

# HOUSE . . . . . No. 3735

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on House, No. 3695, reported, in part, a Bill making appropriations for the fiscal years 2011 and 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3735).

## The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act making appropriations for the fiscal years 2011 and 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 years 2011 and 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
- 2 other appropriation acts for fiscal year 2011, the sums set forth in section 2 are hereby
- 3 appropriated from the General Fund unless specifically designated otherwise in this act or in
- 4 those appropriation acts, for the several purposes and subject to the conditions specified in this
- 5 act or in those appropriation acts, and subject to the laws regulating the disbursement of public

6 funds for the fiscal year ending June 30, 2011. These sums shall be in addition to any amounts  
7 previously appropriated and made available for the purposes of those items. Notwithstanding  
8 any general or special law to the contrary, appropriations made in section 2 shall not revert and  
9 shall be available for expenditure until June 30, 2012.

10 SECTION 2.

11 JUDICIARY

12 Trial Court

13 0330-0300 ..... \$12,000,000

14 DISTRICT ATTORNEY

15 Worcester District Attorney

16 0340-0400 ..... \$98,066

17 Hampden District Attorney

18 0340-0500 ..... \$252,843

19 0340-0501 ..... \$45,000

20 Northwestern District Attorney

21 0340-0600 ..... \$102,909

22 Norfolk District Attorney

23 0340-0700 ..... \$115,203

24 0340-0701 ..... \$11,453

25 SECRETARY OF THE COMMONWEALTH

26 0521-0000 ..... \$61,501

27 0521-0012 ..... \$1,113

28 TREASURER & RECEIVER GENERAL.

29 Office of the Treasurer and Receiver General.

30 0612-0105 ..... \$200,000

31 MASSACHUSETTS CULTURAL COUNCIL.

32 0640-0300 .....\$750,000

33 STATE AUDITOR

34 Office of the State Auditor

35 0710-0000.....\$874,830

36 ATTORNEY GENERAL

37 Office of the Attorney General

38 0810-0000 ..... \$671,665

39 INSPECTOR GENERAL

40 Office of the Inspector General

41 0910-0200 ..... \$709,394

42 OFFICE OF THE STATE COMPTROLLER

43 Office of the State Comptroller

44 1599-3384 ..... \$2,000,000

45 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

46 Office of the Secretary of Administration and Finance

47 1599-4227 ..... \$3,813,028

48 EXECUTIVE OFFICE OF EDUCATION

49 Department of Early Education and Care

50 3000-7050 ..... \$200,000

51 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

52 Office of the Secretary of Health and Human Services

53 4000-0300 ..... \$3,000,000

54 4000-0500 ..... \$6,000,000

55 Department of Transitional Assistance

56 4403-2000 ..... \$8,200,000

57 Department of Public Health

58	4510-0100.....	\$2,313,560
59	4516-1000 .....	\$300,000
60	4512-0103 .....	\$500,000
61	4580-1000 .....	\$850,000
62	Department of Children and Families	
63	4800-0015.....	\$1,580,000
64	4800-1100 .....	\$650,000
65	Department of Mental Health	
66	5046-0000.....	\$3,000,000
67	EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT	
68	Department of Career Services	
69	7003-0605 .....	\$800,000
70	7003-0702 .....	\$250,000
71	EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT	
72	Massachusetts Marketing Partnership	
73	7008-0900.....	\$52,000
74	Massachusetts Tourism Fund.....100%	

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EXECUTIVE OFFICE OF EDUCATION

Department of Elementary and Secondary Education

7035-0006 ..... \$48,000

Department of Higher Education

7066-0021 ..... \$500,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Department of Elder Affairs

9110-1660 ..... \$107,000

SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an alteration of purpose for current appropriations, and to meet certain requirements of law, the sums set forth in this section are hereby appropriated from the General Fund unless specifically designated otherwise in this section, for the several 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, 2011. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of those items. Notwithstanding any general or special law to the contrary, appropriations made in section 2A shall not revert and shall be available for expenditure until June 30, 2012.

DITRICT ATTORNEY

Berkshire District Attorney

94 0340-1100 For costs associated with the expansion of the Berkshire District Attorney's Office  
95 and relocation of the State Police Detective Unit.....\$194,134

96 OFFICE OF THE STATE COMPTROLLER

97 Office of the State Comptroller

98 1599-3393 For a reserve for the Hayes settlement..... \$5,000,000

99 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

100 Office of the Secretary of Administration and Finance

101 1599-0029 For a reserve to meet the fiscal year 2012 costs of employee training and other  
102 economic benefits authorized by the collective bargaining agreement between the  
103 commonwealth and service employees international union local 1199; provided, that the  
104 secretary of administration and finance may transfer from the sum appropriated in this item to  
105 other items of appropriation amounts that are necessary to meet these costs where the amounts  
106 otherwise available are insufficient for the purpose; and provided further, that funds under this  
107 item shall not revert but shall be made available for expenditure until June 30,  
108 2012..... \$1,000,000

109 1599-1706 For a reserve for the state share of costs to certain municipalities relating to the  
110 June 1, 2011 storms; provided, that the comptroller shall transfer funds made available in this  
111 item to municipalities for this purpose upon the written request of the secretary of administration  
112 and finance..... \$10,000,000

113 1599-1707 For a reserve for the state share of costs to certain municipalities and municipal  
114 lighting plants as identified by the Federal Emergency Management Agency for Emergency

115 Declaration 3296 relating to the December 2008 severe winter storm, for the counties of  
 116 Berkshire, Bristol, Essex, Franklin, Hampden, Hampshire, Middlesex, Suffolk and Worcester;  
 117 provided, that the comptroller shall transfer funds made available in this item to municipalities  
 118 for this purpose upon the written request of the secretary of administration and finance  
 119 ..... \$6,200,000

120 1599-1708 For a reserve for the state share of costs to certain municipalities identified by the  
 121 Federal Emergency Management Agency for Emergency Declaration 1895-DR relating to the  
 122 March 2010 severe flood, for the counties of Bristol, Essex, Middlesex, Norfolk, Plymouth,  
 123 Suffolk, and Worcester Counties; provided, that the comptroller shall transfer funds made  
 124 available in this item to municipalities for this purpose upon the written request of the secretary  
 125 of administration and finance .....\$2,783,277

126 1599-2013 For a reserve for costs associated with the Commonwealth's defense in the case of  
 127 Connor B., et al v. Patrick, et al, civil action No. 3:10-cv30073; provided, that the secretary may  
 128 transfer from the sum appropriated in this item to other items of appropriation amounts that are  
 129 necessary to meet these costs where the amounts otherwise available are insufficient for the  
 130 purpose. .... \$2,500,000

131 1599-3381 For a reserve to pay attorneys' fees in the lawsuit known as Hutchinson v. Patrick,  
 132 pending in the United States District Court. ....\$745,000

133 1599-4204 For a reserve to meet the fiscal year 2011 and 2012 costs of salary adjustments  
 134 and other economic benefits authorized by the collective bargaining agreement between the  
 135 Commonwealth and the State Police Association of Massachusetts .....\$4,509,518

136 1599-4252 For a reserve to meet the fiscal year 2011 and 2012 costs of salary adjustments  
 137 and other economic benefits authorized by the collective bargaining agreement between the  
 138 commonwealth and the Coalition for Public Safety, Unit 5 ..... \$140,000  
  
 139 1599-4343 For a reserve to meet the fiscal year 2011 and fiscal year 2012 costs of salary  
 140 adjustments and other economic benefits authorized by the collective bargaining agreement  
 141 between the Suffolk county sheriff's department and the County Correction Officers/AFSCME  
 142 Local 414 .....\$293,950  
  
 143 1599-4421.. For a reserve to meet the fiscal year 2011 costs of salary adjustments and other  
 144 economic benefits authorized by the collective bargaining agreement between the Board of  
 145 Higher Education and the Massachusetts Teachers Association/National Education Association  
 146 Associated Massachusetts Community Colleges Council, and to meet the fiscal year 2011 costs  
 147 of salary adjustments and other economic benefits necessary to provide equal adjustments and  
 148 benefits to employees employed in confidential positions which otherwise would be covered by  
 149 this agreement; provided, that the personnel administrator, with the approval of the secretary of  
 150 administration and finance, shall determine these adjustments and benefits for the confidential  
 151 employees in accordance with the collective bargaining agreement then in effect which otherwise  
 152 would cover these positions; provided further, that the secretary may transfer from the sum  
 153 appropriated in this item to other items of appropriation and allocations thereof for fiscal year  
 154 2011 amounts that are necessary to meet these costs where the amounts otherwise available are  
 155 insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance  
 156 with the house and senate committees on ways and means; and provided further, that any  
 157 unexpended funds from this item shall not revert and shall be made available for expenditure  
 158 until June 30, 2012 .....\$3,422,000

159 1599-4430 For a reserve to meet the fiscal year 2011 and 2012 costs of salary adjustments  
160 and other economic benefits authorized by the collective bargaining agreement between the  
161 commonwealth and NAGE local 229 .....\$1,300,000

162 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

163 Office of the Secretary of Health and Human Services

164 4000-0114 For the purposes of establishing an EOHHS pilot program that would link  
165 increased training to modest pay increases in order to reduce turnover rates; provided, that  
166 EOHHS shall issue regulations for the administration and distribution of such funds and shall  
167 submit said regulations to the House and Senate Committees on Ways and Means .....\$1,000,000

168 4000-0265 For a primary care workforce development grant program at community health  
169 centers, for the purpose of enhancing recruitment and retention of primary care physicians and  
170 other clinicians at community health centers throughout the Commonwealth; provided, the grants  
171 shall be administered by a designee selected by the Secretary of Health and Human Services by  
172 December 1, 2011 in consultation with the General Court; provided, that in awarding such grants  
173 priority will be given to health centers serving medically underserved areas; provided further,  
174 that the funds may be matched by other public and private funds; and provided, further, that the  
175 designee selected by the secretary shall maximize all sources of public and private funds  
176 ..... \$1,000,000

177 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

178 Department of Housing and Community Development

179 7004-0002 For Friends of the Homeless in the city of Springfield to alleviate the increased  
180 caseload resulting from the June 1, 2011, storms .....\$100,000

181 EXECUTIVE OFFICE OF EDUCATION

182 Department of Elementary and Secondary Education

183 7052-0006 For grants and reimbursements to cities, towns, regional school districts and counties  
184 under chapter 645 of the acts of 1948 and chapter 70B of the General Laws, for (a) educational,  
185 engineering, and architectural services for school districts, (b) surveys made of school building  
186 needs and conditions, (c) matching stabilization fund payments, (d) costs of leasing buildings for  
187 vocational programs and originally equipping and furnishing said buildings for vocational  
188 programs, and (e) payments associated with admission to a regional school district  
189 ..... \$19,076

190 SECTION 2C.I. For the purpose of making available in fiscal year 2012 balances of  
191 appropriations which otherwise would revert on June 30, 2011, the unexpended balances of the  
192 maintenance appropriations listed below, not to exceed the amount specified below for each  
193 item, are hereby re-appropriated for the purposes of and subject to the conditions stated for the  
194 corresponding item in section 2 of the general appropriation act for fiscal year 2011. However,  
195 for items which do not appear in section 2 of the general appropriation act, the amounts in this  
196 section are re-appropriated for the purposes of and subject to the conditions stated for the  
197 corresponding item in section 2 or 2A of this act or in prior appropriation acts. Amounts in this  
198 section are re-appropriated from the fund or funds designated for the corresponding item in  
199 section 2 of the general appropriation act; provided, however, that for items which do not appear  
200 in section 2 of the general appropriation act, the amounts in this section are re-appropriated from

201 the fund or funds designated for the corresponding item in section 2 or 2A of this act or in prior  
202 appropriation acts. The sums re-appropriated in this section shall be in addition to any amounts  
203 available for said purposes including amounts appropriated in sections 2, 2A and 2E of this act.

204 JUDICIARY

205 Committee for Public Counsel Services.

206 0321-1510 ..... \$7,807,455

207 TREASURER AND RECEIVER-GENERAL

208 Lottery Commission

209 0640-0000 ..... \$815,000

210 SHERIFFS

211 Essex Sheriff's Department

212 8910-0619 ..... \$21,578

213 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

214 Office of the Secretary of Administration and Finance

215 1100-1560 ..... \$440,693

216 1599-0016 ..... \$110,000

217 1599-4281 ..... \$10,000

218 1599-4282 ..... \$10,000

219	1599-4283	.....	\$10,000
220	1599-4284	.....	\$10,000
221	Department of Children and Families		
222	4800-0038	.....	\$500,000
223	4800-0041	.....	\$2,500,000
224	4800-1100	.....	\$2,000,000
225	Massachusetts Commission for the Deaf and Hard of Hearing		
226	4125-0100	.....	\$90,000
227	EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY		
228	Office of the Secretary of Public Safety and Security		
229	8000-0600	.....	\$6,500
230	Department of State Police		
231	8100-1001	.....	\$2,700,000
232	Military Division		
233	8700-0001	.....	\$200,000
234	Parole Board		
235	8950-0001	.....	\$500,000

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LEGISLATURE

Senate

9500-0000 For the operation of the senate ..... \$490,971

House of Representatives

9600-0000 For the operation of the house of representatives ..... \$1,068,325

Joint Legislative Expenses

9700-0000 For the joint operations of the legislature ..... \$234,807

SECTION 2C.II. For the purpose of making available in fiscal year 2012 balances of retained revenue and intragovernmental chargeback authorizations which otherwise would revert on June 30, 2011, the unexpended balances of the authorizations listed below, not to exceed the amount specified below for each item, are hereby re-authorized for the purposes of and subject to the conditions stated for the corresponding item in section 2 or 2B of the general appropriation act for fiscal year 2009. However, for items which do not appear in section 2 or 2B of the general appropriation act, the amounts in this section are re-authorized for the purposes of and subject to the conditions stated for the corresponding item in section 2, 2A, or 2B of this act or in prior appropriation acts. Amounts in this section are re-authorized from the fund or funds designated for the corresponding item in section 2 or 2B of the general appropriation act; however, for items which do not appear in section 2 or 2B of the general appropriation act, the amounts in this section are re-authorized from the fund or funds designated for the corresponding item in section 2, 2A, or 2B of this act or in prior appropriation acts. The sums re-authorized in this section shall be in addition to any amounts available for those purposes.

257 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

258 Office of the Secretary of Public Safety and Security

259 8000-0004 ..... \$3,000,000

260 Municipal Police Training Committee

261 8200-0222 ..... \$48,000

262 SECTION 2E. The sums set forth in this section are hereby appropriated for transfer from the  
263 General Fund to the trust funds named within each item unless specifically designated otherwise  
264 in this section, for the purposes and subject to the conditions specified in this section and subject  
265 to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2011.  
266 Items in this section shall not be subject to allotment under section 9B of chapter 29 of the  
267 General Laws or reduction under section 9C of said chapter 29, without express authorization  
268 from the general court. Notwithstanding section 19A of said chapter 29, any transfer under this  
269 section shall be made by the comptroller in accordance with a transfer schedule to be developed  
270 for each item by the comptroller, after consulting with the appropriate agency secretary, the  
271 secretary of administration and finance and the state treasurer. The schedule for each  
272 appropriation shall provide for transfers in increments considered appropriate to meet the cash  
273 flow needs of each fund and all transfers under the schedule shall be completed not later than  
274 June 30, 2011. Not later than 7 days after the schedules receive final approval by the comptroller,  
275 they shall be reported to the house and senate committees on ways and means. Notwithstanding  
276 any general or special law to the contrary, appropriations made in section 2E shall not revert and  
277 shall be available for expenditure until June 30, 2012.

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OFFICE OF THE STATE COMPTROLLER

Office of the State Comptroller

1595-6583 For an operating transfer to the Infrastructure Development Fund... \$37,950,000  
1595-6585 For an operating transfer to the Low Income Housing Tax Credit Fund  
..... \$9,500,000

EXECUTIVE OFFICE OF EDUCATION

Department of Higher Education

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

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Department of Developmental Services

5920-2000 ..... \$5,000,000

297 5920-3000 ..... \$5,500,000

298 Department of Youth Services

299 4200-0300 ..... \$1,600,000

300 EXECUTIVE OFFICE OF EDUCATION

301 Department of Elementary and Secondary Education

302 7035-0002 ..... \$3,000,000

303 SECTION 4. Chapter 7A of the General Laws is hereby amended by adding the following  
304 section: -

305 Section 19. (a) As used in this section the following words shall, unless the context clearly  
306 requires otherwise, have the following meanings:

307 “Debt”, a delinquent state tax or non-tax debt certified by the treasurer and receiver general or a  
308 federal non-tax debt certified by a federal official including, but not limited to, fines, fees,  
309 penalties and other non-tax assessments imposed by or payable to the commonwealth or federal  
310 government that are finally determined to be due and owing.

311 "Federal official", a unit or official of the federal government charged with the collection of non-  
312 tax liabilities payable to the federal government and with the authority to enter into the offset  
313 agreement.

314 “Offset agreement”, the agreement between the comptroller and the Secretary of the Treasury  
315 authorized by this section.

316 "Person", an individual, vendor, contractor, partnership, society, association, joint stock  
317 company, limited liability company, corporation, estate, receiver, trustee, assignee and any other  
318 person acting in a fiduciary or representative capacity whether appointed by a court or otherwise,  
319 or any combination of the foregoing.

320 "Refund", an overpayment of any tax that is returned or credited to the taxpayer pursuant to  
321 sections 30, 31A, 36, 36A, 37 or 39 of chapter 62C, or sections 27 or 27A of chapter 65, or  
322 section 6 of chapter 65A or any other general or special law that authorizes such a return or  
323 credit.

324 "State payments", refunds and any vendor or contractor payments made by the commonwealth to  
325 any person, including expense reimbursements to an employee of the commonwealth, provided,  
326 however, that "state payments" shall not include salary, wages, pension and any other type, class  
327 or amount of payment that the comptroller determines to impact health or welfare benefits of the  
328 citizens of the commonwealth.

329 (b) Notwithstanding any other general or special law to the contrary, the comptroller may enter  
330 into an offset agreement with the Secretary of the Treasury to participate in a reciprocal Treasury  
331 Offset Program pursuant to 31 U.S.C. section 3716 for the collection of any debts owed to the  
332 commonwealth or to state agencies from federal payments to vendors, contractors and taxpayers.  
333 The offset agreement may provide for the United States to submit non-tax debts owed to federal  
334 agencies for offset against state payments otherwise due and owing to taxpayers, vendors and  
335 contractors providing goods or services to the commonwealth, its departments, agencies or  
336 institutions.

337 (c) Pursuant to the offset agreement, a federal official may: (1) provide certification to the  
338 comptroller the existence of a person's delinquent, non-tax debt owed by the person to the federal  
339 government by providing: (i) the full name and address of the person and any other names  
340 known to be used by the person; (ii) the social security number or federal tax identification  
341 number; (iii) the amount of the federal non-tax debt; (iv) a statement certifying that the debt is  
342 past due, that due process has been provided and that the debt is legally enforceable in the  
343 amount certified, which may be provided in procedures for certifying payments in the agreement;  
344 and (v) any other information pursuant to the agreement; (2) request the comptroller to withhold  
345 any state payment to which the person is entitled; and (3) retain a portion of the proceeds of any  
346 federal administrative setoff authorized by the federal offset program.

347 (d) As permitted by the offset agreement, the comptroller shall: (1) determine if a person for  
348 whom a certification is received is due a state payment; (2) withhold a state payment that is due a  
349 person whose name has been certified by a federal official; (3) notify the person of the amount  
350 withheld in satisfaction of a debt certified by a federal official; (4) pay to the federal official the  
351 lesser of the entire state payment or the amount certified and pay any refund or state payment in  
352 excess of the certified amount to the person less any fee pursuant to subsection (f);

353 (e) The comptroller may certify to a federal official a person's delinquent debt owed to the  
354 commonwealth by providing the federal official: (1) the full name and address of the person and  
355 any other names known to be used by the person; (2) the social security number or federal tax  
356 identification number; (3) the amount of the liability; (4) a statement certifying that the debt is  
357 past due, that due process has been provided and that the debt is legally enforceable in the  
358 amount certified, which may be provided in procedures for certifying payments in the agreement;

359 and (5) Any other information required by state statute or regulation applicable to the collection  
360 of the debt by offset of federal payments.

361 (f) The comptroller may request that the federal official withhold any federal vendor or other  
362 federal payment pursuant to the offset agreement to which the person is entitled

363 the entire federal payment or the amount certified and pay any refund or federal payment in  
364 excess of the certified amount to the person less any fee pursuant to subsection (g);

365 (g) The comptroller shall establish a reasonable administrative fee to be charged to the person for  
366 the provision of the state offset of a federal debt or the federal offset of a state debt. The fee is a  
367 separate debt and may be withheld from any refund, reimbursement or other monies held for the  
368 person. The comptroller may charge the person who is the subject of federal offset of a state  
369 debt, a fee equal to the fee authorized in this paragraph. Any state administrative fees may be  
370 retained by the comptroller, without further appropriation, for the costs of the offset program,  
371 including reporting, and for costs associated with other revenue generation and cost savings  
372 initiatives as determined by the comptroller.

373 (h) The comptroller may enter into interagency agreements with other state agencies for the  
374 purpose of protecting a person's return information pursuant to chapter 62C and regulations  
375 promulgated thereunder and collecting debts, fees and penalties due the commonwealth, its  
376 departments, agencies or institutions.

377 (i) If an individual filed a joint income tax return and the debt certified by a federal official is not  
378 the liability of both parties to the joint income tax return, the comptroller may not withhold or  
379 pay to the federal official that portion of the income tax refund attributable to the individual not  
380 owing the debt. The comptroller and the commissioner of revenue shall adopt procedures

381 notifying parties to a joint income tax return of a proposed offset of a state income tax refund for  
382 a debt certified by a federal official and shall allow the parties to such return 60 days to assert in  
383 writing that a portion of the income tax refund is attributable to the individual not owing the  
384 debt. If no such assertion by a party to the joint return is made within 60 days of notice, all of  
385 the income tax refund shall be deemed attributable to the individual owing the debt.

386 SECTION 5. Subsection (a) of section 2RR of chapter 29 of the General Laws, as amended by  
387 section 93 of chapter 3 of the acts of 2011, is hereby further amended by adding the following  
388 sentence:- For the purpose of accommodating discrepancies between the receipt of revenues and  
389 related expenditures, the director of career services may incur obligations and the comptroller  
390 may certify payment amounts not to exceed the most recent revenue estimate submitted by the  
391 department and approved by the comptroller; provided, however, that the fund shall be in  
392 balance by the close of each fiscal year.

393 SECTION 6. Section 32 of chapter 29 of the General Laws, as appearing in the 2010 Official  
394 Edition, is hereby amended by striking out the first and second sentences and inserting in place  
395 thereof the following 2 sentences:- Any check issued by the state treasurer or by any agent or  
396 agency of the commonwealth, other than checks issued in payment of obligations of the state  
397 board of retirement, the teachers' retirement board and the MassHealth program, which is not  
398 presented for payment within 1 year after its date, shall be payable only at the office of the state  
399 treasurer. Any check issued on behalf of the MassHealth program, which is not presented for  
400 payment within 180 days after its date, shall be payable only at the office of the state treasurer.

401 SECTION 7. Section 2 of chapter 30A of the General Laws, as appearing in the 2010 Official  
402 Edition, is hereby amended by striking out the fourth paragraph and inserting in place thereof the  
403 following paragraph:-

404 A small business impact statement shall be filed with the state secretary on the same day the  
405 notice is filed and shall accompany the notice. Notwithstanding section 6, the state secretary  
406 shall include the small business impact statement on the electronic website of the state secretary,  
407 and the statement may be inspected and copied in the office of the state secretary during business  
408 hours.

409 SECTION 8. Section 3 of said chapter 30A of the General Laws, as so appearing, is hereby  
410 amended by striking out the fourth paragraph and inserting in place thereof the following  
411 paragraph:-

412 A small business impact statement shall be filed with the state secretary on the same day the  
413 notice is filed and shall accompany the notice. Notwithstanding section 6, the state secretary  
414 shall include the small business impact statement on the electronic website of the state secretary,  
415 and the statement may be inspected and copied in the office of the state secretary during business  
416 hours.

417 SECTION 9. Section 108L of chapter 41 of the General Laws, as so appearing, is hereby  
418 amended by striking out, in lines 3 to 5, the words “, uniformed members of the department of  
419 state police appointed under said section ten, state police detectives appointed under section ten  
420 of said chapter twenty-two C”.

421 SECTION 10. The fifth paragraph of said section 108L of said chapter 41, as so appearing, is  
422 hereby amended by striking out the third sentence.

423 SECTION 11. Section 6I of chapter 62 of the General Laws, as so appearing, is hereby amended  
424 by striking out, in line 54, the figure “\$10,000,000” and inserting in place thereof the following  
425 figure:- \$20,000,000.

426 SECTION 12. Said section 6I of said chapter 62, as so appearing, is hereby further amended by  
427 striking out the figure “\$20,000,000”, inserted by section 10, and inserting in place thereof the  
428 following figure:- \$10,000,000.

429 SECTION 13. Section 1 of chapter 62D of the General Laws, as appearing in the 2010 Official  
430 Edition, is hereby amended by inserting after the figure “29”, in line 29, the following words:- ,  
431 or any federal agency as certified by a federal official to the comptroller pursuant to section 19 of  
432 chapter 7A.

433 SECTION 14. Section 13 of said chapter 62D of the General Laws, as so appearing, is hereby  
434 amended by inserting after the figure “29”, in line 15, the following words:- , or any federal  
435 agency as certified by a federal official to the comptroller pursuant to section 19 of chapter 7A.

436 SECTION 15. Section 31H of chapter 63 of the General Laws, as so appearing, is hereby  
437 amended by striking out, in line 56, the figure “\$10,000,000” and inserting in place thereof the  
438 following figure:- \$20,000,000.

439 SECTION 16. Said 31H of said chapter 63, as so appearing, is hereby further amended by  
440 striking out the figure “\$20,000,000”, inserted by section 14, and inserting in place thereof the  
441 following figure:- \$10,000,000.

442 SECTION 17. Section 92 of chapter 71 of the General Laws is hereby amended by striking out  
443 subsection (r), added by section 74 of chapter 68 of the acts of 2011.

444 SECTION 18. Section 35 of chapter 123 of the General Laws, as appearing in the 2010 Official  
445 Edition, is hereby amended by striking out the fourth paragraph and inserting in place thereof the  
446 following paragraph:-

447

448 If, after a hearing, the court based upon competent testimony, which shall include, but not be  
449 limited to, medical testimony, finds that a person is an alcoholic or substance abuser and there is  
450 a likelihood of serious harm as a result of a person's alcoholism or substance abuse, the court  
451 may order such person to be committed for a period not to exceed 30 days; provided, however,  
452 that if, after a hearing, the court finds that a person is a substance abuser, who is addicted to 1 or  
453 more controlled substances including, but not limited to, heroin, OxyContin, hydrocodone,  
454 oxycodone, crack cocaine, methamphetamine or other controlled substance having an addiction-  
455 forming or addiction-sustaining liability, the court, in its discretion, may order such person to be  
456 committed for a period not to exceed 90 days, followed by 1 year of case management. During a  
457 person's commitment they may voluntarily discuss their path to addiction, including but not  
458 limited to prescription drug abuse. Such commitment shall be for inpatient care in public or  
459 private facilities approved by the department of public health under chapter 111B for the care  
460 and treatment of alcoholism or substance abuse. The person may be committed to the  
461 Massachusetts correctional institution at Bridgewater, if a male, or at Framingham, if a female,  
462 provided that there are not suitable facilities available under said chapter; and provided, further,  
463 that the person so committed shall be housed and treated separately from convicted criminals. A  
464 person so committed may be released prior to the expiration of the period of commitment upon  
465 written determination by the superintendent that release of said person will not result in a  
466 likelihood of serious harm. Such written determination by the superintendent shall contain the

467 reasons for the superintendent's decision to release said person and shall be signed and dated by  
468 the superintendent. Said person shall be encouraged to consent to further treatment and shall be  
469 allowed voluntarily to remain in the facility for such purposes. The department of mental health,  
470 in conjunction with the department of public health, shall maintain a roster of public and private  
471 facilities available, together with the number of beds currently available, for the care and  
472 treatment of alcoholism or substance abuse and shall make it available to the district courts of the  
473 commonwealth on a monthly basis.

474 SECTION 19. Section 1 of chapter 176J of the General Laws, as so appearing, is hereby  
475 amended by striking out the definition of "Eligible individual" and inserting in place thereof the  
476 following definition:-

477 "Eligible individual," an individual who is a resident of the commonwealth and who is not  
478 seeking individual coverage to replace an employment-based health plan for which the individual  
479 or individual's qualified dependent is eligible, which provides coverage that is at least actuarially  
480 equivalent to minimum creditable coverage; provided, however, that any person enrolled in an  
481 individual health benefit plan before September 30, 2011 shall be considered an eligible  
482 individual so long as such person continues to be a resident of the commonwealth and maintains  
483 enrollment in an individual health benefit plan.

484 SECTION 20. The first paragraph of subsection (d) of section 6 of chapter 176J of the General  
485 Laws, as so appearing, is hereby amended by adding the following sentence:-

486 The commissioner shall have discretion to apply waivers to the presumptive disapproval process  
487 requirements under this section to carriers who receive 80 per cent of more of their income from  
488 government programs.

489 SECTION 21. The last paragraph of subsection (a) of section 11 of chapter 176J of the General  
490 Laws, as so appearing, is hereby amended by adding the following sentence:-

491 The commissioner shall have discretion to apply waivers to the 12 per cent requirement under  
492 this section to carriers who receive 80 per cent or more of their income from government  
493 programs.

494 SECTION 22. Subsection (c) of section 2A of chapter 211D of the General Laws, as appearing  
495 in section 112 of chapter 68 of the acts of 2011, is hereby amended by adding the following  
496 paragraph:-

497 Upon request by the department of children and families, the commissioner of probation shall  
498 provide to the department a copy of a person's indigency intake form, final assessment of  
499 financial circumstances, and any report certifying that the person either continues to meet or no  
500 longer meets the definition of indigency prepared by the chief probation officer in accordance  
501 with this section. The department shall use these forms and reports for the purpose of  
502 completing eligibility determinations under Title IV-E of the Social Security Act and for no other  
503 purpose. The commissioner of probation and the commissioner of children and families shall  
504 jointly determine the process by which the department of children and families shall obtain and  
505 maintain these forms and reports. The department of children and families shall not make, and  
506 shall prohibit, any dissemination of such information for any purpose other than those set forth in  
507 this paragraph.

508 SECTION 23. The last paragraph of chapter 2 of the resolves of 2010 is hereby amended by  
509 striking out the words "September 28, 2011" and inserting in place thereof the following words:-  
510 January 31, 2012.

511 SECTION 24. Chapter 192 of the acts of 2007 is hereby amended by striking out sections 5 to  
512 11, inclusive, and inserting in place thereof the following 4 sections:-

513 Section 5. As used in sections 5 to 11, inclusive, the following words shall, unless the context  
514 clearly requires otherwise, have the following meanings:-

515 “Corps members”, individuals who commit to service in the commonwealth corps pursuant to  
516 this act.

517 “Corps projects”, programs established pursuant to this act to satisfy unmet community needs.

518 “Corps sponsors”, non-profit and public entities that participate in corps projects.

519 “Massachusetts Service Alliance,” or “MSA”, the non-profit organization which administers the  
520 commonwealth corps program.

521 “Unmet community needs”, needs including, but not limited to, those pertaining to education,  
522 public health, public safety, the environment and other human needs in underserved populations  
523 and areas in the commonwealth.

524 Section 6. (a) Subject to the receipt of adequate funding by the commonwealth or other sources,  
525 there shall be a commonwealth corps.

526 (b) The commonwealth corps shall be composed of corps members who will commit to no more  
527 than 12 months of full-time, part-time or flex-time service to the commonwealth to address  
528 unmet community needs.

529 (c) Corps members shall be residents of the commonwealth who are at least 18 years of age.

530 Members shall be the responsibility of the corps sponsors with support from the MSA. Corps

531 members shall undertake meaningful service projects addressing unmet community needs in  
532 areas including, but not limited to, the environment, education, health and basic human services  
533 and may serve full or part-time; but, members having direct contact with minor children or  
534 vulnerable adults shall be required to pass a background check.

535 (d) The MSA and the corps sponsors shall, to the extent practicable, ensure that corps members  
536 are placed with corps projects that match their interests, geographic constraints, skills and  
537 abilities. Corps sponsors may enroll individuals who choose to defer a stipend to serve as a corps  
538 member. Corps sponsors shall seek to enroll individuals who are economically, geographically,  
539 ethnically, socially, physically or educationally diverse.

540 (e) A corps member shall not be subject to chapter 31 or section 9A of chapter 30. Corps  
541 members shall not be considered to be an employee of the commonwealth entitled to the benefit  
542 of chapter 152, nor shall a corps member be considered to be an employee of the commonwealth  
543 for any other purpose.

544 Section 7. (a) The MSA shall administer the commonwealth corps and in so doing shall: (1)  
545 provide the personnel necessary to carry out the purposes of this chapter; (2) recruit corps  
546 sponsors; (3) coordinate among agencies of the commonwealth and other organizations using  
547 community service and volunteerism as a strategy to assist in the solution of local, regional and  
548 statewide problems; (4) initiate studies and analyses of proposed and implemented service and  
549 volunteer projects, which will aid in solving local, regional and statewide problems; (5)  
550 recommend expansion of corps opportunities to address all community needs, such as education,  
551 environment, public safety, public health and employment and training; (6) encourage the  
552 corporate community of the commonwealth to become an active partner in the support, advocacy

553 and promotion of community service and volunteer opportunities in the commonwealth; (7)  
554 develop a grant application and selection process using the criteria set forth in subsection (b) for  
555 non-profit organizations and public entities, including schools and educational institutions,  
556 seeking to participate in the commonwealth corps; (8) review grant applications from non-profit  
557 organizations and public entities, including schools and educational institutions and selecting  
558 grant awardees; (9) establish criteria and procedures for recruiting residents of the  
559 commonwealth who are 18 years or older to serve as corps members; (10) establish procedures  
560 for matching and placing corps members with corps projects; (11) establish personnel policies  
561 and procedures for corps members; (12) determine the appropriate financial match support levels  
562 by private business, community groups, foundations, public agencies and individuals; (13) assist  
563 corps sponsors in the development of scholarships and matching funds from private businesses,  
564 community groups, foundations, public agencies and individuals in order to support a portion of  
565 a corps member's stipend and benefits; and (14) monitor corps members and corps sponsors for  
566 compliance with all state and federal laws and funding agreements.

567 (b) The MSA shall give projects meeting the following criteria preference: (1) projects  
568 addressing a well-established unmet community need; (2) projects articulating measurable goals,  
569 including an assessment of the impact on the corps members and on the targeted community; (3)  
570 projects providing services to communities and organizations throughout the commonwealth; (4)  
571 projects not using corps members to replace previously budgeted positions or to reduce overtime,  
572 hours of work or opportunities for advancement for employees or members of corps sponsors;  
573 and (5) projects falling within 1 or both of the following categories: (i) direct service projects  
574 that give corps members opportunities to provide direct services addressing unmet community  
575 needs including, but not limited to, tutoring or mentoring, providing health care education,

576 providing services to the homeless, enhancing historic, cultural, and natural resources of the  
577 commonwealth, enhancing environmental restoration, enhancing emergency preparedness and  
578 response; or (ii) volunteer-generating projects that give corps members the opportunity to recruit,  
579 train and support volunteers to participate in civic projects and to meet unmet community needs.

580 Section 8. The MSA shall file with the governor, on or before January 1 and on or before July 1  
581 of each year, a report, which shall include but not be limited to the following: (1) a financial  
582 statement summarizing its expenditures and available funds; (2) the number of projects and  
583 proposed placements submitted to it; (3) the number of volunteers assigned to corps sponsors; (4)  
584 the number of hours served by corps members; (5) the number of beneficiaries served by corps  
585 projects; (6) a description of corps projects and a summary of the work completed; (7) a measure  
586 of outputs and outcomes; and (8) information on other pertinent service data as may be  
587 determined by the governor.

588 SECTION 25. Section 2 of chapter 131 of the acts of 2010 is hereby amended by striking out the  
589 figure “0340-0101” and inserting in place thereof the following figure:- 0340-0198.

590 SECTION 26. Said section 2 of said chapter 131 is hereby further amended by striking out the  
591 figure “0340-0201” and inserting in place thereof the following figure:-0340-0298.

592 SECTION 27. Said section 2 of said chapter 131 is hereby further amended by striking out the  
593 figure “0340-0301” and inserting in place thereof the following figure:- 0340-0398.

594 SECTION 28. Said section 2 of said chapter 131 is hereby further amended by striking out the  
595 figure “0340-0401” and inserting in place thereof the following figure:- 0340-0498.

596 SECTION 29. Said section 2 of said chapter 131 is hereby further amended by striking out the  
597 figure “0340-0501” and inserting in place thereof the following figure:- 0340-0598.

598 SECTION 30. Said section 2 of said chapter 131 is hereby further amended by striking out the  
599 figure “0340-0601” and inserting in place thereof the following figure:-0340-0698.

600 SECTION 31. Said section 2 of said chapter 131 is hereby further amended by striking out the  
601 figure “0340-0701” and inserting in place thereof the following figure:- 0340-0798.

602 SECTION 32. Said section 2 of said chapter 131 is hereby further amended by striking out the  
603 figure “0340-0801” and inserting in place thereof the following figure:- 0340-0898.

604 SECTION 33. Said section 2 of said chapter 131 is hereby further amended by striking out the  
605 figure “0340-0901” and inserting in place thereof the following figure:- 0340-0998.

606 SECTION 34. Said section 2 of said chapter 131 is hereby further amended by striking out the  
607 figure “0340-1001” and inserting in place thereof the following figure:- 0340-1098.

608 SECTION 35. Said section 2 of said chapter 131 is hereby further amended by striking out the  
609 figure “0340-1101” and inserting in place thereof the following figure:- 0340-1198.

610 SECTION 36. Said section 2 of said chapter 131 is hereby further amended by striking out the  
611 figure “0699-0016” and inserting in place thereof the following figure:- 0699-0014.

612 SECTION 37. Said section 2 of said chapter 131 is hereby further amended by striking out the  
613 figure “0699-2004” and inserting in place thereof the following figure:- 0699-2005.

614 SECTION 38. Said section 2 of said chapter 131 is hereby further amended by striking out the  
615 figure “0810-0007” and inserting in place thereof the following figure:- 0810-0098.

616 SECTION 39. Said section 2 of said chapter 131 is hereby further amended by striking out the  
617 figure “8000-0000” and inserting in place thereof the following figure:- 8000-0600.

618 SECTION 40. Said section 2 of said chapter 131 is hereby further amended by striking out the  
619 figure “8100-0000” and inserting in place thereof the following figure:- 8100-1001.

620 SECTION 41. Said section 2 of said chapter 131 is hereby further amended by striking out the  
621 figure “8100-0011” and inserting in place thereof the following figure:- 8100-0018.

622 SECTION 42. Item 8910-8310 of said section 2 of said chapter 131 is hereby amended by  
623 striking out the figure "\$8,460,000", inserted by section 39B of chapter 9 of the acts of 2011,  
624 wherever it appears, and inserting in place thereof in each instance the following figure:-  
625 \$9,955,000

626 SECTION 43. Subsection (a) of section 32A of chapter 288 of the acts of 2010, as inserted by  
627 section 103 of chapter 359 of the acts of 2010, is hereby amended by adding at the end thereof  
628 the following sentence:-

629 The commissioner shall have discretion to apply waivers to the 12 per cent requirement under  
630 this section to carriers who receive 80 per cent or more of its income from government programs.

631 SECTION 44. Section 34 of chapter 409 of the acts of 2010 is hereby amended by striking out  
632 the figure “2011” and inserting in place thereof the following figure:- 2012.

633 SECTION 45. Section 2 of chapter 68 of the acts of 2011 is hereby amended by striking out the  
634 figure “0340-0101” and inserting in place thereof the following figure:- 0340-0198.

635 SECTION 46. Said section 2 of said chapter 68 is hereby further amended by striking out the  
636 figure “0340-0201” and inserting in place thereof the following figure:-0340-0298.

637 SECTION 47. Said section 2 of said chapter 68 is hereby further amended by striking out the  
638 figure “0340-0301” and inserting in place thereof the following figure:- 0340-0398.

639 SECTION 48. Said section 2 of said chapter 68 is hereby further amended by striking out the  
640 figure “0340-0401” and inserting in place thereof the following figure:- 0340-0498.

641 SECTION 49. Said section 2 of said chapter 68 is hereby further amended by striking out the  
642 figure “0340-0501” and inserting in place thereof the following figure:- 0340-0598.

643 SECTION 50. Said section 2 of said chapter 68 is hereby further amended by striking out the  
644 figure “0340-0601” and inserting in place thereof the following figure:-0340-0698.

645 SECTION 51. Said section 2 of said chapter 68 is hereby further amended by striking out the  
646 figure “0340-0701” and inserting in place thereof the following figure:- 0340-0798.

647 SECTION 52. Said section 2 of said chapter 68 is hereby further amended by striking out the  
648 figure “0340-0801” and inserting in place thereof the following figure:- 0340-0898.

649 SECTION 53. Said section 2 of said chapter 68 is hereby further amended by striking out the  
650 figure “0340-0901” and inserting in place thereof the following figure:- 0340-0998.

651 SECTION 54. Said section 2 of said chapter 68 is hereby further amended by striking out the  
652 figure “0340-1001” and inserting in place thereof the following figure:- 0340-1098.

653 SECTION 55. Said section 2 of said chapter 68 is hereby further amended by striking out the  
654 figure “0340-1101” and inserting in place thereof the following figure:- 0340-1198.

655 SECTION 56. Said section 2 of said chapter 68 is hereby further amended by striking out the  
656 figure “0699-0016” and inserting in place thereof the following figure:- 0699-0014.

657 SECTION 57. Said section 2 of said chapter 68 is hereby further amended by striking out the  
658 figure “0699-2004” and inserting in place thereof the following figure:- 0699-2005.

659 SECTION 58. Said section 2 of said chapter 68 is hereby further amended by striking out the  
660 figure “0810-0007” and inserting in place thereof the following figure:- 0810-0098.

661 SECTION 59. Said section 2 of said chapter 68 is hereby further amended by striking out the  
662 figure “8000-0000” and inserting in place thereof the following figure:- 8000-0600.

663 SECTION 60. Said section 2 of said chapter 68 is hereby further amended by striking out the  
664 figure “8100-0000” and inserting in place thereof the following figure:- 8100-1001.

665 SECTION 61. Said section 2 of said chapter 68 is hereby further amended by striking out the  
666 figure “8100-0011” and inserting in place thereof the following figure:- 8100-0018.

667 SECTION 62. Item 0330-0300 of said section 2 of said chapter 68 is hereby amended by striking  
668 out the words “ the chief justice for administration and management shall submit a report to the  
669 joint committee on the judiciary and the house and senate committees on ways and means 90  
670 days prior to the temporary closure or temporary relocation of courthouses; provided further, that  
671 said report shall include, but not be limited to, the transfer of personnel, the reallocation of  
672 resources, the impact on other courthouses resulting from the temporary closure of said court and  
673 other factors that may affect implementation of said temporary closure;” and inserting in place  
674 thereof the following words:- no courthouse shall be closed, nor any session within a  
675 courthouse, and no proposed courthouse or session closure by the chief justice for administration  
676 and management of the trial court shall take effect until such closure is approved by the court  
677 administrator; provided, however, that prior to any such closure the court administrator  
678 appointed pursuant to chapter 211B of the general laws shall file with the joint committee on the

679 judiciary, the house and senate committees on ways and means, and the clerks of the house and  
680 senate 90 days prior to the temporary closure or temporary relocation of courthouses or sessions  
681 a plan to close certain courthouses or certain sessions which shall include the specific reasons for  
682 such closure, the cost savings, a plan to provide services to citizens affected by such closure; the  
683 transfer of personnel, the reallocation of resources, the impact on other courthouses resulting  
684 from the temporary closure of said court or session and other factors that may affect  
685 implementation of any closure.

686 SECTION 63. Item 0332-0100 of said section 2 of said chapter 68 is hereby amended by striking  
687 out the words:- “\$33,750,000 may be expended from fees charged and collected pursuant to  
688 section 3 of chapter 90C of the General Laws, section 22 of chapter 218 of the General Laws,  
689 sections 2, 4A, 4B, 4C, 39 and 40 of chapter 262 of the General Laws and section 87A of chapter  
690 276 of the General Laws; provided further, that the first \$34,350,000” and inserting in place  
691 thereof the following words:- \$30,750,000 may be expended from fees charged and collected  
692 pursuant to section 3 of chapter 90C of the General Laws, section 22 of chapter 218 of the  
693 General Laws, sections 2, 4A, 4B, 4C, 39 and 40 of chapter 262 of the General Laws and section  
694 87A of chapter 276 of the General Laws; provided further, that the first \$26,350,000.

695 SECTION 64. Item 0333-0002 of said section 2 of said chapter 68 is hereby amended by striking  
696 out the figure “\$7,000,000” and inserting in place thereof the following figure:- \$9,000,000.

697 SECTION 65. Item 0334-0001 of said section 2 of said chapter 68 is hereby amended by striking  
698 out the figure “\$1,100,000” and inserting in place thereof the following figure:- \$2,100,000.

699 SECTION 66. Item 0337-0002 of said section 2 of said chapter 68 is hereby amended by striking  
700 out the words “that in fiscal year 2012 the department shall proportionately reduce the amount

701 allocated to the CASA programs as appearing in items 0337-0300, 0337-0400, 0337-0600, 0337-  
702 0700, and 0337-0900 of section 2 of chapter 182 of the acts of 2008” and inserting in place  
703 thereof the following words:- the department shall expend funds for the CASA programs as  
704 appearing in items 0337-0300, 0337-0400, 0337-0600, 0337-0700, and 0337-0900 of section 2 of  
705 chapter 182 of the acts of 2008, provided, however, that the department may reduce funding to  
706 each item by not more than 50 per cent.

707 SECTION 67. Item 0640-0010 of said section 2 of said chapter 68 is hereby amended by  
708 inserting after the words “state lottery program” the following words:- provided further, that not  
709 more than \$200,000 may be expended for programs that promote the treatment of compulsive  
710 gambling.

711 SECTION 68. Section 2 of said chapter 68 is further amended by striking out item 1750-0105  
712 and inserting in place thereof the following item:-

713 1750-0105 For the cost of workers’ compensation paid to public employees; provided, that  
714 the secretary of administration and finance shall charge other items or state agencies for costs  
715 incurred on behalf of these state agencies; provided further, that the secretary may transfer  
716 workers’ compensation-related fringe benefit assessments from federal grants and trust accounts  
717 to this item; provided further, that no funds shall be expended from this item that would cause  
718 the item to be deficient; provided further, that the secretary shall provide projected costs of  
719 workers compensation costs incurred by agencies in fiscal year 2012 to the house and senate  
720 committees on ways and means no later than March 2, 2012; provided further, that in accordance  
721 with chapter 177 of the acts of 2001, the secretary of administration and finance shall charge  
722 state agencies in fiscal year 2012 as provided in this item for workers’ compensation costs,

723 including related administrative expenses incurred on behalf of the employees of the agencies;  
724 provided further, that administrative expenses shall be allocated; provided further, that the  
725 personnel administrator shall administer the charges on behalf of the secretary, and may establish  
726 such rules and procedures as deemed necessary to implement this item; provided further, that the  
727 personnel administrator shall: (1) notify agencies regarding the chargeback methodology to be  
728 used in fiscal year 2012; (2) notify agencies of the amount of their estimated workers  
729 compensation charges for the fiscal year; and (3) require agencies to encumber funds in an  
730 amount sufficient to meet the estimated charges; provided further, that the estimated charges for  
731 each agency in the fiscal year shall be not less than the amount of the actual workers'  
732 compensation costs, including related administrative expenses, incurred by each such agency in  
733 fiscal year 2012 and may include such additional amounts as the human resources division finds  
734 necessary under regulations adopted under this item; provided further, that the division may  
735 adopt a program of incentives for agencies to reduce agencies' claims; provided further, that for  
736 any agency that fails within 30 days of the effective date of this act to encumber funds sufficient  
737 to meet the estimated charges, the comptroller shall so encumber funds on behalf of that agency;  
738 provided further, that the personnel administrator shall: (1) determine the amount of the actual  
739 workers' compensation costs incurred by each agency in the preceding month, including related  
740 administrative expenses; (2) notify each agency of the amounts; and (3) charge the amounts to  
741 each agency's accounts as estimates of the costs to be incurred in the current month; provided  
742 further, that notwithstanding any general or special law to the contrary, any balance remaining in  
743 the Intergovernmental Service Fund, at the close of fiscal year 2012 shall be transferred to the  
744 General Fund; provided further, that any unspent balance at the close of fiscal year 2011 in an  
745 amount not to exceed 5 per cent of the amount authorized shall remain in the Intergovernmental

746 Service Fund and is hereby re-authorized for expenditures for such item in fiscal year 2012;  
747 provided further, that the personnel administrator may expend in fiscal year 2012 for hospital,  
748 physician, benefit, and other costs related to workers' compensation for employees of state  
749 agencies, including administrative expenses; and provided further, that such expenditures may  
750 include payments for medical services provided to claimants in prior fiscal years, as well as  
751 compensation benefits and associated costs for prior fiscal years ....\$57,040,378

752 SECTION 69. Item 1750-0102 of said section 2 of said chapter 68 is hereby amended by striking  
753 out the figure "\$2,056,966", each time it appears, and inserting in place thereof, in each instance,  
754 the following figure:- \$2,700,000.

755 SECTION 70. Item 3000-7050 of said section 2 of said chapter 68 is hereby amended by  
756 inserting after the words "individualized education plans" the following words:- ; and provided  
757 further that \$200,000 shall be expended for the purpose of developing and implementing a  
758 kindergarten readiness assessment system that shall use evidence-based formative assessment  
759 tools to measure the developmental status, age-appropriate progress, and school readiness of  
760 each child in kindergarten including those with high needs, inform classroom teaching practices,  
761 and identify key areas for intervention; provided further that the kindergarten readiness  
762 assessment system shall be aligned with Massachusetts' learning standards and curriculum  
763 guidelines; provided further, that the kindergarten readiness assessment system shall be a  
764 component of the Commonwealth's early learning and development assessment system that  
765 measures children's growth across all developmental domains from pre-kindergarten entry  
766 through second grade as part of the statewide longitudinal data system.

767 SECTION 71. Item 4000-0300 of said section 2 of said chapter 68 is hereby amended by adding  
768 the following words:- ; and provided further, that funds may be expended for the purposes of  
769 implementing the federal Systematic Alien Verification for Entitlements, or SAVE, system.

770 SECTION 72. Said section 2 of said chapter 68 is hereby further amended by striking out item  
771 4100-0059.

772 SECTION 73. Item 4100-0060 of said section 2 of said chapter 68 is hereby amended by striking  
773 out the words “between July 1, 2011 and December 31, 2011”.

774 SECTION 74. Said item 4100-0060 of said section 2 of said chapter 68 is hereby further  
775 amended by striking out the figure “\$10,578,754” and inserting in place thereof the following  
776 figure:- \$21,157,507.

777 SECTION 75. Said item 4100-0060 of said section 2 of said chapter 68 is hereby further  
778 amended by striking out the words “one-half” in lines 10 and 24, each time it appears.

779 SECTION 76. Said item 4100-0060 of said section 2 of said chapter 68 is hereby further  
780 amended by striking out the words “provided further, that the division and executive office may  
781 consult with hospitals regarding such transition” and inserting in place thereof the following  
782 words:- provided further, that the division and the executive office shall consult with the  
783 Massachusetts Hospital Association, Inc. and hospitals regarding such transition; provided  
784 further, that prior to the implementation of the transition, the division and the executive office  
785 shall (1) perform parallel and round-trip claims processing tests with hospitals to ensure that the  
786 MMIS system performs effectively compared to the existing health and safety net claims  
787 adjudication system and (2) report on the detailed results of said claims processing tests to the  
788 house and senate committees on ways and means.

789 SECTION 77. Item 7035-0006 of section 2 of chapter 68 of the acts of 2011 is hereby amended  
790 by adding after the word “item” the following clause:- ; provided further that funds may be  
791 expended to reimburse municipalities for the cost of transporting students under section 7C of  
792 chapter 74 of the General Laws.

793 SECTION 78. Item 7066-0025 of section 2 of chapter 68 of the acts of 2011 is hereby amended  
794 by adding the following words:- ; and provided further, that funds from this item may be  
795 expended through August 31, 2012.

796 SECTION 79. Said section 2 of said chapter 68 is hereby amended by striking out item 8100-  
797 0011 and inserting in place thereof the following item:-

798 8100-0011 For the department of state police, which may expend an amount not to exceed  
799 \$4,100,000 for certain police activities provided pursuant to agreements authorized in this item;  
800 provided, that for fiscal year 2012, the colonel of state police may enter into service agreements  
801 with the commanding officer or other person in charge of a military reservation of the United  
802 States located in the Massachusetts Development Finance Agency, established in chapter 23G of  
803 the General Laws; provided further, that such agreements shall establish the responsibilities  
804 pertaining to the operation and maintenance of police services including, but not limited to: (a)  
805 provisions governing payment to the department for the cost of regular salaries, overtime,  
806 retirement, and other employee benefits; and (b) provisions governing payment to the department  
807 for the cost of furnishings and equipment necessary to provide such police services; provided  
808 further, that the department may charge any recipients of police services for the cost of such  
809 services, as authorized by this item; provided further, that the department may retain the revenue  
810 so received and expend such revenue as necessary pursuant to this item to provide the agreed

811 level of services; provided further, that the colonel may enter into service agreements as may be  
812 necessary to enhance the protection of persons, as well as assets and infrastructure located within  
813 the commonwealth, from possible external threat or activity; provided further, that such  
814 agreements shall establish the responsibilities pertaining to the operation and maintenance of  
815 police services including, but not limited to: (a) provisions governing payment to the department  
816 for the cost of regular salaries, overtime, retirement, and other employee benefits; and (b)  
817 provisions governing payment to the department for the cost of training and /or equipment  
818 necessary to provide such police services; provided further, that the department may charge any  
819 recipients of police services for the cost of such services, as authorized by this item; provided  
820 further, that the department may retain the revenue so received and expend such revenue as  
821 necessary pursuant to this item to provide the agreed level of services; provided further, that the  
822 colonel may expend from this item costs associated with joint federal and state law enforcement  
823 activities from federal reimbursements received therefore; and provided further, that  
824 notwithstanding any general or special law to the contrary, for the purposes of accommodating  
825 discrepancies between the receipt of retained revenues and related expenditures, the department  
826 may incur expenses and the comptroller may certify for payment amounts not to exceed the  
827 lower of this authorization or the most recent revenue estimate as reported in the state accounting  
828 system ..... \$4,100,000.

829 SECTION 80. Said section 2 of said chapter 68 is hereby further amended by striking out item  
830 8100-0515 and inserting in place thereof the following item:-

831 8100-0515 For trainee salary, salary-related and medical expenses, including mental and  
832 medical health screening, and for the operating and clerical costs associated with the

833 Massachusetts State Police Academy for the purpose of hiring and training state police recruits to  
834 maintain the strength of the department of state police.....\$2,000,000

835 SECTION 81. Item 8900-0010 of said section 2 of said chapter 68 is hereby amended by striking  
836 out the words “amounts collected” and inserting in place thereof the following words:- to the  
837 comptroller the amounts to be transferred from the Commonwealth Transportation Fund to the  
838 department of correction revenue source 9000.

839 SECTION 82. Section 190 of said chapter 68 is hereby amended by striking out the words “the  
840 secretary of education, or a designee thereof” and inserting in place thereof the following words:-  
841 the secretary of education, who shall serve as chair.

842 SECTION 83. Section 198 of said chapter 68 is hereby amended by striking out the first  
843 sentence and inserting in place thereof the following sentence:-

844

845 Notwithstanding any general or special law to the contrary, 50 per cent of any of the unexpended  
846 and unencumbered balances of appropriations on June 30, 2011, or \$65,000,000, whichever is  
847 less, shall be distributed to cities and towns in proportion to the amount by which each  
848 municipality’s Unrestricted General Government Aid in fiscal year 2011 exceeds such aid in  
849 fiscal year 2012.

850 SECTION 84. The executive office of health and human service shall provide to each  
851 beneficiary age 65 and over a one-time notice of options available for enrollment in voluntary  
852 programs including Program of All Inclusive Care for the Elderly plans, MassHealth Senior Care  
853 Options, Frail Elder Home and Community Based Waiver Program and any other voluntary

854 elected benefit to which the beneficiary is entitled to supplement or replace such beneficiary's  
855 MassHealth benefits. The executive office shall include in the notice the names and contact  
856 information for the program providers, general contact information for the division and a general  
857 description of the benefits of joining particular programs. The notice shall be written in clear and  
858 simple language and shall include instructions for requesting a copy of such notice in a language  
859 other than English. The notice shall include a method for the beneficiary to request from the  
860 executive office additional information on any program described in the notice. Before the  
861 content and format of the annual notice is finalized, the executive office shall forward the  
862 proposed draft for review and comment to the program providers. The executive office shall  
863 work with the program providers and other appropriate stakeholders to assess whether, and to  
864 what extent, barriers to program enrollment shall be alleviated through modifications to the  
865 program or the enrollment process.

866 SECTION 85. Notwithstanding any general or special law to the contrary, at the request of the  
867 committee for public counsel services, with written approval of the secretary of administration  
868 and finance, the comptroller shall allow the transfer of funds at any time from item 0321-1510 to  
869 item 0321-1520 for the purpose of reducing any deficiency in the latter appropriation. All such  
870 transfers, in aggregate, shall not exceed \$3,200,000 and shall be effective for fiscal year 2011.

871 SECTION 86. Notwithstanding any general or special law to the contrary, any unexpended  
872 funding made available under item 7003-0701 of section 2 of chapter 131 of the acts of 2010  
873 shall not revert, but shall remain available for expenditure from the Workforce Training Trust  
874 Fund, established by section 2RR of chapter 29 of the General Laws.

875 SECTION 87. Notwithstanding any general or special law to the contrary, the budget director  
876 for the executive office of administration and finance may waive up to \$86,000 in costs that  
877 would otherwise be collected by the state comptroller from the Massachusetts developmental  
878 disabilities council under sections 5D and 6B of chapter 29 of the General Laws. The waiver  
879 shall be in writing and the budget director shall provide copies to the house and senate  
880 committees on ways and means. The waiver shall be solely for the purpose of state match  
881 funding for federal grant awards received from the National Association of Councils on  
882 Developmental Disabilities. The waiver shall be effective until June 30, 2012.

883 SECTION 88. There shall be established and set up on the books of the commonwealth a fund to  
884 be known as the state low income housing tax credit fund. The commissioner of revenue shall  
885 serve as the fund's trustee. Funds made available for this fund shall only be used for the purpose  
886 of offsetting General Fund costs associated with the state low income housing tax credit claimed  
887 annually by eligible taxpayers in the commonwealth. By June 30 of every fiscal year during  
888 which this fund is effective, the commissioner shall determine the projected costs to the state of  
889 the state low income housing tax credit within the fiscal year and request that the comptroller  
890 transfer funding from the fund to the General Fund in an amount not to exceed the projected  
891 costs, but no such transfer shall be processed without the written approval of the secretary of  
892 administration and finance. The aggregate amount of transferred funds for all fiscal year during  
893 which the fund is effective shall not exceed \$9,500,000. The fund shall remain in effect until  
894 June 30, 2014.

895 SECTION 89. There shall be established and set up on the books of the commonwealth a fund to  
896 be known as the Infrastructure Development Fund. The secretary of housing and economic  
897 development shall serve as the fund's trustee. The fund is created for purpose of creating jobs

898 and stimulating economic development in the commonwealth through infrastructure-related  
899 investments made by the secretary of housing and economic development in consultation with  
900 the secretary of transportation. Allowable purposes of this fund shall include shovel-ready  
901 infrastructure projects including, but not limited to, transit and highway projects, business  
902 expansion and redevelopment use and other related projects found by the secretary of housing  
903 and economic development to create economic opportunity and jobs both directly and indirectly  
904 across the state. All projects listed herein must be under contract within 90 days of the effective  
905 date of this act and must commence construction in the spring of 2012. Funds may be used by  
906 the secretary of housing and economic development to support matching funds for certain capital  
907 expenditures which are sponsored by higher education institutions for scientific or technology  
908 research and development. No funds shall be expended from this fund, including any spending  
909 by the secretary of housing and economic development for the oversight of the fund, without the  
910 written approval of the secretary of administration and finance. This fund shall remain in effect  
911 until June 30, 2013.

912 Projects that are eligible under this fund include, up to \$5,000,000 for infrastructure supporting  
913 downtown redevelopment in the city of Quincy; up to \$1,250,000 for Main Street streetscape  
914 improvements in the town of Bourne; up to \$3,000,000 for infrastructure to support the  
915 redevelopment of the Dever School in the city of Taunton; up to \$2,000,000 for the Acushnet  
916 Avenue International Marketplace in the city of New Bedford; up to \$1,200,000 for the  
917 reconstruction of Dicks Brook culvert and downtown streetscape improvements in the town of  
918 Barre; up to \$2,500,000 for rehabilitation of downtown parking structure in the city of Pittsfield;  
919 up to \$1,300,000 for downtown revitalization and streetscape improvements in the town of  
920 Randolph; up to \$1,000,000 for Everett Avenue reconstruction in the city of Chelsea; up to

921 \$2,500,000 for downtown revitalization and sewer improvements in the town Easton; up to  
922 \$2,200,000 for construction of a public way from route 202 to Campus road providing additional  
923 access to Holyoke Community College in the city of Holyoke; up to \$1,250,00 for road and  
924 infrastructure improvements to support downtown revitalization in the town of Amesbury; up to  
925 \$1,550,000 for Commerce Way improvements in the town of Plymouth; up to \$2,000,000 for  
926 infrastructure improvements to support redevelopment of Greylock Glen in the town of Adams;  
927 up to \$1,000,000 for the restoration of rail crossing and the towns of Hopedale and Milford; up  
928 to \$2,000,000 for the Route 1 water main relocation in the town of Saugus; up to \$1,200,000 for  
929 the Merrimack Street parking facility, rail trail and streetscape improvements for the city of  
930 Haverhill; up to \$1,200,000 for South End streetscape improvements in the city of Springfield;  
931 up to \$1,500,000 for public infrastructure improvements at Northwest Park in the town of  
932 Burlington; up to \$500,000 for the Ingelside Park revitalization in the town of Winthrop; up to  
933 \$500,000 for a senior center in the town of Rockland; up to \$1,800,000 for further renovation of  
934 the Houghton's Pond Park and athletic fields in the Town of Milton; and up to \$1,500,000 for  
935 downtown streetscape improvements in the city of Brockton.

936 SECTION 90. The special commission established in section 160 of chapter 131 of the acts of  
937 2010 is hereby revived and continued. The commission shall report its findings with the clerks of  
938 the house of representatives and the senate and the house and senate committees on ways and  
939 means not later than December 30, 2011. The report shall include recommendations for  
940 improving services for people with acquired or traumatic brain injury, the cost of maintaining or  
941 establishing those services and any legislation necessary to implement or allow for the  
942 development or expansion of services for the target population.

943 SECTION 91. The special commission established in section 181 of chapter 240 of the acts of  
944 2010 is hereby revived and continued. The commission shall complete a written report detailing  
945 any factors to be considered in the index and any financial measures that would be necessary for  
946 implementation to the governor, the clerks of the senate and house of representatives, the joint  
947 committee on tourism, arts and cultural development and the joint committee on education not  
948 later than June 30, 2012.

949 SECTION 92. Notwithstanding any general or special law to the contrary, prior to calculating  
950 the consolidated net surplus for the fiscal year ending June 30, 2011, the comptroller shall  
951 transfer \$350,000,000 to the Commonwealth Stabilization Fund, established in section 2H of  
952 chapter 29 of the General Laws, from the undesignated balance in the operating funds.

953 SECTION 93. Notwithstanding any general or special law to the contrary, in fiscal year 2012  
954 the department of elementary and secondary education shall assess on a sending school district  
955 school choice tuition amounts for any unpaid fiscal year 2011 innovation school tuition amount.

956 SECTION 94. There shall be established and set up on the books of the commonwealth a fund to  
957 be known as the Substance Abuse Services Fund. The commissioner of public health shall serve  
958 as the fund's trustee. Funds made available for this fund shall be used to expand inpatient  
959 treatment facilities and ongoing case management for individuals civilly committed under  
960 section 35 of chapter 123 of the General Laws. Upon the submission of a spending plan for this  
961 fund to the secretary of administration and finance, the house and senate committees on ways  
962 and means and the clerks of the house and the senate, the comptroller shall transfer \$10,000,000  
963 from the General Fund to the Substance Abuse Services Fund. In developing the spending plan,  
964 the commissioner shall hold at least 1 public hearing and shall consult with the commissioner of

965 mental health, the administrator of the trial court, a representative of the Massachusetts Medical  
966 Society, a representative of the Massachusetts Organization for Addiction Recovery and a  
967 representative of the Massachusetts Association for Behavioral Health Care. The commissioner  
968 shall submit a draft spending plan to the house and senate committee on ways and means 45 days  
969 prior to the submission of the final plan. This fund shall be in effect until June 30, 2013.

970 SECTION 95. Notwithstanding any general or special law to the contrary, if as of January 15,  
971 2012, tax revenues as estimated under section 5B of chapter 29 of the general laws meet or  
972 exceed \$20,615,000,000, there shall be established and set up on the books of the commonwealth  
973 a human salary reserve fund. Provided that upon the establishment of this fund, the comptroller  
974 shall transfer \$10,000,000 from the general fund to the human service salary reserve fund.  
975 Provided that any funds transferred under this section shall be used to provide one time salary  
976 bonuses to personnel earning less than \$40,000 in annual compensation who are employed by  
977 private human service providers that deliver human and social services under contracts with  
978 departments within the executive office of health and human services and the executive office of  
979 elder affairs.

980 SECTION 96. Notwithstanding any general or special law to the contrary, the department of  
981 public health shall produce a report relative to deaths caused by the mosquito-borne eastern  
982 equine encephalitis virus (EEEV). The report shall include, but not be limited to, the following  
983 information: the procedures undertaken by the department in the months preceding September 1,  
984 2011, to evaluate any threats to the public health caused by EEEV; the risk of transmission of  
985 EEEV to humans; and the factors weighed by the department when issuing a certification of  
986 public health hazard to initiate aerial application of mosquito control spray in Norfolk, Bristol  
987 and Plymouth counties. The department of public health shall consult with the state reclamation

988 and mosquito control board, the department of agricultural resources, the department of  
989 conservation and recreation, and the department of environmental protection in producing this  
990 report. The department of public health shall report its findings by filing the same with the clerks  
991 of the senate and the house of representatives, the senate and house chairs of the joint committee  
992 on public health, and the senate and house chairs of the joint committee on the environment,  
993 natural resources, and agriculture not later than 60 days after the passage of this act.

994 SECTION 97. Sections 11 and 15 shall take effect on January 1, 2013.

995 SECTION 98. Sections 12 and 16 shall take effect on January 1, 2015.