

HOUSE No. 4324

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 25, 2012.

The committee on Ways and Means, to whom was referred the message from His Excellency the Governor making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (printed in House, No. 4285), reports, in part, a Bill (House, No. 4324) [Total Appropriations: \$42,217,015].

For the committee,

BRIAN S. DEMPSEY.

HOUSE No. 4324

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

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

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

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

1 SECTION 1. To provide for supplementing certain items in the general appropriation act and other
2 appropriation acts for fiscal year 2012, the sums set forth in section 2 are hereby appropriated from the
3 General Fund unless specifically designated otherwise in this act or in those appropriation acts, for the
4 several purposes and subject to the conditions specified in this act or in those appropriation acts, and
5 subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2012.
6 These sums shall be in addition to any amounts previously appropriated and made available for the
7 purposes of those items.

8 SECTION 2.

9 DISTRICT ATTORNEYS

10 *Worcester District Attorney*

11 0340-0400 \$319,972

12		<i>Berkshire District Attorney</i>	
13	0340-1100	.....	\$96,895
14		TRANSPORTATION	
15		<i>Department of Transportation</i>	
16	1595-6368	.....	\$100,000
17		EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE	
18		<i>Office of the Secretary of Administration and Finance</i>	
19	1599-0026	.....	\$50,000
20	1599-2013	.....	\$1,100,000
21		EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS	
22		<i>Department of Conservation and Recreation</i>	
23	2800-0700	.....	\$350,000
24		EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES	
25		<i>Office of the Secretary of Health and Human Services</i>	
26	4000-0700	.....	\$11,042,350
27		OFFICE OF DISABILITIES AND COMMUNITY SERVICE	
28		<i>Massachusetts Commission for the Blind</i>	
29	4110-3010	.....	\$300,000
30		OFFICE OF CHILDREN, YOUTH AND FAMILY SERVICES	
31		<i>Department of Public Health</i>	
32	4590-0250	.....	\$200,000
33		<i>Department of Children and Families</i>	
34	4800-0041	.....	\$1,400,000
35		EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT	
36		<i>Department of Housing and Community Development</i>	
37	7004-0099	.....	\$20,000
38			
39		EXECUTIVE OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY	
40		<i>Military Division</i>	
41	8700-0001	.....	\$300,000
42		<i>Essex Sheriff's Office</i>	
43	8910-0619	.....	\$375,000
44	SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an		
45	alteration of purpose for current appropriations, and to meet certain requirements of law, the sums set		

46 forth in this section are hereby appropriated from the General Fund unless specifically designated
47 otherwise in this section, for the several purposes and subject to the conditions specified in this section,
48 and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30,
49 2012. These sums shall be in addition to any amounts previously appropriated and made available for the
50 purposes of those items.

51 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

52 *Office of the Secretary of Administration and Finance*

53 1599-4420..For a reserve to meet the fiscal year 2012 costs of salary adjustments and other
54 economic benefits authorized by the collective bargaining agreement between the
55 Board of Higher Education and the Massachusetts Teachers Association/National
56 Education Association Associated Professional Administrators (Unit APA) \$451,853

57 1599-1366.. For services and costs associated with the repairs of Mill Pond Dam in Rockport
58 associated with damage sustained through federally declared storm 1642
59\$350,000

60 1599-1710.. For a reserve for the state share of costs to certain municipalities relating to the
61 October 2011 snowstorm; provided, that the comptroller shall transfer funds made
62 available in this item to municipalities for this purpose upon the written request of the
63 secretary of administration and finance
64\$8,422,689

65 1599-1711.. For a reserve for the state share of costs to certain municipalities relating to Tropical
66 Storm Irene in August 2011; provided, that the comptroller shall transfer funds made
67 available in this item to municipalities for this purpose upon the written request of the
68 secretary of administration and finance
69\$7,088,256

70 1599-4380..For a reserve to support information technology requirements and improve
71 information technology infrastructure at state agencies and departments;
72 provided, that the secretary of administration and finance, in consultation with
73 the chief information officer of the commonwealth, may transfer amounts from
74 this account to items 1100-1700, 2000-1700, 4000-1700, and 8000-
75 1700.....\$10,000,000

76 EXECUTIVE OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY

77 *Department of Public Safety*

78 8315-1023.. The department of public safety may expend an amount not to exceed \$250,000 for
79 the purposes of addressing compliance with sections 53 and 84 of chapter 146 of the

80 General Laws, especially compliance with hoisting, pipefitting, refrigeration, and
 81 sprinkler fitter laws; provided, that funds shall be expensed solely for hiring
 82 additional engineering inspector or engineers pursuant to this item; and provided
 83 further, the department of public safety shall grant or deny permit applications and
 84 authorize related inspections related to permit requests to perform pipefitting in
 85 buildings owned, used, or leased by the commonwealth pursuant to section 21 of
 86 chapter 142 of the General
 87 Laws.....\$250,000

88 SECTION 2C.I. For the purpose of making available in fiscal year 2012 balances of appropriations
 89 which otherwise would revert on June 30, 2012, the unexpended balances of the maintenance
 90 appropriations listed below, not to exceed the amount specified below for each item, are hereby re-
 91 appropriated for the purposes of and subject to the conditions stated for the corresponding item in section
 92 2 of the general appropriation act for fiscal year 2012. However, for items which do not appear in section
 93 2 of the general appropriation act, the amounts in this section are re-appropriated for the purposes of and
 94 subject to the conditions stated for the corresponding item in section 2 or 2A of this act or in prior
 95 appropriation acts. Amounts in this section are re-appropriated from the fund or funds designated for the
 96 corresponding item in section 2 of the general appropriation act; provided, however, that for items which
 97 do not appear in section 2 of the general appropriation act, the amounts in this section are re-appropriated
 98 from the fund or funds designated for the corresponding item in section 2 or 2A of this act or in prior
 99 appropriation acts. The sums re-appropriated in this section shall be in addition to any amounts available
 100 for said purposes.

101 JUDICIARY

102 *Committee for Public Counsel Services*

103 0321-1500 \$5,000,000

104 DISTRICT ATTORNEYS

105 *Worcester District Attorney*

106 0340-0400 \$319,972

107 *Berkshire District Attorney*

108 0340-1100 \$96,895

109 TRESURER AND RECIEVER GENERAL

110 *Office of the Treasurer and Receiver General*

111 0612-0105 \$200,000

112 STATE AUDITOR

113 *Office of the State Auditor*

114	0710-0000	.....	\$568,639
115		INSPECTOR GENERAL	
116		<i>Office of the Inspector General</i>	
117	0910-0200	.....	\$625,000
118		EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE	
119		<i>Office of the Secretary of Administration and Finance</i>	
120	1100-1560	.....	\$440,692
121	1106-0064	.....	\$100,000
122	1599-0024	.....	\$110,000
123	1599-0026	.....	\$50,000
124	1599-1366	.....	\$350,000
125	1599-1710	.....	\$8,422,689
126	1599-1711	.....	\$7,088,256
127	1599-2004	.....	\$1,654,509
128	1599-4380	.....	\$10,000,000
129	1599-4420	.....	\$451,853
130		TRANSPORTATION	
131		<i>Department of Transportation</i>	
132	1595-6368	.....	\$100,000
133		EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS	
134		<i>Department of Conservation and Recreation</i>	
135	2800-0700	.....	\$350,000
136		EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES	
137		<i>Office of the Secretary of Health and Human Services</i>	
138	4000-0114	.....	\$1,000,000
139	4000-0300	.....	\$920,000
140	4000-0700	.....	\$11,042,350
141		OFFICE OF DISABILITIES AND COMMUNITY SERVICE	
142		<i>Massachusetts Commission for the Blind</i>	
143	4110-3010	.....	\$300,000
144		OFFICE OF CHILDREN, YOUTH AND FAMILY SERVICES	
145		<i>Department of Public Health</i>	
146	4590-0250	.....	\$200,000
147		<i>Department of Children and Families</i>	

148	4800-0041	.....	\$1,400,000
149	EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT		
150	<i>Department of Housing and Community Development</i>		
151	7004-0099	.....	\$20,000
152			
153	<i>Division of Professional Licensure</i>		
154	7006-0151	.....	\$376,604
155	EXECUTIVE OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY		
156	<i>Department of Public Safety</i>		
157	8315-1023	.....	\$250,000
158	<i>Military Division</i>		
159	8700-0001	.....	\$400,000
160	<i>Middlesex Sheriff's Office</i>		
161	8910-0107	.....	\$1,500,000
162	<i>Essex Sheriff's Office</i>		
163	8910-0619	.....	\$375,000
164	<i>Parole Board</i>		
165	8950-0001	.....	\$150,000

166 SECTION 3. Chapter 20 of the General Laws is hereby amended by inserting after section 31 the
167 following section:

168 Section 32. There shall be established and set upon the books of the commonwealth a separate
169 fund to be known as the Agricultural Inspection and Infrastructure Trust Fund, consisting of
170 revenues received pursuant to section 3B of chapter 7, chapters 128, 129, 132B, poultry testing
171 fees for services established by 330 CMR 5.00 et seq., interest or investment earnings on such
172 monies and all other monies credited or transferred thereto from any other fund or service.
173 Monies in the Agricultural Inspection and Infrastructure Trust Fund may be expended without
174 further appropriations on programs and costs related to the following: (1) sections 32 to 38 and
175 sections 64 to 65 inclusive of chapter 128; (2) the integrated pest management program
176 established by chapter 132B and by chapter 85 of the acts of 2000; (3) spay and neuter programs
177 and animal rescue and shelter programs established under section 2 of chapter 129; (4) poultry
178 testing programs established by 330 CMR 5.00 seq; and (5) the Agricultural Innovation Center.
179 Any unexpended balance in the fund at the end of the fiscal year, not to exceed \$200,000, shall
180 not revert to the General Fund but shall remain available for expenditure in subsequent fiscal

181 years. No expenditure made from the fund shall cause the fund to become deficient at any point
182 during a fiscal year.

183 SECTION 4. Section 12A of chapter 29 of the General Laws, as appearing in the 2010 Official
184 Edition, is hereby amended by striking out, in line 12, the words “public welfare” in the first
185 sentence and inserting in place thereof, the following words:- transitional assistance.

186 SECTION 5. Said section 12A of said chapter 29, as so appearing, is hereby further amended by
187 striking out the third paragraph, and inserting in place thereof the following paragraph:-

188 In order to make timely state supplementary payments, the comptroller may present in the
189 comptroller’s certificate to the governor’s council, and the state treasurer, with the consent of the
190 council, may transfer to the United States Treasury or the entity administering the program of
191 state supplementary payments, before July 1, funds necessary to make July payments to
192 commonwealth benefit recipients.

193 SECTION 6. The third paragraph of section 36 of chapter 62C of the General Laws, as
194 appearing in section 67 of chapter 68 of the acts of 2011, is hereby amended by inserting after
195 the fifth sentence the following sentence:- Notwithstanding the preceding sentence and any
196 contrary provision of section 27, where the commissioner and the taxpayer have agreed to extend
197 the period for assessment of a tax pursuant to section 27, the amount of any refund or credit,
198 whether determined by the commissioner to be an overpayment pursuant to section 27 or claimed
199 by the taxpayer pursuant to a timely filed application for abatement, shall not exceed the amount
200 of the tax paid after the execution of the agreement and before the expiration of the agreed
201 extension period or periods plus the amount of the tax paid which would otherwise be eligible for
202 refund under this section if an application for abatement had been filed on the date the agreement
203 was first executed.

204 SECTION 7. Clause (5) of the third paragraph of section 2 of chapter 111N of the General Laws,
205 as amended by section 111 of said chapter 139 of the acts of 2012, is hereby further amended by
206 striking out the word “ice”.

207 SECTION 8. Item 1599-1705 of section 2A of chapter 52 of the acts of 2011 is hereby amended
208 by inserting at the end thereof the following words:- ; and provided further, that funds made
209 available in this item shall not revert but shall be made available for expenditure until June 30,
210 2013.

211 SECTION 9. Item 0699-0015 of section 2 of chapter 68 of the acts of 2011 is hereby amended
212 by striking out the words “from items 0699-9100, 0699-2004 and 0699-0016” and inserting in
213 place thereof the following words:- from items 0699-9100, 0699-2004, 0699-0016 and 0699-
214 9101.

215 SECTION 10. Section 2 of chapter 68 of the acts of 2011 is hereby amended by striking out the
216 figure “7003-0702” and inserting in place thereof the following figure:- 7003-0810.

217
218 SECTION 11. Item 1750-0601 of section 2B of said chapter 68 is hereby amended by inserting
219 at the end thereof the following words:- ; provided, that any unexpended funds in this item shall
220 not revert and shall be made available for expenditure until June 30, 2013.

221 SECTION 12. Item 1790-0200 of section 2B of said chapter 68 of the acts of 2011 is hereby
222 amended by striking out the words “in an amount not to exceed 5 per cent of the amount
223 authorized”.

224 SECTION 13. Subsection (a) of chapter 87 of the acts of 2011 is hereby amended by striking
225 out the second paragraph and inserting in place thereof the following paragraph:- The department
226 of public health, in consultation with the executive office of health and human services, shall
227 adopt regulations for the statewide licensure of adult day health programs.

228 SECTION 14. Section 87 of chapter 142 of the acts of 2011 is hereby amended by striking out
229 the third and fourth sentences and inserting in place thereof the following sentences:- Funds
230 made available for this fund shall be used only for offsetting the incremental General Fund costs
231 from the increased amount of the state low income housing tax credit under sections 11, 12, 15
232 and 16 of this act. By June 30 of each fiscal year during which this fund is effective, the
233 commissioner shall determine these projected incremental costs within the fiscal year and request
234 that the comptroller transfer funding from the fund to the General Fund in an amount not to
235 exceed the projected costs, but no such transfer shall be made without the written approval of the
236 secretary of administration and finance.

237 SECTION 15. Section 58 of chapter 176 of the acts of 2011, as amended by section 44 of chapter
238 36 of the acts of 2012, is hereby amended by striking out the second paragraph and inserting in
239 place thereof the following paragraph:-

240 The commission shall consist of 13 members: 1 of whom shall be the secretary of administration
241 and finance, or the secretary’s designee; 1 of whom shall be the treasurer, or the treasurer’s

242 designee; 1 of whom shall be the executive director of the group insurance commission, or the
243 director's designee; 3 of whom shall be private citizens, appointed by the governor, 2 of whom
244 shall serve as co-chairs of the commission, provided that 1 shall not be a member of any of the
245 105 contributory retirement systems; 2 members of the house of representatives, 1 of whom shall
246 be appointed by the minority leader; 2 of whom shall be members of the senate, 1 of whom shall
247 be appointed by the minority leader; 1 of whom shall be selected by the governor from a list of 3
248 candidates submitted by the president of the Massachusetts AFL-CIO; 1 of whom shall be a
249 member of the Massachusetts Municipal Association; and 1 of whom shall be a member of the
250 Retired State, County and Municipal Employees Association of Massachusetts.

251 SECTION 16. Section 2A of chapter 36 of the acts of 2012 is hereby amended by striking out
252 the number "4100-0062" and inserting in place thereof the following number:- 4100-0082.

253 SECTION 17. Section 8 of chapter 106 of the acts of 2012 is hereby amended by inserting at the
254 end thereof the following sentence:- Revenues retained in this section shall be available for
255 expenditure until June 30, 2013.

256 SECTION 18. Said chapter 106 is hereby further amended by striking out section 10 and
257 inserting in place thereof the following section:-

258 Section 10. Section 8 shall be effective July 1, 2011, and shall expire on August 1, 2012.

259 SECTION 19. Item 1599-2013 in section 2C.I. of chapter 118 of the acts of 2012 is hereby
260 amended by striking out the figure "617,000" and inserting in place thereof the following figure:-
261 \$1,747,000.

262 SECTION 20. Item 1595-1067 of section 2E of said chapter 118 is hereby amended by striking
263 out the words "and provided further, that the secretary of health and human services shall make
264 payments of up to \$44,853,333 from the Delivery System Transformation Initiatives Fund to the
265 Cambridge Public Health Commission for fiscal year 2012 only after the Cambridge Public
266 Health Commission transfers up to \$22,426,667 of its funds to the Delivery System
267 Transformation Initiatives Trust Fund using a federally permissible source of funds which shall
268 fully satisfy the nonfederal share of such payment" and inserting in place thereof the following
269 words:- provided further, that the secretary of health and human services shall make payments of
270 up to \$44,853,333 from the Delivery System Transformation Initiatives Fund to the Cambridge
271 Public Health Commission for fiscal year 2012 only after the Cambridge Public Health
272 Commission transfers up to \$22,426,667 of its funds to the Delivery System Transformation

273 Initiatives Trust Fund using a federally permissible source of funds which shall fully satisfy the
274 nonfederal share of such payment; and provided further, that upon certification from the
275 secretary of administration and finance the comptroller shall credit up to \$11,213,334 in
276 transfers made by the Cambridge Public Health Commission received after June 30, 2012,
277 toward fiscal year 2012 revenue receipts.

278 SECTION 21. Item 0321-1510 of section 2 of chapter 139 of the acts of 2012 is hereby amended
279 by adding the following words:- ; and provided further, that no funds shall be expended from this
280 item for services rendered in fiscal year 2012 until all funds are depleted from items 0321-1500
281 and 0321-1510 of section 2 of chapter 68 of the acts of 2011.

282 SECTION 22. Item 1595-6368 of section 2 of said chapter 139 is hereby amended by inserting
283 after the words “amount transferred in fiscal year 2012;” the following words:- provided further,
284 that \$100,000 be expended for the purpose of providing administrative assistance to the
285 Massachusetts Port Authority Community Advisory Committee;.

286 SECTION 23. Item 2200-0100 of section 2 of said chapter 139 is hereby amended by inserting
287 the following:- ; provided further, no later than September 1, 2012 the department shall file a
288 report with the clerks of the house of representatives and senate relative to water quality at all
289 beaches under the care and control of the department of conservation and recreation; and
290 provided further, said report shall include, but not be limited to, an assessment of water quality at
291 all department of conservation and recreation beaches, actions to be taken by the department to
292 improve water quality levels and recommendations for actions to be undertaken by federal, state,
293 local authorities as may be required to improve water quality at said beaches.

294 SECTION 24. Item 4000-0300 of section 2 of said chapter 139 is hereby amended by inserting
295 at the end thereof the following words:- ; and provided further, that in calculating rates of
296 payment for children enrolled in MassHealth receiving inpatient services at pediatric specialty
297 units as defined in [section 1 of chapter 118G](#) of the General Laws, the executive office shall
298 make a supplemental payment, if necessary, sufficient to assure that inpatient SPAD and outlier
299 payments for discharges with a case mix acuity equal to or greater than 5 shall be at least equal
300 to 85 per cent of the expenses incurred in providing services to those children

301 SECTION 25. Item 4100-0082 of section 2 of said chapter 139 is hereby amended by striking
302 out in both instances the figure “\$2,000,000” and inserting in place thereof, in each instance, the
303 following figure:- \$6,000,000.

304 SECTION 26. Item 4110-3010 of said chapter 139 is hereby amended by striking the figure
305 “45,000” and inserting in place thereof the following figure:- 345,000.

306 SECTION 27. Item 7066-0111 of said section 2 of said chapter 139 is hereby amended by
307 striking out the words “to be selected by the special commission on higher education financing”.

308 SECTION 28. Item 1595-1068 of section 2E of said chapter 139 is hereby amended by striking
309 out the figure “\$394,025,000” and inserting in place thereof the following figure:- \$566,306,556.

310 SECTION 29. Said section 2E of said chapter 139 is hereby amended by striking out, in item
311 1595-6368, the words “; provided further, that the amount of funds provided for administrative
312 and consulting services, including those services associated with planning and facilitation of the
313 transition to local transit authorities, shall not exceed that of fiscal year 2012”.

314 SECTION 30. Chapter 139 of the acts of 2012 is hereby amended by striking out section 154 and
315 inserting in place thereof the following section:-

316 Section 154. Notwithstanding any general or special law to the contrary, after complying with
317 clause (a) of section 5C of chapter 29 of the General Laws, the comptroller shall dispose of the
318 consolidated net surplus in the budgetary funds for fiscal year 2012 as follows: (i) transfer
319 \$15,000,000 from the General Fund to the Massachusetts Life Sciences Investment Fund
320 established by section 6 of chapter 23I of the General Laws; (ii) transfer \$20,000,000 from the
321 General Fund to the Health Care Workforce Transformation Trust Fund established in section
322 2FFFF of chapter 29 of the General Laws; (iii) make \$40,000,000 available to be used as revenue
323 in fiscal year 2013, in addition to amounts made available under said clause (a) of said section
324 5C of said chapter 29, as provided in section 161; and (iv) transfer the remaining balance from
325 the General Fund to the Commonwealth Stabilization Fund.

326 SECTION 31. Section 156 of said chapter 139 is hereby amended by striking out the words
327 “with a net value over \$1,000,000” and inserting in place thereof the following words:- that
328 would otherwise be deposited in the Commonwealth Stabilization Fund under the last paragraph
329 of section 2H of chapter 29 of the General Laws.

330 SECTION 32. Section 218 of said chapter 139 is hereby amended by striking out the words “57
331 to 71” and inserting in place thereof the following words:- 69 to 83.

332 SECTION 33. Section 224 of said chapter 139 is hereby amended by striking out the words
333 “Section 96” and inserting in place thereof the following words:- Sections 96 and 97.

334 SECTION 34. Notwithstanding any general or special law to the contrary, at the request of the
335 committee for public counsel services and with the written approval of the secretary of
336 administration and finance, the comptroller shall allow the transfer of funds from item 0321-
337 1500 to item 0321-1510 of section 2 of chapter 68 of the acts of 2011 for the purpose of reducing
338 any deficiency in said item 0321-1510. All such transfers, in aggregate, shall not exceed
339 \$5,000,000 and shall be effective for fiscal year 2012. All funds from both of these items shall
340 be depleted before any funds are expended from items 0321-1500 and 0321-1510 of section 2 of
341 chapter 139 of the acts of 2012 for services rendered in fiscal year 2012.

342 SECTION 35. (a) Notwithstanding the provisions of section 3 of chapter 53 of the General Laws
343 or any other special or general law to the contrary, a person whose name is not printed on the
344 September 6, 2012, state primary ballot as a candidate for an office, but who receives sufficient
345 votes to nominate him therefore, shall file in the office of the state secretary a written acceptance
346 of said nomination and a receipt from the state ethics commission verifying the fact that a
347 statement of financial interest has been filed under chapter 268B of the General Laws no later
348 than 5:00 pm on September 10, 2012.

349 (b) Notwithstanding the provisions of section 11, 13 and 53A of chapter 53 and section 5 of
350 chapter 55B of the General Laws, or any other special or general law to the contrary, objections
351 to and withdrawals from nominations made at the September 6, 2012, state primary shall be filed
352 with the state secretary no later than 5:00 pm on September 10, 2012.

353 (c) Notwithstanding the provisions of section 14 of chapter 53 of the General Laws or any other
354 special or general law to the contrary, any vacancies from the September 6, 2012, state primary
355 caused by death, withdrawal or ineligibility in accordance with this section, shall be filed by an
356 executive committee, determined by the state party committee, of the same political party who
357 made the original nomination.

358 (d) Notwithstanding the provisions of section 15 of chapter 53 of the General Laws, or any other
359 general or special law to the contrary, when a nomination is made to fill a vacancy caused by the
360 death, withdrawal or ineligibility of a candidate from the September 6, 2012, state primary, the
361 certificate of nomination shall be on a form prescribed by the state secretary, shall be signed by
362 the executive committee appointed by the state committee of the same political party as provided
363 for in this section, and shall be filed with the state secretary no later than 5:00 pm on September
364 12, 2012.

365 (e) Notwithstanding the provisions of section 135 of chapter 54 of the General Laws, or any
366 other general or special law to the contrary, a petition for a recount of the September 6, 2012,
367 state primary shall be filed with the appropriate local election official no later than 5:00 pm on
368 September 10, 2012, and all recounts must be completed and notice of the results sent to the state
369 secretary no later than 5:00 pm on September 13, 2012. Petitions for district wide and statewide
370 recounts of the September 6, 2012, state primary shall be submitted to the appropriate local
371 election officials for certification no later than 12:00 pm on September 10, 2012, and local
372 election officials must complete certification no later than 5:00 pm on September 11, 2012. If
373 the state secretary determines that the contest is eligible for a statewide or district wide recount,
374 he shall notify the local election officials who must complete such recounts and notify the state
375 secretary of the results of the recount no later than 5:00 pm on September 14, 2012.

376 (f) Notwithstanding the provisions of sections 8, 9 and 10, inclusive, of chapter 55B of the
377 General Laws, or any other general or special law to the contrary, the state ballot law
378 commission shall notify candidates of any objections filed to nominations at the September 6,
379 2012, state primary no later than 5:00 pm on September 11, 2012, and a hearing on objections
380 shall be held on September 13, 2012, and decisions rendered no later than 5:00 pm on September
381 14, 2012.

382 (g) Notwithstanding any general or special law to the contrary, the state secretary shall have the
383 authority to add or change any dates relating to the nominations made at the September 6, 2012,
384 state primary he deems necessary for the orderly administration of the November 6, 2012,
385 election by providing notice of such change to the state parties and any affected person, by filing
386 notice with the rule and regulations division, by posting on his website and by whatever other
387 means he deems appropriate.

388 SECTION 36. Section 6 shall apply to requests for refund or applications for abatement filed
389 with the commissioner of revenue on or after July 1, 2011; but it shall not apply with respect to
390 tax periods where the statute of limitations for refund or abatement, as applicable, had expired
391 before July 1, 2011.