a foundation; $1 for every $2, or $1 dollar for such greater number of dollars as may be established by the board of higher education, privately contributed to each state university's board of trustees or foundation; and $1 for every $2, or $1 for such greater number of dollars as may be established by the board of higher education, privately contributed to each community college's board of trustees or foundation.

SECTION 25B. Said section 15E of said chapter 15A is hereby further amended by striking out the fourth paragraph.

SECTION 26. Chapter 18 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after section 5H the following new sections:—

Section 5I. Notwithstanding any general or special law to the contrary, eligible recipients of direct cash assistance shall not use direct cash assistance funds for the purchase of alcoholic beverages, lottery tickets or tobacco products. An eligible recipient of direct cash assistance who makes a purchase in violation of this section shall reimburse the department for such purchase.

Section 5J. Notwithstanding any general or special law to the contrary, an individual or store owner shall not accept direct cash assistance funds held on electronic benefit transfer cards for the purchase of alcoholic beverages, lottery tickets, or tobacco products. An individual or store owner who knowingly accepts electronic benefit transfer cards in violation of this section shall be punished by a fine of not more than $500 for the first offense, a fine of not less than $500 nor more than $1,000 for the second offense, and a fine of not less than $1,000 for the third or subsequent offense.

Section 5K. Notwithstanding any general or special law to the contrary, whoever embezzles, steals or obtains by fraud any funds, assets or property provided by the department of transitional assistance and whoever receives, conceals or retains such funds, assets or property for his own interest knowing such funds, assets or property have been embezzled, stolen or obtained by fraud shall, if such funds, assets or property are of a value of $100 or more, be punished by a fine of not more than $25,000 or by imprisonment in a jail or house of correction for not more than 5 years, or both such fine and imprisonment, or if such funds, assets or property are of a value of less than $100, by a fine of not more than $1,000 or by imprisonment in a jail or house of correction for not more than 1 year, or both such fine and imprisonment.

SECTION 27. Section 1 of chapter 21 of the General Laws, as so appearing, is hereby amended by striking out the fourth paragraph and inserting in place thereof the following paragraph:-

The department of conservation and recreation shall consist of a division of state parks and recreation and a division of water supply protection. Each division shall be under the administrative supervision of a director and shall be under the supervision and control of the commissioner of the department of conservation and recreation. The division of water supply protection shall have control over the watershed systems in accordance with chapter 92A½. The division of state parks and recreation shall have control over the state parks, forests, parkways, waterways, rinks, pools, beaches and other recreational lands and facilities outside of the watershed systems as defined in section 1 of chapter 92A½.

SECTION 28. Section 8 of chapter 21A of the General Laws, as so appearing, is hereby amended by striking out, in lines 43 and 44, the words "division of urban parks and recreation, a".

SECTION 29. Subsection (o) of section 3A of chapter 21E of the General Laws, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following 2 sentences:- In each year the department shall determine a minimum audit number of all sites for which annual compliance assurance fees are required to be paid pursuant to section 3B. In determining this number, the department shall take into account the need for audits to ensure a high level of compliance with this chapter and the Massachusetts Contingency Plan, and the need to target audit resources in the most efficient and effective manner.

SECTION 30. Chapter 22 of the General Laws is hereby amended by inserting the following section:-

Section 21. (a) The commissioner or his designee may, as an alternative to initiating criminal proceedings, issue a written notice of violation, which shall be a written warning or citation to assess civil monetary fines of not more than $5,000, for violations of the following statutes or of regulations adopted under these statutes. In addition to the commissioner or his designee, the following individuals may also issue such warnings or citations:
(1) section 13A of this chapter: an inspector assigned to the building division or a designee of the

Massachusetts architectural access board;
(2) section 1, 2 or 64 of chapter 105;
(3) section 205A of chapter 140: an inspector assigned to the building division or the engineering division of the department;
(4) section 3V, 9 or 50 of chapter 143: an inspector assigned to the building division of the department;
(5) section 71 or 71D of chapter 143: an inspector assigned to the elevator division of the department;
(6) section 71R of chapter 143: a designee of the recreational tramway board;
(7) any of sections 5 to 41, inclusive, of sections 53 to 54A, inclusive, of sections 70 to 80, inclusive, or of section 89, of chapter 146: an inspector assigned to the engineering division of the department;
(8) section 57 or 60 of chapter 147; and
(9) the regulations of the state building code governing licensing of construction supervisors under clause (i) of section 94 of chapter 143: an inspector assigned to the building division of the department.

(b) The commissioner may promulgate rules and regulations for the administration and enforcement of this section.

(c) The individual issuing the notice of violation shall indicate on the notice that it is for: (1) a written warning; (2) a violation of the specified statute in subsection (a); or (3) a violation of a specified regulation.

(d) A person who receives a notice of violation may appeal to a hearing officer designated by the secretary of public safety and security within 30 days after receipt of the notice. All appeal hearings shall be held in accordance with the standard rules governing informal adjudicatory proceedings adopted under section 9 of chapter 30A.

(e) A person who receives notice of a violation and fails to: (1) pay the fines assessed within 30 days after receipt of the notice; or (2) appeal within the 30 days; or (3) appear at a scheduled appeal hearing, shall be deemed responsible for the violation as stated in the notice. The finding of responsibility shall be admissible as evidence and considered prima facie evidence of responsibility for the violation in any civil proceeding regarding the violation, in any proceeding to suspend or revoke a license, permit or certificate, and in any criminal proceeding.

SECTION 31. Section 2H of chapter 29 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding the following paragraph:-

The proceeds of a one-time settlement or judgment for the commonwealth, the net value of which is $10,000,000 or more, shall also be deposited in the fund.

SECTION 32. Section 2RR of said chapter 29 is hereby amended by inserting after the word "Training", in line 3, as so appearing, the following word:- Trust.

SECTION 33. Subsection (b) of said section 2RR of said chapter 29, as most recently amended by section 96 of chapter 3 of the acts of 2011, is hereby further amended by striking out the introductory sentence and inserting in place thereof the following sentence:- The director of the department of career services shall be the trustee of the fund and, without further appropriation, shall make expenditures from the fund for the following purposes:.

SECTION 34. Said chapter 29 is hereby further amended by inserting after section 5G the following section:-

Section 5H. Notwithstanding any general or special law to the contrary, the department of the state treasurer shall report by September 30 to the state comptroller, the executive office for administration and finance and the house and senate committees on ways and means the value of all property assumed abandoned, as defined by chapter 200A, in the previous fiscal year; provided, however, that beginning October 31 and quarterly thereafter the department of the state treasurer shall, within 15 days, certify to

the state comptroller the amount collected in abandoned property revenues for the previous quarter. The department of the state treasurer shall certify by October 31, the amount of actual receipts of abandoned property for the previous fiscal year, and beginning in fiscal year 2013, the comptroller shall transfer 75 per cent of the growth in abandoned property revenue that exceeds the amount collected during the previous fiscal year to the Commonwealth Stabilization Fund established by section 2H; provided, however, that said transfer shall be made prior to the certification of the consolidated net surplus for the previous fiscal year as provided in section 5C.

SECTION 35. Said chapter 29 is hereby further amended by inserting after section 29J, inserted by section 21 of chapter 131 of the acts of 2010, the following section:-

Section 29K. (a) Each state authority shall: (1) if it receives more than $500,000 in any year from the commonwealth, arrange for an independent financial audit of those funds, according to rules and regulations promulgated by the secretary of administration and finance. Each such audit shall be filed with the state auditor for examination, review and comment; (2) establish an audit committee that shall meet independently of management, retain an independent auditor, and hear the results of the annual audit; (3) establish a compensation committee that shall meet independently of management and shall evaluate and establish executive compensation, including benefits. In establishing executive compensation, the committee shall conduct an analysis of comparable compensation for similar officers of state government, other authorities, and private-sector employers with similar functions and responsibilities. No executive of a state authority shall be compensated for sick, vacation or other leave time to an extent greater than state employees, nor be granted severance pay after removal for cause, nor be granted severance pay in excess of 3 months' salary if removed other than for cause; and (4) prepare an annual financial report which shall disclose the salaries of its executive director, officers, senior management, and other highly compensated employees.

(b) The commonwealth shall not subsidize the pension and other post-employment benefits of non-commonwealth retirees. The secretary of administration and finance shall adopt regulations to ensure that state authorities and other independent entities that participate in the state retirement system or the group insurance commission, as determined by the comptroller, are not subsidized by state appropriation, and that the public employee retiree administration commission and the group insurance commission shall charge them the full actuarial value of their liabilities.

(c) The secretary of administration and finance may promulgate rules and regulations to carry out the provisions of this section.

SECTION 35A. (a) Notwithstanding any general or special law to the contrary, there shall be established a tax expenditure commission that shall review and evaluate tax expenditures, as defined in section 1 of chapter 29 of the General Laws, and make recommendations to the General Court on the effectiveness, timeliness, and cost benefit of tax expenditures. The commission shall consider the public policy objectives behind tax expenditures, the metrics for measuring success in meeting those objectives, and the need for additional reporting, sunset or clawback provisions. The commission shall file a report of its findings with the General Court by April 30, 2012, which shall include any recommendations regarding tax expenditures that should be repealed or modified and any changes to the ongoing evaluation of tax expenditures and criteria for evaluating proposals for new tax expenditures.

The commission shall be comprised of the secretary of administration and finance or the secretary's designee, who shall serve as chair; the state auditor or the auditor's designee; the

state treasurer and receiver general or the treasurer's designee; the minority leader of the house of representatives or the house leader's designee; the minority leader of the senate or the senate leader's designee; the chair of the house committee on ways and means or the chair's designee; the chair of the senate committee on ways and means or the chair's designee; the house and senate chairs of the joint committee on revenue or their respective designees; and 4 persons appointed by the governor who shall have an expertise in economics or tax policy, 1 of whom shall be a representative from the associated industries of Massachusetts, 1 of whom shall be a representative from the Boston chamber of commerce, 1 of whom shall be a representative from the Massachusetts budget and policy center, and 1 of whom shall be a representative from the University of Massachusetts.

SECTION 35B. (a) Each agency of the commonwealth shall file a progress report with the executive office of housing and economic development for each project for which a development subsidy has been granted, no later than December 31, 2011. The report shall include the following information: (1) the application tracking number; (2) the name, street and mailing addresses, phone number and chief officer of the granting body; (3) the name, street and mailing addresses, phone number, and chief officer of the recipient corporation; (4) the value and source of each subsidy, including TIF, annually and cumulative; (5) a list of all other development subsidies which the applicant has been granted by state or local agencies within the commonwealth; (6) the value of committed private investment and the value of the actual private investment; (7) a summary of the number of jobs committed, created, and lost, broken down by full-time, part- time and temporary positions, and by wage groups; (8) the type and amount of health care coverage provided to the employees at the project site, including any costs borne by the employees; (9) the comparison of the total employment in the commonwealth by the recipient's corporate parent on the date of the application and the date of the report, broken down by full-time, part-time and temporary positions; (10) a statement as to whether the use of the development subsidy during the previous fiscal year has reduced employment at any other site controlled by the recipient corporation or its corporate parent, within or without of the commonwealth as a result of automation, merger, acquisition, corporate restructuring or other business activity; and (11) a signed certification by the chief officer of the recipient corporation as to the accuracy of the progress report.

(b) The executive office of housing and economic development shall compile and publish all data from the progress reports in both written and electronic form, including to a reporting web site maintained by the office. The information in the reports shall be included as part of the searchable website administered by the secretary of administration and finance and shall be submitted to the clerks of the senate and house of representatives on or before April 30, 2012.

SECTION 36. Section 22C of chapter 32 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out, in line 29, the words "on June 30, 2025" and inserting in place thereof the following words:- by June 30, 2040.

SECTION 37. Subdivision (1) of said section 22C of said chapter 32 is hereby further amended by striking out the last paragraph, as amended by section 23 of chapter 27 of the acts of 2009, and inserting in place thereof the following paragraph:-

Notwithstanding any general or special law to the contrary, appropriations or transfers made to the Commonwealth's Pension Liability Fund in fiscal years 2012 to 2017, inclusive, shall be made in accordance with the following funding schedule: $1,478,000,000 in fiscal year 2012, $1,552,000,000 in fiscal year 2013, $1,630,000,000 in fiscal year 2014, $1,727,000,000 in fiscal year 2015, $1,831,000,000 in fiscal year 2016, and $1,941,000,000 in fiscal year 2017. Notwithstanding subdivision (1), any adjustments to these amounts based on the next triennial funding schedule shall be limited to increases in the schedule amounts for each of the specified years.

SECTION 38. Section 19 of chapter 32A of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the word "Effective", in line 1, the following words:- January 1 and.

SECTION 39. Said section 19 of said chapter 32A, as so appearing, is hereby further amended by inserting after the word "rate", in line 10, the following words:- in effect.

SECTION 40. Section 24 of said chapter 32A, as so appearing, is hereby amended by inserting after the word “system”, in line 16, the following words:- and for depositing, investing and disbursing amounts transferred to it under paragraph (d).

SECTION 41. Said section 24 of said chapter 32A, as so appearing, is hereby further amended by striking out paragraph (d) and inserting in place thereof the following paragraph: -

(d) Upon authorization by the board, any political subdivision, municipality, county or agency or authority of the commonwealth may participate in the fund using procedures and criteria to be adopted by the board.

SECTION 42. Section 18 of chapter 32B of the General Laws is hereby repealed.

SECTION 43. Said chapter 32B is hereby amended by striking out section 18A, as appearing in the 2008 Official Edition, and inserting in place thereof the following section:-

Section 18B. (a) All retirees, their spouses and dependents insured or eligible to be insured under this chapter, if enrolled in Medicare Part A at no cost to the retiree, spouse or dependents or eligible for coverage thereunder at no cost to the retiree, spouse or dependents, shall be required to transfer to a Medicare health plan offered by the governmental unit under section 11C or section 16, if the benefits under the plan and Medicare Part A and Part B together shall be of comparable actuarial value to those under the retiree’s existing coverage, but a retiree or spouse who has a dependent who is not enrolled or eligible to be enrolled in Medicare Part A at no cost shall not be required to transfer to a Medicare health plan if a transfer requires the retiree or spouse to continue the existing family coverage for the dependent in a plan other than a Medicare health plan offered by the governmental unit.

(b) Each retiree shall provide the governmental unit, in such form as the governmental unit shall prescribe, such information as is necessary to transfer to a Medicare health plan. If a retiree does not submit the information required, he shall no longer be eligible for his existing health coverage. The governmental unit may from time to time request from a retiree, a retiree’s spouse or a retiree’s dependent, proof, certified by the federal government, of eligibility or ineligibility for Medicare Part A and Part B coverage.

(c) The governmental unit shall pay any Medicare Part B premium penalty assessed by the federal government on the retiree, spouse or dependent as a result of enrollment in Medicare Part B at the time of transfer.

SECTION 44. Said chapter 32B is hereby further amended by striking out section 20, as so appearing, and inserting in place thereof the following section:-

Section 20. (a) A city, town, district, county or municipal lighting plant that accepts this section may establish a separate fund, to be known as an Other Post-Employment Benefits Liability Trust Fund, and may appropriate amounts to be credited to the fund. Any interest or other income generated by the fund shall be added to and become part of the fund. Amounts that a governmental unit receives as a sponsor of a qualified retiree prescription drug plan under 42 U.S.C. section 1395w-132 may be added to and become part of the fund. All monies held in the fund shall be segregated from other funds and shall not be subject to the claims of any general creditor of the city, town, district, county or municipal lighting plant.

(b) The custodian of the fund shall be (i) a designee appointed by the board of a municipal lighting plant, or (ii) the treasurer of any other governmental unit or (iii) if designated by the city, town, district, county or municipal lighting plant in the same manner as acceptance prescribed in this section, the Health Care Security Trust board of trustees established under section 4 of chapter 29D, provided that the board of trustees accepts the designation. The custodian may employ an outside custodial service to hold the monies in the fund. Monies in the fund shall be invested and reinvested by the custodian consistent with the prudent investor rule established in chapter 203C, and may, with the approval of the Health Care Security Trust Board of Trustees, be invested in the State Retiree Benefits Trust Fund established by section 24 of chapter 32A.

(c) This section may be accepted in a city having a Plan D or Plan E charter by vote of the city council; in any other city by vote of the city council and approval of the mayor; in a town by vote of the town at a town meeting; in a district by vote of the governing board; in a municipal lighting plant by vote of the board; and in a county by vote of the county commissioners.

(d) Nothing in this section shall affect the validity of any action, taken before July 1, 2011, by any city or town to authorize the contributory retirement system of which the employees of the city or town are members to be the custodian of such a fund.

(e) Every city, town, district, county and municipal lighting plant shall annually submit to the public employee retirement administration commission, on or before December 31, a summary of its other post-employment benefits cost and obligations and all related information required under Government Accounting Standards Board standard 45, in this subsection called "GASB 45", covering the last fiscal or calendar year for which this information is available. On or before June 30 of the following year, the public employee retirement administration commission shall notify any entity submitting this summary of any concerns that the commission may have or any areas in which the summary does not conform to the requirements of GASB 45 or other standards that the commission may establish. The public employee retirement administration commission shall file a summary report of the information received under this subsection with the chairs of the house and senate committees on ways and means, the secretary of administration and finance, and the board of trustees of the Health Care Security Trust.

SECTION 45. Said chapter 32B of the General Laws, as so appearing, is hereby further amended by inserting the following section:—

Section 19A. (a) Notwithstanding the provisions of this chapter or any other general or special law to the contrary, an appropriate public authority of a political subdivision which has undertaken to provide health insurance coverage to its subscribers by acceptance of any other section of this chapter may include, as part of the health plans that it offers to its subscribers, co-

payments, deductibles, tiered provider network co-payments and other plan design features that are no greater in dollar amount than the co-payments, deductibles, tiered provider network co-payments and other plan design features offered by the commission pursuant to section 4 or 4A of chapter 32A in a plan with the largest subscriber enrollment. For purposes of this section, the term “subscribers” shall mean employees, retirees, surviving spouses and dependents of the political subdivision and may include employees, retirees, surviving spouses and dependents of a district who previously received health insurance benefits through the political subdivision accepting this section; and, for the purposes of this section, “point of service” shall mean a plan offered by an appropriate public authority and shall be considered to fall within a preferred provider organization class. This section shall take effect in a political subdivision upon its acceptance in the following manner: in a county, except Worcester county, by a vote of the county commissioners; in a city having Plan D or a Plan E charter, by majority vote of the city council and approval by the manager; in any other city, by majority vote of the city council and approval by the mayor; in a town, by vote of the board selectmen; in a regional school district, by vote of the regional district school committee; and in all other districts, by vote of the registered voters of the district at a district meeting.

(b) Upon acceptance of this section, the appropriate public authority shall evaluate its health insurance coverage and determine the cost savings that may be realized after the first year of implementation of plan design changes or upon transfer of its subscribers to the commission. The appropriate public authority shall then notify its insurance advisory committee, or such committee’s regional or district equivalent, of the estimated savings and provide any reports or other documentation with respect to the determination of said savings as requested by the insurance advisory committee. Upon the agreement by the insurance advisory committee as to the estimated cost savings, the appropriate public authority shall deposit 10 per cent of the estimated cost savings into an escrow account.

(c) The appropriate public authority shall convene a meeting with a representative from each of the collective bargaining units to which the authority provides coverage and a retiree representative, hereafter called the public employee committee, and submit the proposal for plan design changes or a transfer to the commission. The proposal shall include details of changes to current plan design features and a cost savings estimate. The appropriate public authority and the public employee committee shall have 30 days to discuss the details of the proposal put forth by the appropriate public authority and negotiate the use of the 10 per cent cost savings realized by the governmental unit; provided, however, that the savings shall only be used for health related programs in the first year of implementation of plan design or transfer to the commission; provided further, that a percentage of the savings must address costs incurred by retirees as a result of the implementation of this section. At the conclusion of the 30 day period, and upon consent to the plan design proposal by the public employee committee, as submitted by the appropriate public authority or modified during the meeting, the 10 per cent savings deposited in escrow shall be disbursed in accordance with the terms of the agreement. If no agreement is reached between the parties, then the original plan design proposal or proposal to transfer to the commission submitted by the appropriate public authority shall be implemented by the appropriate public authority who shall establish an HRA to offset costs for high utilizers and retirees to be funded by 20 per cent of the estimated cost savings established under subsection (c).

(d) An appropriate public authority may increase the dollar amounts for co-payments, deductibles, tiered provider network co-payments and other plan design features; provided that such features do not exceed other plan design features offered by the commission pursuant to section 4 or 4A of chapter 32A in a plan with the largest subscriber enrollment. Nothing herein shall prohibit an appropriate public authority from including in its health plans higher co-payments, deductibles or tiered provider network co-payments or other plan design features than those authorized by the preceding paragraphs of this section; provided, however, such higher co-payments, deductibles, tiered provider network co-payments and other plan design features may be included only after the governmental unit has satisfied any bargaining obligations pursuant to chapter 150E.

(e) The decision to accept and implement the provisions of this section shall not be subject to bargaining pursuant to chapter 150E or section 19 of chapter 32B. Nothing in this section shall preclude the implementation of plan design changes pursuant to this section in communities that have adopted section 19 of this chapter or by the governing board of a joint purchasing group established pursuant to section 12.

(f) Nothing in this section shall relieve an appropriate public authority from providing health insurance coverage to a subscriber to whom it has an obligation to provide coverage under any other provision of this chapter.

(g) After a meeting with public employee committee has adjourned, the appropriate public authority who has elected to transfer its subscribers shall notify the commission that it will transfer all subscribers for whom it provides health insurance coverage to the commission. The notice shall be provided to the commission by the appropriate public authority on or before December 1 of each year and the transfer of subscribers to the commission shall take effect on the following July 1. On the effective date of the transfer, the health insurance of all subscribers, including elderly governmental retirees previously governed by section 10B of chapter 32A and retired municipal teachers previously governed by section 12 of chapter 32A, shall be provided through the commission for all purposes and governed under this section. As of the effective date and for the duration of this transfer, subscribers transferred to the commission's health insurance coverage shall receive group health insurance benefits determined exclusively by the commission and the coverage shall not be subject to collective bargaining, except for contribution ratios which shall be determined by a written agreement between the appropriate public authority of a governmental unit and the collective bargaining units pursuant to this chapter and chapter 150E.

Subscribers transferred to the commission who are eligible or become eligible for Medicare coverage shall transfer to Medicare coverage, as prescribed by the commission. In the event of transfer to Medicare, the political subdivision shall pay any Medicare part B premium penalty assessed by the federal government on retirees, spouses and dependents as a result of enrollment in Medicare part B at the time of transfer into the Medicare health benefits supplement plan. For each subscriber's premium and the political subdivision's share of that premium, the subscriber and the political subdivision shall furnish to the commission, in such form and content as the commission shall prescribe, all information the commission deems necessary to maintain

subscribers' and covered dependents' health insurance coverage. The appropriate public authority of the political subdivision shall perform such administrative functions and process such information as the commission deems necessary to maintain those subscribers' health insurance coverage including, but not limited to, family and personnel status changes, and shall report all changes monthly to the commission. In the event that a political subdivision transfers subscribers to the commission under this section, subscribers may be withdrawn from commission coverage at 3 year intervals from the date of transfer of subscribers to the commission.

The decision and notice to withdraw shall be made by October 1 of the year prior to the effective date of withdrawal. All withdrawals shall be effective on July 1 following the political subdivision's notice to the commission and the political subdivision shall abide by all commission requirements for effectuating such withdrawal, including the notice requirements in this subsection. In the event a political subdivision withdraws from commission coverage under this section, such withdrawal shall be binding on all subscribers, including those subscribers who, prior to the transfer to the commission, received coverage from the commission under sections 10B and 12 of chapter 32A and, after withdrawal from the commission, those subscribers who received coverage from the commission under said sections 10B and 12 of said chapter 32A shall not pay more than 25 per cent of the cost of their health insurance premiums.

In the event of withdrawal from the commission, the political subdivision and public employee unions shall return to governance of negotiations of health insurance under chapter 150E and this chapter.

(h) To the extent authorized under chapter 32A, the commission shall provide group coverage of subscribers' health claims incurred after transfer to the commission. The claim experience of those subscribers shall be maintained by the commission in a single pool and combined with the claim experience of all covered state employees and retirees and their covered dependents, including those subscribers who previously received coverage under sections 10B and 12 of chapter 32A.

Notwithstanding any general or special law to the contrary, a political subdivision that self-insures its group health insurance plan under section 3A and has a deficit in its claims trust fund at the time of transferring its subscribers to the commission and the deficit is attributable to a failure to accrue claims which had been incurred but not paid may capitalize the deficit and amortize the amount over 10 fiscal years in 10 equal amounts, or on a schedule providing for a more rapid amortization. Except as provided otherwise herein, subscribers eligible for health insurance coverage pursuant to this section shall be subject to all of the terms, conditions, schedule of benefits and health insurance carriers as employees and dependents as defined by section 2 and commission regulations. The commission shall determine all matters relating to subscribers' group health insurance rights, responsibilities, costs and payments, excluding contribution ratios, and obligations, including, but not limited to, the manner and method of payment, schedule of benefits, eligibility requirements and choice of health insurance carriers and these matters shall be determined exclusively by the commission and shall not be subject to collective bargaining. The commission may issue rules and regulations consistent with this section and shall provide public notice of any proposed rules and regulations and notice of thereof at the request of interested parties, together with an opportunity to review those rules and

regulations and an opportunity to comment on those proposed rules and regulations in writing and at a public hearing; provided, however, that the commission shall not be subject to chapter 30A.

The commission shall negotiate and purchase health insurance coverage for subscribers transferred under subsection (e) and shall promulgate regulations, policies and procedures for coverage of the transferred subscribers. The schedule of benefits available to transferred subscribers shall be determined by the commission pursuant to chapter 32A. The commission shall offer those subscribers the same choice as to health insurance carriers and benefits as those provided to state employees and retirees. The political subdivision's contribution to the cost of health insurance coverage for transferred subscribers shall be as determined under this section, and shall not be subject to the provisions on contributions in said chapter 32A. Any change to the premium contribution ratios shall become effective on July 1 of each year, with notice to the commission of such change not later than January 15 of the same year.

A political subdivision that transfers subscribers to the commission shall pay the commission for all costs of its subscribers' coverage, including administrative expenses, and the governmental unit's cost of subscribers' premium. The commission shall determine on a periodic basis the amount of premium which the political subdivision shall pay to the commission. If the political subdivision unit fails to pay all or a portion of these costs according to the timetable determined by the commission, the commission may inform the state treasurer who shall issue a warrant in the manner provided by section 20 of chapter 59 requiring the respective political subdivision to pay into the treasury of the commonwealth as prescribed by the commission the amount of the premium and administrative expenses attributable to the political subdivision. The state treasurer shall recoup any past due costs from the political subdivision's cherry sheet under section 20A of chapter 58 and transfer that money to the commission. If a governmental unit fails to pay to the commission the costs of coverage for more than 90 days and the cherry sheet provides an inadequate source of payment, the commission may, at its discretion, cancel the coverage of subscribers of the political subdivision. If the cancellation of coverage is for nonpayment, the political subdivision shall provide all subscribers health insurance coverage under plans which are the actuarial equivalent of plans offered by the commission in the preceding year until there is an agreement with the public employee committee providing for replacement coverage.

The commission may charge the political subdivision an administrative fee, which shall not be more than 1 per cent of the cost of total premiums for the political subdivision, to be determined by the commission which shall be considered as part of the cost of coverage for purposes of determining the contributions of the political subdivision and its employees to the cost of health insurance coverage by the commission.

(i) If there is a withdrawal from the commission under this section, all retirees, their spouses and dependents insured or eligible to be insured by the political subdivision, if enrolled in Medicare part A at no cost to the retiree, spouse or dependents, shall be required to be insured by a Medicare extension plan offered by the political subdivision under section 11C or section 16. A retiree shall provide the political subdivision, in such form as the political subdivision shall prescribe, such information as is necessary to transfer to a Medicare extension plan. If a retiree does not submit the information required, the retiree shall no longer be eligible for the retiree’s

existing health insurance coverage. The political subdivision may from time to time request from a retiree, a retiree's spouse and dependents, proof certified by the federal government of the retiree's eligibility or ineligibility for Medicare part A and part B coverage. The political subdivision shall pay the Medicare part B premium penalty assessed by the federal government on those retirees, spouses and dependents as a result of enrollment in Medicare part B at the time of transfer into the Medicare health benefits supplement plan.

SECTION 46. Section 35A of chapter 62C of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding the following subsection:-

(f) For purposes of this section, the term "audit days" shall mean the time period during which a taxpayer is under audit. The penalty established in this section shall not be imposed if the department takes more than 18 months, measured by 548 audit days, to issue a proposed assessment. The counting of audit days begins with the date that the commissioner issues a letter notifying a taxpayer that the taxpayer has been selected for an audit of the taxpayer's return, but any day for which the taxpayer has requested additional time beyond the meeting date or response date set forth by the commissioner shall not be counted as an audit day up until the date the requested meeting takes place or the date the requested information has been substantially provided. If there is an interruption in the counting of audit days due to a delay requested by the taxpayer, the counting of days shall resume once the delayed meeting has taken place or the date the requested information has been substantially provided. The commissioner shall provide at least 30 days notice in setting a meeting date and provide a taxpayer with at least 60 days to respond to a request for information.

SECTION 47. Section 19C of chapter 78 of the General Laws is hereby amended by striking out, in lines 34 and 35, as so appearing, the words "last recourse for reference and research services for the commonwealth" and inserting in place thereof the following words:- the commonwealth for reference and research services.

SECTION 48. Section 34O of chapter 90 of the General Laws, as so appearing, is hereby amended by striking out, in line 120, the words "one hundred and eighty-three of chapter six" and inserting in place thereof the following words:- 57A of chapter 6C.

SECTION 49. Chapter 91 of the General Laws is hereby amended by inserting after section 18B the following section:-

Section 18C. Notwithstanding any general or special law to the contrary, the department may issue a general license authorizing small-scale docks, piers, and similar structures, but not commercial marinas or large-scale docks, piers or similar structures, in tidelands, great ponds, rivers and streams, otherwise subject to individual licensing under sections 12, 12A, 13, 14, 18 and 19. The licensee shall comply with all general license performance standards to be issued as regulations by the department. Proponents of projects eligible for such a general license shall certify their compliance with its terms and conditions to the department and shall pay all applicable fees required by this chapter, before beginning construction. In addition, the following provisions of this chapter shall not apply to a general license issued under this section:

(a) The first two paragraphs of section 18 shall not apply to projects subject to a general license, except that the project proponent shall submit to the planning board of the city or town where the work is to be performed the proposed use, the location, dimensions and limits and mode of work to be performed, before its certification to the department.

(b) The first sentence of the third paragraph of section 18 shall not apply to projects subject to a general license, except that the project proponent shall specify by metes, bounds and otherwise the location, dimensions, and limits and mode of performing the work in its certification to the department.

(c) The second sentence of the third paragraph of section 18 shall not apply to projects subject to a general license, except that any changes in use or structural alteration of a licensed structure or fill, whether the structure or fill first was licensed before, on or after the effective date of this section, shall require a new certification for projects eligible for certification or a license for structures which are ineligible for the general license, in accordance with the provisions and procedures established in this chapter and the general license.

(d) The sixth paragraph of section 18 shall not apply to projects subject to a general license, except that before certification, the project proponent shall give notice to the selectmen of the town or the mayor of the city and the conservation commission of the town or city where the work is to be performed and published at the same time in a newspaper or newspapers having a circulation in the area affected by the project, at the expense of the proponent.

(e) The seventh and eighth paragraphs of section 18 shall not apply to projects subject to a general license.

(f) The ninth paragraph of section 18 shall not apply to projects subject to a general license, except that the project proponent shall submit a plan of the work or structure to the department in its certification. The general license for these projects shall be void unless, within 60 days after certification, the certification and the accompanying plan are recorded in the registry of deeds for the county or district where the work is to be performed. Work or change in use shall not commence until the certification is recorded and the department has received notification of the recordation.

(g) The tenth paragraph of section 18 shall not apply to projects subject to a general license, except that the project proponent shall submit a certification by the clerk of the affected municipalities that the work to be performed or changed in use is not in violation of local zoning ordinances and by-laws in its certification to the department.

(h) The eleventh paragraph of section 18 shall not apply to projects subject to a general license, except that these assessments shall be paid by the project proponent in its certification to the department.

(i) Section 20 shall not apply to projects subject to a general license, except that the project proponent shall submit to the department plans of any proposed work to be performed and a copy of any legislative grant in its certification to the department.

(j) The department shall promulgate regulations to implement this section. The regulations shall protect the public rights in tidelands in accordance with this chapter.

SECTION 50. Section 25 of chapter 118E of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out, in lines 73, 75 and 79, the figure "$3" and inserting in place thereof in each instance the following figure:- $5.

SECTION 51. Section 6 of chapter 118H of the General Laws, as so appearing, is hereby amended by striking out, in lines 11 to 16, the words "a copayment toward the purchase of each pharmaceutical product and for use of emergency room services in acute care hospitals for nonemergency conditions equal to that required of enrollees in the MassHealth program, as described in clause (5) of section 25 of chapter 118E", and inserting in place thereof the following words:- copayments equal to those required of enrollees in the MassHealth program.

SECTION 52. Section 27 of said chapter 149, as so appearing, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:-

An employee claiming to be aggrieved by a violation of this section may, 90 days after the filing of a complaint with the attorney general, or sooner if the attorney general assents in writing, and within 3 years after the violation, institute and prosecute in his own name and on his own behalf, or for himself and for others similarly situated, a civil action for injunctive relief, for any damages incurred and for any lost wages and other benefits. An employee so aggrieved who prevails in such an action shall, if said violation is willful, be awarded treble damages, as liquidated damages, for any lost wages and other benefits and shall also be awarded the costs of the litigation and reasonable attorneys' fees; provided, however, that an employee so aggrieved and who prevails in such an action if the violation is not willful, shall be awarded damages as determined by the court for any lost wages and other benefits; and the employee shall also be awarded the costs of the litigation and reasonable attorneys' fees.

SECTION 53. Section 27F of said chapter 149, as so appearing, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:-

An employee claiming to be aggrieved by a violation of this section may, 90 days after the filing of a complaint with the attorney general, or sooner if the attorney general assents in writing, and within 3 years after the violation, institute and prosecute in his own name and on his own behalf, or for himself and for others similarly situated, a civil action for injunctive relief, for any damages incurred and for any lost wages and other benefits. An employee so aggrieved who prevails in such an action shall, if said violation is willful, be awarded treble damages, as liquidated damages, for any lost wages and other benefits and shall also be awarded the costs of the litigation and reasonable attorneys' fees; provided, however, that an employee so aggrieved and who prevails in such an action if the violation is not willful, shall be awarded damages as determined by the court for any lost wages and other benefits; and the employee shall also be awarded the costs of the litigation and reasonable attorneys' fees.

SECTION 54. Section 27G of said chapter 149, as so appearing, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:-

An employee claiming to be aggrieved by a violation of this section may, 90 days after the filing of a complaint with the attorney general, or sooner if the attorney general assents in writing, and within 3 years after the violation, institute and prosecute in his own name and on his own behalf, or for himself and for others similarly situated, a civil action for injunctive relief, for any damages incurred, and for any lost wages and other benefits. An employee so aggrieved who prevails in such an action shall, if said violation is willful, be awarded treble damages, as liquidated damages, for any lost wages and other benefits and shall also be awarded the costs of the litigation and reasonable attorneys' fees; provided, however, that an employee so aggrieved and who prevails in such an action if the violation is not willful, shall be awarded damages as determined by the court for any lost wages and other benefits; and the employee shall also be awarded the costs of the litigation and reasonable attorneys' fees.

SECTION 55. Section 27H of said chapter 149, as so appearing, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:-

An employee claiming to be aggrieved by a violation of this section may, 90 days after the filing of a complaint with the attorney general, or sooner if the attorney general assents in writing, and within 3 years after the violation, institute and prosecute in his own name and on his own behalf, or for himself and for others similarly situated, a civil action for injunctive relief, for any damages incurred and for any lost wages and other benefits. An employee so aggrieved who prevails in such an action shall, if said violation is willful, be awarded treble damages, as liquidated damages, for any lost wages and other benefits and shall also be awarded the costs of the litigation and reasonable attorneys' fees; provided, however, that an employee so aggrieved and who prevails in such an action if the violation is not willful, shall be awarded damages as determined by the court for any lost wages and other benefits; and the employee shall also be awarded the costs of the litigation and reasonable attorneys' fees.

SECTION 56. Section 150 of said chapter 149, as so appearing, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:-

An employee claiming to be aggrieved by a violation of sections 33E, 148, 148A, 148B, 150C, 152, 152A or 159C or section 19 of chapter 151 may, 90 days after the filing of a complaint with the attorney general, or sooner if the attorney general assents in writing, and within 3 years after the violation, institute and prosecute in his own name and on his own behalf, or for himself and for others similarly situated, a civil action for injunctive relief, for any damages incurred, and for any lost wages and other benefits. An employee so aggrieved who prevails in such an action shall, if said violation is willful, be awarded treble damages, as liquidated damages, for any lost wages and other benefits and shall also be awarded the costs of the litigation and reasonable attorneys' fees; provided, however, that an employee so aggrieved and who prevails in such an action if the violation is not willful, shall be awarded damages as determined by the court for any lost wages and other benefits; and the employee shall also be awarded the costs of the litigation and reasonable attorneys' fees.

SECTION 57. Section 113B of chapter 175 of the General Laws, as so appearing, is hereby amended by striking out, in line 160, the words "183 of chapter 6" and inserting in place thereof the following words:- 57A of chapter 6C.

SECTION 58. Said chapter 175 is hereby further amended by striking out section 168, as most recently amended by section 154 of chapter 240 of the acts of 2010, and inserting in place thereof the following section:-

Section 168. (a) As used in this section the following words shall, unless the context clearly requires otherwise, have the following meanings:-

"Home state", with respect to an insured: (1) the state in which an insured maintains its principal place of business or, in the case of an individual, the individual's principal residence; or (2) if 100 per cent of the risk is located out of the state referred to in clause (a)(1), the state to which the greatest percentage of the insured's taxable premium for that insurance contract is allocated.

"State", any state of the United States, the District of Columbia, the commonwealth of Puerto Rico, Guam, the Northern Mariana Islands, the Virgin Islands and American Samoa.

"Unauthorized company", an insurer not licensed to engage in the business of insurance in the commonwealth of Massachusetts.

"Unauthorized insurance", any property and casualty insurance permitted to be placed with an unauthorized company eligible to accept such insurance.

(b) The commissioner may, upon the payment of the fee prescribed by section 14, issue to any suitable person of full age, a license to act as a special insurance broker to negotiate, continue or renew contracts of insurance against any of the hazards specified in any of the clauses of section 47 excepting the fifteenth clause thereof, and except accident and health, workers' compensation, compulsory motor vehicle liability and life insurance on property or interests in this commonwealth with an unauthorized company upon the following conditions: (i) The applicant for the license shall file with the commissioner a written application as prescribed by section 162L which shall be executed on oath by the applicant and kept on file by the commissioner. If the commissioner is satisfied that the applicant is trustworthy and competent, he shall issue the license, subject to suspension or revocation at the pleasure of the commissioner, which shall expire 1 year from its date, unless sooner suspended or revoked as aforesaid. (ii) The license may, in the discretion of the commissioner, be renewed for each succeeding year, upon the payment of the fee prescribed by section 14, without requiring anew the detailed information specified by section 162L. (iii) Whenever the person named in such license shall procure any insurance in such unauthorized company for an insured whose home state is the commonwealth, he shall in every case execute, and within 20 days thereafter, file with the commissioner an affidavit stating that the full amount of insurance required to protect the subject property or interest of said insured is not procurable, after a diligent effort has been made to do so, from among companies admitted to transact insurance in the commonwealth against the hazard or hazards involved, and that the amount of insurance procured in

such unauthorized company is only the excess over the amount so procurable from such admitted companies. Said affidavit shall have force and effect for 1 year only from the date thereof or expiration of the policy, whichever comes later. (iv) The affidavit shall not be required in connection with a transaction with an exempt commercial risk or policyholder as defined in section 224, if the commercial risk or policyholder acknowledges in writing its understanding, that: (1) the company from which insurance is procured is not admitted to transact insurance in the commonwealth; and (2) in the event of the insolvency of the company, a loss shall not be paid by the Massachusetts Insurers Insolvency Fund under chapter 175D.

(c) Any insurance policy procured under this section shall contain the following disclosure notice to the policyholder: This policy is insured by a company which is not admitted to transact insurance in the commonwealth, is not supervised by the commissioner of insurance and, in the event of an insolvency of such company, a loss shall not be paid by the Massachusetts Insurers Insolvency Fund under chapter 175D. The commissioner may, by regulation, amend the foregoing disclosure notice. Each licensed special insurance broker shall maintain a copy of the acknowledgement for inspection by the commissioner with respect to all policies of insurance so procured by the licensee for exempt commercial risks or policyholders. Such licensed person shall not be required to file such affidavit if one relative to the same property or interests has been filed within the preceding 12 months by any broker licensed under this section, nor to offer any portion of such insurance to any company not possessed of net cash assets of at least $200,000, nor to one which has within the preceding 12 months been in an impaired condition, nor shall such licensed person procure any such insurance on said property or interests from any unauthorized company unless (a) such company is possessed of net cash assets of at least $300,000 computed on the basis fixed by sections 10 to 12, inclusive, and on the form prescribed by section 25, and has satisfied the commissioner that its officers and directors are of good repute and competent to manage an insurance company and that the management of the company is carrying out its insurance contracts in good faith and has filed with the commissioner an examination report of the affairs of the company completed within the previous 3 years and made by the proper supervisory official of its home state, and has made a deposit of not less than $400,000 with the state treasurer or with the proper board or officer of some other state of the United States in accordance with the terms and conditions hereinafter specified; (b) such company has filed a financial statement on a form satisfactory to the commissioner and conforms to and maintains the financial requirements specified in subparagraph (i) of paragraph (D) of subsection (1) of section 20A; or (c) such company is an eligible alien unauthorized insurer, as defined in section 168A. Such deposit shall be made in exclusive trust for the benefit and security of all its policyholders in the United States including obligees of bonds executed by such company as surety, and when made with the state treasurer may be made in the securities and subject to the limitations specified in sections 63 and 66, or in cash or in such other securities as the commissioner may approve; provided, however, that bonds need not be accepted by the state treasurer unless in registered form and of denominations satisfactory to him, and shall not be returned to the company until it has ceased to transact business in the commonwealth nor until the commissioner is satisfied that the company is under no obligation to such policyholders or obligees in the United States for whose benefit such deposit was made, nor until he has given his written consent to such return; provided, further, that the commissioner may, in any case, authorize in writing the return to the company of any excess of any deposit made under this section over the amount required thereby, if he is satisfied that such return shall not be prejudicial to the interests of such policyholders or obligees.

(d) Each person so licensed shall keep a separate account of the business done under the license, a certified copy of which account he shall forthwith file with the commissioner, showing the exact amount of such insurance placed for each person whose home state is the commonwealth, the gross premium charged thereon, the companies in which the same is placed, the date of the policies and the term thereof, and also a report in the same detail of all such policies cancelled, with the gross return premiums thereon, and shall annually, in January, file with the state treasurer a sworn statement of the gross premiums charged for insurance procured or placed and the gross return premiums on such insurance cancelled under such license during the year ending on December 31 last preceding. At the time of filing such statement each person licensed as a special insurance broker shall pay to the commonwealth a fee, less such return premiums so reported, as follows:

(1) Where the insurance covers properties, risks or exposures located or to be performed in the commonwealth and not in any other state, an amount equal to 4 percent of such gross premiums.

(2) Where the insurance covers properties, risks or exposures located or to be performed both in and outside of the commonwealth, (i) an amount equal to 4 per cent of such gross premiums allocated to the commonwealth, plus (ii) an amount equal to the portion of the premiums allocated to other states or territories on the basis of the tax rates and fees applicable to properties, risks or exposures located or to be performed outside of the commonwealth.

(3) To the extent that other states where portions of the insured properties, risks or exposures are located have failed to enter into a compact or reciprocal allocation procedure with the commonwealth, the net premium tax collected shall be retained by the commonwealth.

(e) Notwithstanding subsections (b), (c), and (d) above, the commissioner may enter into a cooperative agreement, reciprocal agreement or compact with another state or states in order to: facilitate the collection, allocation and disbursement of insurance premium fees and taxes attributable to the placement of unauthorized insurance; provide for uniform methods of allocation and reporting among unauthorized insurance risk classifications; and share information among states related to unauthorized insurance premium fees and taxes. The commissioner may also enter into other cooperative agreements with surplus lines stamping offices and other similar entities located in other states related to the capturing and processing of insurance premium and tax data.The commissioner is authorized to participate in any clearinghouse established pursuant to any such agreement or agreements for the purpose of collecting and disbursing to reciprocal states any funds collected pursuant to clause (3) of subsection (d) applicable to properties, risks or exposures located or to be performed outside of the commonwealth.

(f) A person licensed under this section who negotiates, continues or renews any such contracts of insurance in any unauthorized foreign company, and who neglects to make and file the affidavit and statements required by this section, or who wilfully makes a false affidavit or statement, or who negotiates, continues or renews any such contracts of insurance after the revocation or during the suspension of his license, shall forfeit his license if not previously revoked and be punished by a fine of not less than $100 nor more than $500 or by imprisonment in a jail or house of correction for not more than 1 year, or by both such fine and imprisonment.

Nothing in this section shall be deemed to amend or modify any of the provisions of, or any of the exemptions specified in, section 160.

A license to act as a special insurance broker may, upon the payment of the fees prescribed by section 14, be issued to any association, as defined in section 1 of chapter 182, for the purpose of acting as a special insurance broker, subject to the conditions specified in section 172A.

The commissioner may, upon the payment of the fees prescribed by section 14, issue to a partnership, a license to act as a special insurance broker subject to the conditions specified in section 173.

A license to act as a special insurance broker may, upon the payment of the fees prescribed by section 14, be issued to any corporation, subject to the conditions specified in section 174.

(g) The commissioner may promulgate regulations as necessary to implement this section.

SECTION 59. Chapter 211D of the General Laws is hereby amended by striking out sections 1 to 2A, inclusive, as so appearing, and inserting the following 4 sections:-

Section 1. There shall be a committee for public counsel services, hereinafter referred to as the committee, to plan, oversee, and coordinate the delivery of criminal and certain noncriminal legal services by all salaried public counsel, bar advocate and other assigned counsel programs and private attorneys

serving on a per case basis. The committee shall consist of 15 persons, 2 of whom shall be appointed by the governor, 2 of whom shall be appointed by the president of the senate, 2 of whom shall be appointed by the speaker of the house of representatives and 9 of whom shall be appointed by the justices of the supreme judicial court. Said court shall request and give appropriate consideration to nominees for the 9 positions from the Massachusetts Bar Association, county bar associations, the Boston Bar Association and other appropriate bar groups including, but not limited to, the Massachusetts Black Lawyers' Association, Women's Bar Association and the Massachusetts Association of Women Lawyers. Each member of the committee shall be appointed for a term of 3 years and shall serve until a successor in office has been appointed and qualified. A vacancy on the committee shall be filled by the person or justices who made the initial appointment to the unexpired term. Members of the committee may be removed for cause by the justices of the supreme judicial court. While serving on the committee, no member shall be assigned or appointed to represent indigent defendants before any court of the commonwealth except in noncriminal or delinquency proceedings where such assignments or appointments shall not exceed 500 billable hours. No member of the committee shall receive any compensation for the member's services, but each member shall be reimbursed for actual expenses incurred in attending the committee meetings.

The provisions of chapter 268A shall apply to all members, officers and employees of the committee, except that the committee may enter into a contract pursuant to the provisions of sections 3 or 6 although a member of the committee may have an interest or involvement in any such matter; provided, however, that such interest and involvement is disclosed in advance to the other members of the committee and recorded in the minutes of the committee and filed with the state ethics commission; and provided, further, that no member having an interest or involvement in any contract under section 3 may participate in any particular matter, as defined in section 1 of chapter 268A, relating to such contract.

Section 2. The committee for public counsel shall establish a definition of "indigency" for the purposes of this chapter and uniform standards and procedures for the determination by the courts of the commonwealth that (1) a person is indigent and is unable to obtain counsel or (2) said indigent person has the ability to pay a reduced fee for the appointment of counsel. Said definition and standards, and any amendments thereto, shall be subject to the approval of the supreme judicial court and shall be used by the courts of the commonwealth in determining assignment of cases to the committee pursuant to section 5. In the formulation of said definition, standards and procedures, the committee shall incorporate the reporting system operated by the commissioner of transitional assistance for the purpose of verifying financial eligibility of participants in state or federally funded programs.

Section 2A. (a) There shall be an indigency verification officer at each court. The commissioner of probation shall ensure that a probation officer is staffed at each court to oversee indigency verification. The responsibility for indigency verification may be assigned to the chief probation officer assigned to the court or another probation officer as the commissioner deems necessary to effectuate the provisions of this section.

(b) Notwithstanding any general or special law to the contrary, a person claiming indigency under the provisions of section 2 shall execute a waiver authorizing the court's probation officer responsible for indigency verification to obtain the person's wage and tax information from the department of revenue, the department of transitional assistance and any other information from the registry of motor vehicles that the court may find useful in verifying the person's claim of indigency. The waiver shall authorize the indigency verification officer to conduct any further re-assessment required by this section.

(c) It shall be the responsibility of the indigency verification officer assigned to each court to ensure that a person claiming to be indigent meets the definition of indigency under section 2. A person seeking the appointment of counsel shall be interviewed by the indigency verification officer before the appointment of counsel. The officer conducting the interview shall explain to the person seeking appointment of counsel (1) the definition of indigency, (2) the process used to verify his information with other state agencies, and (3) the consequences of misrepresenting his financial information in applying for the appointment of counsel. The officer conducting the interview shall prepare an initial written indigency intake report that

shall record the results of the interview and the officer's recommendation on whether or not the person seeking appointment of counsel is indigent. The person seeking appointment of counsel and the officer conducting the interview shall sign the indigency intake report. In signing the report, the person seeking appointment of counsel shall certify under the pains and penalties of perjury that the information contained therein is true and that they have not concealed any information relevant to their financial status. All statements contained in the report shall be deemed material statements. The initial report shall be presented to a judge who may adopt or reject the recommendations in the report, either in whole or in part.

(d) Any appointment of counsel by the court is at all times subject to verification of indigency by the indigency verification officer assigned to each court. Not later than 3 business days after the appointment of counsel, the indigency verification officer shall complete a final report of the financial circumstances of the person for whom counsel was appointed to ensure that such person continues to meet the definition of indigency. In preparing the final report, the indigency verification officer shall access wage and tax information in the possession of the department of revenue and the department of transitional assistance and such other information relevant to the verification of indigency in the possession of the registry of motor vehicles. Said departments shall provide such information to the indigency verification officer or the chief probation officer upon request. Upon completion of the final report, the indigency verification officer shall prepare a written report of the officer's findings. The indigency verification officer shall sign the report, certifying that the person for whom counsel was appointed either continues to meet or no longer meets the definition of indigency. The report shall be filed with the case papers and shall be presented to the judge presiding at the person's next court appearance. If, upon receipt of the report, a judge finds that the person for whom counsel was appointed no longer meets the definition of indigency, the judge shall revoke the appointment of counsel and allow such person a reasonable continuance to obtain new counsel; provided further that if the judge determines that the revocation would have a materially adverse effect on the interests of the person for whom counsel was appointed, the judge shall permit the retention of counsel and shall require the person for whom counsel was appointed to pay a fee for counsel and court costs at the same rate of compensation as the counsel fees established in section 11. Not later than 6 months after the appointment of counsel, and every 6 months thereafter, the indigency verification officer shall conduct a further re-assessment of the financial circumstances of the person for whom counsel was appointed to ensure that the person continues to meet the definition of indigency and shall prepare, sign and file a written report certifying that the person either continues to meet, or no longer meets, the definition of indigency.

(e) If a criminal defendant is charged with a second or further offense while continuing to be represented by court-appointed counsel for a previously charged offense, the court, in its discretion, shall determine whether any further determination of indigency, other than the bi-annual re-assessments required by the defendant's representation for the first offense, need be undertaken. Upon completion of a re-assessment, the indigency verification officer shall prepare a written report of the officer's findings. The indigency verification officer shall sign the report, certifying that the defendant either continues to meet or does not continue to meet the definition of indigency. The report shall be filed with the case papers and shall be presented to the judge presiding at the defendant's next court appearance. If, upon receipt of the report, a judge finds that the defendant no longer meets the definition of indigency, the judge shall revoke the appointment of counsel and allow the defendant a reasonable continuance to obtain new counsel.

(f) If the court finds that a person has materially misrepresented or omitted information concerning the person's property or assets for purposes of determining indigency, and that such person does not meet the definition of indigency, the court shall immediately terminate any assignment or appointment of counsel made under chapter 211D and shall assess costs of not less than $1000 against such person.

(g) A person provided counsel under this chapter shall be assessed a counsel fee of $150, which the indigency verification officer may waive only upon a determination in the officer's final report that the person is unable to pay the fee within 180 days. If, upon the bi-annual re-assessment of the person's indigency, the indigency verification officer concludes that the person is able to pay the counsel fee of which the person obtained a waiver, the waiver shall be invalid and the officer shall re-impose the counsel fee. Payment of any reduced fee by an indigent person for the appointment of counsel or any fees

collected pursuant to paragraph (d) of this section shall be made to the probation department of the appointing court and shall be forwarded to the state treasurer who shall deposit such in the general fund.

(h) The court may authorize a person for whom counsel was appointed to perform community service in lieu of payment of the counsel fee. A person seeking to work off his counsel fee in community service shall perform 5 hours of community service for each $50 he owes in legal counsel fees. Notwithstanding any general or special law, rule or regulation to the contrary, a court proceeding shall not be terminated and the person shall not be discharged if he owes any portion of the legal counsel fee imposed by this section. The clerk shall not release any bail posted on such court proceeding until the legal counsel fee is satisfied in accordance with this chapter.

(i) The clerk of the court shall, within 60 days of appointment after counsel, report to the department of revenue, the and the registry of motor vehicles the amount of any legal counsel fee owed by the person for whom counsel was appointed under this chapter. The department of revenue shall intercept the fee from tax refunds due to persons who have not paid it.

The registrar of motor vehicles shall place a lien in the amount of any portion of the legal counsel fee owed by the person for whom counsel was appointed upon the title of any motor vehicle owned in whole or in part by him. If the person for whom counsel was appointed does not own a motor vehicle the registry of motor vehicles shall not issue or renew such person’s driver's license or motor vehicle registration for any vehicle subsequently purchased by such person. The registry of motor vehicles shall not release the lien or issue or renew the license or motor vehicle registration until it receives notification from the clerk of the court that the fee has been collected or worked off in community service.

(j) The office of the commissioner of probation shall submit quarterly reports to the house and senate committees on ways and means detailing the effectiveness of the procedures implemented pursuant to this section to verify an individual's claim of indigency. The report shall include, but not limited to, the number of individuals determined to be indigent, number of individuals determined not to be indigent, number of individuals found to have concealed or otherwise misrepresented information relevant to his financial status, number of individuals found to no longer qualify for appointment of counsel upon any re-assessment of indigency required by this section, revenue generated through collection of indigent client fees, the average indigent client fee that each court division collects per case, recommendations to improve the procedures for verifying eligibility for counsel and other pertinent information to ascertain the effectiveness of verification procedures. The information within such report shall be delineated by court division.

Section 2B. Notwithstanding any other provision of law, a criminal defendant charged with a misdemeanor or a violation of a municipal ordinance or bylaw, on motion of the commonwealth, the defendant, or on the court's own motion, shall not be appointed counsel if the judge, at arraignment, informs such defendant on the record that, if the defendant is convicted of such offense, his sentence shall not include any period of incarceration. For good cause, that judge or another judge of the same court may later revoke such determination on the record and appoint counsel, and on the request such counsel shall be entitled to a continuance to conduct any necessary discovery and to prepare adequately for trial. Any such determination or revocation by a judge shall be endorsed upon the docket of the case.

SECTION 60. Section 5 of said chapter 211D, as so appearing, is hereby amended by striking out, in lines 10 and 11, the word “probation” and inserting in place thereof, in each instance, the following words:- indigency verification.

SECTION 61. Said chapter 211D is hereby further amended by striking out section 6, as so appearing, and inserting in place thereof the following section:-

Section 6. (a) In carrying out its duties as prescribed in section 5, the committee shall establish a public defender division which shall utilize committee staff attorneys. This division shall include a unit to be known as the Roxbury defenders unit, which shall represent clients as assigned pursuant to this chapter in the Roxbury division of the district court department and shall also include a unit to be known as the

youth advocacy project. The public defender division shall be assigned to represent indigent defendants in all criminal cases; provided, however, that the division shall not be assigned to: (i) represent more than 1 defendant in any matter before any court on the same case or arising out of the same incident; (ii) represent a defendant in any case in which there is a conflict of interest with any of its clients; or (iii) represent any child alleged to be delinquent, except in such cases which may result in exposure to adult incarceration or commitment to the department of youth services until the age of 21, and except in cases charging delinquency by conduct which would be punishable by imprisonment in the state prison if committed by an adult and except in the Boston and Bristol county divisions of the juvenile court department or in the Roxbury division of the district court department. Private counsel who have been certified to accept assignments in such cases shall also be eligible to provide representation to persons thus charged.

(b) The committee shall also supervise and maintain a system for the appointment of private counsel and establish a private counsel division which shall include a children and family law program and a mental health unit. The committee shall enter into contractual agreements with any state, county or local bar association or voluntary charitable group, corporation or association, including bar advocate groups, for the purpose of providing such counsel. The committee may also contract with such other organized groups of attorneys as may be formed to afford representation to indigent defendants and may appoint and compensate private attorneys, on a case-by-case basis, as counsel for indigents entitled to representation. Neither individuals nor members nor participants in any group, corporation or association with whom the committee may contract under this paragraph shall be considered to be or have any rights as state employees.

(i) The private counsel division shall be assigned for all persons accused of crimes entitled to counsel who, through their inability to pay for counsel, shall have counsel appointed to them, but who, pursuant to the provisions of subparagraph (a) of this section are not to be represented by the public counsel division.

(ii) The private counsel division shall also be assigned to represent persons in such other proceedings as the chief counsel shall determine to be necessary.

SECTION 62. Said chapter 211D is hereby further amended by striking out section 6A, as so appearing, and inserting in place thereof the following section:-

Section 6A. In carrying out its duties as prescribed in sections 5 and 6, the committee shall establish a children and family law program which shall, upon the court's appointment, provide representation to indigent persons in children and family law cases. Nothing herein shall be construed to limit the system as established in sections 5 and 6 of this chapter, whereby the court appoints certified private counsel to represent children and parents in children and family law cases.

SECTION 63. Said chapter 211D is hereby further amended by striking out section 11, as so appearing, and inserting in place thereof the following section:-

Section 11. (a) The rates of compensation payable to all counsel, who are appointed or assigned to represent indigents within the private counsel division of the committee in accordance with the provisions of paragraph (b) of section 6, shall, subject to appropriation, be as follows: for homicide cases the rate of compensation shall be $100 per hour; for superior court non-homicide cases, including sexually dangerous person cases, the rate of compensation shall be $60; for district court cases and children in need of services cases the rate of compensation shall be $50 per hour; for children and family law cases, care and protection cases, sex offender registry cases and mental health cases the rate of compensation shall be $50 per hour. These rates of compensation shall be reviewed periodically at public hearings held by the committee at appropriate locations throughout the state, and notice shall be given to all state, county and local bar associations and other interested groups, of such hearings by letter and publication in advance of such hearings. This periodic review shall take place not less than once every 3 years.

(b) The committee shall set an annual cap on billable hours not in excess of 1650 hours. Counsel appointed or assigned to represent indigents within the private counsel division shall not be paid for any

time billed in excess of the annual limit of billable hours. It shall be the responsibility of private counsel to manage their billable hours.

(c) Any counsel who is appointed or assigned to represent indigents within the private counsel division, except any counsel appointed or assigned to represent indigents within the private counsel division in a homicide case, shall be prohibited from accepting any new appointment or assignment to represent indigents after that counsel has billed 1350 billable hours during any fiscal year.

SECTION 64. Said chapter 211D is hereby further amended by striking out section 12, as amended by section 88 of chapter 27 of the acts of 2009, and inserting in place thereof the following section:-

Section 12. (a) The committee shall establish policies and procedures to provide fair compensation to private counsel and vendors, which shall include a remedy for an attorney aggrieved by the amount of payment. The committee shall also establish an audit and oversight department to monitor billing and private attorney and vendor compensation. All private attorney invoices shall be processed for payment within 30 days of receipt by the chief counsel, excluding any bills held for review or audit. Bills shall be submitted to the committee within 60 days of the conclusion of a case or, if the case is pending at the end of the fiscal year, within 30 days after the end of such fiscal year. The amount of payment for invoices received by the chief counsel more than 60 days but less than 90 days after the final disposition of the case or more than 30 days but less than 60 days after the end of the fiscal year shall be reduced by 10 per cent. Bills submitted after such date need not be processed for payment within 30 days. For all 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 the fiscal year, within 60 days after the end of the fiscal year, those bills so submitted after such date shall not be processed for payment; provided, however, that the chief counsel may authorize the payment of such bills either in whole or in part upon a determination that the delay was due to extraordinary circumstances beyond the control of the attorney.

(b) Bills shall be submitted to the committee for services provided under sections 27A to 27G, inclusive, of chapter 261 within 60 days of the last date of service or, if the case is pending at the end of the fiscal year, within 30 days after the end of such fiscal year. The amount of payment for invoices received by the chief counsel more than 60 days but less than 90 days after the last date of service or more than 30 days but less than 60 days after the end of the fiscal year shall be reduced by 10 per cent. For all bills not submitted to the committee within 90 days after the last date of service or, if the case is pending at the end of the fiscal year, within 60 days after the end of the fiscal year, those bills so submitted after such date shall not be processed for payment; provided, however, that the chief counsel may authorize the payment of such bills either in whole or in part upon a determination that the delay was due to extraordinary circumstances beyond the control of the vendor.

(c) The committee may further prescribe such policies and procedures for payment as it deems appropriate; provided, however, that the committee may impose interest and penalties, where appropriate, upon overpayment of the private attorney and vendor bills recovered from vendors and private attorneys.

SECTION 65. Section 34E of chapter 221 of the General Laws, as amended by section 67 of chapter 239 of the acts of 2010, is hereby further amended by striking out the last paragraph and inserting in place thereof the following paragraph:-

The committee shall be eligible for federal funds and may accept any and all gifts, donation, grants, contributions, appropriations, which many be received from any source, public or private; to be held, used, or expended, for any or all purposes and duties of the committee, in accordance with the terms and conditions of any such grant. The committee may enter into contracts to provide or receive services with any federal or state entity, with any group or individual, whether for profit or non profit or with any voluntary or charitable group, association or organization including any bar association or foundation.

Any such donations, funds, contributions, or grants shall be deposited in the Mental Health Legal Advisors Committee Trust.

SECTION 66. Chapter 221 of the General Laws is hereby amended by striking out section 88, as most recently amended by section 96 of chapter 27 of the acts of 2009, and inserting in place thereof the following section:

Section 88. Upon request of the presiding justice or any party, the stenographer shall furnish a transcript of his notes, or any part thereof, taken at a trial or hearing, for which he shall be paid by the party requesting it at the rate of $3 per page for the original and $1 per page for each additional copy ordered at the same time. If requested by any party, the stenographer shall furnish an electronic reproduction at an amount not to exceed $5 for each electronic reproduction requested. All electronic reproductions shall be in an open source format as specified by the office of transcription services. Additional paper copies, if so requested by an indigent person or counsel for an indigent person, shall be paid at 10 cents per page. In the event that daily copy is ordered by the presiding justice or any party, the rate shall be $4 and 50 cents per page for the original copy and $1 and 50 cents per page for each additional copy; provided that, if requested by any party, the stenographer shall furnish an electronic reproduction at an amount not to exceed $5 for each electronic reproduction. Additional paper copies, if so requested by an indigent person or counsel for an indigent person, shall be paid at 10 cents per page. If transcript is ordered by the presiding justice or, in a criminal case, by the district attorney, payment therefor at the same rate shall be made by the administrative office of the trial court upon a voucher approved by the presiding justice and, in a criminal case, the charges of transcripts furnished to said justice and to the district attorney shall be taxed like other expenses. If the presiding justice orders that a statement given to the police be transcribed, all parties shall receive a copy, and payment therefor shall be at the same rate and made by the administrative office of the trial court upon a voucher approved by the presiding justice.

SECTION 67. Subsection (h) of section 1 of chapter 703 of the acts of 1963, as most recently amended by section 78 of chapter 189 of the acts of 2010, is hereby amended by striking out paragraph (h) and inserting in place thereof the following paragraph:-

(h) “State college”, any public institution of higher education listed in section 5 of chapter 15A of the General Laws, except the University of Massachusetts and its campuses.

SECTION 68. Section 44 of chapter 85 of the acts of 1994, as most recently amended by sections 1 and 2 of chapter 164 of the acts of 2009, is hereby further amended by inserting after the words "Horseneck Beach State Reservation" the following words:- , Officer's Quarters at Fort Revere in the town of Hull, Gatekeeper's House at Maudslay State Park, Gates House at Wachusett Mountain State Reservation, Blue Farmhouse and garage and associated barns 3, 4 and 5 at 215 Cold Spring Road and Red Farmhouse and shed at 220 Cold Spring Road at Spectacle Pond in the town of Sandisfield, the McKay House at Willowdale State Forest, 57 Dedham Street, Hyde Park district of the city of Boston, Speedway Administration Building, Brighton district of the city of Boston, the Police Substation on Furnace Brook Parkway in the city of Quincy, the Compressor Building at Quincy Quarries in the Blue Hills Reservation, any of the Peddocks Cottages on Peddocks Island in the Boston Harbor Islands National Park Area, 3 Wompatuck Cottages in Wompatuck State Park, Stress House 1 at Neponset River Reservation, and notwithstanding any general or special law to the contrary, the Schooner Ernestina and a portion of the New Bedford State Pier to provide sufficient berthing space.

SECTION 69. Sections 3A of chapter 175 of the acts of 1998 is hereby repealed.

SECTION 70. Section 20A of said chapter 175 is hereby repealed.

SECTION 70A. Section 25 of said chapter 175 is hereby repealed.

SECTION 71. Section 43 of chapter 206 of the acts of 1998 is hereby amended by striking out the first sentence and inserting in place thereof the following 2 sentences:- The department of environmental protection shall perform a targeted audit of a significant number of sites at which an activity and use limitation has been implemented in order to ensure that response actions not overseen or conducted by the department are performed in compliance with chapter 21E and regulations adopted under that chapter. In determining this number, the department shall take into account the need for audits to ensure a high level of compliance with this said chapter 21E and the Massachusetts Contingency Plan and the need to target audit resources in the most efficient and effective manner.

SECTION 72. Subsection (2) of section 95 of chapter 173 of the acts of 2008 is hereby amended by striking out the figure "2012" and inserting in place thereof the following figure:- 2013.

SECTION 73. Section 23 of chapter 5 of the acts of 2009 is hereby amended by striking out the figure "2011", inserted by section 115 of chapter 131 of the acts of 2010, and inserting in place thereof the following figure:- 2012.

SECTION 74. The first sentence of section 152 of chapter 25 of the acts of 2009 is hereby amended by striking out the figure "2011" and inserting in place thereof the following figure:- 2013.

SECTION 75. Section 195 of chapter 131 of the acts of 2010 is hereby amended by striking out the figure "2011" and inserting in place thereof the following figure:- 2012.

SECTION 76. Section 124 of chapter 359 of the acts of 2010 is hereby amended by striking out the words "and June 30, 2011" and inserting in place thereof the following words:- , June 30, 2011 and June 30, 2012.

SECTION 77. Notwithstanding any general or special law to the contrary, the term of the sitting members of the committee for public counsel services shall expire 60 days after the effective date of this act. The governor, the senate president, the speaker of the house of representatives and the justices of the supreme judicial court shall make their appointments to the committee within said 60 days. Nothing in this section shall preclude the reappointment of a sitting member of the committee.

SECTION 78. Notwithstanding the provisions of section 41C of chapter 7 and any general or special law to the contrary, in the interest of providing immediate and cost-effective office space, the committee for public counsel services established under chapter 211D of the General Laws may lease buildings and land owned by a county, city or town, or public and private entity to provide suitable quarters and space for committee personnel and necessary related activities such as parking. The chief counsel shall be responsible for negotiating leases between the committee and other parties, subject to the approval of the division of capital asset management and maintenance. No payments for rent shall exceed the prevailing rent a commercial establishment would pay for comparable space in that geographic area, excluding that portion of said prevailing rent attributable to property taxes. Every county, city, or town which receives rental payments pursuant to this section shall submit a schedule to the committee and the division detailing the cost of maintenance, repairs, utilities and debt service on the rented facilities.

SECTION 79. The committee for public counsel services shall compile a report detailing the committee's proposal to have the public defender division handle 20 per cent of indigent person cases assigned to the committee by the beginning of fiscal year 2013. The report shall be submitted to the house and senate committees on ways and means on or before September 30, 2011.

SECTION 80. The commissioner of probation shall examine the costs and feasibility of establishing an indigency verification system that would determine whether a person is indigent pursuant to section 2A of chapter 211D of the General Laws the same day of a person's claim of indigency. The commissioner shall report the costs associated with the implementation of such a system and any other recommendations to the house and senate committees on ways and means on or before December 31, 2011.

SECTION 81. Notwithstanding any general or special law to the contrary, the district attorneys of the counties of the commonwealth shall endeavor to allow for a 3 day period of time between the date of a criminal event and the date of the arraignment subsequent to the event in order to consider whether to utilize the provisions of section 70C of chapter 277 of the General Laws in district court cases where the defendant is not in custody and the charges do not involve violence.

The district attorney of each county of the commonwealth and the committee for public counsel services shall file an annual report on the number of times each made a motion under said section 70C of chapter 277 to the house and senate committees on ways and means. The committee for public counsel services shall indicate whether such motions were filed by counsel under the public defender division or by counsel under the private defender division.

SECTION 82. Notwithstanding any general or special law to the contrary, nursing facility and resident care facility rates effective July 1, 2011 under section 7 of chapter 118G of the General Laws may be developed using the costs of calendar year 2005.

SECTION 83. Notwithstanding any general or special law to the contrary, in hospital fiscal year 2012, the office of the inspector general may continue to expend funds from the Health Safety Net Trust Fund, established by section 36 of chapter 118G of the General Laws, for costs associated with maintaining a pool audit unit within the office. The unit shall continue to oversee and examine the practices in all hospitals including, but not limited to, the care of the uninsured and the resulting free charges. The inspector general shall submit a report to the house and senate committees on ways and means on the results of the audits and any other completed analyses not later than March 1, 2012. For the purposes of these audits, allowable free care services shall be defined pursuant to said chapter 118G and any regulations adopted thereunder.

SECTION 84. Notwithstanding any general or special law to the contrary, upon receiving a written request from the secretary of administration and finance, the comptroller shall transfer to the General Fund the unexpended balance of a fund, trust fund or other separate account, in existence on April 1, 2010, whether established administratively or by law, including a separate account established under section 6 of chapter 6A of the General Laws or section 4F of chapter 7 of the General Laws; provided, however, that the secretary and comptroller shall report to the house and senate committees on ways and means 45 days prior to any such transfer. The request shall certify that the secretary, in consultation with the comptroller, has determined this balance not to be necessary for the purposes for which it was made available.

SECTION 85. Notwithstanding section 1 of chapter 29D of the General Laws or any other general or special law to the contrary, all payments received by the commonwealth in fiscal year 2012 pursuant to the master settlement agreement in Commonwealth of Massachusetts v. Philip Morris, Inc. et. al., Middlesex Superior Court, No. 95-7378, shall be deposited in the General Fund. Notwithstanding section 3 of said chapter 29D to the contrary, the comptroller shall transfer 100 per cent of the earnings generated in fiscal year 2011 from the Health Care Security Trust, as certified under subsection (f) of said section 3 of said chapter 29D, to the General Fund.

SECTION 86. Notwithstanding section 1 of chapter 29D of the General Laws or any other general or special law to the contrary, 10 per cent of all payments received by the commonwealth in fiscal year 2013

under the master settlement agreement in Commonwealth of Massachusetts v. Philip Morris, Inc. et. al., Middlesex Superior Court, No. 95-7378, shall be deposited in the State Retiree Benefits Trust Fund, and the balance of funds received in fiscal year 2013 shall be deposited in the General Fund. The amount of these payments to be deposited in the State Retiree Benefits Trust Fund shall be increased by 10 percentage points in fiscal year 2014 and in each subsequent fiscal year until the amount to be deposited reaches 100 per cent of the payments.

SECTION 87. Notwithstanding any general or special law to the contrary, the nursing home assessment established by subsection (b) of section 25 of chapter 118G of the General Laws shall be sufficient in the aggregate to generate $220,000,000 in fiscal year 2012.

SECTION 88. Notwithstanding any general or special law to the contrary, the amounts transferred pursuant to subdivision (1) of section 22C of chapter 32 of the General Laws shall be made available for the commonwealth's Pension Liability Fund established by section 22 of said chapter 32. The amounts transferred pursuant to said subdivision (1) of said section 22C of said chapter 32 shall meet the commonwealth's obligations pursuant to said section 22C of said chapter 32, including retirement benefits payable by the state employees' and the state teachers' retirement systems, for the costs associated with a 3 per cent cost-of-living adjustment pursuant to section 102 of said chapter 32, for the reimbursement of local retirement systems for previously authorized cost-of-living adjustments pursuant to said section 102 of said chapter 32 and for the costs of increased survivor benefits pursuant to chapter 389 of the acts of 1984. The state board of retirement and each city, town, county and district shall verify these costs, subject to the rules adopted by the state treasurer. The state treasurer may make payments upon a transfer of funds to reimburse certain municipalities for pensions to retired teachers, including any other obligations which the commonwealth has assumed on behalf of any retirement system other than the state employees' or state teachers' retirement systems and also including the commonwealth's share of the amounts to be transferred pursuant to section 22B of said chapter 32 and the amounts to be transferred pursuant to clause (a) of the last paragraph of section 21 of chapter 138 of the General Laws. All payments for the purposes described in this section shall be made only pursuant to distribution of monies from the fund, and any distribution and the payments for which distributions are required shall be detailed in a written report filed quarterly by the secretary of the executive office for administration and finance with the house and senate committees on ways and means and the joint committee on public service in advance of this distribution. Distributions shall not be made in advance of the date on which a payment is actually to be made. The state board of retirement may expend an amount for the purposes of the board of higher education's optional retirement program pursuant to section 40 of chapter 15A of the General Laws. To the extent that the amount transferred pursuant to said subdivision (1) of said section 22C of said chapter 32 exceeds the amount necessary to adequately fund the annual pension obligations, the excess amount shall be credited to the Pension Reserves Investment Trust Fund, established by subdivision (8) of section 22 of said chapter 32, for the purpose of reducing the unfunded pension liability of the commonwealth.

SECTION 89. (a) Notwithstanding any general or special law to the contrary, the Department of Transportation may incur liabilities and make expenditures in fiscal year 2012 in excess of funds available to the department for snow and ice removal; provided, that such expenditures are approved by the secretary of transportation in consultation with the secretary of administration and finance; provided, further, that no expenses shall be made in excess of funds available until $50,000,000 has been expended for snow and ice removal in fiscal year 2012; provided, further, that the negative balance of funds available for snow and ice removal shall not exceed $30,000,000 at any time; provided, further, that the state comptroller may certify for payment invoices in excess of funds available to the department; and provided, further, that any such payment that would result in a deficiency shall be pre-approved by the secretary of transportation in consultation with the secretary of administration and finance.

(b) The department shall, on or before May 1, 2012, report to the executive office for administration and finance and the house and senate committees on ways and means the total amounts budgeted and expended for snow and ice removal; provided that the department shall seek appropriations, as required, to cure deficiencies resulting from the removal of snow and ice for the fiscal year ending June 30, 2012.

SECTION 90. The commissioner of transitional assistance, in consultation with the commissioner of revenue, shall examine the feasibility of implementing an electronic monitoring system to prevent the purchase of alcohol, tobacco products, firearms and lottery tickets through the use of electronic benefit transfer cards. The cost and feasibility of implementing such system shall be reported to the house and senate committees on ways and means.

SECTION 91. Notwithstanding any general or special law to the contrary, changes made to health insurance benefits pursuant to sections 21 and 22 of chapter 32B of the General Laws shall not be inconsistent with any collective bargaining agreement in effect as of July 1, 2011. If specific dollar amount limits on co-payments, deductibles or other specified plan design features are included in the body of a collective bargaining agreement that is in effect on the date of enactment of sections 21 and 22 of said chapter 32B, changes to those specific dollar amount limits for subscribers covered by that collective bargaining agreement shall not be authorized until the initial term stated in that agreement has ended.

SECTION 92. The inspector general is authorized and directed to expend funds from the Health Safety Net Trust Fund, established in section 36 of chapter 118G of the General Laws, to conduct a study and review of the Massachusetts Medicaid program. The study shall include, but not be limited to, a review of the program's eligibility requirements, utilization, claims administration and compliance with federal mandates. The inspector general shall report any preliminary findings to the secretary of health and human services and the house and senate committees on ways and means on or before October 1, 2011, and issue a final report on or before March 1, 2012.

SECTION 93. (a) Notwithstanding any general or special law to the contrary, the comptroller shall, on or before June 30, 2012, transfer $200,000,000 to the General Fund from the Commonwealth Stabilization Fund; provided, however, the comptroller shall instead transfer a lesser amount if the secretary of administration and finance so requests in writing. The comptroller, in consultation with the secretary of administration and finance, may take the overall cash flow needs of the commonwealth into consideration in determining the timing of any transfer of funds. The comptroller shall provide a schedule of transfers to the secretary of administration and finance and to the house and senate committees on ways and means.

(b) Notwithstanding clause (a) of section 5C of chapter 29 of the General Laws or any other general or special law to the contrary, during fiscal year 2012 the comptroller shall not transfer 0.5 per cent of the total revenue from taxes in the preceding fiscal year to the Commonwealth Stabilization Fund, as required by said clause (a). However, upon written certification by the secretary of administration and finance that there are sufficient funds to make some or all of the transfer required under said clause (a), the comptroller shall so transfer the amount certified. The comptroller in consultation with the secretary may take the overall cash flow needs of the commonwealth into consideration in determining the timing of any transfer of funds under this subsection. The comptroller shall provide a schedule of transfers to the secretary of administration and finance and to the house and senate committees on ways and means.

(c) Notwithstanding any general or special law to the contrary, the comptroller shall, on or before June 30, 2012, transfer the interest earned from the Commonwealth Stabilization Fund during fiscal year 2012 to the General Fund.

SECTION 94. Notwithstanding section 35J of chapter 10 of the General Laws or any other general or special law to the contrary, the formula for application of funds provided in said section 35J shall not apply in fiscal year 2012.

SECTION 95. (a) Notwithstanding any general or special law to the contrary, the department of environmental protection shall transfer $3,000,000 of funds previously appropriated or loans repaid as a result of item 1231-1020 of section 2 of chapter 151 of the acts of 1996, as amended by section 54 of chapter 365 of the acts of 1996, to the General Fund on account of fiscal year 2012.

(b) Notwithstanding any general or special law to the contrary, the Massachusetts Housing Finance Agency shall, on or before June 30, 2012, transfer not more than $5.4 million of loan repayment proceeds received under section 27 of chapter 23B of the General Laws to the comptroller to be credited to the General Fund on account of fiscal year 2012.

SECTION 96. Deleted by amendment.

SECTION 97. Notwithstanding section 279 of chapter 149 of the acts of 2004, for the Daley Memorial Rink Property, this parcel of land as particularly described on a plan entitled "Lease Plan Newton Country Day School of the Sacred Heart, Nonantum Road, Newton, Mass.," dated November 15, 2007, and prepared by Harry R. Feldman, Inc., there shall be an option for renewal or extension for operations and maintenance services for an additional 20 years with the Boston Academy of the Sacred Heart, Inc., d/b/a Newton Country Day School. The division of capital asset and management, in consultation with the commissioner of the department of conservation and recreation, may make minor revisions to this plan for the parcel of land, may amend the current lease, and may sign the lease or lease extension without any further approval of the general court.

SECTION 98. Notwithstanding section 53 of chapter 118E of the General Laws or any other general or special law to the contrary, the secretary of health and human services may manage the MassHealth program within the appropriated levels in items 4000-0430, 4000-0500, 4000-0600, 4000-0700, 4000-0870, 4000-0875, 4000-0880, 4000-0890, 4000-0895, 4000-0950, 4000-0990, 4000-1400 and 4000-1405 by restructuring benefits to the extent permitted by federal law.

SECTION 99. Notwithstanding any general or special law to the contrary, the secretary of health and human services may make expenditures for which federal reimbursement is unavailable for (1) the equivalent of MassHealth Standard benefits for children under age 21 who are in the care or custody of the department of youth services or the department of children and families, and (2) dental benefits provided to clients of the department of developmental services who are age 21 or over.

SECTION 100. (a) Notwithstanding section 53 of chapter 118E of the General Laws, for fiscal year 2012, the executive office of health and human services may determine the extent to which to include within its covered services for adults the federally-optional dental services that were included in its state plan or demonstration program in effect on January 1, 2002 and the dental services that were covered for adults in the MassHealth basic program as of January 1, 2002.

(b) Notwithstanding subsection (a) of section 6 of chapter 118H of the General Laws, for fiscal year 2012, medically necessary dental services covered through health insurance plans procured by the board of the Commonwealth Health Insurance Connector Authority for any resident with a household income that does not exceed 100 per cent of the federal poverty level shall include preventative procedures but shall exclude those categories of services that are not provided through MassHealth.

SECTION 101. Notwithstanding any general or special law to the contrary, the executive office of health and human services, acting in its capacity as the single state agency under Title XIX of the Social Security Act and as the principal agency for all of the agencies within the executive office and other federally-assisted programs administered by the executive office, may enter into interdepartmental services agreements with the University of Massachusetts Medical School to perform activities that the secretary of health and human services, in consultation with the comptroller, determines appropriate and within the scope of the proper administration of said Title XIX and other federal funding provisions to support the programs and activities of the executive office. The activities may include: (1) providing administrative services including, but not limited to, providing the medical expertise to support or administer utilization management activities, determining eligibility based on disability, supporting case management activities and similar initiatives; (2) providing consulting services related to quality assurance, program evaluation and development, integrity and soundness and project management; and (3) providing activities and services for the purpose of pursuing federal reimbursement or avoiding costs, third-party liability and recouping payments to third parties. Federal reimbursement for any expenditures made by the University of Massachusetts Medical School relative to federally-reimbursable services the

University provides under these interdepartmental service agreements or other contracts with the executive office shall be distributed to the University and recorded distinctly in the state accounting system. The secretary may negotiate contingency fees for activities and services related to pursuing federal reimbursement or avoiding costs and the comptroller shall certify these fees and pay them upon the receipt of this revenue, reimbursement or demonstration of costs avoided. Contracts for contingency fees shall not exceed 3 years and shall not be renewed without prior review and approval by the executive office for administration and finance. The secretary shall not pay contingency fees in excess of $40,000,000 for state fiscal year 2012; provided, however, contingency fees paid to the University of Massachusetts Medical School under an interagency service agreement for recoveries related to the special disability workload projects shall be excluded from that $40,000,000 limit for fiscal year 2012. The secretary of health and human services shall submit to the secretary of administration and finance and the senate and house committees on ways and means a quarterly report detailing the amounts of the agreements, the ongoing and new projects undertaken by the university, the amounts expended on personnel and the amount of federal reimbursement and recoupment payments that the university collected.

SECTION 102. Notwithstanding any general or special law to the contrary, on or before October 1, 2011 and without further appropriation, the comptroller shall transfer from the General Fund to the Health Safety Net Trust Fund, established in section 36 of chapter 118G of the General Laws, in this section called the fund, the greater of $45,000,000 or one-twelfth of the total expenditures to hospitals and community health centers required pursuant to this act, for the purposes of making initial gross payments to qualifying acute care hospitals for the hospital fiscal year beginning October 1, 2011. These payments shall be made to hospitals before, and in anticipation of, the payment by hospitals of their gross liability to the fund. The comptroller shall transfer from the fund to the General Fund on or before June 30, 2012, the amount of the transfer authorized by this section and any allocation of that amount as certified by the director of the health safety net office.

SECTION 103. (a) Notwithstanding any general or special law to the contrary, after complying with clause (a) of section 5C of chapter 29 of the General Laws, the comptroller shall dispose of the consolidated net surplus in the budgetary funds for fiscal year 2011 as follows: (i) the comptroller shall transfer $10,000,000 from the General Fund to the Massachusetts Life Sciences Investment Fund established by section 6 of chapter 23I of the General Laws; and (ii) the remaining balance shall be transferred from the General Fund to the Commonwealth Stabilization Fund.

(b) All transfer pursuant to this section shall be made from the undesignated fund balances in the budgetary funds proportionally from the undesignated fund balances; provided, however, that no such transfer shall cause a deficit in any of the funds.

SECTION 104. Notwithstanding any general or special law to the contrary, the department of corrections shall reprocure all food, commissary and medical services provided at all institutions. The department shall solicit new bids for such services in accordance with applicable state law and may utilize alternative procurement methods including, but not limited to, specialized vendor prequalification, cooperative procurements, competitive negotiations and brand name solicitations; provided, further, that in executing the reprocurement of such services, the department shall notify the sheriffs in each of the departments of the county sheriffs who may elect to participate in the reprocurement for such services.

SECTION 105. (a) The University of Massachusetts Boston, through its office of dispute resolution, shall conduct a study of the effectiveness of community mediation to broaden public access to dispute resolution. The study shall inform state-level planning and decision-making to support and build upon existing infrastructure and enable investment in sustainable community mediation programming within the commonwealth in the coming years.

(b) For purposes of this study, “community mediation” shall mean mediation service programs of a private non-profit or public agency that: (a) use trained community volunteers and serve the public regardless of ability to pay; (b) promote collaborative community relationships and public awareness; and (c) provide a dispute resolution forum and alternative to the judicial system at any stage of a conflict. The study shall include, but not be limited to:

(i) a review of community mediation research, studies and data within Massachusetts and other states and countries in order to identify cost savings and economic, social, health and environmental benefits from community mediation, in some or all of the following areas: civil small claims and consumer disputes; family, divorce, child custody and visitation disputes; permanency/open adoption cases; landlord-tenant disputes and housing foreclosure cases; neighborhood conflicts around noise and property boundaries; school-related disputes; minor criminal and victim-offender restorative justice cases; interpersonal workplace disputes; and large-group disputes around public policy, environmental, and community issues;

(ii) A review and assessment of the historic and current legislative and public funding structures for community mediation within Massachusetts;

(iii) A review of successful models for public funding of community mediation in other states and recommendations for potential applicability to Massachusetts;

(iv) Preliminary design of a state-of-the-art performance-based community mediation funding framework within Massachusetts for state appropriations, government grants and private foundation awards that support programming where there is an identifiable public nexus;

(v) Recommendations for the infrastructure and resources needed to oversee and administer such a funding framework, and recommendations for implementation steps and timeframes; and

(vi) Recommendations for the establishment of an inter-governmental and cross-sector advisory committee to oversee implementation and administration of community mediation funding and programming.

(c) The study shall be completed and submitted to the chairs of the house and senate ways and means committees and the secretary of administration and finance on or before January 1, 2012.

SECTION 106. Whenever the term "division of urban parks and recreation" appears in any statute, regulation, contract, or other document, it shall be taken to mean the division of state parks and recreation.

SECTION 107. (a) Notwithstanding sections 40E to 40I, inclusive, of chapter 7 of the General Laws or any other general or special law to the contrary, in order to facilitate the reuse of the properties identified in subsection (b) and to generate non-tax revenues for the commonwealth, the commissioner of capital asset management and maintenance, hereafter known as the commissioner, may sell, lease for terms up to 99 years including all renewals and extensions or otherwise grant, convey or transfer to purchasers or

lessees an interest in any of those properties, or portions thereof, subject to this section and on the terms and conditions that the commissioner considers appropriate. The commissioner shall dispose of each property, or portions thereof, using appropriate competitive bidding processes and procedures. At least 30 days before the date on which bids, proposals or other offers to purchase or lease a property, or any portion thereof, are due, the commissioner shall place a notice in the central register published by the state secretary under section 20A of chapter 9 of the General Laws stating the availability of the property, the nature of the competitive bidding process and other information that he considers relevant, including the time, place and manner for the submission of bids and proposals and the opening of the bids or proposals.

(b) This section shall apply to the following properties:

(1) Those certain parcels of land located in the town of Belchertown at 47 State street, or portions thereof, containing approximately 5.4 acres, together with any buildings or structures thereon, known as the John Patrick center.

(2) That certain parcel of land located in the city of New Bedford at 593 Kempton street, together with any buildings and structures thereon, formerly known as the Bristol county jail, described in book 2659, page 15 recorded with the Bristol county registry of deeds, and further shown on New Bedford assessors map 57, lot 201.

(3) That certain parcel of land located in the city of New Bedford at 5 Sycamore street, together with any buildings and structures thereon, formerly known as the New Bedford armory. Prior to sale, lease, grant, or conveyance of the subject property, the Commissioner shall enter into a historical covenant agreement with the Massachusetts Historical Commission.

(4) Those certain parcels of land located in the city of Northampton behind the property used as a department of mental health center for children and families at 78 Pomeroy terrace, or portions thereof, containing approximately 6 acres, together with any buildings and structures thereon, used as a department of mental health center for children and families.

(5) Those certain parcels of land located in the town of Oak Bluffs between the northeasterly side of Eastville avenue and the southeasterly side of Temahigan avenue, or portions thereof, containing approximately 1.7 acres, together with any buildings and structures thereon, used as a mental health center, described in book 303, page 516 recorded with the Dukes county registry of deeds and shown on the Oak Bluffs assessors map 4, lot 151.

(6) Those certain parcel of lands located in the city of Taunton on Stanley avenue or portions thereof, containing approximately .32 acres, together with any buildings and structures thereon.

(c) The exact boundaries of the parcels described in subsection (b) shall be determined by the commissioner of capital asset management and maintenance after completion of a survey.

(d) Notwithstanding any general or special law to the contrary, the grantee or lessee of any property identified in subsection (b) shall be responsible for all costs and expenses including, but not limited to, costs associated with any engineering, surveys, appraisals and deed preparation related to the conveyances and transfers authorized in this section as such costs may be determined by the commissioner of capital asset management and maintenance.

(e) The commissioner may retain or grant rights of way or easements for access, egress, utilities and drainage across any of the parcels and across other commonwealth property contiguous to any of the parcels, and the commonwealth may accept from a developer such rights of way or easements in roadways or across any of the parcels to be conveyed or transferred for access, egress, drainage and utilities as the commissioner considers necessary and appropriate to carry out this section.

(f) No agreement for the sale, lease, transfer or other disposition of the properties listed in subsection (b), and no deed executed by or on behalf of the commonwealth, shall be valid unless the agreement or deed contains the following certification, signed by the commissioner:—

"The undersigned certifies under penalties of perjury that I have fully complied with Section ____ of Chapter ___ of the Acts of ____ in connection with the property described in this document."

(g) Each parcel shall be conveyed or leased without warranties or representations by the commonwealth. Notwithstanding any general or special law to the contrary, the proceeds of all conveyances and transfers under this section shall be deposited in the General Fund.

(h) Notwithstanding sections 40F to 40J, inclusive, of chapter 7 of the General Laws, or any other general or special law to the contrary, the commissioner of capital asset management and maintenance may transfer care, custody and control of a portion of the state-owned land described in subsection (b)(8) from the department of mental health to the department of state police.

(i) Notwithstanding sections 40E to 40I, inclusive, of chapter 7 of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance may sell, lease for a term up to 99 years, including all renewals and extensions, or otherwise grant, convey or transfer to the town of Belchertown, for nominal consideration, a parcel of land containing approximately 2.2 acres located adjacent to the John Patrick center at 47 State street. The exact boundaries of the parcel shall be determined by the commissioner of capital asset management and maintenance after completion of a survey. The parcel shall be used by the town of Belchertown for recreational activities and facilities.

(1) If for any reason the parcel described in subsection (i) ceases to be used solely for the purposes described in subsection (i), the commissioner of capital asset management and maintenance may, after giving notice and an opportunity to the town of Belchertown, cause title to the parcel to revert to the commonwealth.

(2) The town of Belchertown shall be responsible for all costs and expenses including, but not limited to, costs associated with any engineering, surveys, appraisals and deed preparation related to the conveyance authorized in this section as such costs may be determined by the commissioner of capital asset management and maintenance.

(3) The commissioner may retain or grant rights of way or easements for access, egress, utilities and drainage across the parcel and across other commonwealth property contiguous to the parcel, and the commonwealth may accept from the town such rights of way or easements in roadways or across the parcel to be conveyed or transferred for access, egress, drainage and utilities as the commissioner considers necessary and appropriate to carry out this section.

(4) The parcel shall be conveyed without warranties or representations by the commonwealth. Notwithstanding any general or special law to the contrary, the proceeds of all conveyances and transfers under this section shall be deposited in the General Fund.

(j) Notwithstanding any general or special law to the contrary, prior to offering either of the properties described in subsections (b)(2) and (3) of this section for disposition, the division of capital asset management and maintenance shall notify the city of New Bedford in writing of its intention to dispose of either or both of these properties and shall offer to sell, lease for terms up to 99 years including all renewals and extensions or otherwise grant, convey or transfer to the city an interest in either of those properties, or portions thereof, and shall enter into negotiations with the city to sell, lease for terms up to 99 years including all renewals and extensions or otherwise grant, convey or transfer to the city an interest in either of those properties, or portions thereof, if the division receives written notice from the city of an interest in either property or

any portion thereof within ninety days of the date of the city's receipt of the division's written notice.

SECTION 107A. Notwithstanding any special or general law to the contrary, Section 6(l) of Chapter 64 H of the Massachusetts General Laws, as appearing in the 2010 Official Edition, by adding, in line 10, after the term 'suction machines,', the following: 'including physician-prescribed, medically necessary breast pumps,.

SECTION 108. Deleted by amendment.

SECTION 109. Deleted by amendment.

SECTION 110. Deleted by amendment.

SECTION 111. Deleted by amendment.

SECTION 112. Section 37 of said chapter 62C, as so appearing, is hereby amended by striking out, in lines 4-6, inclusive, the words 'three years from the last day for filing the return for such tax, determined without regard to any extension of time' and inserting in place thereof the following words:— 3 years after the date the return was filed or the date it was required to be filed, whichever occurs later.

SECTION 113. Section 112 shall be effective retroactively to all open tax periods as of the effective date this act. This amendment shall not open a tax period that had already closed prior to the amendment's effective date.

SECTION 114. Section 32 of chapter 59 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting the following sentence on line 32, after word, 'duties.':— However, nothing in this section shall prevent a person who submitted that information, or his designated representative, from inspecting or being provided a copy of the submission upon request.

SECTION 114A. Section 52B of chapter 59 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting the following sentence at the end of the paragraph:— Nothing in this section shall prevent a person who submitted that information, or his designated representative, from inspecting or being provided a copy of the submission upon request.

SECTION 114B. Section 60 of chapter 59 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting the following sentence on line 32, after word, 'duties.':— However, nothing in this section shall prevent a person who submitted that information, or his designated representative, from inspecting or being provided a copy of the submission upon request.

SECTION 115. Clause (2) of subsection(o) of section 6 of Chapter 62 is hereby amended by inserting at the end thereof the following:—

Said regulations shall provide that when the Board of Food and Agriculture determines that an error has been made in calculating the trigger price or in reporting or collecting data used in the calculation of the trigger price or the tax credit, the commissioner shall recalculate, with or without amendments, the trigger price or tax credit.

SECTION 116. Subsection (b) of section 38Z of chapter 63 is hereby amended by adding at the end thereof the following:—

Said regulations shall provide that when the Board of Food and Agriculture determines that an error has been made in calculating the trigger price or in reporting or collecting data used in the calculation of the trigger price or the tax credit, the commissioner shall recalculate, with or without amendments, the trigger price or tax credit.

SECTION 117. Section 30 of chapter 64C of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out the fourth paragraph and inserting in place thereof the following paragraph:—

Every such stamper who has complied with the provisions of this chapter and, to the extent applicable, the provisions of section 3A of chapter 64H, and chapter 94F, including the pertinent rules and regulations made thereunder, may withhold and retain from each payment to be made by him for such stamps, as compensation for service rendered in compliance with the aforementioned provisions, the following amounts. The compensation for service rendered, in the case of encrypted cigarette excise stamps purchased and not returned for an abatement shall be, (1) with respect to a roll of 1,200 encrypted stamps, $12 per roll; and (2) in every annual twelve-month period beginning July 1 with respect to a roll of 30,000 encrypted stamps, $600 per roll for the first fifty rolls purchased by a stamper and $200 per roll for each additional roll of 30,000 encrypted stamps purchased in excess of fifty. The compensation for service rendered shall be $1.85 for each 600 non-encrypted cigarette excise adhesive stamps purchased and not returned for an abatement, and a proportionate amount for any fraction thereof.

SECTION 118. Section 117 shall take effect with regard to purchases of stamps on or after January 1, 2012.

SECTION 119. Notwithstanding any general or special law to the contrary, the executive office of administration and finance shall report on fiscal year 2011 expenditures for communication access services including, but not limited to, American Sign Language, Computer Communication Access Realtime translation, and Braille from all agencies in the executive branch. The report shall be submitted to the house and senate ways and means committees on or before December 31, 2011, and shall include the number of people served, month of services and cost per month.

SECTION 120. Section 41 of chapter 161A of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting at the end thereof the following subsection:—
(f) to sell electricity to the divisions within the Massachusetts Department of Transportation.

SECTION 121. Notwithstanding any general or special law to the contrary, the secretary of the Massachusetts Department of Transportation, in consultation with the commissioner of the division of capital asset management, shall study and assess the current market value of real property under the ownership, possession and control of the Massachusetts Department of Transportation, including but not limited to, any land or buildings previously owned by the Massachusetts turnpike authority, and determine whether such assets are surplus to the operation of the Massachusetts Department of Transportation, as defined by section 1 of chapter 6C. The department shall submit the results of the study to the executive office of administration and finance and the house and senate committees on ways and means on or before July 1, 2012.

SECTION 122. Section 2 of Chapter 111N of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking the section.

SECTION 123. Section 7(a) of chapter 236 of the acts of 1988 is hereby amended by adding at the end of the fourth sentence the following:—
; provided, however, that any monies or interest thereon received by the Trust Fund pursuant to section 287 of chapter 110 of the acts of 1993 may be subject to appropriation if a report of the monies received and expenditures funded by such receipts is not filed with the clerks of the House and Senate on or before December 31 of each year.

SECTION 124. Section 114 of chapter 169 of the Acts of 2008 is hereby amended by striking out the number ‘2011’ and inserting in place thereof the following number:— 2016.

SECTION 125. Chapter 111 of the General Laws is hereby amended by striking out section 25I, as appearing in the 2008 Official Edition, and inserting in place thereof the following section:—

Section 25I. The department, in conjunction with the board of registration in pharmacy and the division of medical assistance, shall establish and implement methods to reduce medication waste in facilities licensed by the departments of public health, mental health and corrections. The department shall establish such methods, based on its review, that are determined to be effective in reducing waste without imposing unreasonable costs on the health care delivery system. Such methods may be based on, but not be limited to, the following: (1) current technology, standards and reimbursement mechanisms for dispensing and distributing medications to facilities; (2) other states' requirements for limiting prescription drug waste and any cost savings realized; (3) the commonwealth's standards for the return and re-dispensing of patient-specific schedule VI prescription drugs; and (4) possible incentive mechanisms to prevent the creation of prescription drug waste. The department shall promulgate regulations to implement this section.

SECTION 126. The fifth paragraph of section 70E of said chapter 111, as so appearing, is hereby amended by adding the following subsection:—

(p) to obtain from the facility in charge of the patient's care, upon discharge, any bulk medications that were prescribed for the patient during the patient's stay including, but not limited to, aerosol inhalers, topical products such as creams and powders eye drops, insulins and special order items, provided that any such items are patient specific and personal and would not otherwise be used in the treatment of another patient. Upon discharge from the hospital, these bulk items shall be considered the personal property of the patient and at the prescribing physician's discretion may include in discharge orders that the patient be provided with the specific bulk products that were used in the hospital with use directions. The department shall promulgate regulations to implement this section.

SECTION 127. The department of public health, in consultation with the board of registration in pharmacy shall, as shall provide to the joint committee on health care financing and the joint committee on public health, on or before April 1, 2012 a report and legislative recommendations relative to issues of implementation of the programs established under subsection p of section 70E of chapter 111 and section 25I of chapter 111, including, but not limited to: savings and costs related to the implementation of the programs established and recommendations related to penalties for violations of subsection p of section 70E of chapter 111 and section 25I of chapter 111.

SECTION 128. Notwithstanding any general or special law to the contrary, the department of public health, in consultation with the department of environmental protection, shall make an investigation and study regarding the issue of pharmaceutical drug waste and its effect on the environment in the Commonwealth. The department shall report on the following: (1) the estimated quantity of pharmaceutical drug waste in the Commonwealth; (2) the quantity of such waste that may be recovered prior to disposal; (3) the methods and techniques used in other states or local governments to reduce the amount of pharmaceutical drug waste, and identify model programs used to recover or recycle such waste; and (4) the efforts of pharmaceutical drug industry to mitigate waste through consumer support or take-back programs. The department shall make recommendations, consistent with its report, regarding: (1) the feasibility of expanding a drug recycling program similar to that prescribed in section 25I of chapter 111 to all consumers; (2) the feasibility of adopting similar programs adopted by other states or local governments to reduce drug waste; and (3) the feasibility of the department assisting municipal governments to establish local programs to reduce such waste. The department shall make its report and recommendations together with legislation to implement those recommendations by filing the same with the clerks of the senate and house not later than July 31, 2012.

SECTION 129. Notwithstanding any general or special law or regulation to the contrary, a special commission hereafter referred to as the commission, is hereby established for the purpose of investigating and studying the incidence and impacts in the commonwealth of Lyme disease

and other tick-borne diseases, including but not limited to anaplasmosis, babesiosis, bartonellosis, and ehrlichiosis.

Said study shall include, but not be limited to, a cost-benefit analysis of: (i) conducting a Lyme disease public health clinical screening study in high risk regions; (ii) developing education materials and training resources for detecting signs and symptoms of tick-borne illnesses in school-aged populations, to be used by clinical providers and school health personnel (iii) statewide surveillance and testing for tick-borne diseases in both Ixodes scapularis (black-legged deer tick) and Amblyomma americanum (Lone Star) ticks, and (iv) educating the medical community about research on all aspects of Lyme, both acute and chronic. The commission shall also investigate the availability of grants and federal funds for the study of Lyme disease and other tick-borne diseases to determine if future action is feasible and warranted to support Lyme and tick-borne diseases research in the Commonwealth. (v) The Commission shall review mandatory reporting procedures to promote improved compliance both for CDC-positive and clinically diagnosed cases of Lyme disease and associated tick-borne co-infections.

Said commission shall consist of: 3 members of the Senate, 1 of whom shall be appointed by the Senate Minority Leader; 3 members of the House of Representatives, 1 of whom shall be appointed by the House Minority Leader; the Commissioner of the Department of Public Health or a designee; the Commissioner of the Division of Health Care Finance and Policy or a designee, 3 members of local boards of health from different Lyme endemic areas of the state; the Director of the State Laboratory Institute or a designee; the State Epidemiologist or a designee; and 4 members to be appointed by the Governor, 1 of whom shall be a physician specialized in infectious disease, 1 of whom shall be a professional member of the International Lyme and Associated Diseases Society, and 2 members who shall be considered experts in the treatment or research of Lyme disease. Additionally, there shall be 4 public members, 2 of whom shall be patients or family members of patients; and 2 shall be members of Lyme and other tick-borne diseases organizations representing diverse regions across the state. One patient shall be appointed by the Senate, one patient by the House of Representatives and the 2 members of Lyme & other tick-borne diseases organizations shall be appointed by the Governor.

Said commission shall report to the Senate and House of Representatives the results of its investigation and study, together with drafts of legislation, if any, necessary to carry its recommendations into effect, by filing the same with the clerks of the Senate and House of Representatives, who shall forward the same to the Joint Committee on Public Health and the House and Senate Committees on Ways and Means by April 1, 2012.

SECTION 130. Notwithstanding any general or special law to the contrary, any unexpended and unencumbered balances of appropriations on June 30, 2011 shall be distributed to cities and towns in accordance with the distribution of the balance of the State Lottery Fund, as stipulated

in section 3 of this act; provided however, the distribution authorized herein shall be equal to 50% of the aggregate balances of appropriations on June 30, 2011, or $65,000,000, whichever is less. The distribution authorized in this section shall be executed not later than October 31, 2011.

SECTION 131. Section 2 of chapter 32B of the General Laws is hereby amended by inserting, in line 5, as so appearing, after the word ‘and’ the following words:— joint purchasing groups established pursuant to section 12 of this chapter, and.

SECTION 132. Said section 2 of said chapter 32B of the General Laws is hereby further amended by adding the following definitions:—

‘Health care flexible spending account’, a federally recognized tax exempt health benefit program that allows an employee to set aside a portion of earnings to pay for qualified expenses as established in an employer’s benefit plan.

‘Health reimbursement arrangement’ or ‘HRA’, a federally recognized tax exempt health benefit program funded solely by an employer to reimburse employees for qualified medical expenses.

SECTION 133. Chapter 32B of the General Laws, as so appearing, is hereby amended by adding the following sections:—

Section 21. An appropriate public authority of a political subdivision which has undertaken to provide health insurance coverage to its subscribers by acceptance of any section of this chapter shall conduct an enrollment audit not less than once every 2 years. Said enrollment shall be completed in order to ensure that members are appropriately eligible for coverage.

Section 22. An appropriate public authority of a political subdivision which has undertaken to provide health insurance coverage to its subscribers by acceptance of any section of this chapter shall provide health care flexible spending accounts to allow certain subscribers to set aside a portion of earnings to pay for qualified expenses including, but not limited to, inpatient and outpatient copayments, calendar year deductibles, office visit copayments and prescription drug copayments.

SECTION 134. Section 92 of Chapter 71 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding after subsection (p), the following subsections:—

(q) A school committee operating an Innovation School that is a virtual public school may vote to allow students who do not reside in the district to enroll in said school pursuant to chapter 76, section 12B, provided that such vote and policy is consistent with department of elementary and secondary education regulations governing enrollment at such schools; provided further, that any student so enrolled shall have no right to attend any other school operated by said school committee. Notwithstanding subsection (b), an Innovation School that is a virtual public school may receive each school year from the school committee less than the same per pupil allocation as any other district school receives.

SECTION 135. Section 4F 1/2. There shall be established and set up a separate account, to be known as the Commonwealth Performance, Accountability, and Transparency Trust, in this section called the trust. The secretary of administration and finance shall expend funds in the trust without further appropriation to support the purposes of the office of commonwealth performance, accountability, and transparency, established by paragraph (f) of section 4A. The comptroller shall annually transfer to the trust, from the indirect costs charged under section 5D of chapter 29, an amount determined by the secretary for these purposes, not exceeding $500,000 plus the one-time costs of any technology determined by the secretary.

SECTION 136. Notwithstanding the provisions of any general or special law to the contrary, the department of conservation and recreation may enter into a lease agreement or agreements with the North Randolph Little League for property currently under the care and control of the department, the land adjacent to the existing North Randolph Little League field off High Street near the former Nike Missile site in the town of Randolph. The term of any such lease agreement shall be for not less than 20 years. All costs, fees and expenses relating to the care and maintenance for such property shall be paid by the lessee.

SECTION 137. Section 12 of chapter 11 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentences:
The department of the state auditor shall audit the accounts, programs, activities and functions directly related to the aforementioned accounts of all departments, offices, commissions, institutions, and activities of the commonwealth, including those of districts and authorities created by the general court, and including those of the income tax division of the department of revenue, and for said purpose the authorized officers and employees of said department of the state auditor shall have access to such accounts at reasonable times and said department may require the production of books, documents, vouchers, and other records relating to any matter within the scope of such audit or an audit authorized by section 13, except tax returns. In

determining the audit frequency of a covered entity, the department shall consider the materiality, risk, and complexity of the entity's activities as well as the nature and extent of prior audit findings. Each entity may be audited separately, as a part of a larger organizational entity, or as a part of an audit covering multiple entities; however, in no event will an entity be audited less than once every three years and shall be subject to audit as often as the state auditor determines it necessary.

SECTION 138. Notwithstanding any general law to the contrary, the secretary of the Massachusetts Department of Transportation, in consultation with the commissioner of the division of capital asset management, shall study and assess the current market value of real property under the ownership, possession and control of the Massachusetts Department of Transportation, including but not limited to, any land or buildings previously owned by the Massachusetts turnpike authority, and determine whether such assets are surplus to the operation of the Massachusetts Department of Transportation, as defined by section 1 of chapter 6C.

SECTION 139. A Special Commission shall be established to study and make recommendations concerning functional overlaps and other redundancies among state agencies and opportunities to promote efficiency and accountability in state government. The Commission shall identify ways to eliminate such overlaps and redundancies and make such other recommendations as the commission deems appropriate, with the goal of reducing costs to the state and enhancing the quality and accessibility of state services to the public. The Commission shall consider merging or consolidating state agencies and programs if such action would reduce costs without adversely impacting the quality of services. The Commission shall also seek to identify opportunities to maximize revenues, such as federal grants and matching funds.

SECTION 140. Members of the Commission shall be determined as follows: (1) Three members to be appointed by the Speaker of the House; (2) Two members to be appointed by the House Minority Leader; (3) Three members to be appointed by the Senate President; (4) Two members to be appointed by the Senate Minority Leader; (5) One member to be appointed by the State Auditor; (6) One member to be appointed by the State Treasurer; (7) Five members to be appointed by the Governor. The Commission shall be bipartisan and may include members of the General Court, members of the executive branch, members of the judicial branch, or outside experts. The Speaker of the House and the Senate President shall determine which two members of the Commission will serve as co-chairpersons.

SECTION 141 The Commission may hold hearings and invite testimony from experts and the public. The Commission shall review and identify best practices learned from undertaking similar efforts in other states, such as Connecticut's Commission on Enhancing Agency Outcomes which reported its findings and recommendations in December, 2010.

SECTION 142. The agency head and staff of each state agency under consideration by the Commission shall ensure that any data, information or materials that the Commission requests for purposes of its review and deliberations are provided to the Commission in a timely manner.

SECTION 143. Section 45 of chapter 30 of the General Laws is hereby amended by inserting in subsection (1), after the words "…and legislative branches…", the following:— "…in the state ethics commission…".

SECTION 144. Notwithstanding any general or special law to the contrary, there shall be a commission to study the feasibility of providing home mortgage refinancing assistance to non-delinquent homeowners. The commission shall consist of the following members: the executive director of Massachusetts Housing Finance Agency, who shall serve as chair of the commission; the treasurer of the commonwealth, or his appointee; the senate chair of the joint committee on financial services; the house chair of the joint committee on financial services; a member to be appointed by the house minority leader; a member to be appointed by the senate minority leader; a representative of the Massachusetts credit union league; and a representative of the Massachusetts bankers association. The commission shall conduct a comprehensive review and evaluation of providing refinancing assistance for residents of the Commonwealth who, due in part to a loss of income, a depreciation in the value of their real estate, or the current refinancing exposure criteria as established by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation, are unable to refinance at a lower market interest rate. The commission's study shall include, but may not be limited to, the feasibility of establishing a fund encumbered by the commonwealth to be pledged to the Massachusetts Housing Finance Agency as a mortgage refinance guarantee. The commission shall submit its findings and recommendations, together with drafts of legislation or regulations necessary to carry those recommendations into effect by filing the same with the governor, the clerks of the house of representatives and senate, and the joint committee on financial services, not later than December 31, 2012.

SECTION 145. The definition of 'Regular compensation' in section 1 of chapter 32 of the General Laws, as most recently amended by section 23 of chapter 131 of the acts of 2010, is hereby further amended by striking out the second sentence in the third paragraph and replacing

it with the following new sentence:— After September 1, 2011, faculty, librarians and administrators in public higher education who are eligible for the state employees' retirement system shall not be prohibited from participating in the optional retirement program pursuant to the provisions of chapter 15A section 40.

SECTION 146. Section 40 of chapter 15A of the general laws is hereby amended by inserting in the first sentence of subsection 2(b)(i) after the word 'writing' the following :— , or in another form acceptable to the council,' first sentence of subsection 2(b)(ii) after the word "writing" the following:— ", or in another form acceptable to the council," Said section 40 is hereby further amended by inserting in the first sentence of subsection 2(b)(iii) after the word "writing" the following:— ", or in another form acceptable to the council,".

SECTION 147. Clause Eighteenth of section 7 of chapter 4 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out, in lines 87-92, the words 'Legal holiday' shall also include, with respect to Suffolk county only, March seventeenth and June seventeenth, or the day following when said days occur on Sunday; provided, however, that the words 'legal holiday' as used in section forty-five of chapter one hundred and forty-nine shall not include March seventeenth, or the day following when said day occurs on Sunday" and inserting in place thereof the following words:— 'Legal holiday' shall also include, with respect to Suffolk county only, Evacuation Day, on March seventeenth, and Bunker Hill Day, on June seventeenth, or the day following when said days occur on Sunday; provided, however, that all state and municipal agencies, authorities, quasi-public entities or other offices located in Suffolk county shall be open for business and appropriately staffed on Evacuation Day, on March seventeenth, and Bunker Hill Day, on June seventeenth, and that section forty-five of chapter one hundred and forty-nine shall not apply to Evacuation Day, on March seventeenth, and Bunker Hill Day, on June seventeenth, or the day following when said days occur on Sunday.

SECTION 148. M.G.L. Ch. 18C, sec 6, line 3 is amended and clarified in line 3 by striking after the word 'and' the word 'relevant' and replacing it with the following:— unrestricted access to all electronic information systems.

SECTION 149. Section 27C of chapter 261 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding the following subsection:—

(6) If the court makes a finding that the applicant could reasonably pay part of the normal fees and costs or extra fees and costs, the court may assess a reasonable partial payment towards said

fees or costs and a date by which same is to be paid by the applicant. The court shall not order partial payment without first holding a hearing thereon, and if there is an appeal pursuant to section 27D following such an order, the court shall, within 3 days, set forth its written findings and reasons justifying the order of partial payment, which document shall be part of the record on appeal.

SECTION 150. Chapter 262 of the General Laws , as appearing in the 2008 Official Edition, is hereby amended by inserting at the end thereof the following section:—
Section 65. For all fees, fines, costs, assessments and other monies collected by any department of the trial court and payable to the commonwealth under this chapter, the trial court may accept payment by credit card.

SECTION 151. Section 128 of Chapter 27 of the Acts of 2009 is hereby amended by striking subsection (a) and inserting the following new subsection in place thereof:—

(a) Notwithstanding any general or special law to the contrary, any successor agreement to the current collective bargaining agreement for employees of the state police executed by the Commonwealth, acting by and through the secretary of administration and finance, and the State Police Association of Massachusetts shall not include benefits for any regular full-time member of the state police hired on or after July 1, 2009 pursuant to the career incentive pay program established pursuant to section 108L of chapter 41 of the General Laws. Nothing in this section shall preclude regular full-time members of the state police otherwise eligible for participation in the career incentive pay program established pursuant to said section 108L of said chapter 41 from participating in the program. Any new educational career incentive benefit agreed to by the State Police Association of Massachusetts and the Commonwealth for regular full-time members of the state police hired on or after July 1, 2009 shall be subject to appropriation.

SECTION 151A. Section 128 of chapter 27 of the acts of 2009 is hereby amended by striking out subsection (c).

SECTION 151B. There shall be established a commission to investigate and report on current funding levels and municipal contractual obligations established by section 108L of chapter 41, known as the police career incentive pay program. The commission shall be composed of 7 members, 1 appointed by the speaker of the house of representatives, 1 appointed by the senate president, 1 appointed by the minority leader of the house of representatives, 1 appointed by the minority leader of the senate, the secretary of the executive office public safety and security, a representative from the Massachusetts chiefs of police association and a representative from the Massachusetts municipal association. The commission shall file a report with its findings and any legislative recommendations with the house and senate clerks on or before April 30, 2012.

SECTION 152. Notwithstanding clause (xxiii) of the third paragraph of section 9 of chapter 211B of the General Laws or any other general or special law to the contrary, the chief justice for administration and management may, from the effective date of this act through April 30, 2012,

transfer funds from any item of appropriation within the trial court, except items 0339-1001 and 0339-1003, to any other item of appropriation within the trial court, except items 0339-1001 and 0339-1003. These transfers shall be made in accordance with schedules submitted to the house and senate committees on ways and means. The schedule shall include the following: (1) the amount of money transferred from any item of appropriation to another; (2) the reason for the necessity of the transfer; and (3) the date on which the transfer is to be completed. A transfer under this section shall not occur until 10 days after the revised funding schedules have been submitted in written form to the house and senate committees on ways and means.

SECTION 153. Section 15lll of Chapter 6 of the General Laws, as appearing in the Official 2010 Edition, is hereby amended by striking the word “October” and inserting in place thereof the following word:— May.

SECTION 154. Section 7A of chapter 271 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended, by inserting at line 36, after the word ‘bazaar’, the following:— , except that the sponsoring organization may retain, at a reasonable fee, non-members to assist in the operation of such raffle or bazaar, including providing paid dealers and game supervisors to insure that the rules of the game are properly administered and complied with, so long as only qualified members of the sponsoring organization handle the funds collected and disbursed at the raffle or bazaar.

SECTION 155. Section 1 of chapter 176O of the General laws, as appearing in the 2008 Official Edition, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:— Unless otherwise noted, the term “carrier” shall not include any entity to the extent it offers a policy, certificate or contract that does not qualify as creditable coverage as defined in section 1 of chapter 111M.

Section 21(b)(1) of chapter 176O of the General Laws, as amended by Section 40 of chapter 288 of the Acts of 2010, is hereby amended by striking out the words ‘provided, however, that “carrier” shall include an entity that offers a policy, certificate or contract that provides coverage solely for dental care services or visions care services’ and inserting in place thereof the following words:— provided, however, that “carrier” shall not include any entity to the extent it offers a policy, certificate or contract that does not qualify as creditable coverage as defined in section 1 of chapter 111M.

SECTION 156. Section 16, Chapter 6A of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting the following paragraph:—

The secretary of the Executive Office of Administration & Finance Services shall develop standards to identify, earmark and recruit with intent to hire qualified applicants with disabilities; said standard shall apply to all vendors providing direct services under multiyear contracts or grants funded by agencies with the Secretariat; Standards shall include a commitment toward hiring people with disabilities, training all employees involved in hiring decision on the requirements of the Americans with Disabilities Act, and annual reporting on progress toward achieving employment goals.

SECTION 157. Section 222 of chapter 111, as so appearing, is hereby further amended by adding at the end thereof the following:— The provisions of subsections (a) and (b) shall become effective sixty days after the promulgation of regulations by the Department of Public Health.

SECTION 158. There may be no less than 3 dental chairs for persons with disabilities at the proposed mental health facility situated in Worcester.

SECTION 159. Notwithstanding the division of health care finance and policy shall, within eight months of the passage of this act, develop regulations to ensure the following: i) that Medicare-like claims editing is fully and effectively implemented and used to determine reimbursements from the Health Safety Net Trust Fund; and ii) that claims editing is effectively used to reduce the occurrence of payments for medically unnecessary services, medically unlikely events, and duplicate services.

SECTION 160. Notwithstanding the office of Medicaid shall, within eight months of the passage of this act, develop regulations to ensure that incentives or regulations are implemented to increase competition among MassHealth managed care organizations, reduce the size of some provider networks offered by managed care organizations, and/or to reduce cost of managed care organizations.

SECTION 161. Notwithstanding any general or special law to the contrary, in hospital fiscal year 2012, the office of the inspector general may expend funds from the Health Safety Net Trust Fund, established by section 36 of chapter 118G of the General Laws, for the costs associated

with conducting an audit of the Commonwealth's Medicaid program. The inspector general may examine the practices utilized in all hospitals including, but not limited to, the care of the insured receiving health care services reimbursed pursuant to the Commonwealth's Medicaid system. The inspector general shall submit a report to the house and senate committees on ways and means containing the findings of any audits so conducted and any other completed analyses not later than April 1, 2012. For the purposes of such audits, health care services shall be defined pursuant to said chapter 118G and any regulations adopted there under.

SECTION 162. Section 3 of chapter 175H of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting at the end thereof the following two paragraphs:—

This section shall not apply to a discount, rebate, free product voucher or other reduction in out of pocket expenses, including but not limited to co-payments and deductibles on a prescription drug, biologic or vaccine provided by a pharmaceutical manufacturing company, as defined in section 1 of chapter 111N, that is made available to an individual, if such is provided directly or electronically to the individual or through a so-called 'point of sale' or "mail-in" rebate, or through similar means; provided however, that a pharmaceutical manufacturing company shall neither exclude nor favor any individual pharmacy or restricted network of pharmacies in the design of such discount, rebate, free product voucher or other expense reduction offer to an individual; provided further, that this section does not negate the need for a written prescription as otherwise required by law, nor is it intended to constrain a carrier or a health maintenance organization, as defined in chapter 118G, with regard to how its plan design will treat such discounts, rebates, free product voucher or other reduction in out of pocket expenses, including but not limited to co-payments and deductibles.

For purposes of the Federal Health Insurance Portability and Accountability Act of 1996 and regulations issued there under, nothing in this section shall be deemed to require or allow the use or disclosure of health information in any manner that does not otherwise comply with such Act or such regulations.

SECTION 163. Subsection (d) of section 6 of chapter 176J of the General Laws, as inserted by section 29 of chapter 288 of the acts of 2010 is hereby amended by adding the following sentence: The commissioner shall have discretion to apply waivers to the presumptive disapproval process requirements under section 6 to carriers who receive 80% or more of its income from government programs.

SECTION 164. Subsection (a) of section 11 of chapter 176J of the General Laws, as inserted by section 32 of chapter 288 of the acts of 2010 is hereby amended by adding the following sentence: The commissioner shall have discretion to apply waivers to the 12% requirement under section 11 to carriers who receive 80% or more of its income from government programs.

SECTION 165. Subsection (a) of section 33 of chapter 288 of the acts of 2010is hereby amended by adding the following sentence: The commissioner shall have discretion to apply waivers to the 12% requirement under section 33 to carriers who receive 80% or more of its income from government programs.

SECTION 166. Subsection (e)(3) of section 9D of Chapter 118E of the General Laws is hereby amended by inserting after said subsection the following paragraph:—

Notwithstanding any provision of law to the contrary, the executive office of health and human services shall direct MassHealth to provide each beneficiary age 65 and over with an annual notice of the options for enrolling in voluntary programs including Program of All Inclusive Care for the Elderly (PACE) plans, Senior Care Options (SCO) plans, Frail Elder Home and Community Based Waiver Program or any other voluntary elected benefit to which they are entitled to supplement or replace their MassHealth benefits. Provided that MassHealth receives approval from the Centers for Medicare and Medicaid Services, MassHealth shall arrange that such annual notice include the names and contact information for the program providers, general contact information for MassHealth and a general description of the benefits of joining particular programs in clear and simple language and method to request for the same information in a language other than English. Such notice shall include a method for the beneficiary to indicate interest in receiving additional information for any programs identified as of interest to them. A draft of the proposed language and format for providing information to beneficiaries will be circulated to the providers contracted to provide each of these programs for review and comment prior to finalization. In addition, the division will work with the program providers and other appropriate stakeholders to assess whether and to what extent barriers to program enrollment shall be alleviated through modifications to the program and or the enrollment process. The executive office of health and human services shall establish rules and regulations on or before December 31, 2011.

SECTION 167. Notwithstanding the provisions of any general or special law to the contrary, the division of medical assistance and the division of health care finance and policy shall make no changes prior to December 31, 2011 in the clinical eligibility or level of reimbursement paid to providers of adult day health services for basic and complex levels of care.

The executive office of health and human services is further directed to implement a temporary moratorium effective with the passage of this legislation on the acceptance and approval of applications for (i) enrollment of new adult day health providers and (ii) expansion of the certified capacity of already approved adult day health providers as provided in 130 C.M.R. 404.400 et seq. This moratorium shall not apply to Programs of All-Inclusive Care for the Elderly (PACE) as established in 42 US Code Section 1894.

Such moratorium shall remain in effect until such time as the Secretary of Health and Human Services and the Secretary of Elder Affairs jointly complete a comprehensive study in consultation with representatives of House and Senate Ways and Means Committee, the Joint Committee on Elder Affairs and the Joint Committee on Health Care Financing as well as the Massachusetts Adult Day Services Association and other interested parties. The study shall make recommendations regarding licensure and other means to ensure an appropriate level of high quality adult day health care. In addition the study shall make recommendations updating the basis for the current rate structure by developing a model for imputing actual costs into the rate structure and the overall financing structure of Adult Day Services. In addition the study shall asses the current manner of categorizing clients as basic or complex. The study shall also assess the commonwealth's current and future adult day health services needs and recommend needed changes these needs require.

The final study and recommendations shall be reported to the House and Senate committees on ways & means, the joint committee on elder affairs and the joint committee on health care financing no later than December 31, 2011. If that date is not met, the moratorium shall stay in effect until 90 days after the report is submitted.

The division of medical assistance and the division of health care finance and policy shall take immediate steps, on the enactment of this legislation, to terminate reimbursement for the Health Promotion and Prevention level of care pursuant to a transition plan developed by the division of medical assistance for affected members.

Notwithstanding the provision of any general or special law to the contrary, the division of health care financing and policy and the division of medical assistance shall collect any outstanding cost reports from adult day health programs and shall review said cost reports and take any action as required or allowed by 114 C.M.R. 10.04.

SECTION 168. Notwithstanding any general or special law to the contrary, in fiscal years 2012, the division of health care finance and policy shall allocate $1,000,000 from the Health Safety Net Trust Fund for a Fishing Partnership Health Plan Corporation demonstration project under subsection (d) of section 18 of chapter 118G of the General Laws; provided, however, that all current members in the Fishing Partnership Health Plan shall make every effort to enroll in other health insurance programs including but not limited to Commonwealth Care Choice,

Commonwealth Care, and MassHealth; and provided further this funding shall be made available to individuals that prove ineligible for all other insurance products available in the Commonwealth.

SECTION 169. (a) Notwithstanding any general or special law to the contrary and except as provided in subsection (b), an eligible individual pursuant to section 3 of chapter 118H of the General Laws shall not include a person who is not eligible to receive federally-funded benefits under sections 401, 402 or 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, as amended, for fiscal year 2012.

(b) Notwithstanding any general or special law to the contrary, the secretary of administration and finance, the secretary of health and human services and the executive director of the health insurance connector authority may, in their discretion and subject only to the terms and conditions in this subsection, establish or designate a health insurance plan in which a person who is not eligible to receive federally-funded benefits under said sections 401, 402 or 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, as amended, but who is an eligible individual pursuant to said section 3 of said chapter 118H may enroll for the period including July 1, 2011 to December 31, 2011, inclusive, provided however, that only those persons that enrolled in the health insurance plan established pursuant to section 31 of chapter 65 if the acts of 2009 shall be eligible to enroll in the plan authorized by this section.

The plan may be contracted for selectively from the health plans that contracted in fiscal year 2011 to provide insurance coverage to commonwealth care or MassHealth enrollees. Notwithstanding any general or special law to the contrary, the secretary of administration and finance, the secretary of health and human services and the executive director of the commonwealth health insurance connector authority may, in their discretion and subject only to the terms and conditions in this subsection, make payments from the Commonwealth Care Trust Fund established in section 2OOO of chapter 29 of the General Laws to operate the plan using resources in the trust fund, provided these payments from the said fund shall include savings from the procurement of the Commonwealth Care, increased cigarette tax revenue and any surpluses from the Commonwealth Care Trust Fund. Total state expenditures for providing coverage to all such persons, net of enrollee contributions and any federal financial participation, shall not exceed $25,000,000 for the year 2012. Total state expenditures for providing coverage to all such persons, net of enrollee contributions and any federal financial participation, shall not exceed resources available in the trust fund not required to fund coverage of commonwealth care; provided that this shall not result in a reduction of services to commonwealth care enrollees. To the extent that additional federal financial participation becomes available for paying the costs of such coverage, the secretary of administration and finance may direct the comptroller to make such amounts available from the General Fund for the purpose of paying for

the costs of such coverage. If the secretary of administration and finance, the secretary of health and human services and the executive director of the commonwealth health insurance connector authority determine that the projected costs of enrolling eligible individuals in such coverage in fiscal year 2012 will exceed funds in the trust fund that are available for this program, they may limit enrollment in such coverage. If the secretary of administration and finance, the secretary of health and human services and the executive director of the commonwealth health insurance connector authority are unable to establish, reauthorize or designate a health insurance plan under this section, the secretary of administration and finance may direct the comptroller to transfer up to $20,000,000 from the Commonwealth Care Trust Fund to the Health Safety Net Trust Fund for the cost of health care services.

SECTION 170. A local board of health in a city or town with a population of more than 150,000 residents may not prohibit smoking bars licensed to operate as of January 1, 2011, as long as they continue to comply with applicable state and local laws in effect as of January 1, 2011.

SECTION 171. Section 188 of chapter 149 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting, in line 14, after the word ‘individual’ the following words:— , who is a resident of the Commonwealth of Massachusetts,.

SECTION 172. Section 6 of Chapter 176J, as amended by Section 29 of Chapter 288 of the Acts of 2010 is hereby amended by striking subsection (c) in its entirety and replacing it with the following new language:—

(c) Notwithstanding any general or special law to the contrary, the commissioner may require carriers offering small group health insurance plans, including carriers licensed under chapters 175, 176A, 176B or 176G, to file all changes to small group product base rates and to small group rating factors at least 90 days before their proposed effective date. The commissioner shall disapprove any proposed changes to base rates that are excessive, inadequate or unreasonable in relation to the benefits charged. The commissioner shall disapprove any change to small group rating factors that is discriminatory or not actuarially sound. The determination of the commissioner shall be supported by sound actuarial assumptions and methods, which shall be provided in writing to the carrier. Rate filing materials submitted for review by the division shall be deemed confidential and exempt from the definition of public records in clause Twenty-sixth of section 7 of chapter 4. The commissioner shall adopt regulations to carry out this section.

Section 6 of Chapter 176J, as amended by Section 29 of Chapter 288 of the Acts of 2010 is further amended by striking subsection (f) in its entirety and replacing it with the following new language:—

(f) If the commissioner disapproves the rate submitted by a carrier the commissioner shall notify the carrier in writing no later than 60 days prior to the proposed effective date of the carrier's rate. If the commissioner fails to issue a written decision 60 prior to the proposed effective date of the rate, the carrier's proposed base rates shall be deemed approved. If the carrier's proposed based rate has been disapproved, the carrier may submit a request for hearing with the division of insurance within 10 days of such notice of disapproval. The division must schedule a hearing within 10 days of receipt. The commissioner shall issue a written decision within 30 days after the conclusion of the hearing.

SECTION 173. Section 139 of chapter 164 of the General Laws is hereby amended by striking subsection (f) and inserting in place thereof, the following:—

(f) The aggregate net metering capacity of facilities that are not net metering facilities of a municipality or other governmental entity or an agricultural entity shall not exceed 1 per cent of the distribution company's peak load. The aggregate net metering capacity of net metering facilities of a municipality or other governmental entity shall not exceed 2 per cent of the distribution company's peak load. The maximum amount of generating capacity eligible for net metering by a municipality or other governmental entity shall be 10 megawatts. The aggregate net metering capacity of net metering facilities of an agricultural entity shall not exceed 1 per cent of the distribution company's peak load. The maximum amount of generating capacity eligible for net metering by an agricultural entity shall be 5 megawatts. For the purpose of calculating the aggregate capacity, the capacity of a solar net metering facility shall be 80 per cent of the facility's direct current rating at standard test conditions and the capacity of a wind net metering facility shall be the nameplate rating.

SECTION 174. The executive office of public safety and security shall evaluate and report on the current status of the Senator Charles E. Shannon Community Safety Initiative. The report shall include, but not be limited to, an assessment of the current disbursement process of funds and the feasibility of prioritizing community-based organizations in addition to precluding such funds from being used for police overtime. The executive office of public safety and security shall file said report with the joint committee on public safety along with any necessary recommendations on or before December 31, 2011.

SECTION 175. Section 33B of chapter 119 of the General Laws, as so appearing, is hereby amended by adding at the end thereof, the following:—
All state agencies that use the Assessment for Safe and Appropriate Placement (ASAP) instrument shall 1) consult with relevant experts to revise the assessment instrument based on evidence-based practice; 2) create a process for keeping the instrument current with evolving best practice standards; and, 3) ensure that all relevant staff are informed about the ASAP and have appropriate training in how to make referrals and incorporate ASAP results into their case management and treatment planning. The Massachusetts Adolescent Sex Offender Coalition (MASOC) shall provide training staff in partnership with the department on the revised and updated ASAP Referral Form.

SECTION 176. (a) Notwithstanding any general or special law to the contrary, the MassHealth program within the executive office of health and human services shall: (i) continue to implement the state option provided by section 1902(ee) of the Social Security Act, 42 U.S.C. section 1396a(ee), to verify the citizenship or nationality of individuals declaring to be United States citizens or nationals; and (ii) register for the federal Systematic Alien Verification for Entitlements, or SAVE system, to verify the immigration status of applicants presenting an alien admission number or alien file number.

Consistent with federal and state law and notwithstanding (a)(ii) of this section, the registration of the MassHealth program for the SAVE system may be incorporated into a system for the executive office of health and human services and all agencies organized therein, to determine common eligibility standards for applicants, provided that such system shall include registration for the SAVE system. Nothing in this section shall be construed to prevent the development of a system of common eligibility standards that includes additional agencies outside the executive office of health and human services, provided that such system shall include registration for the SAVE system.

(b) Annually, on or before February 1, or as further developments warrant, the executive office of health and human services or the executive office of administration and finance shall report to the senate and house committees on ways and means the status of efforts to implement a system to determine common eligibility standards for applicants.

(c) Annually, on or before February 1, the executive office of health and human services shall report to the senate and house committees on ways and means and the executive office for administration and finance the amount of money recovered from recipients, providers or other vendors who fraudulently received benefits or payments under chapter 118E of the General Laws.

SECTION 177. Notwithstanding any general or special law to the contrary, to prevent fraud and misuse of public assistance benefits, the department of transitional assistance shall continue to:

(1) consistent with federal and state law, require all applicants for benefits to declare in writing under penalty of perjury whether the individual is a citizen of the United States and if not whether the individual meets applicable immigration status requirements; provided, however, that noncitizens shall be required to provide documentation from the United States Department of Homeland Security or such other documents as the department determines constitutes reasonable evidence of required immigration status; provided further, that consistent with federal and state law, the state shall provide a reasonable opportunity to submit evidence of required immigration status and will not delay, deny, reduce or terminate benefits on the basis of immigration status until such verification is provided; provided further, that the department of transitional assistance shall use the federal Systematic Alien Verification for Entitlements or SAVE system to verify the immigration status of any noncitizen whose documentation includes an alien registration number to determine whether the individual meets noncitizen requirements for benefit eligibility purposes and shall verify the social security number of each individual seeking benefits, citizens as well as noncitizens, in accordance with procedures established by the Social Security Administration;
(2) implement data matching with the department of revenue, the department of children and families, the division of unemployment assistance and any other relevant state agencies to verify financial and categorical eligibility criteria;
(3) cooperate fully with the food and nutrition service of the United States Department of Agriculture in pursuing and prosecuting vendor fraud;
(4) refer all credible reports of fraud received from its fraud hotline or any other source to the bureau of special investigations for investigation in accordance with protocols for prioritizing cases;
(5) pursue, to the fullest extent possible, consistent with protocols for prioritizing cases, administrative disqualification penalties for instances of Supplemental Nutrition Assistance Program and cash assistance fraud; and
(6) report annually to the senate and house committees on ways and means and the executive office for administration and finance the amount of money recovered by the department from those who received benefits fraudulently and the number of recipients who were issued partial or lifetime disqualifications.

SECTION 178. Consistent with federal and state law, and to prevent fraud and misuse of unemployment benefits, the division of unemployment assistance shall continue to:

(1) maintain interagency agreements with the United States Social Security Administration and the United States Citizenship and Immigration Service within the Department of Homeland Security to utilize a primary verification system to determine citizenship or work authorization at the time of new claim filings through the SAVE system;

(2) require noncitizen claimants to provide their alien registration number; provided, however, that the division of unemployment assistance shall verify claimant information and alien registration number with the United States Citizenship and Immigration Service within the Department of Homeland Security;
(3) require noncitizen claimants who cannot provide an alien registration number during the new claim process to send copies of any official documents they have that authorize them to work in the United States to the division of unemployment assistance;
(4) institute a secondary verification process for claims for which a non-citizen does not have an alien registration number or if primary verification does not establish satisfactory status, using division staff to review the documents and transmit pertinent information from the documents for verification with the United States Citizenship and Immigration Service within the Department of Homeland Security;
(5) flag expiration dates of work authorizations or in the unemployment insurance system if such dates exist; and
(6) report annually to the senate and house committees on ways and means and the executive office for administration and finance the amount of money recovered by the division of unemployment assistance from those who received benefits fraudulently as well as the numbers of recipients who were issued disqualifications.

SECTION 179. (a) Notwithstanding any general or special law to the contrary, an applicant for the MassGrant program administered by the department of higher education office of grant assistance shall complete the Free Application for Federal Student Aid or other federal student loan program that verifies both financial and citizenship eligibility.

(b) The secretary of education shall continue to report annually to the senate and house committees on ways and means and the executive office for administration and finance the amount of money recovered by the department of education from those who received assistance fraudulently and the number of recipients who were issued partial or lifetime disqualifications.

SECTION 180. (a)(1) Notwithstanding any general or special law to the contrary, the department of housing and economic development shall continue to direct local housing authorities to:

(i) require an applicant to provide the local housing authority with access to reliable and reasonably obtainable documentation verifying the accuracy of information provided by an applicant on an application form or otherwise necessary at the time of determining final eligibility and qualification; provided, however, that income of applicants shall be verified by the procedure set forth in paragraph (2); provided further, that if the local housing authority has verified any information when making a preliminary determination of eligibility for the applicant, the local housing authority

shall reverify that information on its final determination of eligibility and qualification; and provided further, that nonreceipt of requested documentation, without good cause established by the applicant, shall be cause for determining that the applicant is unqualified;

(ii) require an applicant to provide the names and current addresses of all landlords or housing providers for the applicant and the applicant's household members during the 5 years immediately preceding the application to the date of the final determination; provided, however, that if after request the local housing authority has failed to receive a reference from a landlord or a housing provider, it shall notify the applicant of nonreceipt and the local housing authority shall request that the applicant use his best efforts to cause his landlord or housing provider to submit the reference to the local housing authority; provided further, that in the event that the applicant uses his best efforts but is unsuccessful, the applicant shall cooperate with the local housing authority in securing information from other sources relative to the tenancy; and provided further, that nonreceipt of a reference from a landlord or housing provider shall be cause for determining an applicant unqualified unless the applicant can show that he has used best efforts to secure the reference and that he has complied with reasonable requests for cooperation in securing other information;

(iii) obtain criminal offender record information for each applicant and, if necessary, check public records, credit reports, other sources of public information and other reliable sources; provided, however, that the local housing authority may conduct a home visit, which shall be scheduled reasonably in advance; and provided further, that observations by the person making such a visit shall be promptly reduced to writing and placed in the applicant's file; and

(iv) obtain information regarding eligibility or qualification from interviews with the applicant and with others from telephone conversations, letters or other documents and from other oral or written materials; provided, however, that all such information received shall be recorded in the applicant's file, including the date of its receipt, the identity of the source and the person receiving the information.

(2) The local housing authority shall assess financial eligibility by reviewing the applicant's net household income. In reviewing the applicant's financial status, the local housing authority shall assess net household income pursuant to regulations and guidelines promulgated by the department of housing and community development.

(b) The secretary of housing and economic development shall report annually to the senate and house committees on ways and means and the executive office for administration and finance the amount of money recovered by the department from those who received assistance fraudulently and the number of recipients who were issued partial or lifetime disqualifications.

SECTION 181. (a)Notwithstanding any general or special law to the contrary, the house and senate committees on post audit and oversight shall conduct a joint hearing during each session of the General Court to consider the operation of, and compliance with, citizenship verification measures for the receipt of public assistance benefits. The committees may invite the secretaries of health and human services, administration and finance, education, labor and workforce development and housing and economic development, and any other relevant agency representative, to testify as to the agency's activity, including, but not limited to, (1) compliance with the federal Systematic Alien Verification for Entitlements, or SAVE system; (2) development of a system of common eligibility standards; (3) prevention of fraud and misuse of public benefits, including the amount of money recovered from those who received benefits fraudulently and the number of recipients who were issued disqualifications; (5) the status of interagency agreements; (6) and areas of difficulty in enforcing citizenship verification measures, including the net cost of such measures. The committee shall inform the membership of the General Court of the findings of the hearing by filing a report with the clerks of the house and senate.

(b)Notwithstanding any general or special law to the contrary, the house and senate committees on post audit and oversight shall, on or before July 31, 2011, conduct a joint hearing to consider the Commonwealth's participation in the Secure Communities program, as established by the U.S. Department of Homeland Security Immigration and Customs Enforcement. The committees shall invite testimony from the attorney general; the secretaries of administration and finance, public safety and security, and health and human services; the chief information officer of the Commonwealth; the director of the office for refugees and immigrants; the director of the division of local mandates within the office of the auditor; representatives of the Massachusetts Sherriff's Association; Massachusetts District Attorney's Association; the Massachusetts Office for Victim Assistance and other individuals or organizations with expertise in the administration of federal policies related to immigration, public safety and civil rights. The committees shall evaluate the potential impact on state and local governments of participation in the Secure Communities program on (1) costs associated with participation in the program, including but not limited to, potential costs related to personnel, equipment, training, detention, and community education (2) administration and functioning of the law enforcement and criminal justice systems (3) outreach and communications strategies between law enforcement and local communities (4) access to public services for impacted populations, including but not limited to, children, victims of domestic and sexual violence, seniors and persons with disabilities. The committees shall inform the membership of the General

Court of the findings of the hearing by filing a report with the clerks of the house and senate no later than August 31, 2011.

SECTION 182. Sections 64, 65 and 66 of chapter 131 of the acts of 2010 are hereby repealed.

SECTION 183. Section 4 shall take effect on May 4, 2012.

SECTION 184. Section 78 is hereby repealed.

SECTION 185. Section 109 shall take effect on July 1, 2012.

SECTION 186. Except as otherwise specified, this act shall take effect on July 1, 2011.