SECTION 2

JUDICIARY.

Supreme Judicial Court.

0320-0003 For the operation of the supreme judicial court, including salaries of the chief justice and the 6 associate justices $6,644,733

0320-0010 For the operation of the clerk's office of the supreme judicial court for Suffolk County $1,094,075

0321-0001 For the operation of the commission on judicial conduct $538,187

0321-0100 For the services of the board of bar examiners $1,056,470

Committee for Public Counsel Services.

0321-1500 For the operation of the committee for public counsel services as authorized by chapter 211D of the General Laws; provided, that the committee shall submit a report to the clerks of the house of representatives and senate, not later than January 31, 2006 that shall include, but not be limited to the following: (a) the number of clients assisted by the committee in the prior fiscal year; (b) any proposed expansion of legal services delineated by type of service, target population, and cost; (c) the total number of persons who received legal services by the committee, by type of case and geographic location; (d) the costs for services rendered per client, by type of case and geographic location; (e) the amount paid, if any, to the committee by clients for services rendered by type of case and geographic location; (f) the average cost for services rendered by the committee by type of case; (g) the average number of hours spent per attorney or staff per type of case $16,275,695

0321-1505 For additional costs of the public defender division; provided, that no funds from this appropriation shall support existing costs associated with line item 0321-1500; provided further, that the positions shall be assigned to existing committee for public counsel services offices in Springfield, Lowell, Worcester, Salem, New Bedford and Brockton; provided further, that the committee shall submit a report to the house and senate committees on ways and means not later than January 31, 2006 on the efficiencies gained from the additional resources provided in this item; provided further, that the report shall include, but not be limited to the following: (1) the number of assignment of counsel that this appropriation has shifted from private bar advocates to the public defender division since the effective date of this act, (2) the savings the commonwealth has realized from this appropriation since the effective date of this act, and (3) number of public defender positions filled and the location of the Sexually Dangerous Persons office $657,436

0321-1510 For compensation paid to private counsel assigned to criminal and civil cases under subsection (b) of section 6 of chapter 211D of the General Laws, pursuant to section 12 of said chapter 211D; provided, that not more than $1,000,000 of the sum appropriated in this item may be expended for services rendered before fiscal year 2006; and provided further, that the rates of compensation paid for private counsel services from this item shall be the same as the rates paid in fiscal year 2005 ..... $95,146,675

0321-1518 The chief counsel for the committee for public services may expend an amount not to exceed $750,000 from revenues collected from fees charged for attorney representation of indigent clients; provided however, that the revenues credited to

this account shall only be those revenues in excess of the amounts for the fees collected in fiscal year 2004 as calculated on a monthly basis in addition to revenues generated pursuant to the Middlesex Indigency Verification Pilot Program $750,000

0321-1520 For fees and costs as defined in section 27A of chapter 261 of the General Laws, as ordered by a justice of the appeals court or a justice of a department of the trial court of the commonwealth on behalf of indigent persons, as defined in said section 27A of said chapter 261; provided, that not more than $500,000 of the sum appropriated in this item may be expended for services rendered before fiscal year 2006 ..... $7,460,513

0321-1600 For the Massachusetts Legal Assistance Corporation to provide legal representation for indigent or otherwise disadvantaged residents of the commonwealth; provided, that notwithstanding section 9 of chapter 221A of the General Laws, $1,204,604 shall be expended for the disability benefits project, $544,286 shall be expended for the Medicare Advocacy Project, and $2,490,993 shall be expended for the Battered Women's Legal Assistance Project; provided further, that the corporation shall submit a report to the house and senate committees on ways and means not later than January 30, 2006 that shall include, but not be limited to the following: (a) the number of persons whom the programs funded by the corporation assisted in the prior fiscal year; (b) any proposed expansion of legal services delineated by type of service, target population, and cost; and (c) the total number of indigent or otherwise disadvantaged residents of the commonwealth who received services of the corporation, by type of case and geographic location; and provided further, that the corporation may contract with any organization for the purpose of providing the representation $8,564,142

0321-2000 For the operation of the mental health legal advisors committee and for certain programs for the indigent mentally ill, as provided in section 34E of chapter 221 of the General Laws $585,905

0321-2100 For the Massachusetts correctional legal services committee $750,000

0321-2205 For the expenses of the social law library located in Suffolk county $1,829,671

Appeals Court.

0322-0100 For the appeals court, including the salaries, traveling allowances and expenses of the chief justice, recall judges and the associate justices $9,433,517

Trial Court.

0330-0101 For the salaries of the justices of the several departments of the trial court; provided, that the chief justice for administration and management shall provide written notification to the house and senate committees on ways and means of any transfers of funds from this item to any other item of appropriation within 30 days of such transfer $42,705,285

0330-0300 For the central administration of the trial court, including costs associated with trial court non-employee services, trial court dental and vision health plan agreement, jury expenses, trial court law libraries, statewide telecommunications, private and municipal court rental and leases, operation of courthouse facilities, witness fees, printing expenses, equipment maintenance and repairs, court interpreter program, and insurance and chargeback costs; provided, that funds may be expended for the judicial training institute; provided further, that 50 per cent of all fees payable pursuant to Massachusetts Rules of Criminal Procedure 15(d) and 30(c)(8) shall be

paid from this item; provided further, that notwithstanding section 9A of chapter 30, or any general or special law to the contrary, the rights afforded to a veteran, pursuant to said section 9A of said chapter 30, shall also be afforded to any veteran, as so defined, who holds a trial court office or position in the service of the commonwealth not classified under chapter 31, other than an elective office, an appointive office for a fixed term or an office or position under section 7 of chapter 30, and who (1) has held the office or position for not less than 1 year and (2) has 30 years of total creditable service to the commonwealth, as defined in chapter 32; provided further, that not less than $100,000 shall be expended for the implementation of a changing lives through literature program; provided further, that not less than $100,000 shall be expended from this item for a contract with Massachusetts General Hospital for a research program on abused children; provided further, that the chief justice for administration and management of the trial court shall make a report to the general court relative to the annual cost of maintaining the court system's electronic equipment and systems and identify means to reduce the costs; provided further, that the report shall include, but not be limited to the following: an analysis of current equipment maintenance service contracts, a review of alternative equipment maintenance programs which, if implemented, would result in cost savings, better management of the equipment repair process, and enhanced equipment protection; provided further that in preparing the report the chief justice for administration and management may utilize the services of appropriate third parties knowledgeable in equipment service contracts; provided further, that the chief justice for administration and management shall file the report with the house and senate committees on ways and means on or before October 1, 2005; provided further, that the trial court shall submit a report to the victim and witness assistance board detailing the amount of assessments imposed within each court by a justice or clerk-magistrate during the previous calendar year pursuant to section 8 of chapter 258B of the General Laws; provided further, that the report shall include, but not be limited to, the number of cases in which the assessment was reduced or waived by a judge or clerk-magistrate within the courts; provided further, that the report shall be submitted to the victim and witness assistance board on or before January 14, 2006; and provided further, that not less than $9,522,318 shall be expended for the rental of county court facilities, in accordance with section 4 of chapter 29A of the General Laws; and provided further, that all county facilities shall be reimbursed at 100 per cent from this item in fiscal year 2006 ..... $114,794,156

0330-0317 For the operation and expenses of the Massachusetts sentencing commission, pursuant to chapter 211E of the General Laws $232,756

0330-0410 For alternative dispute resolution services for the trial court; provided, that the services shall be made available to the extent possible in connection with child care, protection and custody proceedings in juvenile and probate courts; provided further that not less than $44,337 shall be expended for North Central Court Services, Inc.; provided further, that not less than $40,000 shall be expended for the North Shore Community Mediation Program in Salem; provided further, that not less than $48,032 shall be expended for Metropolitan Mediation Services; provided further, that not less than $62,811 shall be expended for Mediation Works, Inc; provided further, that not less than $50,000 shall be expended for Quabbin Mediation in Athol; provided further, that not less than $25,863 shall be expended for the Mediation and Training Collaborative of Franklin County in Greenfield; provided further, that not less than $50,000 shall be expended for Framingham Court Mediation Services; provided further, that not less than $50,000 shall be expended for the Cape Cod Dispute Resolution Center; provided further, that not less than $50,000 shall be expended for the Community Dispute Settlement Center, Inc., of Cambridge; provided further, that not less than $50,000 shall be expended for the

Greater Brockton Center for Dispute Resolution; provided further, that not less than $48,031 shall be expended for the Somerville Mediation Program; provided further, that not less than $48,032 shall be expended for the Middlesex Multi-door Court House Program; and provided further that not less than $30,000 shall be expended for the Martha's Vineyard Mediation Program $800,000

0330-0441 For permanency mediation services in the probate and juvenile courts $476,598

0330-3200 For the court security program, including personnel and expenses; provided, that the chief justice for administration and management shall submit a report to the house and senate committees on ways and means not later than January 31, 2006, detailing the number of court officers and security personnel located in each trial court of the commonwealth $54,610,296

0330-3333 The chief justice for administration and management may expend an amount not to exceed $17,000,000 from fees charged and collected pursuant to section 3 of chapter 90C, chapter 185, section 22 of chapter 218 and sections 2, 4A, 4C, 39 and 40 of chapter 262 of the General Laws; provided, that the chief justice shall only expend or allocate funds from this item to the 7 departments of the trial court for the operation of the departments; provided further, that any expenditures or allocations shall be made in accordance with schedules submitted to the house and senate committees on ways and means 30 days before the expenditures or allocations are made; provided further, that the only revenue available for expenditure in this item for fiscal year 2006 shall be revenue collected from the fees in excess of the amount collected and deposited into the General Fund in fiscal year 2003 from the fees; provided further, that no allocation shall occur until the schedules have been approved by the committees; provided further, that the fees shall continue to be transmitted to the treasurer for deposit into the General Fund before the expenditure authorized by this item; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the chief justice may incur expenses and the comptroller shall certify for payments amounts not to exceed the lower of one half of this authorization or the most recent revenue estimate therefor as reported in the state accounting system ... $17,000,000

0330-3334 The chief justice for administration and management may expend an amount not to exceed $20,000,000 from fees charged and collected pursuant to section 87A of chapter 276 of the General Laws; provided, that the chief justice shall expend or allocate funds from this item only to the district court and Boston Municipal Court departments of the trial court for the operation of those departments; provided further, that any expenditures or allocations shall be made in accordance with schedules submitted to the house and senate committees on ways and means 30 days before the expenditures or allocations are made; provided however, that the chief justice shall allocate or expend the funds authorized in this item in a manner that accounts for the individual district court's compliance with section 13 of chapter 300 of the acts of 2002; and provided further, that the fees shall continue to be transmitted to the treasurer for deposit into the General Fund before the expenditure authorized by this item $20,000,000

Superior Court Department.

0331-0100 For the administrative office of the superior court department including costs associated with the administrative office of the superior court department and the 15 divisions of the superior court; provided further, that not less than $59,323 shall be expended for the medical malpractice tribunals established in accordance with

section 60B of chapter 231 of the General Laws; and provided further, that not less than $178,902 shall be expended for the Suffolk superior criminal court education and community outreach program $23,398,071

District Court Department.

0332-0100 For the office of the district court department, including a civil conciliation program and the 69 divisions of the district court $36,132,390

Probate and Family Court Department.

0333-0002 For the administrative office of the probate and family court department; the 14 divisions of the probate court, the operation of the Berkshire, Franklin, Hampden and Hampshire family court clinic to be administratively located in the city of Springfield and to serve the Berkshire, Franklin, Hampden and Hampshire divisions of the probate court, the Middlesex probate court family services clinic, the Norfolk probate court family services clinic, and the Worcester probate court family services clinic; provided, that the case manager shall meet monthly with the department of social services and shall report quarterly to the house and senate committees on ways and means on the backlog of cases in the probate court and the parties' progress made in the backlog each month; provided further, that not less than $79,495 shall be expended for the operation of a child and parents program in the Barnstable probate court; provided further, that the child and parents program shall not be subject to paragraphs (a) and (b) of clause (xxiii) of the third paragraph of section 9 of chapter 211B of the General Laws; provided further, that not less than $163,363 shall be expended for the Suffolk county community access program for community outreach and education; provided further, that the program shall be targeted at low income persons who experience educational and language barriers to court access; and provided further, that the program shall be administered by the register of probate of Suffolk county $20,119,876

Land Court Department.

0334-0001 For the operation of the land court $2,386,331

Boston Municipal Court Department.

0335-0001 For the operation of the Boston municipal court $7,648,023

Housing Court Department.

0336-0002 For the operation of the housing court department including costs associated with the administrative office of the housing court department and the 5 divisions of the housing court..... $4,287,589

Juvenile Court Department.

0337-0002 For the administrative office of the juvenile court and the personnel and expenses associated with the expansion of the juvenile court, including Berkshire, Essex, Hampshire/Franklin, Hampden, Middlesex, Norfolk, Plymouth, Suffolk, Worcester and Nantucket/Dukes counties; provided, that $100,000 shall be expended on the CASA program in the Lawrence juvenile court; provided further, that $72,920 shall be expended for the CASA program in the Worcester juvenile court; provided further, that $72,920 shall be expended for the CASA program in the Plymouth county juvenile court; provided further, that $77,478 shall be expended for the Franklin/Hampshire CASA program, including Northampton, Greenfield, Orange

and Ware district courts; provided further, that $54,690 shall be expended for a Berkshire CASA program in the Berkshire county juvenile court; provided further that $145,841 shall be expended for the CASA program in the Springfield Juvenile Court $11,563,528

Office of the Commissioner of Probation.

0339-1001 For the office of the commissioner of probation; provided, that notwithstanding the any general or special law, rule or regulation to the contrary, the commissioner, subject to appropriation, shall have exclusive authority to appoint, dismiss, assign and discipline probation officers, associate probation officers, probation officers-in-charge, assistant chief probation officers and chief probation officers; provided further, that the associate probation officers shall only perform in-court functions and shall assume the in-court duties of the currently employed probation officers who shall be reassigned within the probation service subject to collective bargaining agreements to perform intensive, community-based supervision of probationers, including the provisions of intensive supervision and community restraint services as described in item 0339-1004; provided further, that notwithstanding any general or special law, rule or regulation to the contrary, probation officer personnel and probation clerical support staff assigned to the courts shall be provided with suitable office space in their current location in and around the various divisions and departments of the trial court, as the case may be, or in suitable office space as appropriate, with the advice and consent of the commissioner; provided further, that the office shall enter into an interagency service agreement with the department of revenue to verify income data and to utilize the departments wage reporting and bank match system for the purpose of weekly tape-matching, so-called, for the purposes of determining an individual's eligibility for appointment of indigent counsel, as defined in chapter 211D of the General Laws; provided further, that the office shall submit quarterly reports to the house and senate committees on ways and means detailing the progress of eligibility verification with the department; and provided further, that the report shall include, but not be limited to, the number of individuals to be found misrepresenting assets, revenue generated through collection of indigent client fees, the average indigent client fee that each court division collects per case since the effective date of this act, recommendations on improvements in verifying eligibility for counsel and other pertinent information to ascertain the effectiveness of verification; and provided further, that not less than $2,000,000 shall be expended for the commissioner of probation to implement a global positioning system in collaboration with the Massachusetts parole board utilizing tamper free ankle bracelets to track level 3 sex offenders actively on parole and sex offenders currently being supervised by the office of the commissioner of probation and considered appropriate for tracking by the commissioner $116,890,795

0339-1003 For the operation of the trial court office of community corrections, including the costs of personnel..... $4,280,613

0339-1004 For the cost of intensive supervision and community corrections programs; provided, that the programs shall include, but not be limited to, tracking, community service, educational assistance, drug and alcohol testing and treatment, curfew enforcement, home confinement, day reporting, means-tested fines, restitution, and community incapacitation or restraint; provided further, that the number of placements in the programs shall not exceed a daily average goal of 5,000 intensively-supervised probationers; provided further, that funds from this item shall be expended to cover the costs of the programs that are undertaken and administered by court probation offices and county sheriffs' offices; provided further, that these funds shall be expended for the purpose of providing the programs in Barnstable, Berkshire,

Bristol, Dukes, Essex, Franklin, Hampden, Hampshire, Middlesex, Nantucket, Norfolk, Plymouth, Suffolk, and Worcester counties in fiscal year 2006; provided further, that the executive director of the office of community corrections of the trial court shall enter into interagency service agreements and memoranda of understanding with the probation offices and sheriffs' offices for the provision of the programs, including the contracting for detention space for probationers arrested for violating probation and awaiting court action and detention space for probationers who have been ordered by the trial court to be supervised at a higher level of restraint; provided further, that the agreements and memoranda shall be entered into at the direction of the executive director; provided further, that the executive director shall submit a spending and management plan for the programs to the house and senate committees on ways and means not later than January 30, 2006; and provided further, that the plan shall include the projected number of probationers to be served by each program and include a description of the oversight and services provided to the probationers $12,564,824

Office of the Jury Commissioner.

0339-2100 For the office of the jury commissioner in accordance with chapter 234A of the General Laws $1,990,901

Suffolk District Attorney.

0340-0100 For the Suffolk district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program, the domestic violence unit and the children's advocacy center; provided, that the office shall submit a report to the house and senate committees on ways and means not later than February 1, 2006 summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2005 and the disposition or status thereof which shall be delineated by each jurisdiction of the district, juvenile, probate or superior court in which the cases were managed or prosecuted; provided further, that not more than $125,000 shall be expended for a North Dorchester safe neighborhood initiative, in Suffolk county; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that not more than $125,000 shall be expended for a safe neighborhood initiative, in Suffolk county; provided further, that not less than $150,000 shall be expended for the purpose of a targeted controlled substance interdiction pilot program to be administered jointly by the district attorney for Suffolk county and the chiefs of police for the city of Revere and the town of Winthrop; provided further, that the office shall submit a report to the house and senate committees on ways and means not later than June 1, 2006 which shall include, but not be limited to, the quantity and nature of drug seizures resulting from the implementation of the pilot program; provided further, that the office shall submit a report to the house and senate committees on ways and means not later than February 15, 2006 detailing the office's use of drug forfeiture funds, so-called, collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) amount of the funds deposited into the office's special law enforcement trust fund, so-called, in fiscal years 2003, 2004 and 2005; (b) how the funds were used in those fiscal years; and (c) balance of the trust fund as of January 1, 2006; provided further, that no assistant district attorney shall be paid an annual salary of less than $35,000; and provided further, that funds may be expended for increases in salaries for assistant district attorneys $14,312,233

0340-0101 For the overtime costs of state police officers assigned to the Suffolk district

attorney's office…. $345,683

General Fund 11.80%
Highway Fund 88.20%

Middlesex District Attorney.

0340-0200 For the Middlesex district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program, and the domestic violence unit; provided, that the office shall submit a report to the house and senate committees on ways and means not later than February 1, 2006 summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2005 and the disposition or status thereof which shall be delineated by each jurisdiction of the district, juvenile, probate or superior court in which the cases were managed or prosecuted; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the house and senate committees on ways and means not later than February 15, 2006 detailing the office's use of drug forfeiture funds, so-called, collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) amount of the funds deposited into the office's special law enforcement trust fund, so-called, in fiscal years 2003, 2004 and 2005; (b) how the funds were used in those fiscal years; and (c) balance of the trust fund as of January 1, 2006; provided further, that no assistant district attorney shall be paid an annual salary of less than $35,000; and provided further, that funds may be expended for increases in salaries for assistant district attorneys..... $11,189,824

0340-0201 For the overtime costs of state police officers assigned to the Middlesex district attorney's office $478,682

General Fund 11.80%
Highway Fund 88.20%

Eastern District Attorney.

0340-0300 For the Eastern district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program, and the domestic violence unit; provided, that the office shall submit a report to the house and senate committees on ways and means not later than February 1, 2006 summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2005 and the disposition or status thereof which shall be delineated by each jurisdiction of the district, juvenile, probate or superior court in which the cases were managed or prosecuted; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the house and senate committees on ways and means not later than February 15, 2006 detailing the office's use of drug forfeiture funds, so-called, collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) amount of the funds deposited into the office's special law enforcement trust fund, so-called, in fiscal years 2003, 2004 and 2005; (b) how the funds were used in those fiscal years; and (c) balance of the trust fund as of January 1, 2006; provided further, that no assistant district attorney shall be paid an annual salary of less than $35,000; and provided further, that funds may be expended for increases in salaries for assistant district attorneys..... $6,781,556

0340-0301 For the overtime costs of state police officers assigned to the Eastern district attorney's office $447,132

General Fund 11.80%
Highway Fund 88.20%

Worcester District Attorney.

0340-0400 For the Worcester district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the house and senate committees on ways and means not later than February 1, 2006 summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2005 and the disposition or status thereof which shall be delineated by each jurisdiction of the district, juvenile, probate or superior court in which the cases were managed or prosecuted; provided further, that $75,000 may be expended for financial criminal investigations; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the house and senate committees on ways and means not later than February 15, 2006 detailing the office's use of drug forfeiture funds, so-called, collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) amount of the funds deposited into the office's special law enforcement trust fund, so-called, in fiscal years 2003, 2004 and 2005; (b) how the funds were used in those fiscal years; and (c) balance of the trust fund as of January 1, 2006; provided further, that no assistant district attorney shall be paid an annual salary of less than $35,000; and provided further, that funds may be expended for increases in salaries for assistant district attorneys $7,220,929

0340-0401 For the overtime costs of state police officers assigned to the Worcester district attorney's office $393,480

General Fund 11.80%
Highway Fund 88.20%

0340-0410 For the analyses of narcotic drug synthetic substitutes, poisons, drugs, medicines and chemicals at the University of Massachusetts medical school in order to support the law enforcement efforts of the district attorneys, the state police and municipal police departments $450,000

Hampden District Attorney.

0340-0500 For the Hampden district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program, and the domestic violence unit; provided, that the office shall submit a report to the house and senate committees on ways and means not later than February 1, 2006 summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2005 and the disposition or status thereof which shall be delineated by each jurisdiction of the district, juvenile, probate or superior court in which the cases were managed or prosecuted; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the house and senate committees on ways and means not later than February 15, 2006 detailing the office's use of drug forfeiture funds,

so-called, collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) amount of the funds deposited into the office's special law enforcement trust fund, so-called, in fiscal years 2003, 2004 and 2005; (b) how the funds were used in those fiscal years; and (c) balance of the trust fund as of January 1, 2006; provided further, that no assistant district attorney shall be paid an annual salary of less than $35,000; and provided further, that funds may be expended for increases in salaries for assistant district attorneys $6,672,786

0340-0501 For the overtime costs of state police officers assigned to the Hampden district attorney's office $322,619

General Fund 11.80%
Highway Fund 88.20%

Hampshire/Franklin District Attorney.

0340-0600 For the Hampshire/Franklin district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program, and the domestic violence unit; provided, that the office shall submit a report to the house and senate committees on ways and means not later than February 1, 2006 summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2005 and the disposition or status thereof which shall be delineated by each jurisdiction of the district, juvenile, probate or superior court in which the cases were managed or prosecuted; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the house and senate committees on ways and means not later than February 15, 2006 detailing the office's use of drug forfeiture funds, so-called, collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) amount of the funds deposited into the office's special law enforcement trust fund, so-called, in fiscal years 2003, 2004 and 2005; (b) how the funds were used in said fiscal years; and (c) balance of the trust fund as of January 1, 2006; provided further, that no assistant district attorney shall be paid an annual salary of less than $35,000; provided further, that not less than $150,000 shall be expended for the salaries and expenses of a children's advocacy project; and provided further, that funds may be expended for increases in salaries for assistant district attorneys $4,391,858

0340-0601 For the overtime costs of state police officers assigned to the Hampshire/Franklin district attorney's office $226,191

General Fund 11.80%
Highway Fund 88.20%

Norfolk District Attorney.

0340-0700 For the Norfolk district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program, and the domestic violence unit; provided, that the office shall submit a report to the house and senate committees on ways and means not later than February 1, 2006 summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2005 and the disposition or status thereof which shall be delineated by each jurisdiction of the district, juvenile, probate or superior court in which the cases were managed or prosecuted; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for

appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the house and senate committees on ways and means not later than February 15, 2006 detailing the office's use of drug forfeiture funds, so-called, collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) amount of the funds deposited into the office's special law enforcement trust fund, so-called, in fiscal years 2003, 2004 and 2005; (b) how the funds were used in those fiscal years; and (c) balance of the trust fund as of January 1, 2006; provided further, that no assistant district attorney shall be paid an annual salary of less than $35,000; and provided further, that funds may be expended for increases in salaries for assistant district attorneys $7,312,181

0340-0701 For the overtime costs of state police officers assigned to the Norfolk district attorney's office $416,910

General Fund 11.80%
Highway Fund 88.20%

Plymouth District Attorney.

0340-0800 For the Plymouth district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program, and the domestic violence unit; provided, that the office shall submit a report to the house and senate committees on ways and means not later than February 1, 2006 summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2005 and the disposition or status thereof which shall be delineated by each jurisdiction of the district, juvenile, probate or superior court in which the cases were managed or prosecuted; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the house and senate committees on ways and means not later than February 15, 2006 detailing the office's use of drug forfeiture funds, so-called, collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) amount of the funds deposited into the office's special law enforcement trust fund, so-called, in fiscal years 2003, 2004 and 2005; (b) how the funds were used in those fiscal years; and (c) balance of the trust fund as of January 1, 2006; provided further, that no assistant district attorney shall be paid an annual salary of less than $35,000; and provided further, that funds may be expended for increases in salaries for assistant district attorneys $6,034,575

0340-0801 For the overtime costs of state police officers assigned to the Plymouth district attorney's office $340,554

General Fund 11.80%
Highway Fund 88.20%

Bristol District Attorney.

0340-0900 For the Bristol district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the house and senate committees on ways and means not later than February 1, 2006 summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2005 and the disposition or status thereof which shall be delineated by each jurisdiction of the district, juvenile, probate or superior court in which the cases

were managed or prosecuted; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the house and senate committees on ways and means not later than February 15, 2006 detailing the office's use of drug forfeiture funds, so-called, collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) amount of the funds deposited into the office's special law enforcement trust fund, so-called, in fiscal years 2003, 2004 and 2005; (b) how the funds were used in those fiscal years; and (c) balance of the trust fund as of January 1, 2006; provided further, that no assistant district attorney shall be paid an annual salary of less than $35,000; and provided further, that funds may be expended for increases in salaries for assistant district attorneys $6,203,381

0340-0901 For the overtime costs of state police officers assigned to the Bristol district attorney's office $318,380

General Fund 11.80%
Highway Fund 88.20%

Cape and Islands District Attorney.

0340-1000 For the Cape and Islands district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that $125,000 shall be expended to support the sex offender management unit; provided further, that 2 prosecutors and administrative support shall be provided to the Cape Cod offender management task force; provided further, that the office shall submit a report to the house and senate committees on ways and means not later than February 1, 2006 summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2005 and the disposition or status thereof which shall be delineated by each jurisdiction of the district, juvenile, probate or superior court in which the cases were managed or prosecuted; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that $20,000 shall be expended for the Cape and Islands child advocacy center; provided further, that the office shall submit a report to the house and senate committees on ways and means not later than February 15, 2006 detailing the office's use of drug forfeiture funds, so-called, collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) amount of the funds deposited into the office's special law enforcement trust fund, so-called, in fiscal years 2003, 2004 and 2005; (b) how the funds were used in those fiscal years; and (c) balance of the trust fund as of January 1, 2006; provided further, that no assistant district attorney shall be paid an annual salary of less than $35,000; and provided further, that funds may be expended for increases in salaries for assistant district attorneys $3,176,385

0340-1101 For the overtime costs of state police officers assigned to the Cape and Islands district attorney's office $271,954

General Fund 11.80%
Highway Fund 88.20%

Berkshire District Attorney.

0340-1100 For the Berkshire district attorney's office, including the victim and witness assistance

program, the child abuse and sexual assault prosecution program, and the domestic violence unit; provided, that the office shall submit a report to the house and senate committees on ways and means not later than February 1, 2006 summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2005 and the disposition or status thereof which shall be delineated by each jurisdiction of the district, juvenile, probate or superior court in which the cases were managed or prosecuted; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the house and senate committees on ways and means not later than February 15, 2006 detailing the office's use of drug forfeiture funds, so-called, collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) amount of the funds deposited into the office's special law enforcement trust fund, so-called, in fiscal years 2003, 2004 and 2005; (b) how the funds were used in those fiscal years; and (c) balance of the trust fund as of January 1, 2006; provided further, that no assistant district attorney shall be paid an annual salary of less than $35,000; and provided further, that funds may be expended for increases in salaries for assistant district attorneys $2,944,751

0340-1101 For the overtime costs of state police officers assigned to the Berkshire district attorney's office $126,739

General Fund 11.80%
Highway Fund 88.20%

District Attorneys Association.

0340-2100 For the operation of the Massachusetts District Attorneys' Association, including the implementation and related expenses of the district attorneys' office automation and case management and tracking system; provided, that expenses associated with the system may be charged directly to this item; provided further, that the 11 district attorneys of the commonwealth may contribute a portion of their fiscal year 2006 appropriation to the Massachusetts District Attorneys' Association in order to alleviate the cost of the case management and tracking system as well as the cost of data lines associated with the district attorney's computer network; provided further, that each district attorney shall submit a report to the Massachusetts District Attorneys' Association and the house and senate committees on ways and means delineating all funds expended for the purpose of implementing the case management and tracking system not later than January 30, 2006; provided further, that the report shall include, but not be limited to, an analysis of the total cost of the district attorneys' computer network, the total cost incurred by each district attorney's office, a detailed list of all hardware and software leased, owned or operated by each district attorney, a plan for any purchases to be made in the remainder of fiscal year 2006 and a detailed summary of any policies implemented to contain the costs of the network by either the Massachusetts District Attorneys' Association or the individual district attorneys' offices; provided further, that no expenditures shall be made, on or after the effective date of this act, which would cause the commonwealth's obligation for the purpose of this item to exceed the amount appropriated in this item; and provided further, that the association shall submit a report to the house and senate committees on ways and means not later than January 31, 2006 detailing, by district attorney office, all sources of revenue, including, but not limited to, federal and state grants that were received in fiscal year 2005, and the amount of each source of revenue $1,750,056

0340-8908 For the costs associated with maintaining the association's wide area network $1,344,453

EXECUTIVE.

0411-1000 For the offices of the governor, the lieutenant governor and the governor's council; provided, that the amount appropriated in this item may be used at the discretion of the governor for the payment of extraordinary expenses not otherwise provided for and for transfer to appropriation accounts where the amounts otherwise available may be insufficient $5,135,418

SECRETARY OF THE COMMONWEALTH.

Office of the Secretary of the Commonwealth.

0511-0000 For the operation of the office of the secretary; provided, that the office shall submit a report detailing staffing patterns for each program operated by the office; provided further, that the report shall include, but not be limited to, actual and functional job titles by program, compensation rates and lengths of service for each employee; provided further, that the office shall submit the report not later than January 31, 2006 to the house and senate committees on ways and means; and provided further, that the secretary may transfer funds between items 0540-0900, 0540-1000, 0540-1100, 0540-1200, 0540-1300, 0540-1400, 0540-1500, 0540-1600, 0540-1700, 0540-1800, 0540-1900, 0540-2000, 0540-2100 pursuant to an allocation schedule filed with the house and senate committees on ways and means not less than 30 days before the transfer $6,767,487

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

0511-0200 For the operation of the state archives division $539,562

0511-0230 For the operation of the records center $156,185

0511-0250 For the operation of the archives facility $421,554

0511-0260 For the operation of the commonwealth museum $192,990

0511-0420 For the operation of the address confidentiality program $112,991

0517-0000 For the printing of public documents $900,222

0521-0000 For the operation of the elections division, including preparation, printing and distribution of ballots and for other miscellaneous expenses for primary and other elections; provided, that the secretary of state may award grants for voter registration and education in the cities of Boston, Springfield and Worcester; provided further, that the registration and education activities may be conducted by community-based voter registration and education organizations; and provided further, that the secretary shall submit a report to the house and senate committees on ways and means not later than January 31, 2006 detailing the amount appropriated for the purposes of providing reimbursements for the costs of extended polling hours from this item to each city or town $3,676,775

0521-0001 For the operation of the central voter registration computer system; provided, that an annual report detailing voter registration activity shall be submitted to the house and senate committees on ways and means on or before January 31, 2006 ..... $4,496,243

0524-0000 For providing information to voters $583,744

0526-0100 For the operation of the Massachusetts Historical Commission..... $974,614

0527-0100 For the operation of the ballot law commission $12,380

0528-0100 For the operation of the records conservation board $39,307

0540-0900 For the registry of deeds located in Lawrence in the former county of Essex..... $817,144

0540-1000 For the registry of deeds located in Salem in the former county of Essex $2,634,369

0540-1100 For the registry of deeds in the former county of Franklin..... $564,763

0540-1200 For the registry of deeds in the former county of Hampden..... $2,115,679

0540-1300 For the registry of deeds in the former county of Hampshire..... $590,621

0540-1400 For the registry of deeds located in Lowell in the former county of Middlesex..... $1,347,127

0540-1500 For the registry of deeds located in Cambridge in the former county of Middlesex $3,453,964

0540-1600 For the registry of deeds located in Adams in the former county of Berkshire..... $306,631

0540-1700 For the registry of deeds located in Pittsfield in the former county of Berkshire..... $494,884

0540-1800 For the registry of deeds located in Great Barrington in the former county of Berkshire..... $259,025

0540-1900 For the registry of deeds in the former county of Suffolk $2,220,555

0540-2000 For the registry of deeds located in Fitchburg in the former county of Worcester..... $764,143

0540-2100 For the registry of deeds located in the city of Worcester in the former county of Worcester..... $2,049,918

TREASURER AND RECEIVER-GENERAL.

Office of the Treasurer and Receiver General.

0610-0000 For the office of the treasurer and receiver-general; provided, that the treasurer shall provide computer services required by the teachers' retirement board; provided further, that to the extent that bank fees exceed the amount appropriated in item 0610-0100, the treasurer may, subject to an allocation plan filed in advance with the house and senate committees on ways and means, transfer from this item to said item 0610-0100, an amount sufficient to ensure full payment of the bank fees; provided further, that not less than $37,000 shall be granted to the elder advocacy organization known as the Silver-Haired Legislature; provided further, that the treasurer's office shall submit a report to the victim and witness assistance board which details the amount of assessments transmitted to the treasurer during the previous calendar year on a monthly basis from the courts, the registrar of motor vehicles and the sheriff or superintendent of any correctional facility pursuant to section 8 of chapter 258B of the General laws; provided further, that the report shall be submitted to the board on or before January 31, 2006; and provided further,

that the treasurer's office shall pay half of the administrative costs of the municipal finance oversight board from this item $7,091,378

General Fund 90.0%
Highway Fund 10.0%

0610-0050 For the administration of the alcoholic beverages control commission in its efforts to regulate and control the conduct and condition of traffic in alcoholic beverages; provided, that the commission shall maintain at least 1 chief investigator and other investigators for the purpose of regulating and controlling the traffic of alcoholic beverages; provided further, that the commission shall work and cooperate with the Alcohol, Tobacco, and Firearms division of the United States Department of Justice and other relevant federal agencies to assist in its efforts to regulate and control the traffic of alcoholic beverages; and provided further, that the commission shall seek out matching federal dollars and apply for federal grants that may be available to assist in the enforcement of laws pertaining to the traffic of alcoholic beverages $1,868,212

0610-0100 For the payment of bank fees; provided, that the treasurer may transfer funds from this item to item 0610-0000 for one-time, non-recurring expenditures upon certification to the secretary of administration and finance that the remaining balance in this account will be sufficient to make all necessary expenditures $3,600,000

General Fund 90.0%
Highway Fund 10.0%

0610-0140 For the purpose of funding administrative, transactional and research expenses associated with maintaining and increasing interest earnings on the Commonwealth's General and Stabilization Fund investments $75,000

0612-1012 For a one-time transfer to the Pension Fund to pay for the cost of an annuity for the family of firefighter Martin H. McNamara V pursuant to section 72 ..... $650,000

0610-1500 For tuition payments as required by section 12B of chapter 76 of the General Laws, notwithstanding chapter 29 of the General Laws to the contrary; provided, that the state treasurer may expend in anticipation of revenue amounts necessary to meet payments; and provided further, that the state treasurer shall deduct the amount expended from this account from items 7061-0008 and 0611-5500 and from the amounts specified in section 3, in accordance with said section 12B of said chapter 76.

0611-1000 For bonus payments to war veterans $50,000

0611-5500 For additional assistance to cities and towns to be distributed according to section 3 and for assistance to certain public entities of the commonwealth which have constructed water pollution abatement facilities; provided, that the distribution to the public entities shall equal $1,249,948; and provided further, that if there is a conflict between the provisions of the distribution set forth in section 3 and any other provisions of this act, the distribution set forth in section 3 shall control $379,767,936

0611-5510 For reimbursements to cities and towns in lieu of taxes on state-owned land pursuant to sections 13 to 17, inclusive, of chapter 58 of the General Laws $16,100,000

0611-5800 For distribution to each city and town within which racing meetings are conducted pursuant to section 18D of chapter 58 of the General Laws $2,500,000

Pension Benefits.

0612-0105 For payment of the public safety employee killed in the line of duty benefit authorized by section 100A of chapter 32 of the General Laws $500,000

Commission on Firefighters' Relief.

0620-0000 For financial assistance to injured firefighters $9,808

Lottery Commission.

0640-0000 For the operation of the state lottery commission and arts lottery; provided, that no funds shall be expended from this item for any costs associated with the promotion or advertising of lottery games; provided further, that positions funded by this item shall not be subject to chapters 30 and 31 of the General Laws; provided further, that the commission shall conduct a study to determine the feasibility of incorporating within the lottery formula a factor that integrates ticket sales in a particular community; and provided further, that 25 per cent of the amount appropriated herein shall be transferred quarterly from the State Lottery Fund to the General Fund $68,610,397

0640-0001 For the operation of the state lottery commission; provided, that the commission may seek revenue from corporate advertising for non-lottery products on all lottery products; provided further, that payments from corporate advertising shall be deposited into the General Fund; and provided further, that expenditure in this item is limited to an amount not to exceed revenues collected from corporate advertising payments or the amount appropriated herein, whichever is less $3,653,019

0640-0005 For the costs associated with the continued implementation of the game of Keno; provided, that any sums expended on promotional activities shall be limited to point of sale promotions and agent newsletters; provided further, that 25 per cent of the amount appropriated in this item shall be transferred quarterly from the State Lottery Fund to the General Fund $1,233,347

0640-0010 For the promotional activities associated with the state lottery program; provided, that 25 per cent of the amount appropriated in this item shall be transferred quarterly from the State Lottery Fund to the General Fund $10,000,000

0640-0013 For costs to establish, develop, implement and promote a lottery anti-litter program; provided, that said lottery may develop regional environmental awareness events to limit the number of discarded instant tickets that become litter; provided further, that 25 per cent of the amount appropriated in this item shall be transferred quarterly from the State Lottery Fund to the General Fund $100,000

0640-0096 For the purpose of the commonwealth's fiscal year 2006 contributions to the health and welfare fund established pursuant to the collective-bargaining agreement between the lottery commission and the service employees international union, Local 254, AFL-CIO; provided, that the contributions shall be paid to the trust fund on such basis as the collective bargaining agreement provides; provided further, that 25 per cent of the amount appropriated in this item shall be transferred quarterly from the State Lottery Fund to the General Fund $355,945

Massachusetts Cultural Council.

0640-0300 For the services and operations of the council, including grants to or contracts with

public and non-public entities; provided, that notwithstanding any general or special law to the contrary, the council may expend the amounts herein appropriated for the purposes of the council as provided in sections 52 to 58, inclusive, of chapter 10 of the General Laws in amounts and at times as the council may determine pursuant to section 54 of chapter 10; provided further, that 25 per cent of the amount appropriated herein shall be transferred quarterly from the Arts Lottery Fund to the General Fund; provided further, that any funds expended from this item for the benefit of schoolchildren shall be expended for the benefit of all Massachusetts schoolchildren and on the same terms and conditions; provided further, that the council shall not expend funds from this item for any grant or contract recipient that, in any program or activity for Massachusetts schoolchildren, does not apply the same terms and conditions to all such schoolchildren; provided further, that not more than $1,000,000 of the funds appropriated herein shall be used to assist cultural organizations in augmenting or initiating endowments to promote the financial stability of the organizations and the assistance shall be in the form of challenge grants to the organizations; provided further, that in order to receive a grant a cultural organization shall raise an amount at least equal to the amount of the grant for the organization's endowment; provided further, that funds provided by the grants shall, in perpetuity, be used solely to provide free or reduced rate public programs or services to citizens of the commonwealth; provided further, that a grant made under this program shall not exceed $100,000; and provided further, that a person employed under this item shall be considered an employee within the meaning of section 1 of chapter 150E of the General Laws and shall be placed in the appropriate bargaining units $7,400,000

0640-0350 For the purposes of cultural resources pursuant to section 36 of chapter 69 of the General Laws including grants to or contracts with public and non-public entities; provided, that the council shall not expend funds from this item for any recipient that, in any program or activity for Massachusetts schoolchildren, does not apply the same terms and conditions to all such schoolchildren; provided further, that 25 per cent of the amount appropriated herein shall be transferred quarterly from the Arts Lottery Fund to the General Fund $743,520

0640-0351 For the John and Abigail Adams Arts Program, to promote innovations in the arts and humanities within the commonwealth through the disbursement of cultural economic development grants including grants for cultural activities that have the capacity to revitalize communities, stimulate income, create or enhance jobs, and attract tourism; provided, that the funds shall be administered by the Massachusetts cultural council; provided further, that the mission of grant applicants may include demonstrated scholarship or creativity in, or distinguished service to, the arts and humanities; provided, that grants may focus on seed funding for early stage planning or implementation, creation of enduring partnerships among cultural and non-cultural organizations, defined community needs or opportunities, and creation of innovative and sustainable development models that can be replicated throughout and beyond the commonwealth; provided further, that eligible applicants shall include, but not be limited to, not-for-profit organizations and public sector entities; provided further, that collaborating partners may also include private, for-profit organizations, educational institutions and state or federal agencies; provided further, that grants shall not exceed $100,000 and shall be leveraged by not less than $1 for each $1 granted; provided further, that preference shall be given to an applicant with multiple funding sources that can demonstrate project viability, community support and potential for long-term sustainability; and provided further, that 25 per cent of the amount appropriated herein shall be transferred quarterly from the State Lottery Fund to the General Fund $1,500,000

Debt Service.

0699-0015 For the payment of interest, discount and principal on certain bonded debt and the sale of bonds of the commonwealth, previously charged to the Local Aid Fund, the State Recreation Areas Fund, the Metropolitan Parks District Fund, the Metropolitan Water District Fund, the Metropolitan Sewerage District Fund, the Watershed Management Fund, the Highway Fund, and the Inter-City Bus Fund; provided, that payments of certain serial bonds maturing previously charged to the Local Aid Fund, the State Recreation Areas Fund, the Metropolitan Water District Fund, the Metropolitan Sewerage District Fund, and the Highway Fund shall be paid from this item; provided further, that notwithstanding any general or special law to the contrary, the state treasurer may make payments pursuant to section 38C of chapter 29 of the General Laws from this item and item 0699-9100; provided further, that the payments shall pertain to the bonds, notes, or other obligations authorized to be paid from each item; provided further, that notwithstanding any general or special law to the contrary, the comptroller may transfer the amounts that would otherwise be unexpended on June 30, 2006, from item 0699-0015 to item 0699-9100 or from item 0699-9100 to item 0699-0015 which would otherwise have insufficient amounts to meet debt service obligations for the fiscal year ending June 30, 2006; provided further, that each amount transferred shall be charged to the funds as specified in the item to which the amount is transferred; provided further, that payments on bonds issued pursuant to section 2O of chapter 29 of the General Laws shall be paid from this item and shall be charged to the Infrastructure sub-fund of the Highway fund; provided further, that payments of interest, discount and principal on certain bonded debt of the commonwealth associated with the Watershed Management Fund for the acquisition of development rights and other interests in land, including fee simple acquisitions of watershed lands of the Quabbin and Wachusett reservoirs and the Ware river watershed above the Ware river intake pipe shall be paid from this item; provided further, that notwithstanding any general or special law to the contrary or other provisions of this item, the comptroller may charge the payments authorized herein to the appropriate budgetary or other fund subject to a plan which the comptroller shall file 10 days in advance with the house and senate committees on ways and means; and provided further, that the comptroller shall transfer from this item to the government land bank fund an amount equal to the amount by which debt service charged to the fund exceeds revenue deposited to the fund $1,626,196,000

General Fund 68.07%
Highway Fund 31.93%

0699-2004 For the payment of interest, discount and principal on certain indebtedness which may be incurred for financing the central artery/third harbor tunnel funding shortfall $65,330,000

Highway Fund 100.0%

0699-9100 For the payment of interest and issuance costs on bonds and bond and revenue anticipation notes and other notes pursuant to sections 47 and 49B of chapter 29 of the General Laws; provided, that the treasurer shall certify to the comptroller a schedule of the distribution of costs among the various funds of the commonwealth; provided further, that the comptroller shall charge costs to the funds in accordance with the schedule; and provided further, that any deficit in this item at the close of the fiscal year ending June 30, 2006 shall be charged to the various funds or to the General Fund or highway fund debt service reserves $20,950,000

0699-9101 For the purpose of depositing with the trustee under the trust agreement authorized in section 10B of chapter 11 of the acts of 1997 an amount to be used to pay the

interest due on notes of the commonwealth issued pursuant to section 9 of said chapter 11 and secured by the Federal Highway Grant Anticipation Note Trust Fund $67,408,000

0699-9200 For certain debt service contract assistance to the Massachusetts Development Finance Agency in accordance with chapter 23G of the General Laws..... $13,281,468

STATE AUDITOR.

Office of the State Auditor.

0710-0000 For the office of the state auditor, including the review and monitoring of privatization contracts in accordance with sections 52 to 55, inclusive, of chapter 7 of the General Laws and shared oversight of the central artery/third harbor tunnel project; provided, that a report shall be submitted to the house and senate committees on ways and means not later than December 1, 2004 delineating the privatization contracts reviewed and monitored during fiscal year 2004; provided further, that the report shall further detail the number of full-time equivalent positions assigned by the office for the review of each of the privatization contracts; provided further, that not less than $67,250 shall be expended for the position of executive director of the central artery/third harbor tunnel project oversight coordination commission, as established in section 2B of chapter 205 of the acts of 1996, such that the position may continue to provide administrative and investigative functions to the commission in a manner that is consistent with that section 2B; provided further, that the auditor's office shall pay half of the administrative costs of the municipal finance oversight board from this item..... $15,125,688

0710-0100 For the operation of the division of local mandates $585,103

0710-0200 For the operation of the bureau of special investigations; provided, that the department shall file quarterly reports with the house and senate committees on ways and means detailing the total amount of fraudulently obtained benefits identified by the bureau of special investigations of the office of the state auditor, the total value of settlement restitution payments, actual monthly collections, and any circumstances that produce shortfalls in collections; provided further that the bureau of special investigations shall coordinate efforts to combat Medicaid fraud with other responsible agencies, including the Medicaid fraud control unit in the office of the attorney general and the executive office of health and human services, and shall submit a report on those coordination efforts to the house and senate committees on ways and means on or before December 15, 2005 ..... $1,600,000

ATTORNEY GENERAL.

Office of the Attorney General.

0810-0000 For the office of the attorney general, including the administration of the local consumer aid fund, the operation of the anti-trust division, all regional offices, a high-tech crime unit and the victim and witness compensation program; provided, that the victim and witness compensation program shall be administered in accordance with chapters 258B and 258C of the General Laws; provided further, that the attorney general shall submit to the general court and the secretary for administration and finance a report detailing the claims submitted to the state treasurer for payment under item 0810-0004 indicating both the number and costs for each category of claim; provided further, that not more than $250,000 shall be expended for a grants program for the safe neighborhood initiative-jobs for youth

program; provided further, that not more than $250,000 shall be expended from the funds appropriated in this item for a safe neighborhood initiative pilot program in the Bowdoin/Geneva area of the Dorchester district of the city of Boston and in the city of New Bedford; provided further, that the public proceedings unit shall review the water rate increases; provided further, that not more than $240,000 shall be expended for the operation of a child protection unit; provided further, that funds may be expended for the commission on uniform state laws; provided further, that $50,000 shall be expended for the Trauma Intervention Program of Merrimack Valley; and provided further, that $100,000 shall be expended for the Ella J. Baker House and the Tieng Xanh-Voice program $21,738,002

0810-0004 For compensation to victims of violent crimes; provided, that notwithstanding chapter 258C of the General Laws, if a claimant is 60 years of age or older at the time of the crime and is not employed or receiving unemployment compensation, the claimant shall be eligible for compensation in accordance with said chapter 258C even if the claimant has suffered no out-of-pocket loss; provided further, that compensation to the claimant shall be limited to a maximum of $50; and provided further, that notwithstanding any general or special law to the contrary, victims of the crime of rape shall be notified of all available services designed to assist rape victims including, but not limited to, services outlined in section 5 of chapter 258B of the General Laws $2,156,000

0810-0006 For the rental costs and unavoidable space rental lease obligations associated with certain divisions of the office of the attorney general located in the Leverett Saltonstall building $2,414,150

0810-0007 For the overtime costs of state police officers assigned to the attorney general; provided, that costs associated with those officers shall not be funded from item 8100-0007; and provided further, that expenditures shall not be made on or after the effective date of this act which would cause the commonwealth's obligation for the purpose of this item to exceed the amount appropriated in this item $486,517

Highway Fund 88.20%
General Fund 11.80%

0810-0014 For the operation of the department of telecommunications and energy proceedings unit, pursuant to section 11E of chapter 12 of the General Laws; provided, that notwithstanding any general or special law to the contrary, the amount assessed to the unit shall be equal to the amount expended from this item $1,409,028

0810-0017 For the expenses related to judicial proceedings relevant to the fuel charge pursuant to section 94G of chapter 164 of the General Laws and such other proceedings as may be reasonably related to the section; provided, that the assessment levied for such expense shall be credited to the General Fund..... $73,500

0810-0021 For the operation of the Medicaid fraud control unit; provided, that the federal reimbursement for any expenditure from this item shall not be less than 75 per cent of the expenditure; provided further, that not less than $225,000 shall continue to be used specifically for the investigation and prosecution of abuse, neglect, mistreatment and misappropriation based on referrals from the department of public health pursuant to section 72H of chapter 111 of the General Laws; provided further, that the unit shall provide training for all investigators of the department's division of health care quality responsible for the investigations on a periodic basis pursuant to a comprehensive training program to be developed by the division and the unit; and provided further, that training shall include instruction on techniques

for improving the efficiency and quality of investigations of abuse, neglect, mistreatment and misappropriation pursuant to said section 72H of chapter 111..... $2,687,349

0810-0045 For the labor law enforcement program pursuant to subsection (b) of section 1 of chapter 23 of the General Laws; provided, that notwithstanding any general or special law to the contrary, a non-management position funded by this item shall be considered a job title in a collective bargaining unit as prescribed by the labor relations commission and shall be subject to chapter 150E of the General Laws..... $3,105,528

0810-0201 For the costs incurred in administrative or judicial proceedings on insurance as authorized by section 11F of chapter 12 of the General Laws; provided, that funds made available in this item may be used to supplement the automobile insurance fraud unit and the workers' compensation fraud unit of the office of the attorney general; and provided further, that notwithstanding any general or special law to the contrary, the amount assessed for the costs shall be equal to the amount expended from this item..... $1,389,979

0810-0338 For the investigation and prosecution of automobile insurance fraud; provided, that notwithstanding section 3 of chapter 399 of the acts of 1991, the amount assessed pursuant to said section 3 for the cost of this program shall be $280,164..... $280,164

0810-0399 For the investigation and prosecution of workers' compensation fraud; provided, that notwithstanding section 3 of chapter 399 of the acts of 1991, the amount assessed pursuant to said section 3 for the cost of this program shall be $280,164; provided further, that the attorney general shall investigate and prosecute, where appropriate, employers who fail to provide workers' compensation insurance in accordance with the laws of the commonwealth; and provided further, that the unit shall investigate and report on all companies not in compliance with chapter 152 of the General Laws..... $280,164

Victim and Witness Assistance Board.

0840-0100 For the operation of the victim and witness assistance board; provided, that the board shall submit a comprehensive report compiled from the information required of and submitted to the office by the trial court, the registry of motor vehicles and the state treasurer relative to the collection of assessments for the previous calendar year under section 8 of chapter 258B of the General Laws; and provided further, that the report shall be submitted to the house and senate committees on ways and means on or before February 15, 2006 ..... $391,510

0840-0101 For the safeplan advocacy program; provided, that the amount allocated in this item shall be expended on the salaries and employee benefits of safeplan advocates and regional coordinators, including the advocates in the Hampshire probate and family court and the Northampton district court; provided further, that funds may be expended by the victim and witness assistance board to administer the program; provided further, that the board shall submit to the house and senate committees on ways and means not later than February 3, 2006 a report detailing the effectiveness of contracting for the program including, but not limited to, the number and types of incidents to which such advocates responded, the types of services and service referrals provided by such domestic violence advocates, the cost of providing such services and the extent of coordination with other service providers and state agencies..... $619,073

STATE ETHICS COMMISSION.

0900-0100 For the operation of the state ethics commission..... $1,384,946

OFFICE OF THE INSPECTOR GENERAL.

0910-0200 For the operation of the office of the inspector general..... $2,600,000

0910-0210 The office of the inspector general may expend not more than $300,000 from the fees charged to participants in the Massachusetts public purchasing official certification program and the certified public manager program for the operation of those programs; provided, that for the purpose of accommodating discrepancies between the receipts of retained revenues and related expenditures, the office of the inspector general may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $300,000

OFFICE OF CAMPAIGN AND POLITICAL FINANCE.

0920-0300 For the operation of the office of campaign and political finance $1,078,287

OFFICE OF THE STATE COMPTROLLER.

1000-0001 For the office of the state comptroller for the purpose and cost of compliance with the Single Audit Act of 1984, Public Law 89-502, and for the federally required comprehensive, statewide single audit of state operations for the fiscal year ending June 30, 2006 in accordance with generally accepted accounting principles; provided, that the office of the comptroller shall charge other items of appropriation for the cost of the audit from allocated federal funds transferred from federal reimbursement and grant receipts; provided further, that the office of the comptroller shall charge not more than a total of $750,000 to other items of appropriation for the cost of the audit; provided further, that notwithstanding any general or special law to the contrary, allocated federal funds transferred from federal reimbursement and grant receipts shall be retained and expended from a separate item without further appropriation, in addition to state funds appropriated to this item, for the cost of compliance with the mandate of the federal law and the office of management and budget regulations; provided further, that the amount of federal funds and grant receipts so credited and expended from this item shall be reported to the house and senate committees on ways and means; provided further, that the comptroller shall maintain a special federal and non-tax revenue unit which shall operate under policies and procedures developed in conjunction with the secretary for administration and finance; provided further, that the comptroller shall provide quarterly reports to the house and senate committees on ways and means which shall include for each state agency for which the commonwealth is billing, the eligible state services, the full year estimate of revenues and revenues collected; provided further, that notwithstanding any general or special law to the contrary, the comptroller may enter into contracts with private vendors to identify and pursue cost avoidance opportunities for programs of the commonwealth and to enter into interdepartmental service agreements with state agencies, as applicable, for that purpose; provided further, that 60 days before entering into any interdepartmental service agreements the comptroller shall notify the house and senate committees on ways and means; provided further, that the notification shall include, but not be limited to, a description of the project, the purpose and intent of the interdepartmental service agreement, a projection of the costs avoided in the current fiscal year, a copy of the contract with the private vendor including the proposed rate of compensation and any previous agreements related or similar to the new agreement with the above information; provided further, that payments to private vendors on account of such cost avoidance projects shall be made only from such

actual cost savings as have been certified in writing to the house and senate committees on ways and means by the comptroller and the budget director as attributable to such cost avoidance projects; provided further, that the comptroller may establish procedures, in consultation with the budget director and the affected departments, as he considers appropriate and necessary to accomplish the purpose of this section; and provided further, that the comptroller shall report on those projects as a part of his annual report pursuant to section 12 of chapter 7A of the General Laws $8,882,487

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Office of the Secretary.

1100-1100 For the office of the secretary and the administration of the fiscal affairs division; provided, that the secretary shall conduct an ongoing review of affirmative action steps taken by the various agencies, boards, departments, commissions or divisions to determine whether such agencies, boards, departments, commissions or divisions are complying with the commonwealth's policies of non-discrimination and equal opportunity; provided further, that whenever non-compliance is determined by the secretary, the secretary shall hold a public hearing on the matter and report his resulting recommendations to the head of the particular agency, board, department, commission or division, to the governor and to the Massachusetts commission against discrimination; provided further, that the secretary shall report on the status of each agency, board, department, commission or division receiving monies under this act, including supplemental and deficiency budgets, as to compliance or non-compliance with affirmative action policies to the chairs of the house and senate committees on ways and means, the joint committee on public service and the joint committee on commerce and labor on or before December 1, 2005; provided further, that agencies within the executive office may, with the prior approval of the secretary, streamline and improve administrative operations pursuant to interdepartmental service agreements; provided further, that notwithstanding any general or special law or regulation to the contrary, the secretary for administration and finance, in consultation with the state secretary, shall, not later than October 31, 2005 issue a request for purchase through the competitive bidding process for the provision of public records storage, except those records that receive federal reimbursement, for all state agencies within the jurisdiction of the governor in order to achieve cost savings including, but not limited to, those associated with greater efficiencies in the use and payment of records storage, reduction in private office lease costs for administrative personnel, and for more efficient and accessible use of public office space by displacing records with administrative personnel; provided further, that the secretary, in consultation with the state secretary, shall report, not later than March 31, 2006, a plan to improve public records storage and office space efficiencies to the joint committee on state administration and to the house and senate committees on ways and means; and provided further, that the budget director shall report on a quarterly basis to the house and senate committees on ways and means the status of all cost avoidance projects which are undertaken pursuant to item 1000-0001 ..... $3,433,853

Division of Capital Asset Management and Maintenance.

1102-3205 The division may expend for the maintenance and operation of the Massachusetts information technology center an amount not more than $5,500,000 in revenues collected from rentals, commissions, fees, parking fees and any and all other sources pertaining to the operations of the center; and provided further, that notwithstanding any general or special law to the contrary, and for the purpose of accommodating discrepancies between the receipt of retained revenues and related

expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefore as reported in the state accounting system $5,500,000

1102-3206 For the costs associated with the maintenance and security of surplus state properties; provided, that the commissioner of the division of capital asset management and maintenance shall convey a certain parcel of land with the building thereon, located at 291 Summer Street, Lowell and recorded with the Middlesex county northern district registry of deeds, Book 1491, Page 170, to the current occupant of the premises; and provided further, that the commissioner of the division of capital asset management and maintenance shall complete study number SDE 0301ST1 regarding the site location of the proposed regional holding facility in Essex county by July 31, 2005 ..... $359,208

1102-3214 For the state transportation building; provided, that the division may expend not more than $6,100,000 in revenues from rentals, commissions, fees, parking fees and from any and all other sources pertaining to the operation of the state transportation building for the maintenance and operation of the building; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $6,100,000

1102-3231 For the Springfield state office building; provided, that the division may expend not more than $700,000 in revenues from rents charged to agencies occupying the building for the maintenance and operation of the building; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $700,000

1102-3232 For the division of capital asset maintenance and management; provided, that the division may expend not more than $300,000 received from application fees charged in conjunction with the certification of contractors and subcontractors pursuant to section 44D of chapter 149 of the General Laws; and provided further, that only expenses, including staffing, incurred to implement and operate the certification program shall be funded from this item $300,000

Bureau of State Office Buildings.

1102-3301 For the operation of the bureau and for the maintenance and operation of buildings under the jurisdiction of the state superintendent of buildings; provided, that the bureau shall retain jurisdiction over all contracts, purchases and payments for materials and services required in the operation of the bureau $6,519,154

1102-3302 For the purposes of utility costs and associated contracts for the properties managed by the bureau of state office buildings $5,061,342

Office on Disability.

1107-2400 For the office on disability $605,280

Disabled Persons Protection Commission.

1107-2501 For the disabled persons protection commission; provided, that the commission shall facilitate compliance by the department of mental health and the department of mental retardation with uniform investigative standards; and provided further, that the commission shall ensure that all calls received by the commission's 24-hour hotline are recorded, that all persons who call the hotline shall be immediately informed that all calls are recorded, and each such person shall be provided with the opportunity to elect that the call not be recorded $1,746,915

Civil Service Commission.

1108-1011 For the civil service commission; provided, that the General Fund shall be reimbursed for the appropriation herein through a fee charged on a per claim basis; provided further, that the commission shall develop and implement regulations to implement that reimbursement to the General Fund; and provided further, the commission shall have the power to assess a fee upon the appointing authority when inappropriate action has occurred $513,149

Group Insurance Commission.

1108-5100 For the administration of the group insurance commission; provided, that the commission shall generate the maximum amounts allowable under the federal Consolidated Omnibus Budget Reconciliation Act, as amended, and from reimbursements allowed by sections 8, 10B, 10C and 12 of chapter 32A of the General Laws $2,291,969

1108-5200 For the commonwealth's share of the group insurance premium and plan costs incurred in fiscal year 2006; provided, that the secretary of administration and finance shall charge the division of unemployment assistance and other departments, authorities, agencies and divisions, which have federal or other funds allocated to them for this purpose, for that portion of insurance premiums and plan costs as the secretary determines should be borne by such funds, and shall notify the comptroller of the amounts to be transferred, after similar determination, from the several state or other funds and amounts received in payment of all such charges or such transfers shall be credited to the General Fund; provided further, that prior year costs incurred by self insured plans shall be funded from this item; provided further, that the group insurance commission shall report quarterly to the house and senate committees on ways and means the amounts expended from this item for prior year costs; provided further, that the group insurance commission shall obtain reimbursement for premium and administrative expenses from other agencies and authorities not funded by state appropriation; provided further, that the secretary of administration and finance may charge all agencies for the commonwealth's share of the health insurance costs incurred on behalf of any employees of those agencies who are on leave of absence for a period of more than 1 year; provided further, that the amounts received in payment for the charges shall be credited to the General Fund; provided further, that notwithstanding section 26 of chapter 29 of the General Laws, the commission may negotiate, purchase and execute contracts before July 1 of each year for policies of group insurance as authorized by chapter 32A of the General Laws; provided further, that notwithstanding chapter 150E of the General Laws and as provided in section 8 of chapter 32A and for the purposes of section 14 of chapter 32A, the commonwealth's share of the group insurance premium for state employees who have retired before July 1, 1994 shall be 90 per cent and the commonwealth's share of the group insurance premium for state employees who have retired on or after July 1, 1994 shall be 85 per cent; provided further, that the commonwealth's share of the group insurance premium for active employees upon retirement shall be 85 per cent; provided further, that notwithstanding section 8 of chapter 32A of the General Laws, the

commonwealth's share of the premiums for active state employees and their dependents whose salary, as determined by the commission in consultation with the human resources division and the office of the state comptroller, is between $0 and $34,999 shall be 85 per cent of such premiums and rates; provided further, that the commonwealth's share of such premiums for active state employees and their dependents whose salary, as determined by the commission in consultation with the human resources division and the office of the state comptroller, is $35,000 and greater shall be 80 per cent of such premiums and rates; provided further, that the preceding provisions pursuant to employee contributions shall sunset December 31, 2005 at which time the commonwealth's share of such premiums for active state employees and their dependents shall be 85 per cent; provided further, that the commonwealth's share of such premiums for active state employees and their dependents who are hired after June 30, 2003 shall be 75 per cent of such premiums and rates; provided further, that the preceding provision pursuant to employee contributions shall sunset December 31, 2005 at which time the commonwealth's share of the premiums for active state employees hired after June 30, 2003 and their dependents shall be 80 per cent; and provided further, that the commission shall notify the house and senate committees on ways and means by March 1 of each year of the cost of the commonwealth's projected share of group insurance premiums for the next fiscal year..... $949,010,107

1108-5350 For elderly governmental retired employee premium payments..... $1,088,542

1108-5400 For the costs of the retired municipal teachers' premiums and the audit of such premiums $64,161,035

1108-5500 For the costs, notwithstanding chapter 32A of the General Laws to the contrary, of dental and vision benefits for those active employees of the commonwealth, not including employees of authorities and any other political subdivision, who are not otherwise provided those benefits pursuant to a separate appropriation or the terms of a contract or collective bargaining agreement; provided, that the employees shall pay 15 per cent of the monthly premium established by the commission for the benefits..... $6,638,836

Division of Administrative Law Appeals.

1110-1000 For the operation of the division of administrative law appeals established by section 4H of chapter 7 of the General Laws; provided, that the office shall maintain, to the fullest extent practicable, a complete physical and technological separation from any agency, department, board, commission or program whose decisions, determinations or actions may be appealed to it; provided further, that every decision issued by a commissioner or other head of agency, or designee, following the issuance of a recommended decision by an administrative law judge of the division, shall be an agency decision subject to judicial review pursuant to chapter 30A of the General Laws; and provided further, that administrative appeals of department of environmental protection decisions shall be filed directly with the division of administrative law appeals..... $1,102,144

George Fingold Library.

1120-4005 For the administration of the library; provided, that the library shall maintain regular hours of operation from 9:00 a.m. to 5:00 p.m. $1,192,449

Massachusetts Commission Against Discrimination.

1150-5100 For the office of the commission; provided, that on or before November 1, 2005 the

commission shall submit to the house and senate committees on ways and means a report on the total number of all currently pending cases and the total number of cases in the investigation, conciliation, post-probable cause and pre-public hearing and post-hearing stages; provided further, that the commission shall file an update of the report with the committees on or before March 1, 2006; provided further, that the commission shall identify in the reports the number of cases in which the commission has determined there is probable cause to believe that a violation of chapter 151B of the General Laws has been committed in a case in which the Massachusetts Bay Transportation Authority is named as a respondent; provided further, that the commission shall report to the house and senate committees on ways and means on or before November 1, 2005 the number of cases pending before the commission in which a state agency or state authority is named as a respondent, specifying those cases in which the Massachusetts Bay Transportation Authority is named as a respondent, and the number of the cases in which there is probable cause to believe that a violation of chapter 151B has been committed; provided further, that the commission shall include in the report the total number of new cases filed in fiscal year 2005 and the total number of cases closed by the commission in fiscal year 2005; provided further, that funds made available in this item shall be in addition to funds available in item 1150-5104; provided further, that all positions, except clerical, shall be exempt from chapter 31 of the General Laws; and provided further, that the commission shall pursue the highest allowable rate of federal reimbursement $1,526,374

1150-5104 The Massachusetts commission against discrimination may expend not more than $2,467,982 from revenues from federal reimbursements received for the purposes of the United States Department of Housing and Urban Development fair housing type 1 program and the equal opportunity resolution contract program during fiscal year 2006 and federal reimbursements received for these and other programs in prior years; provided, that notwithstanding any general or special law to the contrary, the commission may also expend revenues generated through the collection of fees and costs so authorized; provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the commission may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, that notwithstanding section 1 or any other general or special law to the contrary, federal reimbursements received in excess of $2,467,982 shall be credited to the General Fund $2,467,982

1150-5116 The Massachusetts commission against discrimination may expend not more than $27,500 from revenues collected from fees charged for the training and certification of diversity trainers for the operation of the discrimination prevention certification program $27,500

Department of Revenue.

1201-0100 For the operation of the department of revenue, including tax collection administration, audits of certain foreign corporations, and the division of local services; provided, that the department may allocate an amount not to exceed $250,000 to the office of the attorney general for the purpose of the tax prosecution unit; provided further, that the department may charge the expenses for computer services, including the cost of personnel and other support costs provided to the child support enforcement unit, from this item to item 1201-0160, consistent with the costs attributable to said unit; provided further, that the department shall maintain regional offices in the cities of, Springfield, Pittsfield, Fall River, and Worcester and in the Hyannis section of the town of Barnstable; provided further,

that the department shall provide to the general court access to the municipal data bank; and provided further, that notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by this account are positions requiring the services of an incumbent, on either a full-time or less than full-time basis beginning no earlier than December 1 and ending no later than November 30; and provided further, that seasonal positions funded by this account may not be filled by incumbent for more than 10 months within a 12 month period $116,943,409

General Fund 95.0%
Highway Fund 5.0%

1201-0130 The department of revenue may expend an amount not to exceed $9,640,000 from revenues collected by auditors and for the costs of administering an enhanced audit program, for discovering and identifying persons who are delinquent either in the filing of a tax return or the payment of a tax due and payable to the commonwealth, for the costs of obtaining those delinquent returns and collecting those delinquent taxes for a prior fiscal year; provided, that the commissioner may expend funds from this item to support the operational costs of the department funded from item 1201-0100; provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate therefore as reported in the state accounting system; provided further, that the commissioner of revenue shall study the potential impacts of the disclosure by the commissioner of a list of all taxpayers, including but not limited to individuals, trusts, partnerships, corporations, 121A corporations and other taxable entities, that are delinquent in the payment of their tax liabilities in an amount greater than $25,000 for a period of 6 months from the time the taxes were assessed; provided further, that the commissioner shall at least annually publish a list of all taxpayers who are delinquent in the payment of any tax liability and shall publish said list on the department's website, with a link to said list clearly situated on the website, and at the same time, may also publish the list in any print media and electronic media of the commissioner's choosing; provided however, that the commissioner shall not publish or post on any list of delinquent taxpayers the name of any taxpayer or person who is accused of being delinquent in the payment of any tax liability until said taxpayer or person has exhausted all appellate action including, but not limited to, appeals before the appellate tax board, any division of the trial court, the commissioner of revenue, any municipality, any other tax collecting authority in the commonwealth or any other possible avenue of appeal; provided further, that said list shall include, at a minimum, information indicating whether the taxpayer is an individual, the name of the taxpayer, if the taxpayer is a business entity; provided further, that the list shall include also the address of the taxpayer, the type of tax for which the taxpayer is delinquent, the year the tax was assessed, and the amount of total tax liability outstanding, including penalties and interest; provided further, that the commissioner shall make the list available for public inspection at the department upon request during the regular business hours; provided further, that the commissioner shall provide the registrar of motor vehicles and the assessors in each city and town subject to the risk of harm confidentiality provisions of clause (18) of subsection (b) of section 21 of chapter 62C of the General Laws with a list of the names and addresses of taxpayers who filed resident income tax returns; provided further, that the purposes of the lists are to identify residents who may have improperly registered their motor vehicles and failed to pay motor vehicle registration fees, state sales and use taxes and local motor vehicle excises; and provided further, that the commissioner shall direct the assessors to provide to all real property owners a notice inserted with each tax bill describing section 3 of

chapter 90 of the General Laws $9,640,000

1201-0160 For the child support enforcement unit; provided, that the department may allocate funds appropriated herein to the department of state police, the district courts, the probate and family courts, the district attorneys and other state agencies for the performance of certain child support enforcement activities, and that those agencies may expend the funds for the purposes of this item; provided further, that the federal receipts associated with the child support computer network shall be drawn down at the highest possible rate of reimbursement and deposited into a revolving account to be expended for the network; provided further, that federal receipts associated with child support enforcement grants shall be deposited into a revolving account to be drawn down at the highest possible rate of reimbursement and to be expended for the grant authority, so-called; provided further, that the department shall file quarterly reports with the house and senate committees on ways and means, detailing the balance, year-to-date and projected receipts and year-to-date and projected expenditures, by subsidiary, of the child support trust fund established pursuant to section 9 of chapter 119A of the General Laws..... $48,252,766

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

1231-1000 For the Commonwealth Sewer Rate Relief Fund established in section 2Z of chapter 29 of the General Laws $15,000,000

1231-1020 For a program of loans, loan purchases or loan guarantees or interest subsidies to assist homeowners, homeowner associations or condominium associations in complying with revised state environmental code for subsurface disposal of sanitary waste, Title V, so called; provided, that the program shall be in addition to the loan program established pursuant to item 2200-9959 in section 2 of chapter 85 of the acts of 1994; provided further, that the department may contract with third parties, including, but not limited to, commonwealth-based financial institutions to manage said program; provided further, that the department and the third parties shall take all steps necessary to minimize the program's administrative costs; provided further, that the loans, loan purchases or loan guarantees shall be available on the basis of a sliding scale that relates a homeowner's income and assets to the cost of Title V compliance; provided further, that interest subsidies shall be means-tested and may be for zero-interest loans pursuant to income standards developed by the department; and provided further, that the department of revenue shall consult with the department of environmental protection in developing rules, regulations and guidelines for said program, prior appropriation continued.

1232-0100 For underground storage tank reimbursements to parties that have remediated spills of petroleum products pursuant to chapter 21J of the General Laws $19,200,000

1232-0200 For the Underground Storage Tank Petroleum Cleanup Fund Administrative Review Board established by section 8 of chapter 21J of the General Laws and for the administration of the underground storage tank program associated with the implementation of chapter 21J of the General Laws; provided, that notwithstanding section 4 of chapter 21J or any other general or special law to the contrary, appropriations made in this item shall be sufficient to cover the administrative expenses of the underground storage tank program; provided further, that the board shall submit to the house and senate committees on ways and means a report on the status of the underground storage program, including, but not limited to, the number of municipal grants made for the removal and replacement of underground storage tanks and the reimbursements for remediated petroleum spills; provided further,

that the report shall detail how many tanks are out of compliance with said chapter 21J; and provided further, that the report shall be submitted not later than February 16, 2006 ..... $2,026,989

1232-0300 For underground storage tank municipal grants to remove and replace the tanks pursuant to section 2 of chapter 21J of the General Laws and section 37A of chapter 148 of the General Laws $489,901

1233-2000 For reimbursing cities and towns for taxes abated pursuant to clauses Seventeenth, Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second E and Thirty-seventh of section 5 of chapter 59 of the General Laws $8,400,000

1233-2010 For reimbursing cities and towns for tax abatements granted to certain homeowners over the age of 65 pursuant to clause Fifty-second of section 5 of chapter 59 of the General Laws $9,655

1233-2310 For reimbursing cities and towns for taxes abated pursuant to the clauses Forty-first, Forty-first B and Forty-first C of section 5 of chapter 59 of the General Laws; provided, that the commonwealth shall reimburse each city or town that accepts said clause Forty-first B or clause Forty-first C for additional costs incurred in determining eligibility of applicants under those clauses in an amount not to exceed $2 per exemption granted $9,890,345

Appellate Tax Board.

1310-1000 For the operation of the appellate tax board; provided, that the board shall schedule hearings in Barnstable, Gardner, Lawrence, Milford, Northampton, Pittsfield, Springfield, Worcester and southeastern Massachusetts; and provided further, that the board shall report to the house and senate committees on ways and means no later than December 1, 2005 on the number of hearings held at each location $1,723,560

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

Department of Veterans' Services.

0610-0093 For the purposes of allowing the department of veterans' services to make bonus payments to Persian Gulf war veterans; provided, that the payments shall be consistent with the purposes of the trust instrument for "A Hero's Welcome Trust Fund" $23,000

A Hero's Welcome Trust Fund 100.0%

1410-0010 For the operation of the department of veterans' services; provided, that the department may fund a housing specialist from this item; provided further, that not less than $10,000 shall be expended for the purpose of maintaining the Massachusetts Vietnam Veterans' Memorial located in the Green Hill park in Worcester; provided further, that not less than $10,000 shall be expended for the Korean War Veterans' Committee of Massachusetts for the purpose of maintaining the Massachusetts Korean War Memorial located in the shipyard park of the Charlestown Navy Yard; and provided further, that the department may expend funds for the Glory 54th Brigade $1,909,209

1410-0012 For services to veterans, including the maintenance and operation of outreach centers; provided, that the centers shall provide counseling to incarcerated veterans and to Vietnam era veterans and their families who may have been exposed to agent orange; provided further, that not less than $228,771 shall be obligated for a contract with the Veterans Benefit Clearinghouse in the Roxbury section of Boston; provided further, that not less than $106,102 shall be obligated for a contract with the North Shore Veterans Counseling Center in the city of Beverly; provided further, that not less than $84,879 shall be obligated for a contract with the Veterans Association of Bristol county in the city of Fall River; provided further, that not less than $100,000 shall be obligated for a contract with Nam Vets Association of the Cape and Islands in the Hyannis section of the town of Barnstable; provided further, that not less than $292,480 shall be obligated for a contract with the Montachusett Veterans Outreach Center in the city of Gardner; provided further, that not less than $84,453 shall be obligated for a contract with the Metrowest/Metrosouth Outreach Center in the town of Framingham; provided further, that not less than $15,000 shall be expended for the oral history project at the Morse Institute Library in Natick; provided further, that not less than $50,000 shall be expended for veteran's services to be administered by the Falmouth veterans agent through the Falmouth Free Clinic and Community Center; and provided further, that not less than $134,879 shall be obligated for a contract with the Puerto Rican Veterans Association of Massachusetts, Inc., in the city of Springfield $1,279,420

1410-0015 For the women veterans' outreach program $42,281

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

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

1410-0250 For homelessness services; provided, that not less than $453,966 shall be obligated for a contract with the central Massachusetts shelter for homeless veterans located in the city of Worcester; provided further, that not less than $352,395 shall be obligated for a contract with the Southeastern Massachusetts Veterans Housing Program, Inc. located in the city of New Bedford; provided further, that $100,350 shall be obligated for a contract with the Veterans Benefit Clearinghouse located in Dorchester; provided further, that not less than $199,405 shall be obligated for a contract with Unity House located in the city of Gardner; provided further, that not less than $75,000 shall be obligated for a contract with the Transition House located in the city of Springfield; provided further, that not less than $51,975 shall be expended for a contract with the Springfield bilingual veterans outreach center for the operation and maintenance of a transitional housing unit at the YMCA of Springfield; provided further, that not less than $28,350 shall be obligated for a contract with the Homestead located in the town of Hyannis; provided further, that not less than $200,000 shall be obligated for contracts with the veterans hospice homestead in the city of Leominster and the veterans hospice in the town of Fitchburg; provided further, that not less than $22,500 shall be obligated for a contract with the Turner House located in the town of Williamstown; provided further, that not less than $73,350 shall be obligated for a contract with the Veterans Benefit Clearinghouse located in Roxbury; provided further, that not less than $200,000 shall be obligated for a contract with the United Veterans of America

shelter located in the town of Leeds; and provided further, that not less than $190,000 shall be obligated for a contract with Habitat P.L.U.S. in the city of Lynn $1,947,291

1410-0251 For homelessness services, including the maintenance and operation of homeless shelters and transitional housing for veterans at the New England Shelter for Homeless Veterans located in the city of Boston..... $2,258,043

1410-0300 For the payment of annuities to certain disabled veterans and the parents and unremarried spouses of certain deceased veterans under section 6B of chapter 115 of the General Laws; provided, that the department shall take reasonable steps to terminate payments upon the death of a recipient; provided further, that the department shall prorate annuity payments to ensure that the total payments in fiscal year 2006 shall not exceed the amount appropriated herein; provided further, that the secretary of veterans' services shall file with the house and senate committees on ways and means a report detailing the number of applications received for annuities offered under this program at the end of each fiscal quarter; provided further, that the secretary of veterans' services may transfer up to 5 per cent of the amount appropriated herein between this item and item 1410-0400; and provided further, that 30 days before any such transfer is made, the secretary of veterans' services shall file with the secretary for administration and finance and the house and senate committees on ways and means a plan showing the amounts to be transferred and the reason for the proposed transfer $12,339,263

1410-0400 For reimbursing cities and towns for money paid for veterans' benefits and for payments to certain veterans under section 6 of chapter 115 of the General Laws; provided, that notwithstanding any general or special law to the contrary, 100 per cent of the amounts of veterans' benefits paid by cities and towns to residents of a soldiers' home shall be paid by the commonwealth to the several cities and towns; provided further, that pursuant to section 9 of said chapter 115, the department shall reimburse cities and towns for the cost of United States flags placed on the graves of veterans on Memorial Day; provided further, that notwithstanding any general or special law to the contrary, the secretary of veteran services may continue a training program for veterans' agents and directors of veterans' services in cities and towns; provided further, that the purpose of the training program shall be to maximize federal assistance available for veterans and to assure that the agents and directors receive uniform instruction on providing veterans and dependents with advice relative to procurement of state, federal and local benefits to which they are entitled, including employment, education, health care, retirement and other veterans' benefits; provided further, that the subject matter of the training program shall include benefits available under said chapter 115 and alternative resources, including those which are partially or wholly subsidized by the federal government, such as Medicaid, Supplemental Security Income and Social Security Disability benefits, as well as federal pension and compensation entitlements; provided further, that the secretary shall promulgate regulations for the training program; provided further, that upon successful participation by the veterans' agents or directors of veterans' services in the training program, the costs of the training program incurred by the several cities and towns shall be reimbursed by the commonwealth on or before November 10 following the fiscal year in which the costs were paid; provided further, that any person applying for veterans' benefits to pay for services available under chapter 118E of the General Laws, shall also apply for medical assistance under said chapter 118E to minimize cost of the commonwealth and its municipalities; provided further, that veterans' agents shall complete applications authorized by the division of medical assistance under said chapter 118E for any veteran, widow and dependent applying for medical assistance under said chapter 115; provided further, that the veterans' agent shall file the application for the veteran or dependent for assistance under said chapter

118E; provided further, that the executive office of health and human services shall act on all said chapter 118E applications and advise the applicant and the veterans' agent of the applicant's eligibility for said chapter 118E healthcare; provided further, that the veterans' agent shall advise the applicant of the right to assistance for medical benefits under said chapter 115 pending approval of the application for assistance under said chapter 118E by the executive office of health and human services; provided further, that the secretary may supplement healthcare pursuant to said chapter 118E with healthcare coverage under said chapter 115 if he determines that supplemental coverage is necessary to afford the veteran or dependent sufficient relief and support; provided further, that payments to or on behalf of a veteran or dependent pursuant to said chapter 115 shall not be considered income for the purposes of determining eligibility under said chapter 118E; provided further, that benefits awarded pursuant to section 6B of said chapter 115 shall be considered countable income; provided further, that the secretary of veterans' services may transfer up to 5 per cent of the amount appropriated herein between this item and item 1410-0300; and provided further, that 30 days before any transfer is made, the secretary of veterans' services shall file with the secretary for administration and finance and the house and senate committees on ways and means a plan showing the amounts to be transferred and the reason for the proposed transfer $13,805,284

1410-0630 For the administration of the veterans' cemeteries in the towns of Agawam and Winchendon $866,448

Reserves.

1599-0035 For certain debt service contract assistance to the Massachusetts Convention Center Authority in accordance with section 39 of chapter 190 of the acts of 1982; provided, that the assistance shall be expended notwithstanding section 35J of chapter 10 of the General Laws $14,735,000

1599-0042 For a reserve to improve the quality of the commonwealth's child care system by enabling child care providers to better attract and retain quality staff; provided, that payments from this reserve shall be distributed by the department of early education and care to increase reimbursement rates for subsidized child care; provided further, that the increases shall be directed to expenditures for salaries, benefits, and stipends for professional development of child care workers; and provided further, that such increases may be allocated to adjust rates of reimbursement paid to each provider by the same percentage across the common wealth $10,000,000

1599-0049 For contract assistance payments to the Foxborough Industrial Development Finance Authority in accordance with section 8 of chapter 16 of the acts of 1999 ..... $5,336,488

1599-0050 For Route 3 North contract assistance payments $26,755,000

1599-0093 For contract assistance to the water pollution abatement trust for debt service obligations of the trust, in accordance with sections 6 and 6A of chapter 29C of the General Laws $55,166,537

1599-1970 For a reserve for the Massachusetts turnpike authority for costs incurred in fiscal year 2005 for the operation and maintenance of the central artery/tunnel project pursuant to chapter 235 of the acts of 1998 ..... $25,000,000

1599-1971 For the cost of hired and leased equipment, vehicle repair, and sand, salt, and other control chemicals used for snow and ice control; provided, that the secretary for

administration and finance shall submit to the house and senate committees on post audit and oversight, the house and senate committees on transportation and the house and senate committees on ways and means a report on snow and ice control efforts no later than September 1, 2005 which shall include, but not be limited to, the following: (a) a list of amounts paid to each vendor from state appropriations for snow and ice control efforts for fiscal years 2004 and 2005; (b) a detailed account of the administrative oversight exercised by either the secretary for administration and finance, the secretary of transportation or the department of highways for snow and ice control efforts, including an explanation of measures taken to verify services provided, audit vendor payment vouchers, or any other measures taken to ensure accountability relative to the expenditure of the state funds for snow and ice control efforts; (c) information on the transponder program including, but not limited to, the number and cost of transponders leased or purchased, costs associated with maintenance and warranties for the transponders, the useful life of the transponders, the number of incidents when transponders failed or malfunctioned, the number of transponders that were damaged, estimated costs of continuing the program, the compliance rate of vendors using transponders, the number of transponders that were damaged or broken, the number of appeals by contractors for transponders that may have failed or malfunctioned, a list of any contractors that were accused of, charged with or prosecuted for fraudulent snow and ice removal claims; and (d) any other information that the secretary determines is necessary to account for and explain the extraordinary expenditure of state appropriations for the control and removal of snow and ice; provided further, that the report indicates how many salt storage facilities in the commonwealth are in conformance with section 7A of chapter 85 of the General Laws and how many are not; and provided further, that no funds shall be expended or allocated from this item of appropriation until the secretary, the commissioner of highways and any other officer of the commonwealth involved in snow and ice control efforts has submitted all documentation, testimony, data and other information as required by this item and the report has been filed with the committees in the exact manner as stipulated herein $10,000,000

1599-3234 For the commonwealth's south Essex sewerage district debt service assessment $93,550

1599-3384 For a reserve for the payment of certain court judgments, settlements and legal fees, in accordance with regulations promulgated by the comptroller, which were ordered to be paid in the current fiscal year or a prior fiscal year; provided, that the comptroller shall report quarterly to the house and senate committees on ways and means on the amounts expended from this item; provided further, that no amount appropriated in this item shall fund attorneys' fees for Boulet, et al v. Cellucci, et al, civil action No. 99-CV-10617-DPW, United States District Court of Massachusetts $4,837,211

1599-3837 For the payment to the water pollution abatement trust to fund financial assistance to municipalities and other eligible borrowers to meet debt service obligations incurred by the municipalities and other eligible borrowers after January 1, 1992, to finance the costs of water treatment projects or portions thereof which have been approved by the department of environmental protection, or otherwise authorized by law, and which have been completed, as determined by the department, on or before the promulgation date of the department's regulations related to the implementation of the federal Safe Drinking Water Act $7,852,853

1599-3838 For a reserve for payment to the water pollution abatement trust to finance the costs of water treatment projects or portions thereof which have been approved by the department of environmental protection, or otherwise authorized by law, after the promulgation date of the department's regulations related to the implementation of the federal Safe Drinking Water Act $9,465,260

1599-3856 For rent and associated costs at the Massachusetts information technology center in Chelsea $7,115,000

1599-3857 For capital lease payments from the University of Massachusetts to the Massachusetts development finance agency and for annual operations of the advanced technology and manufacturing center in Fall River $1,300,000

1599-4408 For a reserve for costs incurred to comply with the provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Pub. L. 104-193), or any successor federal statute, including but not limited to, state work participation requirements, subsequent to the expiration of the commonwealth's federal welfare waiver on September 30, 2005, or with any additional costs or requirements imposed as a result of any legislation enacted by the general court subsequent to reauthorization of the federal temporary aid for needy families block grant; provided, that not less than $6,000,000 shall be made available to the department of transitional assistance for additional services in item 4401-1000, the employment services program, administered within the department; provided further, that not less than $6,000,000 shall be made available to the department of early education and care for additional child care vouchers and contracts, according to the provisions of item 3000-4050 and for the administration of the vouchers and contracts by child care resource and referral agencies, according to the provisions of item 3000-2000; provided further, that the secretary of administration and finance, the commissioner of the department of transitional assistance and the commissioner of the department of early education and care, shall, not later than January 15, 2006, jointly issue a preliminary report, and not later than April 1, 2006, issue a final report on planned expenditures from this item, on any federal actions impacting the state transitional assistance program, and on any legislative proposals the department may recommend in response to the actions; provided further, that, if the reports include legislative or administrative recommendations in response to federal actions, the reports shall include a description of all new requirements proposed to be imposed on recipients of transitional aid to families with dependent children as a result of federal actions, an analysis of the individuals proposed to be subject to work requirements as a result of the actions, including an analysis of which individuals may reasonably be expected to obtain employment with proper assistance and which require an alternative plan or strategy for achieving self-sufficiency, and a detailed plan for addressing the needs of any recipient who would be subject to work requirements under such proposal; provided further, that the reports shall be provided to the chairpersons of the house and senate ways and means committees, the house and senate chairpersons of the joint committee on children and families and the house and senate chairpersons of the joint committee on education; and provided further, that nothing in the foregoing authorizes the department of transitional assistance to impose rules or requirements that are not authorized by section 110 of chapter 5 of the acts of 1995, as previously or hereafter amended $12,000,000

1599-6901 For a reserve to adjust the wages, compensation or salary and associated employee-related costs to personnel who are employed by private human service providers that deliver human and social services under contracts with departments within the executive office of health and human services and the executive office of elder affairs; provided, that home care workers shall be eligible for funding from this appropriation; provided further, that the secretary of administration and finance may allocate the funds appropriated in this item to the departments in order to implement this initiative; provided further, that the operational services division shall condition the expenditure of the reserve upon assurances that the funds shall be used solely for the purposes of adjustments to wages, compensation or salary;

provided further, that not later than February 15, 2006, the division shall submit to the house and senate committees on ways and means a report delineating the number of employees, by job title and average salary, receiving such adjustment in fiscal year 2006 and the average percentage adjustment funded by this reserve; provided further, that the report shall also include, for each contract scheduled to receive any allocation from this item in each such department, the total payroll expenditures in each contract for the categories of personnel scheduled to receive the adjustments; provided further, that no funds from this item shall be allocated to special education programs under chapter 71B of the General Laws, contracts for child care services or programs for which payment rates are negotiated and paid as class rates as established by the division of health care finance and policy; provided further, that no funds shall be allocated from this item to contracts funded exclusively by federal grants as delineated in section 2D; provided further, that the total fiscal year 2006 cost of salary adjustments and any other associated employee costs authorized thereunder shall not exceed $20,000,000; provided further, that $14,000,000 shall be expended in fiscal year 2006 to adjust the wages, compensation or salary and associated employee-related costs to personnel earning less than $25,000 in annual compensation who are employed by private human service providers that deliver human and social services under contracts with departments within the executive office of health and human services and the executive office of elder affairs; provided further, that $6,000,000 shall be expended in fiscal year 2006 to adjust the wages, compensation or salary and associated employee-related costs to personnel earning more than $25,001 and less than $40,000 in annual compensation who are employed by private human service providers that deliver human and social services under contracts with departments within the executive office of health and human services and the executive office of elder affairs; provided further, that the annualized cost of the adjustments in fiscal year 2007 shall not exceed the amount appropriated herein; and provided further, that the raises provided through this item shall be in addition to any already agreed to or collectively bargained for pay increases $20,000,000

1599-7061 For a reserve for education aid to cities, towns, regional school districts, counties maintaining agricultural schools, independent vocational schools and independent agricultural and technical schools; provided, that all funds appropriated in this item shall be allocated pursuant to legislation to be enacted by the general court and no funds shall be distributed until such legislation is enacted; provided further, that funds shall be allocated to cities, towns, regional school districts, counties maintaining agricultural schools, independent vocational schools and independent agricultural and technical schools that receive less aid as a percentage of their foundation budget than other districts of similar wealth and income; provided further, that funds shall be allocated to reduce the required local contribution of cities and towns with higher required local contributions than other cities and towns of similar wealth and income; and provided further, that funds shall be provided to improve the educational quality of schools and accountability of districts, especially those schools and districts with high proportions of low-income children, children with limited English proficiency, or children at risk of failing to meet the graduation requirements under sections 1I and 1J of chapter 69 of the General Laws ... $55,000,000

1599-7092 For a reserve for the county correctional programs; provided, that notwithstanding any general or special laws to the contrary, the sheriffs, in conjunction with the county government finance review board, shall maintain and continue to collaborate with the comptroller's office to collect and report all revenue collection and all spending on the Massachusetts Management Accounting and Reporting System; provided further, that the comptroller shall not transfer the funds from this item to item 8910-0000 unless the plan is in place; provided further, that the county government finance review board shall, by January 1, 2006, have developed a plan

for the spending of all funds for fiscal year 2006, and developed a sound fiscal spending plan for fiscal year 2007; provided further, that the board shall build the spending plans with the direct input of the seven sheriffs still functioning under the county government system; provided further, that by January 15, 2006 the board shall report all spending plans to the house and senate committees on ways and means; provided further, that the information shall satisfy all fiscal requirements for a maintenance level of funding, including, but not limited to, collective bargaining increases, legal fees, debt services, one time costs, energy costs, equipment leases, medical costs, and workers' compensation issues; provided further, that no other spending information or requests shall be submitted to the house and senate committees on ways and means by the individual sheriffs until February 15, 2006; provided further, that the board shall also provide a projection of all county funds to be collected for fiscal year 2006 and 2007; provided further, that the board shall release all funds from fiscal year 2006 quarterly; provided further, that any sheriff that spends more than the quarterly approved budget shall have the money allocated for the following quarter reduced by the excess amount overspent in the previous quarter; and provided further, that it is the intent of the General Court that funds shall not be spent from this item nor any funds be transferred from this item to another item until all of the aforementioned restrictions and conditions have been satisfied $39,319,632

1599-7104 For a reserve for the facilities costs associated with the college of visual and performing arts at the University of Massachusetts at Dartmouth; provided, that funds may be expended for Bristol Community College $2,565,093

1599-7780 For a reserve for the costs of rent and relocation for the eastern district attorney's office $1,240,000

Human Resources Division.

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

non-base payments or other forms of compensation and all supplemental fringe benefits resulting in any incremental costs; and provided further, that any employee of the commonwealth who chooses to participate in a bone marrow donor program or an organ donor transplant program shall be granted a leave of absence with pay to undergo the medical procedure and for associated physical recovery time, but this leave shall not exceed 5 days $3,846,396

1750-0102 The human resources division may expend not more than $1,327,500 from revenues collected from fees charged to applicants for civil service and non-civil service examinations and fees charged for the costs of goods and services rendered in administering training programs; provided, that the division shall collect from participating non-state agencies, political subdivisions, and the general public fees sufficient to cover all costs of the programs, including, but not limited to, a fee to be collected from each applicant for a civil service examination or non-civil examination, notwithstanding paragraph (n) of section 5 of chapter 31 of the General Laws or any other general or special law to the contrary; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefore as reported in the state accounting system $1,327,500

1750-0111 For the planning and implementation of a civil service continuous testing program and the operation of the bypass appeals process program; provided, that the division shall file quarterly reports with the house and senate committees on ways and means detailing the number of tests administered and the amount of revenue collected through the program $104,367

1750-0119 For payment of workers' compensation benefits to certain former employees of Middlesex and Worcester counties; provided, that the division shall routinely recertify those former employees pursuant to current workers' compensation procedures $223,350

1750-0201 The human resources division may expend not more than $250,000 from revenues collected for implementation of the medical and physical fitness standards program established pursuant to sections 61A and 61B of chapter 31 of the General Laws and chapter 32 of the General Laws; provided, that the personnel administrator shall charge a fee of not less than $50 to be collected from each applicant who participates in the physical ability test; provided further, that the human resources division shall submit a semi-annual report to the house and senate committees on ways and means detailing all expenditures on the program including, but not limited to, the costs of personnel, consultants, administration of the wellness program, establishment of standards and any other related costs of the program; and provided further, that the division shall report to the house and senate committees on ways and means by February 1, 2006 on the projected costs of the program for fiscal year 2006 ..... $250,000

1750-0300 For the commonwealth's contributions in fiscal year 2006 to health and welfare funds established pursuant to certain collective bargaining agreements; provided, that the contributions shall be calculated as provided in the applicable collective bargaining agreement and shall be paid to such health and welfare trust funds on a monthly basis or on such other basis as the applicable collective bargaining agreement provides $21,286,962

Operational Services Division.

1775-0100 For the operation of the operational services division; provided, that the division shall expend funds for the purpose of achieving savings pursuant to provisions included in this act $2,033,309

1775-0124 The operational services division may expend not more than $300,000 from revenue collected in the recovery of cost-reimbursement and non-reimbursable over billing and recoupment for health and human service agencies and as a result of administrative reviews, as determined during the division's audits and reviews of providers pursuant to section 274 of chapter 110 of the acts of 1993 ..... $300,000

1775-0600 The operational services division may expend not more than $100,000 in revenues from the sale of state surplus personal property, including the payment, expenses and liabilities for the acquisition, warehousing, allocation and distribution of surplus property; provided, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the operational services division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system, including the costs of personnel $100,000

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

1775-0900 The operational services division may expend not more than $55,000 in revenues collected pursuant to chapter 449 of the acts of 1984 and section 4L of chapter 7 of the General Laws, including the costs of personnel, from the sale of federal surplus property, including the payment, expenses and liabilities for the acquisition, warehousing, allocation and distribution of federal surplus property; provided, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the operational services division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $55,000

1775-1100 The operational services division may expend not more than $250,000 in revenues collected from the disposal of surplus motor vehicles, including, but not limited to, state police vehicles from vehicle accident and damage claims and from manufacturer warranties, rebates and settlements, for the purchase of motor vehicles; provided, that the division shall evaluate the use of technology, the internet, and online auctions to enhance the sales of surplus vehicles and submit a report of its findings to the house and senate committees on ways and means, and the house and senate committees on post audit and oversight on or before October 1, 2005; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the operational services division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system, including the costs of personnel $250,000

Information Technology Division.

1790-0100 For the operation of the information technology division; provided, that the division

shall continue a chargeback system for its bureau of computer services including the operation of the commonwealth's human resources and compensation management system, which complies with the requirements of section 2B; provided further, that the division shall develop a formula to determine the cost that will be charged to each agency for its use of the human resources and compensation management system; provided further, that the division may coordinate with any state agency or state authority which administers a grant program to develop a statewide grant information page on the commonwealth's official worldwide web site, that shall include all necessary application forms and a grant program reference in a format that is retrievable and printable; provided further, that the state comptroller shall establish accounts and procedures as he deems appropriate and necessary to assist in accomplishing the purposes of this item; provided further, that any planned information technology development project or purchase by any agency under the authority of the governor for which the total projected cost exceeds $200,000 including the cost of any related hardware, software, or consulting fees, and regardless of fiscal year or source of funds, shall be reviewed and approved by the chief information officer before the agency may obligate funds for the project or purchase; and provided further, that the chief information officer may establish rules and procedures he considers necessary to implement this item $4,242,721

1790-0300 The information technology division may expend not more than $467,837 from revenues collected from the provision of computer resources and services to the general public for the costs of the bureau of computer services, including the purchase, lease or rental of telecommunications lines, services and equipment $467,837

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS

Office of the Secretary.

2000-0100 For the office of the secretary, including the water resources commission, the hazardous waste facility site safety council, the coastal zone management program, environmental impact reviews conducted pursuant to chapter 30 of the General Laws, the mosquito-borne disease vector control chapter program, and a central data processing center for the secretariat; provided, that the secretary of environmental affairs may enter into interagency agreements with any line agency within the secretariat, whereby the line agency may render data processing services to the secretary; provided further, that the comptroller may allocate the costs for such data processing services to the several state and other funds to which items of appropriation of such agencies are charged; provided further, that the secretary shall file a plan with the house and senate committees on ways and means 20 days before entering into any interdepartmental service agreements with any of the departments or divisions under the secretariat or any department, division or office under the executive office of administration and finance; provided further, that not less than $50,000 shall be transferred to the Boston Harbor Islands Alliance for costs associated with the new visitor contact station known as the Harbor Park Pavilion on Parcel 14 of the Rose Kennedy Greenway; provided further, that funds may be expended for volunteer water monitoring grants; provided further, that not less than $50,000 shall be expended for new flood insurance rate maps for Salisbury beach; and provided further, that $150,000 shall be expended for a coastal water quality and natural resource monitoring program in Buzzards Bay administered by the Coalition for Buzzards Bay $6,234,486

2000-9900 For the office of geographic and environmental information established in section 4B of chapter 21A of the General Laws $280,944

2001-1001 The secretary of environmental affairs may expend not more than $50,000 from

revenue collected from fees charged to authorities and units of government within the commonwealth, other than state agencies, for the distribution of digital cartographic and other data, and the review of environmental notification forms pursuant to sections 61 to 62H, inclusive, of chapter 30 of the General Laws, for the purposes of providing those services $50,000

2010-0100 For recycling and related purposes consistent with the recycling plan of the solid waste master plan which includes municipal equipment, a municipal recycling incentive program, recycled product procurement, guaranteed annual tonnage assistance, recycling transfer stations, source reduction and technical assistance, consumer education and participation campaign, municipal household hazardous waste program, the recycling loan program, research and development, recycling market development and recycling business development, and the operation of the Springfield materials recycling facility; provided further, that funds may be expended for a recycling industry reimbursement program pursuant to section 24I of chapter 43 of the acts of 1997; and provided further, that funds may be expended on municipal recycling incentives and equipment grants $2,168,863

2010-0200 For redemption centers; provided, that the department of environmental protection shall expend the funds appropriated in this item for a program to preserve the continuing ability of redemption centers to maintain operations in pursuit of the commonwealth's recycling goals consistent with section 323 of chapter 94 of the General Laws; provided further, that for the purposes of this item and said chapter 94, a redemption center shall be any business registered with the commonwealth whose primary purpose is the redemption of reusable beverage containers; provided further, that such program shall take into consideration the volume of redeemables per redemption center, the length of time such center has been in operation, the number of returnables redeemed quarterly by such centers, the submission by such centers of documentation of their redeemed returnables to the department and the costs of transportation, packing, storage and labor; and provided further, that the redemption centers shall be eligible for such funds if they were registered with the commonwealth as of April 1, 2003 ..... $1,375,000

2020-0100 For toxics use reduction technical assistance and technology in accordance with chapter 21I of the General Laws $1,304,700

2030-1000 For the operation of the office of environmental law enforcement; provided, that officers shall provide monitoring pursuant to the National Shellfish Sanitation Program; and provided further, that funds from this item shall not be expended for the purposes of item 2030-1004 ..... $9,913,746

2030-1004 For environmental police private details; provided, that the office may expend not more than $250,000 from revenue collected from fees charged for private details $250,000

Department of Environmental Protection.

2200-0100 For the operation of the department of environmental protection, including the environmental strike force, the office of environmental results and strategic planning, the bureau of resource protection, the Senator William X. Wall experimental station, and a contract with the University of Massachusetts for environmental research, notwithstanding section 323F of chapter 94 of the General Laws; provided, that section 3B of chapter 7 of the General Laws shall not apply to fees established pursuant to section 18 of chapter 21A of the General Laws; and provided further, that enactment of the appropriations made available by this act to the department shall be deemed a determination, pursuant to subsection (m) of section 19 of chapter 21A of the General Laws $29,866,434

2200-0102 The department of environmental protection may expend not more than $1,200,000 from revenues collected from fees collected from wetland permits; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; provided further, that the department shall submit a report by January 11, 2006 on implementation of the wetlands fee, the amount of the fee increase and the revenue that has been collected; and provided further, that the wetlands fees that were directed into the General Fund shall not be lower than the amount deposited at the end of fiscal year 2005 ..... $1,200,000

2210-0100 For the implementation and administration of chapter 21I of the General Laws; provided, that the department shall submit a report to the house and senate committees on ways and means not later than February 1, 2006 detailing the status of the department's progress in meeting the statutory and regulatory deadlines associated with chapter 21I and detailing the number of full-time equivalent positions assigned to various implementation requirements of chapter 21I $918,782

2220-2220 For the administration and implementation of the federal Clean Air Act, including the operating permit program, the emissions banking program, the auto-related state implementation program, the low emission vehicle program, the non-auto-related state implementation program, and the commonwealth's commitments under the New England Governor's/Eastern Canadian Premier's Action Plans for reducing acid rain deposition and mercury emissions $1,001,064

2220-2221 For the administration and implementation of the operating permit and compliance program required under the federal Clean Air Act $1,882,993

2250-2000 For the purposes of state implementation of the federal Safe Drinking Water Act under section 18A of chapter 21A of the General Laws $1,520,085

2260-8870 For the expenses of the hazardous waste cleanup and underground storage tank programs, notwithstanding section 323F of chapter 94 of the General Laws and section 4 of chapter 21J of the General Laws $14,311,075

2260-8872 For the brownfields site audit program $1,749,676

2260-8881 For the operations of the board of registration of hazardous waste site cleanup professionals, notwithstanding section 19A of chapter 21A of the General Laws..... $341,656

Department of Fish and Game.

2300-0100 For the office of the commissioner; provided, that the commissioner's office shall assess and receive payments from the division of marine fisheries, the division of fisheries and wildlife, the public access board, the riverways programs, and all other programs under the control of the department of fish and game; provided further, that the purpose of those assessments shall be to cover appropriate administrative costs of the department, including but not limited to payroll, personnel, legal and budgetary costs; and provided further, that the amount and contribution from each division or program shall be determined by the commissioner of fish and game $450,001

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

funded in this item shall not be subject to chapter 31 of the General Laws $450,829

2310-0200 For the administration of the division of fisheries and wildlife, including expenses of the fisheries and wildlife board, the administration of game farms and wildlife restoration projects, for wildlife research and management, the administration of fish hatcheries, the improvement and management of lakes, ponds and rivers, for fish and wildlife restoration projects, the commonwealth's share of certain cooperative fishery and wildlife programs, and for certain programs reimbursable under the federal Aid to Fish and Wildlife Restoration Act; provided, that funds from this item shall be made available to the University of Massachusetts at Amherst for the purposes of wildlife and fisheries research in an amount not to exceed the amount received in fiscal year 2005 for such research; provided further, that $200,000 shall be expended to continue to operate fish hatcheries in the towns of Montague and Sandwich; provided further, that the department shall expend the amount necessary to restore anadromous fish in the Connecticut and Merrimack river systems; provided further, that expenditures for such programs shall be contingent upon prior approval of the proper federal authorities for reimbursement of at least 75 per cent of the amount so expended; provided further, that the department of fish and game, the division of fisheries and wildlife and the fisheries and wildlife board shall submit a joint report to the house and senate committees on way and means by September 1, 2005 detailing a 5- year plan for the expenditures of the surplus of funds in the Inland Fish and Game Fund; and provided further, that $15,000 shall be expended for beaver maintenance in the town of Orange $8,420,362

Inland Fisheries and Game Fund 100.0%

2310-0306 For the hunter safety training program $444,327

Inland Fisheries and Game Fund 100.0%

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

Inland Fisheries and Game Fund 100.0%

2310-0317 For the waterfowl management program pursuant to section 11 of chapter 131 of the General Laws $85,000

Inland Fisheries and Game Fund 100.0%

2320-0100 For the administration of the public access board, including the maintenance, operation, and improvements of public access land and water areas as authorized by section 17A of chapter 21 of the General Laws; provided, that positions funded in this item shall not be subject to chapter 31 of the General Laws $598,758

2330-0100 For the operation of the division of marine fisheries, including expenses of the Annisquam river marine research laboratory, marine research programs, a commercial fisheries program, a shellfish management program, including coastal area classification, mapping and technical assistance, and for the operation of the Newburyport shellfish purification plant and shellfish classification program; provided, that $300,000 shall be expended on a recreational fisheries program to be reimbursed by federal funds; provided further, that not less than $333,000 shall be expended for the operation of the Newburyport shellfish purification plant and that

plant shall generate not less than $115,000 from purification fees; provided further, that not less than $90,000 shall be expended for the joint operation of a shellfish propagation program on Cape Cod between the division and the Barnstable County Department of Health and Environment; provided further, that $50,000 shall be expended for the Family Fishing Assistance Center in the city of New Bedford; provided further, that the sum expended for the School for Marine Science and Technology to help mitigate the negative economic impact to the Massachusetts ports which has resulted from the change in federal fisheries regulations in fiscal year 2006 shall not be reduced from fiscal year 2005 except in proportion to adjustments consistent with the department's budget adjustment; provided further, that funds shall be expended for the School for Marine Science and Technology for research to minimize the economic impact of new fisheries management regulations and shall not be reduced from fiscal year 2005 except in proportion to adjustments consistent with the department's budget adjustment; and provided further, that $50,000 shall be expended for the National Marine Life Center in the town of Bourne..... $3,910,725

2330-0120 For the division of marine fisheries for a program of enhancement and development of marine recreational fishing and related programs and activities, including the cost of equipment maintenance, staff and the maintenance and updating of data..... $533,286

2330-0121 For the division of marine fisheries to utilize reimbursable federal sportfish restoration funds to further develop marine recreational fishing and related programs, including the costs of activities that increase public access for marine recreational fishing, support research on artificial reefs, and otherwise provide for the development of marine recreational fishing; provided, that the division of marine fisheries may expend not more than $167,898 from revenue collected from federal sportfish restoration funds and from the sale of materials which promote marine recreational fishing $167,898

Department of Agricultural Resources.

2511-0100 For the operation of the department of agricultural resources, including the office of the commissioner, the expenses of the board of agriculture, the division of dairy services, and the division of regulatory services and animal health, including a program of laboratory services at the University of Massachusetts at Amherst, the expenses of the pesticides board, and the division of agricultural development and fairs; provided further, that not less than $45,000 shall be expended for shellfish propagation on the islands of Martha's Vineyard and Nantucket to be administered by the state aquaculture coordinator and Dukes and Nantucket counties; provided further, that $100,000 shall be expended for 4H activities from this item; provided further, that funds may be expended for the Southeastern Massachusetts Agricultural Partnership; provided further, that funds may be expended for agricultural fair prizes and rehabilitation, including the expenses of the agricultural lands board; provided further, that the department shall, to the extent possible, encourage corporate sponsorships for the purposes of providing agricultural fair prizes; and provided further, that funds may be expended for implementation of the agricultural marketing strategic plan, including, but not limited to, a "Buy Local" campaign and funding for agricultural business training and technical assistance $3,777,692

2511-0105 For the purchase of supplemental foods for the emergency food assistance program within the second harvest nationally-certified food bank system of Massachusetts; provided, that the funds appropriated in this item shall be expended for food to be distributed by the greater Boston food bank as follows: 73.5 per cent to the greater Boston food bank, including a portion to be distributed to the Merrimack Valley food bank under a contractual agreement between the food bank and the greater

Boston food bank, 15.2 per cent to the food bank of western Massachusetts, and 11.3 per cent to the Worcester county food bank; and provided further, that the department may assess an administrative charge not to exceed 2 per cent of the total appropriation in this item $6,280,000

2511-3002 For the Integrated Pest Management program $200,000

Department of Conservation and Recreation.

2800-0100 For the operation of the department of conservation and recreation; provided, that the department shall enter into an interagency agreement with the department of state police to provide police coverage on department of conservation and recreation properties and parkways; provided further, that the department of state police shall reimburse the department of conservation and recreation for costs incurred by the department including, but not limited to vehicle maintenance and repairs, the operation of department of state police buildings and other related costs; provided further, that notwithstanding any general or special law to the contrary, all offices and positions of the division performing construction activities for the department of conservation and recreation shall be subject to classification under sections 45 to 50, inclusive, of chapter 30 of the General Laws; provided further, that notwithstanding section 3B of chapter 7 of the General Laws, the department shall establish or renegotiate fees, licenses, permits, rents and leases, and adjust or develop other revenue sources to fund the maintenance, operation, and administration of the department; provided further, that an annual report shall be submitted to the house and senate committees on ways and means regarding fee adjustments not later than February 14, 2006; provided further, that notwithstanding any general or special law or administrative bulletin to the contrary, the department shall not pay any fees charged for the leasing or maintenance of vehicles to the operational services division for vehicles procured by the department of conservation and recreation; provided further, that not less than $100,000 shall be expended within 30 days of receipt of these funds, for the maintenance of the facility and animal upkeep of the mounted unit in the Blue Hills Reservation; and provided further, that no funds shall be expended from this item for personnel overtime costs $5,477,272

2800-0101 For the watershed management program to operate and maintain reservoirs, watershed lands and related infrastructure of the department and the office of water resources in the department of conservation and recreation; provided, that $500,000 shall be paid to the town of Clinton, under section 8 of chapter 307 of the acts of 1987, to compensate for the use of certain land; provided further, that the amount of the payment shall be charged to the General Fund and shall not be included in the amount of the annual determination of fiscal year charges to the Massachusetts Water Resources Authority assessed to the authority under section 113 of chapter 92 of the General Laws; provided further, that $25,000 shall be expended for non-native plant management on Field Pond in Harold Parker State Forest in the town of Andover; provided further, that $48,000 shall be expended for the flood control activities undertaken by the Thames River Valley communities of Massachusetts in conjunction with the state of Connecticut; provided further, that $25,000 shall be expended for aquatic weed control treatments in the Upper Mystic Lake; and provided further, that the department shall develop and implement a written plan to protect and manage the Plymouth-Carver sole source aquifer in consultation with Plymouth, Carver, Wareham, Plympton, Bourne, Middleborough and Kingston..... $1,443,615

2800-0200 For the operation of the Commonwealth Zoological Corporation pursuant to chapter 92B of the General Laws; provided, that $50,000 shall be expended for the Buttonwood Park Zoo; provided further, that $50,000 shall be expended for the

Forest Park Zoo; provided further, that funds appropriated in this item shall be expended for the purposes of promoting private fundraising, achieving self-sufficiency and serving as a catalyst for urban economic development and job opportunities for local residents; provided further, that the corporation shall take all steps necessary to increase the amount of private funding available for the operation of the zoos; provided further, that the corporation shall report to the house and senate committees on ways and means not later than February 1, 2006 on the status of, and amounts collected from, the private fundraising and enhanced revenue efforts identified in the draft Massachusetts Zoos Business and Operations Plan, dated December, 1996; and provided further, that the corporation shall continue to provide free services and supplies including, but not limited to, routine animal check-ups, diagnosis and care, emergency veterinary needs, medications and medical supplies, vitamins and diet supplements and Zoo Prem feline diet, to the Trailside Museum and the Chickatawbut Hill Center in the town of Milton $6,000,000

2800-0500 For the freshwater and saltwater beaches under the control of the department of conservation and recreation; provided, that all beaches shall remain open and staffed from Memorial Day through Labor Day; provided further, that the beaches shall have their full amount of required maintenance and upkeep; and provided further, that the department shall file a report with the house and senate committees on ways and means not later than November 1, 2005 that shall include, but not be limited to, the following: (1) the amount of funding provided to every beach under the control of the department in fiscal years 2004 and 2005; (2) a breakdown of how the funds were spent for every beach and the services that were provided; (3) the items of appropriation used to provide funding; (4) the amount of funding to be provided for every beach in fiscal year 2006 from this item; and (5) a list of the services or materials for each beach that will be provided from this item $750,000

2800-0600 For the pools and spray pools under the control of the department of conservation and recreation; provided, that all pools and spray pools shall remain open and staffed from Memorial Day through Labor Day; provided further, that the pools and spray pools shall have their full amount of required maintenance and upkeep; and provided further, that the department shall file a report with the house and senate committees on ways and means not later than November 1, 2005 that shall include, but not be limited to, the following: (1) the amount of funding provided to every beach under the control of the department in fiscal years 2004 and 2005; (2) a breakdown of how the funds were spent for every beach and the services that were provided; (3) the items of appropriation used to provide funding; (4) the amount of funding to be provided for every beach in fiscal year 2006 from this item; and (5) a list of the services or materials for each beach that will be provided from this item $750,000

2800-9004 For certain payments for the maintenance and use of the Trailside Museum and the Chickatawbut Hill center $375,000

2810-0100 For the operations of the division of state parks and recreation; provided, that funds appropriated in this item shall be used to operate all of the division's parks, heritage state parks, reservations, campgrounds, beaches and pools and for the oversight of rinks, to protect and manage the division's lands and natural resources including the forest and parks conservation services and the bureau of forestry development; provided further, that no funds from this item shall be made available for payment to true seasonal employees; provided further, that the department may issue grants to public and nonpublic entities from this item; provided further, that $100,000 shall be expended for the Schooner Ernestina Commission; provided further, that $25,000 shall be expended for a grant to the Sutton Fire and Rescue department for park user safety equipment at the Purgatory Chasm State Reservation in the town of Sutton; and provided further, that the level of funding for the beaches and pools

from this item in fiscal year 2006 shall not be reduced from fiscal year 2005 ..... $19,007,437

2810-0200 For summer employment programs at department of conservation and recreation facilities; provided, that the programs shall include peer-led youth recreation and interpretive programs, a youth all-star band, and a park repair and improvement program by skilled and unskilled laborers; and provided further, that the programs shall provide opportunities for underprivileged populations, especially in economic development areas..... $2,000,000

2810-2000 For the seasonal hires of the division of state parks and recreation, including hires for the forest fire control unit; provided, that no funds from this item shall be expended for year-round seasonal employees; provided further, that seasonal employees who are hired prior to the second Sunday before Memorial Day and whose employment continues beyond the Saturday following Labor Day and who received health insurance benefits in fiscal year 2005 shall continue to receive such benefits in fiscal year 2006 during the period of their seasonal employment; provided further, that no expenditures shall be made from the amount appropriated other than for those purposes identified in this item; provided further, that notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by this item are positions requiring the services of an incumbent, on either a full-time or less than full-time basis beginning not earlier than April 1 and ending not later than November 30, or beginning not earlier than September 1 and ending not later than April 30; and provided further, that notwithstanding said section 1 of said chapter 31, seasonal positions funded by this item shall not be filled by an incumbent for more than 8 months within a 12-month period $5,567,735

2810-2040 The division of state parks and recreation may expend not more than $4,454,826 from revenue collected from fees charged by the division, including revenues collected from campsite reservation transactions from the automated campground reservation and registration program for additional expenses, upkeep and improvements to the parks and recreation system and for the personnel costs of seasonal employees; provided, that no funds from this item shall be expended for the costs of full-time equivalent personnel; provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefor as reported in the state accounting system; provided further, that no expenditures made in advance of the receipts shall be permitted to exceed 75 per cent of the amount of revenues projected by the first quarterly statement required by section 1B; provided further, that the comptroller shall notify the budget director and the chairmen of the house and senate committees on ways and means at the time subsequent quarterly statements are published of the variance between actual and projected receipts in each such quarter and the implications of that variance for expenditures made; and provided further, that the division may issue grants to public and nonpublic entities from this item $4,454,826

2820-0100 For the administration, operation and maintenance of the division of urban parks and recreation, including for the maintenance, operation and related costs of the parkways, boulevards, roadways, bridges and related appurtenances under the care, custody and control of the division, flood control activities of the division, purchase of all necessary supplies and related equipment, and the civilianization of crossing guards located at division intersections where state police previously performed such duties; provided, that the parkways, boulevards, roadways, bridges and related appurtenances under the care and custody of the metropolitan district commission in fiscal year 2003 shall remain solely under the jurisdiction, custody and care of the division of urban parks and recreation; provided further, that no funds from this

item shall be made available for payment to true seasonal employees; provided further, that not less than $3,902 shall be expended on additional school crossing guards for the corner of Mystic avenue and Shore drive in the city of Somerville; provided further, that the school crossing guards for the corner of Mystic avenue and Shore drive in the city of Somerville shall be named the Senator Charles E. Shannon Crossing Guard Corps; provided further, that not less than $380,000 shall be expended for the purposes of installing lighting at the Shannon Stadium at Dilboy field along state highway route 16 in the city of Somerville, pursuant to the construction and renovation project authorized by chapter 352 of the acts of 2004; provided further, that $45,000 shall be expended on the maintenance of Red Rock park on Lynn Shore drive, in the city of Lynn; provided further, that $225,000 shall be expended for maintenance and infrastructure repair of the southwest corridor park; provided further, that $50,000 shall be expended for flood mitigation at Fellsmere pond; provided further, that not less than $50,000 shall be expended for the purposes of trash removal on Revere beach between May 30th and September 5th, which shall match proceeds generated pursuant to section 29 of chapter 236 of the acts of 2002; provided further, that $247,000 shall be expended for the James Michael Curley Recreation Center in the city of Boston; and provided further, that the level of funding for the beaches and pools from this item in fiscal year 2006 shall be reduced from fiscal year 2005 ..... $22,718,929

2820-0101 For the costs associated with the department's urban park rangers specific to the security of the state house; provided, that the commissioner shall collaborate and coordinate with the legislature's joint committee on rules on the development of a plan of security for the state house and shall file the report to the house and senate committees on ways and means not later than December 15, 2005; and provided further, that funds appropriated in this item shall only be expended for the costs of security and urban park rangers at the state house $1,750,000

2820-0200 For seasonal hires of the division of urban parks and recreation; provided, that no funds in this item shall be used for year-round seasonals; provided further, that notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by this item are positions requiring the services of an incumbent, on either a full-time or less than full-time basis beginning not earlier than April 1 and ending not later than November 30, or beginning not earlier than September 1 and ending not later than April 30; and provided further, that notwithstanding said section 1 of said chapter 31, seasonal positions funded by this item shall not be filled by an incumbent for more than 8 months within a 12-month period $2,991,820

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

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

2820-2000 For the expenses of maintaining the parkways within the division of urban parks and

recreation, including the costs of personnel and snow and ice removal expenses; provided, that the department of conservation and recreation shall take all measures to ensure that the department's snow and ice control efforts are efficient and cost effective; provided further, that the secretary of environmental affairs shall submit to the house and senate committees on post audit and oversight and the house and senate committees on ways and means a report detailing a snow emergency plan for roads, bridges and sidewalks under the care of the department of conservation and recreation by October 1, 2005; and provided further, that no funds shall be expended from this appropriation until the secretary, and any other officer of the commonwealth involved in snow and ice control efforts, has submitted all documentation, testimony, data and other information required by this appropriation..... $1,466,900

2820-3001 The division of urban parks and recreation may expend not more than $1,000,000 from revenue collected from skating rink fees and rentals for the operation and maintenance, including personnel costs, of 4 rinks between September 1, 2005 and April 30, 2006 for an expanded and extended rink season; provided, that when assigning time for the use of its rinks, the division shall give priority to those which qualify under applicable state and federal law as nonprofit organizations or as a public school $1,000,000

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

2820-4421 For the operation and maintenance of the Leo J. Martin golf course; provided, that the division of urban parks and recreation may expend not more than $700,000 from revenue collected from fees generated by the golf course; provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenue and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by this account shall be positions requiring the services of an incumbent, on either a full-time or less than a full-time basis beginning not earlier than April 1 and ending not later than November 30 ..... $700,000

2820-9005 For the operation of street lighting on the division of urban parks and recreation parkways; provided, that no expenditure shall be made other than in the GG object class..... $2,606,651

DEPARTMENT OF EARLY EDUCATION AND CARE

3000-1000 For the administration of the department and board of early education and care and the costs of field operations and licensing; provided, that funds shall be expended for the department’s administration of grants to the Community Partnership Councils, Mass Family Networks, the Parent-Child Home Program, Head Start and the Reach Out and Read program; provided further, that notwithstanding chapter 66A of the General Laws, the department of early education and care, the

department of education, the department of public health, community partnership lead agencies, the department of transitional assistance, the department of social services and child care resource and referral agencies may share with each other personal data regarding the parents and children who receive services provided under early education and care programs administered by the commonwealth for waitlist management, program implementation and evaluation, reporting, and policy development purposes; provided further, that the commissioner of early education and care may transfer funds between items 3000-1000, 3000-2000, 3000-4000, 3000-4050, 3000-5000, 3000-7050, 3000-7060, and 3000-7070, as necessary, pursuant to an allocation plan, which shall detail by object class the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means 15 days before any such transfer; and provided further, that not more than 5 per cent of an item may be transferred in fiscal year 2006 ..... $9,114,743

3000-2000 For the regional administration of child care programs and related child care activities; provided, that the activities shall include, but not be limited to, voucher management, child care provider training, resource and referral for children with disabilities in child care programs, community-based programs that provide direct services to parents and coordination of waiting lists for state-subsidized child care; and provided further, that no funds shall be expended from this item for AA object class payroll expenses $10,263,252

3000-3050 For supportive child care associated with the family stabilization program; provided, that funds from this item shall only be expended for child care costs of children with active cases at the department of social services $49,077,019

3000-4000 For preschool programs and services provided to children from the age of 2 years and 9 months until they are kindergarten eligible, through a mixed system of service delivery including cities, towns, regional school districts, educational collaboratives, head start programs, and licensed day care providers, pursuant to section 54 of chapter 15 of the General Laws; provided, that any payment made under any such grant with a school district shall be deposited with the treasurer of such city, town, or regional school district and held as a separate account and shall be expended by the school committee of such city, town, or regional school district without municipal appropriation, notwithstanding any general or special law to the contrary; provided further, that in any city or town in which there was only 1 lead agency in fiscal year 1995, such lead agency shall serve as lead agency to submit proposals pursuant to section 54 of said chapter 15; provided further, that the amount by which the funds appropriated in this item exceed the amount appropriated in item 7030-1000 of chapter 60 of the acts of 1994 shall be used to provide services to the children of working parents; provided further, that in allocating the funds and evaluating grant applications, the board of early education and care shall give priority consideration to 3 and 4-year-old children in cities and towns where high concentrations of low-income working families reside; provided further, that not less than one-third of the total slots funded by the amount by which the funds appropriated in this item exceed the amounts appropriated in item 7030-1000 of chapter 60 shall be for full-day, full-year care that meets the needs of working parents; provided further, that councils shall give priority in awarding expansion slots to children on the waitlist formerly maintained by the office of child care services; provided further, that these children shall retain priority status for future services available through the department upon attaining the age of 5, notwithstanding the receipt of services funded through this item; provided further, that no funds shall be expended from this item for administrative costs of the department of early education and care; provided further, that funds may be expended for administrative costs of local councils; and provided further, that

recipients of grants distributed from this item shall not expend more than 8 per cent of the grants for administrative costs $68,700,570

3000-4050 For child care vouchers and contracted child care programs for low-income families; provided, that the department shall issue monthly reports detailing the number and average cost of voucher and contracted child care slots funded from this item and item 3000-3050 by category of eligibility; provided further, that the report shall include the number of recipients subject to subsection (f) of section 110 of chapter 5 of the acts of 1995 funded from this item; provided further, that notwithstanding any general or special law to the contrary, the office shall perform post-audit reviews on a representative sample of the income-eligibility determinations performed by vendors receiving funds from this item; provided further, that the department shall report quarterly to the joint committee on education, the joint committee on children and families, the house and senate committees on ways and means and the secretary of administration and finance on the error rate, if any, in income-eligibility determinations calculated by the post audit reviews; provided further, that child care shall be provided, under the employment services program or any successor program, to recipients of transitional aid to families with dependent children, former recipients of transitional aid who are employed during the year after termination of benefits, former recipients of transitional aid participating in education or training programs authorized by department of transitional assistance regulations, parents under the age of 18 currently enrolled in a job training program who would qualify for benefits under chapter 118 of the General Laws, said section 110 of said chapter 5 or any other applicable law or regulation, but for the deeming of grandparents' income, and for former recipients of transitional aid to families with dependent children who are employed or in an authorized period of job search as of the expiration of the transitional year, and require post-transitional child care vouchers; provided further, that recipients of transitional aid shall not be charged fees for child care provided under this item; provided further, that not less than 500 child care slots shall be reserved for children in the foster care program at the department of social services; provided further, that income-eligible child care programs shall be funded from this item; provided further, that income eligible programs shall not include the employment services child care program, transitional child care programs, or post-transitional child care programs; provided further, that not less than $138,353,258 shall be expended for income-eligible child care programs in fiscal year 2006; provided further, that the department shall report quarterly to the joint committee on education, the joint committee on children and families, the house and senate committees on ways and means, and the secretary of administration and finance on the unduplicated number of children on waiting lists for state-subsidized early education and care programs and services; provided further, that child care for the children of teen parents receiving transitional aid to families with dependent children benefits, teen parents receiving supplemental security income payments and whose dependent children receive the aid, and teen parents at risk of becoming eligible for transitional aid to families with dependent children benefits shall be paid from this item; provided further, that all teens eligible for year-round full-time child care services shall be participating in school, education, work and training-related activities or a combination thereof for at least the minimum number of hours required by regulations promulgated for the program of transitional aid, whether or not such teens are recipients of benefits from the program; provided further, that informal child care benefits shall be funded from this item; provided further, that not more than $2 per child per hour shall be paid for such services; provided further, that child care slots funded from this item shall be distributed geographically in a manner that provides fair and adequate access to child care for all eligible individuals; and provided further, that all child care providers that are part of a public school system shall be required to accept child care vouchers from recipients

funded through this appropriation $292,473,570

3000-5000 For grants to head start programs $7,500,000

3000-6000 For child care quality expenditures; provided, that not less than $1,321,145 shall be expended for activities to increase the supply of quality child care for infants and toddlers; provided further, that not less than $1,000,000 shall be expended for resource and referral services provided through item 3000-2000; provided further, that not less than $234,248 shall be expended for school-age child care activities; provided further, that no funds from this item shall be used to fund capital assets or equipment for for-profit providers or agencies; provided further, that no funds shall be expended for the DD object class expenses of the department, out of state travel, bottled water, chargebacks, office equipment, prior year deficiencies, or the Virtual Gateway system; and provided further, that no funds shall be expended, obligated or transferred from this item prior to the submission of written certification by the commissioner to the house and senate committees on ways and means that all planned expenditures and allocations from this item shall have no fiscal impact beyond fiscal year 2006 ..... $4,120,403

3000-7050 For the Mass Family Networks program; provided, that the department shall, to the maximum extent feasible, coordinate services provided though this item with services provided through items 3000-7060 and 3000-7070, in order to ensure that parents receiving services through this item are aware of all opportunities available to them and their children through the department $5,295,694

3000-7060 For grants for home-based parenting and family literacy program known as the Parent-Child Home Program; provided, that the department shall, to the maximum extent feasible, coordinate services provided though this item with services provided through items 3000-7050 and 3000-7070, in order to ensure that parents receiving services through this item are aware of all opportunities available to them and their children through the department; provided further, that the department of early education and care shall distribute the funds to expand capacity at existing Parent-Child Home Program sites and to establish replication sites in cities and towns where high concentrations of low-income families reside; provided further, that for grants awarded to establish the replication sites, the department shall consider applications from school districts or social service agencies that demonstrate the capacity to replicate the home visiting program to serve area low-income families; and provided further, that preference for the grants shall be given to applicants who demonstrate a commitment to maximize federal and local funding for the operation of the replication site $2,000,000

3000-7070 For matching grants to fund the Reach Out and Read program, to provide books to at-risk children through book distribution programs established in community health centers, medical practices and hospitals for at-risk children; provided, that the funds distributed through this program shall be contingent upon a match of not less than $1 in private or corporate contributions for every $1 in state funding distributed through the grant program; and provided further, that the department shall, to the maximum extent feasible, in order to coordinate services provided though this item with services provided through items 3000-7050 and 3000-7060 in order to ensure that parents receiving services through this item are aware of all opportunities available to them and their children through the department $500,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

Office of the Secretary.

4000-0112 For matching grants to boys' and girls' clubs, YMCA and YWCA organizations, nonprofit community centers, and youth development programs; provided, that the secretary of health and human services shall award the full amount of each grant to each organization upon commitment of matching funds from the organization; provided further, that not less than $2,000,000 shall be expended for the Massachusetts Alliance of Boys and Girls Clubs to provide grants to boys and girls of Massachusetts; provided further, that not less than $80,000 shall be expended for the young parents program of the Newton Community Service Centers; provided further, that not less than $40,000 shall be expended for the public partnership program between the greater Lynn YMCA and YWCA and the public partnership program between the town of Saugus and the Saugus YMCA and YWCA; provided further, that not less than $100,000 be expended for programs and improvements at the Northeast Family YMCA; provided further, that not less than $100,000 shall be expended for programs and improvements to the YWCA of Newburyport; provided further, that not less than $50,000 shall be expended for the Project Adventure Youth Leadership Program as administered by Family Services Incorporated of Lawrence; provided further, that not less than $50,000 shall be expended for programs at the Girls Incorporated of Holyoke Drop-In Center; provided further, that not less than $25,000 shall be expended for programs at the Fishing Academy, Incorporated; provided further, that not less than $225,000 shall be expended for Camp Coca Cola New England to provide youth development services with an emphasis on leadership training and community service; and provided further, that the secretary shall report to the house and senate committees on ways and means on the exact amounts distributed in fiscal year 2006 by March 1, 2006 ..... $3,000,000

4000-0300 For the operation of the executive office of health and human services, including the operation of the managed care oversight board; provided, that the executive office shall provide technical and administrative assistance to agencies under the purview of the secretariat receiving federal funds; provided further, that the executive office and its agencies, when contracting for services on the islands of Martha's Vineyard and Nantucket, shall take into consideration the increased costs associated with the provision of goods, services, and housing on the islands; provided further, that the executive office shall monitor the expenditures and completion timetables for systems development projects and enhancements undertaken by all agencies under the purview of the secretariat, and shall ensure that all measures are taken to make such systems compatible with one another for enhanced interagency interaction; provided further, that the executive office shall continue to develop and implement the common client identifier; provided further, that the executive office shall ensure that any collaborative assessments for children receiving services from multiple agencies within the secretariat shall be performed within existing resources; provided further, that funds appropriated in this item shall be expended for the administrative, contracted services and non-personnel systems costs related to the implementation and operation of programs authorized by sections 9A to 9C, inclusive, and sections 16B and 16C of chapter 118E of the General Laws; provided further, that such costs shall include, but not be limited to, pre-admission screening, utilization review, medical consultants, disability determination reviews, health benefit managers, interagency service agreements, the management and operation of the central automated vendor payment system, including the recipient eligibility verification system, vendor contracts to upgrade and enhance the central automated vendor payment system, the Medicaid management information system and the recipient eligibility verification system MA21, costs related to the information technology chargebacks, contractors responsible for system maintenance and development, personal computers and other information technology equipment; provided further, that 50 per cent of the cost of provider point of service eligibility verification devices purchased shall be assumed by the providers utilizing the devices; provided further, that the executive office of health and human services

shall assume the full cost of provider point of service eligibility verification devices utilized by any and all participating dental care providers; provided further, that in consultation with the division of health care finance and policy, no rate increase shall be provided to existing Medicaid provider rates without taking all measures possible under Title XIX of the Social Security Act to ensure that rates of payment to providers do not exceed such rates as are necessary to meet only those costs which must be incurred by efficiently and economically operated providers in order to provide services of adequate quality; provided further, that expenditures for the purposes of each item appropriated for the purpose of programs authorized by chapter 118E of the General Laws shall be accounted for according to such purpose on the Massachusetts management accounting and reporting system not more than 10 days after such expenditures have been made by the Medicaid management information system; provided further, that no expenditures shall be made for the purpose of such programs that are not federally reimbursable, except as specifically authorized in this item, or unless made for cost containment efforts the purposes and amounts of which have been submitted to the house and senate committees on ways and means 30 days prior to making such expenditures; provided further, that the executive office may collect directly from a liable third party any amounts paid to contracted providers under said chapter 118E for which the executive office later discovers another third party is liable if no other course of recoupment is possible; provided further, that no funds shall be expended for the purpose of funding interpretive services directly or indirectly related to a settlement or resolution agreement, with the office of civil rights or any other office, group or entity; provided further, that interpretive services currently provided shall not give rise to enforceable legal rights for any party or to an enforceable entitlement to interpretive services; provided further, that the federal financial participation received from claims filed for the costs of outreach and eligibility activities performed at certain hospitals or by community health centers which are funded in whole or in part by federally permissible in-kind services or provider donations from the hospitals or health centers, shall be credited to this item and may be expended without further appropriation in an amount specified in the agreement with each donating provider hospital or health center; provided further, that the federal financial participation received from claims filed based on in-kind administrative services related to outreach and eligibility activities performed by certain community organizations, under the so-called "covering kids initiative" and in accordance with the federal revenue criteria in 45 CFR 74.23 or any other federal regulation which provides a basis for federal financial participation, shall be credited to this item and may be expended, without further appropriation, on administrative services including those covered under an agreement with the organizations participating in the initiative; provided further, that notwithstanding any general or special law to the contrary, the executive office shall require the commissioner of mental health to approve any prior authorization or other restriction on medication used to treat mental illness in accordance with written policies, procedures and regulations of the department of mental health; provided further, that in determining inpatient rates for any acute hospitals the executive office shall utilize the same payment methodology, including all exemptions, rate adjustments and passthrough payments, as was in effect on July 1, 2003, except as provided in item 4000-1401 of this act; provided further, that in determining outpatient rates for any acute hospitals the executive office shall utilize the same payment methodology, including all exemptions and rate adjustments, as was in effect on October 1, 2003; provided further, that any hospital with a unit designated as a pediatric specialty unit, or which maintains a level 1 burn and trauma center for pediatrics as defined by this act, shall be exempt from the inpatient and outpatient efficiency standards, so called, being applied to their rate methodology; provided further, that the executive office in fiscal year 2006 shall not eliminate payment to hospital outpatient departments for primary care provided to MassHealth members; provided further, that in fiscal year 2006 the

executive office of health and human services shall include within its MassHealth covered services comprehensive dental benefits which were in effect on January 1, 2002, for pregnant women and mothers until their youngest child reaches the age of 3; provided further, that in fiscal year 2006 the executive office of health and human services shall include within its MassHealth covered services smoking and tobacco use cessation treatment and information for pregnant women and mothers until their youngest child reaches the age of 3; provided further, that smoking and tobacco use cessation treatment and information benefits shall include nicotine replacement therapy, other evidence-based pharmacologic aids to quitting smoking, and accompanying counseling by a physician, certified tobacco use cessation counselor, or other qualified clinician; provided further, that the executive office shall take all necessary steps to ensure that the comprehensive dental benefits and smoking and tobacco cessation treatment and information benefits described herein shall be eligible for federal reimbursement; and provided further, that the executive office shall promulgate regulations establishing the smoking and tobacco use cessation treatment and information benefit program; provided further, that not later than September 1, 2005, the executive office of health and human services shall submit a report to the house and senate committees on ways and means detailing reasons for increases in chargebacks between fiscal years 2005 and 2006 for all 17 executive office cluster agencies including, but not limited to, service rates used in determining each charge type, number of staff hours per agency per service type, and a subsequent explanation as to how the increases result in a cost savings for each agency and the commonwealth, and why there is no subsequent decrease in either the cluster agency's or the executive office's administrative costs; and provided further, that the report shall provide a detailed explanation and crosswalk of the transition of both funding and staff members from each agency to the executive office in fiscal years 2005 and 2006 for consolidation of centralized services; and provided further, that notwithstanding any general or special law to the contrary, the executive office shall develop written policies, directives, interagency agreements or other instruments providing the commissioner of mental health with oversight and authority over the expenditure of medicaid funds for the procurement, contracting, or administration of the behavioral health care services; and ; provided further, that the executive office, in consultation with the division of health care finance and policy, shall submit a report on the implementation of the so-called "virtual gateway" project; provided further, that the report shall include, but not be limited to, (i) a list of providers that used the virtual gateway system in hospital fiscal year 2005, (ii) a list of providers who are scheduled to receive the virtual gateway system in hospital fiscal year 2006, (iii) an assessment of the current capability of the virtual gateway to screen eligibility for multiple health and human services benefits, (iv) the number of applications for MassHealth filed through the virtual gateway delineated by provider and MassHealth program, (v) the approval rate of MassHealth applications filed through the virtual gateway compared to applications filed through other means and the impact on overall MassHealth enrollment, (vi) the average time required for approval of applications filed through the virtual gateway, (vii) an assessment of the impact of the virtual gateway system on free care costs at participating providers compared to non-participating providers in hospital fiscal year 2005, (viii) a survey of participating hospitals measuring the decreased or increased administrative costs for hospital staff, and (ix) the total state cost of the virtual gateway project in state fiscal years 2005 and 2006 and the amount of expected federal participation received for these expenditures; and provided further, that the executive office shall submit this report to the chairpersons of the house and senate committees on ways and means, and the chairpersons of the joint committee on health care financing on or before February 1, 2006 ..... $126,159,490

4000-0320 The executive office may expend an amount not to exceed $291,000,000 from the

monies received from recoveries of any current or prior year expenditures and collections from liens, estate recoveries, third party recoveries, drug rebates, accident and trauma recoveries, case mix recoveries, computer audits, insurance recoveries, provider overpayment recoveries, bankruptcy settlements, Masspro and Healthpro refunds, medicaid fraud returns, data match returns, Medicare appeals, and program and utilization review audits; provided further, that additional categories of recoveries and collections, including the balance of any personal needs accounts collected from nursing and other medical institutions upon a recipient's death and held by the executive office for more than 3 years, may, notwithstanding any general or special law to the contrary, be credited to this item; provided, that any revenues collected by the division that are not attributable to the aforementioned categories shall be deposited in the General Fund and shall be tracked separately; provided further, that additional categories of recoveries and collections may be credited to this item after providing written notice to the house and senate committees on ways and means; provided further, that no funds from this item shall be used for the purposes of item 4000-0300; provided further, that expenditures from this item shall be limited solely to payments for the provision of medical care and assistance rendered in the current fiscal year; provided further, that the executive office shall file quarterly with the house and senate committees on ways and means, a report delineating the amount of current year rebates from pharmaceutical companies or other current year collections which are being used to supplement current year expenditures..... $291,000,000

4000-0351 For the operations of the office of residential placement and licensure $737,593

4000-0352 For MassHealth enrollment outreach grants to public and private nonprofit groups to be administered by the executive office; provided further, that the secretary shall report to the house and senate committees on ways and means on the exact amounts distributed in fiscal year 2006 by March 1, 2006 and the extent to which any portion of resulting expenditures are eligible for federal reimbursement $250,000

4000-0430 For the commonhealth program to provide primary and supplemental medical care and assistance to disabled adults and children under sections 9A, 16 and 16A of chapter 118E of the General Laws; provided, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years; provided further, that the executive office shall maximize federal reimbursement for state expenditures made on behalf of such adults and children; provided further, that children shall be determined eligible for the medical care and assistance if they meet the disability standards as defined by the executive office, which standards shall be no more restrictive than the standards in effect on July 1, 1996; and provided further, that the executive office shall process commonhealth applications within 45 days of receipt of a completed application or within 90 days if a determination of disability is required $84,396,753

4000-0500 For health care services provided to medical assistance recipients under the executive office's primary care clinician/mental health and substance abuse plan or through a health maintenance organization under contract with the executive office; provided, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years; provided further, that no payment for special provider costs shall be made from this item without the prior written approval of the secretary of administration and finance; provided further, that expenditures from this item shall be made only for the purposes expressly stated in this item; provided further, that the secretary shall take all steps necessary to maximize enrollment in managed care organizations in order to utilize federal dollars available under the federal upper payment limit cap; provided further, that the secretary shall submit a report to the house and senate committees on ways and means which shall include

MassHealth enrollment in managed care organization as of July 1, 2005 compared to the enrollment on December 1, 2005; provided further, that the report shall be submitted not later than December 15, 2005; provided further, that the secretary of health and human services and the commissioner of mental health shall report quarterly to the house and senate committees on ways and means relative to the performance of the managed care organization under contract with the executive office to administer the mental health and substance abuse benefit; provided further, that such quarterly reports shall include, but not be limited to, analyses of utilization trends, quality of care and costs across all service categories and modalities of care purchased from providers through the mental health and substance abuse program, including those services provided to clients of the department of mental health; provided further, that in conjunction with the new medicaid management information system project, the executive office shall continue to study the feasibility of modifying its claim payment system, in collaboration with the MassHealth behavioral health contractor, to routinely process for payment valid claims for medically-necessary covered medical services to eligible recipients with psychiatric and substance abuse diagnoses on a timely basis in an effort to avoid delay and expenses incurred by lengthy appeals processes; provided further, that the secretary shall report to the house and senate committee on ways and means not later than November 1, 2005 the results of the study, any proposed modifications to the payment system, and a timeline of steps to be taken to implement the modifications; provided further, that not less than $12,000,000 shall be expended for disproportionate share payments for inpatient services provided at pediatric specialty hospitals and units, including pediatric chronic and rehabilitation long-term care hospitals as allowable under federal law; and provided further, that $11,700,000 shall be expended on disproportionate share payments to high public payer hospitals $2,123,892,166

Executive Office of Elder Affairs.

4000-0600 For health care services provided to medical assistance recipients under the department's senior care plan; provided, that funds may be expended from this item for health care services provided to these recipients in prior fiscal years; provided further, that no payment for special provider costs shall be made from this item without the prior written approval of the secretary of administration and finance; provided further, that not less than $9,240,000 shall be expended for a demonstration project known as the "community choices" initiative; provided further, that under the demonstration, eligible MassHealth enrollees in the section 2176 elder care waiver shall be covered for any needed community services, including case management, from among those services available under the waiver or under the commonwealth's Title XIX state plan, for the purpose of delaying or preventing an imminent nursing home admission; provided further, that elders enrolled in the waiver at risk of imminent nursing home admission shall be provided information about the availability of such services; provided further, that for elders who have been determined to be at such imminent risk, have chosen to remain in the community, and for whom community care is medically appropriate, the department shall establish a funding level that, on a monthly average basis, is equal to 50 per cent of the median monthly per capita expenditure made by the department for nursing facility services provided to elders; provided further, that such funding level may include the costs of needed waiver services or other needed community services available to the elders under the state plan; provided further, that the executive office shall enter into an agreement with each aging service access point participating in the demonstration, which shall describe a system to be followed by each aging service access point, in accordance with state law and requirements under Title XIX of the Social Security Act, for coordination of both waiver and non-waiver community services needed by such eligible elders;

provided further, that each aging services access point receiving funds under the demonstration project shall submit monthly reports to the executive office of health and human services and to the executive office of elder affairs on the care provided and the service expenditures made under the 2176 elder care waiver and such other information as specified by the department and the executive office; provided further, that the executive office of health and human services shall submit a report to the house and senate committees on ways and means detailing the projected costs and the number of individuals served by the "community choices" initiative in fiscal year 2006 delineated by federal poverty level; provided further, that the report shall be submitted not later than February 1, 2006; provided further, that the department shall expend funds for the purpose of funding base hourly wage increases and related payroll taxes for certified nurses' aides at nursing facilities, in accordance with 114.2 CMR 6.00 et seq; provided further, that effective January 1, 2002, such wage increases shall be over and above any previously collectively bargained for wage increases; provided further, that the division shall report to the house and senate committees on ways and means on the increases given at each facility by February, 1, 2006; provided further, that notwithstanding any general or special law to the contrary, for any nursing home or non-acute chronic disease hospital that provides kosher food to its residents, the department, in consultation with the division, in recognition of the unique special innovative program status granted by the executive office, shall for any nursing home or non-acute chronic disease hospital that provides kosher food to its residents, establish the lower of (1) actual increased cost; or (2) up to a $5 per day increase to the standard payment rates to reflect the high dietary costs incurred in providing kosher food and shall apply such increase effective July 1, 2003; provided further, that not less than $75,000 shall be made available to reimburse providers of dementia-specific adult day care at the rate paid on January 1, 2003; provided further, that the department shall in correlation with the senior care options program explore options for enrolling the senior care population into managed care programs through federal waivers or other necessary means; provided further, that the secretary of elder affairs may transfer not more than 3 per cent of funds appropriated in this item to item 4000-0620; and provided further, that the executive office shall provide written notice to the house and senate committees on ways and means not less than 30 days prior to any transfer $1,926,669,254

4000-0620 For the senior care options program; provided that the secretary of elder affairs may transfer not more than 15 per cent of the funds appropriated in this item to item 4000-0600; provided, that the executive office shall provide written notice to the house and senate committees on ways and means not less than 30 days prior to any transfer $67,998,937

Office of the Secretary

4000-0700 For health care services provided to medical assistance recipients under the executive office's health care indemnity/third party liability plan and medical assistance recipients not otherwise covered under the executive office's managed care or senior care plans; provided, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years; provided further, that no payment for special provider costs shall be made from this item without the prior written approval of the secretary of administration and finance; provided further, that expenditures from this item shall be made only for the purposes expressly stated in this item; provided further, that notwithstanding the foregoing, funds may be expended from this item for the purchase of third party insurance including, but not limited to, Medicare for any medical assistance recipient including, but not limited to, seniors; provided further, that not more than $10,000,000 may be expended for activities relating to disability determinations or utilization

management and review, including patient screenings and evaluations, regardless of whether such activities are performed by a state agency, contractor, agent or provider; and provided further, that the executive office shall submit a report to the executive office of administration and finance and the house and senate committees on ways and means not later than March 1, 2006 detailing the activities described in the preceding proviso to be expended from this item during fiscal year 2006..... $1,571,143,395

4000-0860 For MassHealth benefits provided to children and adults under clauses (a), (b), (c), (d) and (h) of subsection (2) of section 9A of chapter 118E of the General Laws; provided, that no funds shall be expended from this item for children and adolescents under said clause (c) of said subsection (2) of said section 9A of said chapter 118E whose family incomes, as determined by the executive office, exceeds 150 per cent of the federal poverty level; provided further, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years $391,509,801

4000-0870 For health care services provided to adults participating in the medical assistance program pursuant to clause (g) of subsection (2) of section 9A of chapter 118E of the General Laws; provided, that funds may be expended from this item for health care services provided to such recipients in prior fiscal years $61,326,314

4000-0875 For the provision of benefits to eligible women who require medical treatment for either breast or cervical cancer in accordance with 1902(a)(10)(A)(ii)(XVIII) of the Breast and Cervical Cancer Prevention and Treatment Act of 2000, Public Law 106-354, and in accordance with section 10D of chapter 118E of the General Laws; provided, that the executive office shall provide benefits to women whose income, as determined by the executive office, does not exceed 250 per cent of the federal poverty level, subject to continued federal approval; provided further, that eligibility for such benefits shall be extended solely for the duration of such cancerous condition; provided further, that prior to the provision of any benefits covered by this item, the executive office shall require screening for either breast or cervical cancer at the comprehensive breast and cervical cancer early detection program operated by the department of public health, in accordance with item 4570-1503 of section 2D; provided further, that the executive office shall continue to seek federal approval for the implementation of a cost sharing system, including co-payments and sliding scale premiums for women whose annual income is between 133 per cent and 250 per cent of the federal poverty level; and provided further, that funds may be expended from this item for health care services provided to these recipients in prior fiscal years..... $5,170,243

4000-0880 For MassHealth benefits under clause (c) of subsection (2) of section 9A and section 16C of chapter 118E of the General Laws for children and adolescents whose family incomes as determined by the executive office are above 150 per cent of the federal poverty level; provided, that funds may be expended from this item for health care services provided to the children and adolescents in prior fiscal years $27,509,997

4000-0890 For the cost of health insurance premium subsidies paid to employees of small businesses participating in the insurance reimbursement program pursuant to section 9C of chapter 118E of the General Laws..... $36,746,765

4000-0891 For the cost of health insurance subsidies paid to employers participating in the insurance reimbursement program under section 9C of chapter 118E of the General Laws; provided, that the executive office shall directly market the program to private human service providers that deliver human and social services under contract with departments within the executive office of health and human services and the executive office of elder affairs for the purpose of mitigating health

insurance costs to the employers and their employees; provided further, that the executive office shall report quarterly to the house and senate committees on ways and means and the executive office of administration and finance monthly expenditure data for the program, including the total number of employers participating in the program, the percentage of the employers who purchased health insurance for employees prior to participating in the program and total monthly expenditures delineated by payments to small employers and self-employed persons for individual, 2-person family and family subsidies..... $7,432,668

4000-0895 For the healthy start program to provide medical care and assistance to pregnant women and infants residing in the commonwealth pursuant to section 10E of chapter 118E; provided, that pursuant to an interagency agreement established with the executive office, the department of public health shall determine the presumptive eligibility of low-income pregnant women for services available under Title XIX and chapter 118E of the General Laws; provided further, that the executive office shall report to the house and senate committees on ways and means on the population served by the program delineated by the federal poverty level; provided further, that the report shall be submitted not later than February 1, 2006; and provided further, that funds may be expended from this item for health care services provided to these persons in prior fiscal years $15,991,921

4000-0990 For the children's medical security plan to provide primary and preventive health services for uninsured children from birth through age 18; provided, that the executive office shall prescreen enrollees and applicants for medicaid eligibility; provided further, that no applicant shall be enrolled in the program until the applicant has been denied eligibility for the MassHealth program; provided further, that the MassHealth benefit request shall be used as a joint application to determine the eligibility for both MassHealth and the children's medical security plan; provided further, that the executive office shall maximize federal reimbursements for state expenditures made on behalf of the children; provided further, that any projection of deficiency in this item shall be reported to the house and senate committees on ways and means not less than 90 days before the projected exhaustion of funding; provided further, that the executive office shall expend all necessary funds from this item to ensure the provision of the maximum benefit levels for this program, as authorized by section 10E of chapter 118E of the General Laws; provided further, that the maximum benefit levels for this program shall be made available only to those children who have been determined by the division to be ineligible for MassHealth benefits; provided further, that notwithstanding subsection (d) of section 10F of Chapter 118E of the General Laws, or any special or general law to the contrary, premiums for this program shall be collected according to the following eligibility categories: (1) enrollees in households earning less than 200 per cent of the federal poverty level shall not be responsible for contributing to program premium costs; (2) enrollees in households earning between 200 per cent and 300 per cent of the federal poverty level, inclusive, shall contribute not less than 20 per cent and not more than 30 per cent of the monthly premium cost according to a sliding scale established by the executive office; provided, that additional contributions shall not be required for any enrollee after the third enrollee in such a household; (3) enrollees in households earning between 301 per cent and 400 percent of the federal poverty level, inclusive, shall contribute not less than 85 cent and not more than 90 of the monthly premium cost according to a sliding scale established by the executive office; provided, that additional contributions shall not be required for any enrollee after the first enrollee in such a household; and (4) enrollees in households earning more than 400 per cent of the federal poverty level shall pay not more than the full premium cost of the program; provided further, that the secretary of shall certify quarterly in writing to the house and senate committees on ways and means that premiums established pursuant to

the fourth paragraph of section 10E of chapter 118E have been paid by all enrollees for whom premiums are applicable; and provided further, that funds may be expended from this item for health care services provided to these persons in prior fiscal years $21,078,379

4000-1400 For the purposes of providing MassHealth benefits to persons with a diagnosis of human immunodeficiency virus with incomes up to 200 per cent of the federal poverty level; provided, that funds may be expended from this item for health care services provided to these persons in prior fiscal years $7,589,164

4000-1401 For the purposes of reinstating inpatient outlier benefits which were in effect on January 1, 2003 for all MassHealth members in hospital fiscal year 2006 ..... $18,750,000

4000-1405 For the operation of a program of preventive and primary care for chronically unemployed persons who are not receiving unemployment insurance benefits and who are not eligible for medical assistance but who are determined by the executive office of health and human services to be long-term unemployed; provided, that such persons shall meet the eligibility requirements established under the MassHealth program as established in section 9A of chapter 118E of the General Laws; provided further, that the income of such persons shall not exceed 100 per cent of the federal poverty level; provided further, that the eligibility requirements shall not exclude from eligibility persons who are employed intermittently or on a nonregular basis; provided further, that the provision of care to such persons under this program may, taking into account capacity, continuity of care, and geographic considerations, be restricted to certain providers; provided further, that funds may be expended from this item for health care services provided to recipients in prior fiscal years; provided further, that the secretary of health and human services is hereby authorized to limit or close enrollment if necessary in order to ensure that expenditures from this item do not exceed the amount appropriated in this item; provided further, the executive office of health and human services shall seek federal approval by October 1, 2005 in order to enroll the maximum number of possible enrollees allowable within this appropriation in this program during fiscal year 2006; provided further, that no funds may be expended from this item before October 1, 2005; provided further, that notwithstanding subsection (3) of section 16D of said chapter 118E or any other general or special law to the contrary, a person who is not a citizen of the United States but who is either a qualified alien within the meaning of section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 or is otherwise permanently residing in the United States under color of law shall be eligible to receive benefits under this item if such individual meets the categorical and financial eligibility requirements pursuant to this item provided that such individual is either age 65 or older or between the ages of 19 to 64, inclusive, and disabled; provided further, that any such individual shall not be subject to sponsor income deeming or related restrictions; and provided further, that funds from this item for health care services for eligible noncitizens may be expended as of the effective date of this act $152,154,120

4000-1420 For the purposes of making payments to the federal centers for Medicare and medicaid services in compliance with 42 USC 1396u-5..... $120,000,000

Division of Health Care Finance and Policy.

4100-0060 For the operation of the division and the administration of the uncompensated care pool established pursuant to chapter 118G of the General Laws; provided, that notwithstanding any general or special law to the contrary, the assessment to acute hospitals shall be calculated as provided in section 5 of said chapter 118G; provided further, that the assessed amount shall be not less than 65 per cent of the

division's expenses as specified in this item; provided further, that the division shall require all hospitals receiving payments from the uncompensated care pool to report to the division the following utilization information: the number of inpatient admissions and outpatient visits by age category, income category, diagnostic category and average charge per admission; provided further, that the division shall submit quarterly to the house and senate committees on ways and means a summary report compiling the data; provided further, that the division, in consultation with the executive office of health and human services, shall not promulgate any increase in medicaid provider rates without taking all measures possible under Title XIX of the Social Security Act or any successor federal statute to ensure that rates of payment to providers do not exceed such rates as are necessary to meet only those costs incurred by efficiently and economically operated providers in order to provide services of adequate quality; provided further, that the division shall meet the reporting requirements of section 25 of chapter 203 of the acts of 1996; provided further, that not later than October 24, 2005 the division shall submit to the comptroller and to the house and senate committees on ways and means a report describing the method by which the division shall generate revenues through the sale, licensure, royalty, and usage fees in an amount sufficient to meet 25 per cent of the projected costs of the division in any fiscal year, as required by section 612 of chapter 151 of the acts of 1996; provided further, that for hospital fiscal year 2006, the private sector liability of purchasers and third party payers to the Uncompensated Care Trust Fund established pursuant to section 18 of said chapter 118G shall be $320,000,000; provided further, that the division shall publish annual reports on the financial condition of hospitals and other health care providers through the Health Benchmarks project website, in collaboration with the executive office of health and human services, the office of the attorney general, and the University of Massachusetts; provided further, that the division shall submit to the house and senate committees on ways and means not later than December 6, 2005 a report detailing utilization of the uncompensated care pool; provided further, that the report shall include: (1) the number of persons in the commonwealth whose medical expenses were billed to the pool in fiscal year 2005; (2) the total dollar amount billed to the pool in fiscal year 2005; (3) the demographics of the population using the pool; and (4) the types of services paid for out of the pool funds in fiscal year 2005; provided further, that the division shall include in the report an analysis on hospitals' responsiveness to enrolling eligible individuals into the MassHealth program upon the date of service rather than charging the individuals to the uncompensated care pool; provided further, that the division shall include in the report possible disincentives the state could provide to hospitals to discourage such behavior; provided further, that notwithstanding any general or special law or rule or regulation to the contrary, the division shall not allow any exceptions to the usual and customary charge defining rule as defined in 114.3 CMR 31.02, for the purposes of drug cost reimbursement to eligible pharmacy providers for publicly-aided and industrial accident patients; provided further, that the division may change the pricing standard used by the division when determining the rate of payment to pharmacy providers for prescribed drugs for publicly-aided or industrial accident patients if such a change would financially benefit the commonwealth; provided further, that notwithstanding any general or special law to the contrary, the division shall maintain the rate paid for the dispensing fees to retail pharmacies for prescribed drugs to publicly- aided or industrial accident patients at $3 in fiscal year 2006; and provided further, that the division shall not use any funds appropriated from the health care quality improvement trust fund for operating costs, including rent and utilities $12,530,216

OFFICE OF DISABILITIES AND COMMUNITY SERVICES.

Massachusetts Commission for the Blind.

4110-0001 For the office of the commissioner; provided, that the commissioner may transfer funds between items 4110-0001, 4110-1000, 4110-1010, 4110-1020, 4110-2000, 4110-2001, 4110-3010 and 4110-4000; provided further, that the amount transferred from any of the items stated in this item shall not exceed 10 per cent of the total amount appropriated for that item; provided further, that 30 days before any such transfer, the commissioner shall submit an allocation plan detailing the distribution of the funds to be transferred to the house and senate committees on ways and means; and provided further, that amounts appropriated to the commission in fiscal year 2006 that extend or expand services beyond the level of services provided in fiscal year 2005 shall not annualize above those amounts in fiscal year 2007 ..... $1,099,067

4110-1000 For the community services program; provided, that not less than $350,000 shall be expended from this item for the deaf-blind community access network; provided further, that not less than $500,000 shall be expended for the talking information center; provided further, that not less than $10,000 shall be expended for the Audible Local Ledger of Falmouth; and provided further, that the Massachusetts commission for the blind shall work in collaboration with the Massachusetts commission for the deaf and hard of hearing to provide assistance and services to the deaf-blind community through the deaf-blind community access network $3,711,958

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

4110-1020 For eligibility determination for the medical assistance program for the blind; provided, that the commission shall work with the executive office of health and human services, the department of mental retardation and other state agencies to maximize federal reimbursement for clients so determined through this item including, but not limited to, reimbursement for home and community-based waiver clients $315,769

4110-2000 For the turning 22 program of the commission; provided, that nothing stated in this item shall give rise to or shall be construed as giving rise to enforceable legal rights in any party or an enforceable entitlement to the services funded in this item; provided further, that the commission shall work in conjunction with the department of mental retardation to secure the maximum amount of federal reimbursements available for the care of turning 22 clients; and provided further, that the commission shall work in conjunction with the department of mental retardation to secure similar rates for contracted residential services $8,648,243

4110-2001 For services to clients of the department who turn 22 years of age during state fiscal year 2006; provided, that the amount spent from this item shall not annualize to more than $435,000 in fiscal year 2007; provided further, that nothing stated in this item shall give rise to or shall be construed as giving rise to enforceable legal rights in any party or an enforceable entitlement to the services funded in this item; provided further, that the commission shall work in conjunction with the department of mental retardation to secure the maximum amount of federal reimbursements available for the care of turning 22 clients; and provided further, that the commission shall work in conjunction with the department of mental retardation to secure similar rates for contracted residential services $295,000

4110-3010 For a program of vocational rehabilitation for the blind in cooperation with the federal government; provided, that no funds from the federal vocational rehabilitation

grants or state appropriation shall be deducted for pensions, group health and life insurance, or any other such indirect cost of federally reimbursed state employees..... $2,661,326

4110-4000 For the administration of the Ferguson Industries for the Blind; provided, that retired workshop employees shall receive grants equal to 3/4 of the salaries of current workshop employees; and provided further, that any funds received for goods and services purchased by private and public sector entities at Ferguson Industries shall be remitted to the General Fund..... $1,885,073

Massachusetts Rehabilitation Commission.

4120-1000 For the operation of the commission; provided, that the commissioner may transfer funds between items 4120-1000, 4120-2000, 4120-3000, 4120-4000, 4120-4001, 4120-4010, 4120-5000, and 4120-6000; provided further, that the amount transferred from any of the items stated in this item shall not exceed 10 per cent of the total amount appropriated for that item; provided further, that 30 days before any such transfer, the commissioner shall submit an allocation plan to the house and senate committees on ways and means detailing the distribution of the funds to be transferred; and provided further, that amounts appropriated to the commission that extend or expand services beyond the level of services provided in fiscal year 2005 shall not annualize above those amounts in fiscal year 2007..... $571,395

4120-2000 For vocational rehabilitation services operated in cooperation with the federal government; provided, that no funds from the federal vocational rehabilitation grant or state appropriation shall be deducted for pensions, group health and life insurance and any other such indirect cost of the federally-reimbursed state employees; provided further, that the commissioner, in making referrals to service providers, shall take into account the client's place of residence and the geographic proximity of the nearest provider to the residence; provided further, that not less than $100,000 shall be expended on special vocational projects in the Charlestown section of the city of Boston for people with disabilities; and provided further, that not less than $155,000 shall be expended for services provided by the Life Focus Center in said Charlestown section of the city of Boston $7,476,987

4120-3000 For employment assistance services; provided, that vocational evaluation and employment services for severely disabled adults may, subject to appropriation, be provided; provided further, that not less than $100,000 shall be expended on special projects in the Charlestown section of the city of Boston for people with disabilities; and provided further, that not less than $305,000 shall be expended for the Charlestown Navy Yard Special Project for disabled adults..... $7,960,068

4120-4000 For independent living assistance service; provided, that not more than $858,000 shall be expended for assistive technology devices and training for individuals with severe disabilities; provided further, that not less than $25,000 shall be used to assist the Living Independently for Equality, Inc. of Brockton; and provided further, that not less than $200,000 shall be expended for the SHARE Foundation at the University of Massachusetts at Dartmouth $8,040,597

4120-4001 For the housing registry for the disabled $83,754

4120-4010 For services to clients of the department who turn 22 years of age; provided, that the amount appropriated in this item shall not annualize to more than $1,412,500 in state fiscal year 2007; and provided further, that nothing stated in this item shall be construed as giving rise to enforceable legal rights in any party or an enforceable entitlement to the services funded in this item..... $712,550

4120-5000 For homemaking services $4,417,049

4120-5050 The Massachusetts rehabilitation commission may expend not more than $2,000,000 in revenues for expanded independent living and employment services from federal reimbursements received for services provided by the commission; provided, that for the purpose of accommodating discrepancies between the receipt of retained revenue and related expenditures, the department may incur expenses and the comptroller may certify for payments amounts not to exceed the lower of this authorization or the most recent revenue estimate reported in the state accounting system $2,000,000

4120-6000 For head injured services; provided, that the commission shall work with the executive office of health and human services to maximize federal reimbursement for clients receiving head injured services; provided further, that the commission shall expend funds on a 24-hour basis for persons with severe head injuries in western Massachusetts; provided further, that not less than $100,000 shall be expended for the Cape Cod head injury program; provided further, that of the $100,000, $50,000 shall be expended on a 1-time basis; and provided further, that not less than $75,000 shall be expended on the Keeping Every Youth Safe program at the Massachusetts Brain Injury Association $8,093,237

Massachusetts Commission for the Deaf and Hard of Hearing.

4125-0100 For the operation of and services provided by the Massachusetts commission for the deaf and hard of hearing $5,373,170

4125-0101 For the Massachusetts commission for the deaf and hard of hearing may expend not more than $175,000 in revenues from charges received on behalf of interpreter services and monies received from private grants, bequests, gifts or contributions; provided, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the commission may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $175,000

OFFICE OF CHILDREN, YOUTH AND FAMILY SERVICES.

Children's Trust Fund.

4130-0002 For the administration of the Children's Trust Fund $882,307

4130-1000 For statewide neonatal and postnatal home parenting education and home visiting programs for at-risk newborns to be administered by the Children's Trust Fund; provided, that such services shall be made available statewide to parents under the age of 21; and provided further, that notwithstanding any general or special law to the contrary, priority for such services shall be given to low-income parents $12,241,352

OFFICE OF DISABILITIES AND COMMUNITY SERVICES.

Soldiers' Home in Massachusetts.

4180-0100 For the maintenance and operation of the Soldiers' Home in Massachusetts located in the city of Chelsea, including a specialized unit for the treatment of Alzheimer's disease patients; provided, that graduates from the LPN school of nursing shall work in state-operated facilities for at least 1 year; provided further, that no fee, assessment or other charge shall be imposed upon or required of any person for any

outpatient treatment, admission or hospitalization which exceeds the amount of fees charged in fiscal year 2004; and provided further, that no new fee, assessment or other charge shall be implemented in fiscal year 2006 ..... $23,600,532

4180-1100 The Soldiers' Home in Massachusetts may expend not more than $252,500 in revenues for facility maintenance and patient care, including personnel costs; provided, that 60 per cent of all revenues generated pursuant to section 2 of chapter 90 of the General Laws through the purchase of license plates with the designation VETERAN by eligible veterans of the commonwealth, upon compensating the registry of motor vehicles for the cost associated with the license plates, shall be deposited into and for the purposes of this retained revenue account of the Soldiers' Home; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the Soldiers' Home may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system, prior appropriation continued $252,500

Soldiers' Home in Holyoke.

4190-0100 For the maintenance and operation of the Soldiers' Home in Holyoke, including the adult day care program, the Maguder House and the Chapin Mansion; provided, that no fee, assessment or other charge shall be imposed upon or required of any person for any outpatient treatment, admission or hospitalization which exceeds the amount of fees charged in fiscal year 2004; provided further, that no new fee, assessment or other charge shall be implemented in fiscal year 2006; and provided further, that in the operation of the outpatient pharmacy, the Soldiers' Home shall cover the cost of drugs prescribed at the Soldiers' Home, excluding the required co-payment, only when the veteran has no access to other drug insurance coverage, including coverage through the program authorized by section 39 of chapter 19A of the General Laws $17,300,377

4190-0102 The Soldiers' Home in Holyoke may expend not more than $225,000 in revenues from co-payments for the outpatient pharmacy program which it may charge to users of the program; provided, that no co-payments shall be imposed or required of any person which exceed the level of co-payments charged in fiscal year 2004; provided further, that the superintendent shall submit a report to the secretary and the house and senate committees on ways and means detailing projected expenditures for fiscal years 2006 and 2007 and any and all assumptions used to project outpatient pharmacy spending for the outpatient pharmacy program from this item and item 4190-0100 by September 1, 2005; provided further, that the superintendent shall submit a report to the secretary and the house and senate committees on ways and means that shall include demographic information on outpatient pharmacy users, including age and insurance status; provided further, that the report shall include utilization information for the outpatient pharmacy including the number of generic prescriptions filled, the number of brand name prescriptions filled, the number of 30-day supplies of generic drugs dispensed, the number of 30-day supplies of brand name drugs dispensed, and a description of the Soldiers' Home's drug utilization review program for the first 2 quarters of fiscal year 2006; provided further, that the report shall be submitted not later than January 15, 2006; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the Soldiers' home may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $225,000

4190-1100 The Soldiers' Home in Holyoke may expend not more than $168,603 for facility maintenance and patient care, including personnel costs; provided, that 40 per cent of all revenues generated pursuant to section 2 of chapter 90 of the General Laws through the purchase of license plates with the designation VETERAN by eligible veterans of the commonwealth, upon compensating the registry of motor vehicles for the cost associated with the license plates, shall be deposited into and for the purposes of this retained revenue account of the Soldiers' Home; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the Soldiers' Home may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system, prior appropriation continued $168,603

4190-1101 The Soldiers' Home in Holyoke may expend not more than $664,793 from resident fees for long-term care beds and domiciliary beds; provided, that the only revenue available for expenditure in this item shall be amounts collected for fiscal year 2006 from the resident fees; provided further, that funds shall only be expended on items directly related to patient care; provided further, that funds shall not be expended on office furniture or any other ancillary administrative expenses $664,793

OFFICE OF CHILDREN, YOUTH AND FAMILY SERVICES.

Department of Youth Services.

4200-0010 For the administration of the department of youth services; provided, that the department shall continue to collaborate with the department of education in order to align curriculum at the department of youth services with the statewide curriculum frameworks and to ease the reintegration of youth from facilities at the department of youth services into regular public school settings; and provided further, that the commissioner of youth services, in conjunction with the department of education, shall submit a report on progress made to the house and senate committees on ways and means by December 1, 2005 ..... $4,791,575

4200-0100 For supervision, counseling and other community-based services provided to committed youths in nonresidential care programs of the department; provided, that the commissioner may transfer up to 7 per cent of the amount appropriated in this item to items 4200-0200 and 4200-0300; and provided further, that 30 days before any such transfer is made, the commissioner shall file with the secretary of administration and finance and the house and senate committees on ways and means a plan showing the amounts to be transferred and the reason for the proposed transfer $21,373,530

4200-0200 For pretrial detention programs, including purchase-of-service and state-operated programs; provided, that the commissioner may transfer up to 7 per cent of the amount appropriated in this item to items 4200-0100 and 4200-0300; provided further, that 30 days before any transfer is made, the commissioner shall file with the secretary of administration and finance and the house and senate committees on ways and means a plan showing the amounts to be transferred and the reason for the proposed transfer; and provided further, that not less than $1,250,000 shall be expended for the homeward bound program in the town of Brewster $19,642,022

4200-0300 For secure facilities, including purchase-of-service and state-operated programs incidental to the operations of the facilities; provided, that funds shall be expended for programs to address the needs of the female population including, but not

limited to, the development of a stabilization unit and an independent living program, the enhancement of clinical services and at least 1 full-time female services coordinator; provided further, that funds shall be expended to address suicide prevention including, but not limited to, increased clinical capacity, increased clinical staff for risk assessment at intake, improved medication administration, enhanced psychiatric coverage at facilities, and the assurance of a 24-hour area-based on-call staff; provided further, that an amount not to exceed $60,000 may be expended for reimbursements to providers for services rendered in prior fiscal years; provided further, that the commissioner may transfer up to 5 per cent of the amount appropriated in this item to items 4200-0100 and 4200-0200; and provided further, that 30 days before any such transfer is made, the commissioner shall file with the secretary of administration and finance and the house and senate committees on ways and means a plan showing the amounts to be transferred and the reason for the proposed transfer $98,864,256

OFFICE OF CHILDREN, YOUTH AND FAMILY SERVICES.

Department of Transitional Assistance.

4400-1000 For the central administration of the department, including the development and maintenance of automated data processing systems and services in support of department operations, and for the administration of department programs in local transitional assistance offices, including the expenses of operating a food stamp program; provided, that during fiscal year 2006 the department shall maintain 2 transitional assistance offices in the city of Springfield; provided further, that all costs associated with verifying disability for all programs of the department shall be paid from this item; provided further, that the department shall submit on a monthly basis to the house and senate committees on ways and means and the secretary of administration and finance a status report on program expenditures, savings and revenues, error rate measurements, and public assistance caseloads and benefits; provided further, that the report shall comprehensively track statewide use of the emergency assistance program by eligibility category including, but not limited to, caseload, average length of use or stay and monthly expenditures; provided further, that the department shall collect all out-of-court settlement restitution payments; provided further, that the restitution payments shall include, but not be limited to, installment and lump sum payments; provided further, that notwithstanding any general or special law to the contrary, unless otherwise expressly provided, federal reimbursements received for the purposes of the department, including reimbursements for administrative, fringe and overhead costs, for the current fiscal year and prior fiscal years, shall be credited to the General Fund; provided further, that under 21 U.S.C. section 862a(d)(1), the department shall exempt individuals from the eligibility restrictions of 21 U.S.C. section 862a, except that individuals incarcerated for a conviction which would otherwise be disqualifying under 21 U.S.C. section 862a(a) shall not be eligible for cash assistance funded through item 4403-2000 during the first 12 months after release from a correctional institution unless the individual qualifies for an exemption under subsection (e) of section 110 of chapter 5 of the acts of 1995 or a domestic violence waiver; provided further, that an application for assistance under chapter 118 of the General Laws shall be deemed an application for assistance under chapter 118E of the General Laws; provided further, that if assistance under said chapter 118 is denied, the application shall be transmitted by the department to the executive office of health and human services for a determination of eligibility under said chapter 118E; provided further, that the department shall continue policies to increase participation in the food stamp program; provided further, that not less than $250,000 shall be expended on services from the Food Source Hotline; provided further, that not less than $250,000 shall be expended for the food stamp outreach program; provided further,

that the department may allocate funds, not to exceed $2,500,000 from this item to item 4400-1100 for the costs of the department's caseworkers; provided further, that the department shall, to the extent feasible within the appropriation provided, provide for extended office hours; provided further, that the department shall accomplish the staffing of these extended office hours to the maximum extent possible through the use of flex-time that will allow workers to modify their working hours to accommodate their specific personal and family needs; provided further, that the department shall, to the extent feasible within the appropriation provided, continue and expand the program of placing workers at community and human service organizations for the purposes of facilitating food stamp applications and redeterminations; and provided further, that the department shall report to the house and senate committees on ways and means not later than December 15, 2005 on the extended office hours and placement of workers at community and human service organizations that the department has determined is feasible within the appropriation provided and that the department will provide in the current fiscal year $64,700,000

4400-1025 For domestic violence specialists at local area offices $620,556

4400-1100 For the payroll of the department's caseworkers; provided, that only employees of bargaining unit eight shall be paid from this item..... $53,681,903

4401-1000 For a program to provide employment and training services for recipients of benefits provided under the program of transitional aid to families with dependent children; provided, that certain parents who have not yet reached the age of 18, including those who are ineligible for transitional aid to families with dependent children and who would qualify for benefits under chapter 118 of the General Laws but for the deeming of the grandparents' income, shall be allowed to participate in the employment services program; provided further, that funds from this item may be expended on former recipients of the program for up to 1 year after termination of their benefits due to employment or subsection (f) of section 110 of chapter 5 of the acts of 1995; provided further, that funds from this item shall be expended for the purposes of the young parents program, transportation costs, pre-employment skills training and education programs, and structured subsidized employment services; provided further, that the department of transitional assistance may use funds from this item and shall collaborate with the department of workforce development to access funding through Title I of the federal Workforce Investment Act to ensure that sufficient resources are available to provide substantive, pre-employment skills training, including training that integrates basic education and English as a second language instruction, to recipients of transitional aid to families with dependent children who are in need of such services; provided further, that funds from this item may also be expended for re-employment services, job search assistance, vocational training services, job retention services, adult basic education, graduate equivalency degree courses, English as a second language courses and training programs for persons with limited English proficiency, and emergency work-related expenses for recipients, including emergency transportation costs; provided further, that the department shall inform all recipients and applicants of the full range of programs and of skills training programs funded by Title I of the federal Workforce Investment Act accessible through the one-stop career centers and adult education programs funded by the department of education available under this program; provided further, that funds may be allocated from this item to other agencies for the purposes of this program; provided further, that within 90 days of a recipient without a high school degree or a graduate equivalency degree or proficiency in English who is subject to said subsection (f) of said section 110 of said chapter 5 becoming eligible for benefits, the department may offer to the recipient a skills assessment to identify barriers to employment; and provided further, that all of this

item is subject to appropriation and, in the event of a deficiency, nothing in this item shall give rise to or shall be construed as giving rise to any enforceable right or entitlement to services in excess of the amounts appropriated by this item..... $21,047,902

4401-1100 The department of transitional assistance may expend not more than $3,000,000 from revenue received from the United States Department of Agriculture for food stamp outreach and employment and training programs and any enhanced funding or bonuses; provided, that the department may expend such revenue for employment and training services provided to recipients of transitional aid to families with dependent children $3,000,000

4403-2000 For a program of transitional aid to families with dependent children, including state-funded transitional aid to families with dependent children benefits; provided, that notwithstanding any general or special law to the contrary, benefits to certain families with dependent children shall be funded only with state dollars in a separate state program to be known as state-funded transitional aid to families with dependent children; provided further, that families who shall receive state-funded benefits from the separate state program shall include those who are eligible for assistance under state law but would lower the state's federal work participation rate or otherwise place the state at risk of not meeting federal requirements if they received benefits in a program funded in whole or in part with federal funds from the transitional assistance for needy families block grant, including, but not limited to, such families qualifying as exempt pursuant to subsection (e) of section 110 of chapter 5 of the acts of 1995; provided further, that notwithstanding any general or special law to the contrary, benefits under the program of transitional aid to families with dependent children shall be paid only to citizens of the United States and to noncitizens for whom federal funds may be used to provide benefits; provided further, that notwithstanding any general or special law or this act to the contrary, no benefits under this item shall be made available to illegal or undocumented aliens; provided further, that the need standard shall be equal to the standard in effect in fiscal year 2005; provided further, that the payment standard shall be equal to the need standard; provided further, that the payment standard for families who do not qualify for an exempt category of assistance under said subsection (e) of said section 110 of said chapter 5 shall be 2 3/4 per cent below the otherwise applicable payment standard in fiscal year 2006, pursuant to the state plan required under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996; provided further, that the department shall notify all teen parents receiving benefits from the program of the requirements found in clause (2) of subsection (i) of said section 110 of said chapter 5; provided further, that a $40 per month rent allowance shall be paid to all households incurring a rent or mortgage expense and not residing in public housing or subsidized housing; provided further, that a nonrecurring children's clothing allowance in the amount of $150 shall be provided to each child eligible under this program in September, 2005; provided further, that the children's clothing allowance shall be included in the standard of need for the month of September, 2005; provided further, that benefits under this program shall not be available to those families where a child has been removed from the household pursuant to a court order after a care and protection hearing on child abuse, nor to adult recipients otherwise eligible for transitional aid to families with dependent children but for the temporary removal of the dependent child from the home by the department of social services in accordance with department procedures; provided further, that notwithstanding section 2 of chapter 118 of the General Laws or any other general or special law to the contrary, the department shall render aid to pregnant women with no other eligible dependent children only if it has been medically verified that the child is expected to be born within the month such payments are to be made or within the 3-month period after such month of payment and who, if such child had been born and was living with her in the

month of payment, would be categorically and financially eligible for transitional aid to families with dependent children benefits; provided further, that certain families that suffer a reduction in benefits due to a loss of earned income and participation in retrospective budgeting may receive a supplemental benefit to compensate them for such loss; provided further, that no funds from this item shall be expended by the department for child care or transportation services for the employment and training program; provided further, that no funds from this item shall be expended by the department for family reunification benefits or informal child care; provided further, that the department shall provide oral and written notification to all recipients of their child care benefits on a semi-annual basis; provided further, that the notification shall include the full range of child care options available, including center-based child care, family-based child care, and in-home relative child care; provided further, that the notification shall detail available child care benefits for current and former recipients, including employment and training benefits, transitional benefits and post-transitional benefits; provided further, that the department shall work with the department of early education and care to ensure that both recipients currently receiving benefits and former recipients during the 1-year period after termination of benefits are provided written and verbal information about child care services; provided further, that the notice shall further advise recipients of the availability of food stamps benefits; provided further, that not less than $418,074 shall be expended for the purposes of the operation of the Transportation Assistance Program operated by the Traveler's Aid Society; provided further, that in promulgating, amending or rescinding its regulations with respect to eligibility for or levels of benefits under the program, the department shall take into account the amounts available to it for expenditure by this item so as not to exceed the appropriation; and provided further, that notwithstanding any general or special law to the contrary, 60 days before promulgating any eligibility or benefit changes, the commissioner shall file with the house and senate committees on ways and means and with the clerks of the senate and house of representatives a determination by the secretary of health and human services that available appropriations for the program will be insufficient to meet projected expenses and a report setting forth the text of and basis for such proposed changes $314,150,783

4403-2001 For the Lift Transportation Program operated by the Traveler's Aid Society of Boston..... $150,000

4403-2119 For the provision of structured settings as provided in subsection (i) of section 110 of chapter 5 of the acts of 1995 for parents under the age of 20 who are receiving benefits under the transitional aid to families with dependent children program..... $6,773,966

4403-2120 For certain expenses of the emergency assistance program as follows: (i) contracted family shelters; (ii) transitional housing programs; (iii) programs to reduce homelessness in Barnstable, Dukes and Nantucket counties; (iv) residential education centers for single mothers with children; (v) intake centers; and (vi) voucher shelters; provided, that eligibility shall be limited to families with income at or below 130 per cent of the federal poverty level; provided, however, that any family whose income exceeds 130 per cent of the federal poverty level while the family is receiving assistance funded by this item shall not become ineligible for assistance due to exceeding the income limit for a period of 6 months from the date that the 130 per cent level was exceeded; provided further, that the department shall establish reasonable requirements for such families to escrow some or all of the portion of their income which exceeds 130 per cent of the federal poverty level; provided further, that any such escrowed funds shall be exempt from otherwise applicable asset limits; provided further that the family shall be allowed to withdraw the amount placed in escrow upon transition to permanent housing or losing eligibility for shelter services; provided further, that benefits under this item

shall be provided only to residents who are citizens of the United States or aliens lawfully admitted for permanent residence or otherwise permanently residing under color of law in the United States; provided further, that the department shall take all steps necessary to enforce regulations to prevent abuse in the emergency assistance program; provided further, that no emergency assistance expenditures shall be paid from this item unless explicitly authorized; provided further, that eligible households shall be placed in shelters as close as possible to their home community unless a household requests otherwise; provided further, if the closest available placement is not within 20 miles of the household's home community, the household shall be transferred to an appropriate shelter within 20 miles of its home community at the earliest possible date unless the household requests otherwise; provided further, that eligibility for shelter by an otherwise eligible family shall not be impaired by prior receipt of any nonshelter benefit; provided further, that the department shall within 30 days of the effective date of this act revise its regulations to implement the preceding proviso; provided further, that the department shall make every effort to insure that children receiving services from this item shall continue attending school in the community in which they lived prior to receiving services funded from this item; provided further, that the department shall within 30 days of the effective date of this act revise its regulations to implement the preceding proviso; provided further, that notwithstanding any other general or special law to the contrary, the department shall immediately provide shelter for up to 30 days to families who appear to be eligible for such shelter based on statements provided by the family and any other information in the possession of the department but who need additional time to obtain any third-party verifications reasonably required by the department; provided further, that the department shall not impose unreasonable requirements for third-party verification and shall accept verifications from the family whenever reasonable; provided further, that the department shall within 30 days of the effective date of this act revise its regulations to implement the preceding proviso; provided further, that in promulgating, amending or rescinding regulations with respect to eligibility or benefits under this program, the department shall take into account the amounts available to it for expenditure in this item so as not to exceed the amount appropriated in this item; provided further, that notwithstanding any general or special law to the contrary, 60 days before promulgating any such eligibility or benefit changes, the commissioner shall file with the house and senate committees on ways and means and with the clerks of the house of representatives and the senate a determination by the secretary of health and human services that available appropriations for the program will be insufficient to meet projected expenses and a report setting forth such proposed changes; provided further, that all of this item shall be subject to appropriation and, in the event of a deficiency, nothing in this item shall give rise to or shall be construed as giving rise to any enforceable right or entitlement to services in excess of the amounts appropriated by this item; provided further, that nothing in the preceding proviso shall authorize the department to alter eligibility criteria or benefit levels, except to the extent that such changes are needed to avoid a deficiency in this item; provided further, that the department shall report quarterly to the house and senate committees on ways and means an unduplicated count of families who apply for emergency assistance funded family shelter during the fiscal year; provided further that the report shall include the total number of applications received, the number of families approved for shelter, the number of families denied shelter along with reasons for denials, the number of families who are approved for shelter benefits within 12 months of an initial denial, the home community of families receiving shelter, the number of families receiving shelter within each home community, the number of available shelter slots within each home community, the income level of families receiving shelter, the number of families receiving shelter who had previously accessed state-funded programs to reduce homelessness and the programs that had been accessed, the composition of

families receiving shelter, the reason that the household is seeking emergency family shelter, the reasons that families exit shelters, including reasons for voluntary departure and termination, exiting families' housing plans, including type of housing arrangements, subsidy status, monthly rent, and gross monthly income, and any other information that the department determines to be necessary in evaluating the operation of the emergency assistance family shelters program; provided further, that the report shall also include information, by type of shelter, on average length of stay, average cost per household served, average number of shelter slots not used either as the result of no placement being made or of a placed family not making use of shelter, and an analysis of this data, including an analysis of causes relating to any significant differences in the data for each type of shelter; provided further, that the report shall also include a status report on the outcomes of department-funded homeless prevention initiatives, providing information on the nature and total cost of each such initiative, the number of families served by each such initiative, the average cost per family of each such initiative, the affordability and stability of housing or alternative shelter placements for prevention program recipients, including type of housing arrangement, subsidy status, monthly rent, and gross monthly income, and any other information that the department determines to be necessary in evaluating the operation of state-funded homeless prevention programs; and provided further, that not less than $179,381 shall be obligated for capital projects and related facility upgrades at the Crossroads Family Shelter in East Boston $73,600,000

4405-2000 For the state supplement to the supplemental security income program for the aged and disabled, including a program for emergency needs for supplemental security income recipients; provided, that the expenses of special grants recipients residing in rest homes, as provided in section 7A of chapter 118A of the General Laws, may be paid from this item; provided further, that the department, in collaboration with the executive office of health and human services, may fund an optional supplemental living arrangement category under the supplemental security income program that makes payments to persons living in assisted living residences certified under chapter 19D of the General Laws who meet the income and clinical eligibility criteria established by the department and the office; provided further, that the optional category of payments shall only be administered in conjunction with the medicaid group adult foster care benefit; and provided further, that reimbursements to providers for services rendered in prior fiscal years may be expended from this item $205,568,300

4406-3000 For the homelessness program to assist individuals who are homeless or in danger of becoming homeless, including assistance to organizations which provide food, shelter, housing search and limited related services to the homeless and indigent; provided further, that the department may allocate funds to other agencies for the purposes of this program; provided further, that of the amount appropriated herein, $34,000,000 shall be allocated to organizations that received funds from this item in fiscal year 2005; and provided further, that these organizations shall receive not less than the same percentage share of the $34,000,000 as their percentage share of funds in fiscal year 2005 ..... $35,000,000

4408-1000 For a program of cash assistance to certain residents of the commonwealth, entitled emergency aid to the elderly, disabled and children found by the department to be eligible for such aid under chapter 117A of the General Laws and regulations promulgated by the department and subject to the limitations of appropriation therefor; provided, that benefits under this item shall only be provided to residents who are citizens of the United States or qualified aliens or noncitizens otherwise permanently residing in the United States under color of law and shall not be provided to illegal or undocumented aliens; provided further, that the payment

standard shall equal the payment standard in effect under the general relief program in fiscal year 1991; provided further, that the department may provide benefits to persons age 65 or older who have applied for benefits under chapter 118A of the General Laws, to persons suffering from a medically determinable impairment or combination of impairments which is expected to last for a period as determined by department regulations and which substantially reduces or eliminates the individual's capacity to support himself and which has been verified by a competent authority, to certain persons caring for a disabled person, to otherwise eligible participants in the vocational rehabilitation program of the Massachusetts rehabilitation commission and to dependent children who are ineligible for benefits under both chapter 118 of the General Laws and the separate program created by section 210 of chapter 43 of the acts of 1997 and parents or other caretakers of dependent children who are ineligible under chapter 118 and under the separate program; provided further, that no ex-offender, person over age 45 without a prior work history or person in a residential treatment facility shall be eligible for benefits under this program unless the person otherwise meets the eligibility criteria described in this item and defined by regulations of the department; provided further, that no person incarcerated in a correctional institution shall be eligible for benefits under the program; provided further, that no funds shall be expended from this item for the payment of expenses associated with any medical review team, other disability screening process or costs associated with verifying disability for this program; provided further, that the department shall promulgate emergency regulations under chapter 30A of the General Laws to implement the changes to this program required by this item promptly and within the appropriation; provided further, that in initially implementing the program for this fiscal year, the department shall include all eligibility categories permitted in this item at the payment standard in effect for the former general relief program in fiscal year 1991; provided further, that in promulgating, amending or rescinding its regulations with respect to eligibility or benefits, including the payment standard, medical benefits and any other benefits under this program, the department shall take into account the amounts available to it for expenditure by this item so as not to exceed the amount appropriated in this item; provided further, that the department may promulgate emergency regulations under chapter 30A of the General Laws to implement these eligibility or benefit changes or both; provided further, that nothing in this item shall be construed as creating any right accruing to recipients of the former general relief program; provided further, that reimbursements collected from the Social Security Administration on behalf of former clients of the emergency aid to the elderly, disabled and children program, or unprocessed payments from the program that are returned to the department shall be credited to the General Fund; provided further, that notwithstanding any general or special law to the contrary, the funds made available in this item shall be the only funds available for the program, and the department shall not spend funds for the program in excess of the amount made available in this item; and provided further, that notwithstanding any general or special law this item to the contrary, 60 days before implementing any eligibility or benefit changes, or both, the commissioner shall file with the clerks of the house of representatives and the senate a determination by the secretary of health and human services that available appropriations for the program will be insufficient to meet projected expenses and a report setting forth the proposed changes $70,079,481

OFFICE OF HEALTH SERVICES.

Department of Public Health.

4510-0099 The department may expend not more than $6,000,000 in revenues collected from

licensing, inspections and records for costs associated with the administration of the department $6,000,000

4510-0100 For the operation of the department, the determination of need program, established under section 25C of chapter 111 of the General Laws, the health statistics program, including the operation of a cancer registry and occupational lung disease registry, and the continuation of the cardiac surgery data collection and validation program to collect and validate data from all hospitals in the commonwealth that perform open heart surgery; provided, that the position of assistant commissioner shall not be subject to chapter 31 of the General Laws $19,537,533

4510-0106 The department of public health may expend not more than $100,000 in revenue associated with grants and development activities associated with the end of life care commission $100,000

4510-0110 For community health center services; provided, that no funds shall be expended in the AA object class for any personnel-related costs; provided further, that not less than $200,000 shall be expended for the Cape Cod Free Clinic; provided further, that not less than $100,000 shall be expended for the Elder Health Center in Saugus; and provided further, that not less than $150,000 shall be expended for the Duffy Health Center..... $4,960,160

4510-0150 For the managed care program at community health centers known as CenterCare; provided, that no funds shall be expended in the AA object class for any personnel-related costs; provided further, that $225,000 shall be expended on a statewide program of technical assistance to community health centers to be provided by a state primary care association qualified under section 330 (f)(1) of the United States Public Health Service Act, 42 U.S.C. section 254c(f)(1); and provided further, that the department shall assist professional and nonprofit agencies dedicated to the advancement of the scope and nature of health care services delivered in communities by community health centers and to pursue available federal technical assistance funding $2,654,974

4510-0600 For an environmental and community health hazards program, including control of radiation and nuclear hazards, consumer products protection, food and drugs, lead poisoning prevention in accordance with chapter 482 of the acts of 1993, lead-based paint inspections in day care facilities, inspection of radiological facilities, licensing of x-ray technologists and the administration of the division of environmental epidemiology and toxicology for the purposes of chapter 470 of the acts of 1983, and the "Right-to-Know" law; provided, that the expenditures from this item for the fair packaging and labeling survey program shall be contingent upon the prior approval of the proper federal authorities for reimbursement of 100 per cent of the amounts so expended; provided further, that $150,000 shall be expended for the Amyotrophic Lateral Sclerosis registry created by section 25A of chapter 111 of the General Laws; provided further, that $30,000 shall be expended for a renal disease program administered by the National Kidney Foundation of Massachusetts, Rhode Island and Vermont for nutritional supplements and early intervention services for those affected by renal disease and those at risk of renal disease; provided further, that not less than $100,000 shall be expended for the purposes of research and prevention activities associated with Lyme disease to be conducted by the Barnstable County Department of Health and the Environment; provided further, that not less than $14,800 shall be allocated to the Franklin Regional Council of Governments for costs associated with the regional public health program; and provided further, that not less than $81,000 shall be expended for the maintenance of a statewide lupus database $3,258,403

4510-0615 The department may expend not more than $150,000 from assessments collected under section 5K of chapter 111 of the General Laws for services provided to monitor, survey and inspect nuclear power reactors; provided, that the department may expend not more than $1,374,195 from fees collected from licensing and inspecting users of radioactive material within the commonwealth under licenses presently issued by the nuclear regulatory commission; provided further, that the revenues may be used for the costs of both programs, including the compensation of employees; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $1,524,195

4510-0616 For a drug registration and monitoring program; provided, that the department may expend an amount not to exceed $564,251 from revenues collected from fees charged to registered practitioners, including physicians, dentists, veterinarians, podiatrists and optometrists for controlled substance registration; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $564,251

4510-0710 For the operation of the division of health care quality and the office of patient protection; provided, that the division shall be responsible for assuring the quality of patient care provided by the commonwealth's health care facilities and services, and for protecting the health and safety of patients who receive care and services in nursing homes, rest homes, clinical laboratories, clinics, institutions for the mentally retarded and the mentally ill, hospitals and infirmaries, including the inspection of ambulance services; provided further, that the division shall track and report the number and type of dementia or Alzheimer's special care units in each facility; provided further that the department shall provide quarterly reports of its findings to the house and senate committees on ways and means; provided further, that the division shall coordinate its work with the board of registration in medicine and the various other boards of registration under the department of public health to promote quality patient care in facilities licensed by the department, and shall report specific instances of preventable medical error that involve an individualized component investigated by the board of registration and a systemic or institutional component investigated by the division, the medical, administrative, educational and disciplinary outcomes of such instances of preventable medical error, and the ways in which coordination promotes quality patient care, fairness and accuracy in disciplinary actions, and better provider and facility education; provided further, that investigators shall conduct investigations of abuse, neglect, mistreatment and misappropriation; provided further, that the division shall assign such investigators to perform their duties on staggered shifts which shall be established by the division in order to provide coverage adequate to ensure that all complaints of abuse, neglect, mistreatment and misappropriation are investigated, and that the department shall investigate complaints during evening and weekend hours as needed to assess the validity of the complaint; provided further, that not less than 10 per cent of all routine surveys of the facilities are completed during evening or weekend hours; provided further, that the division shall minimize the need for payment of overtime to investigators in both emergent and non-emergent situations and shall not authorize the assignment of overtime hours for any investigator when the duties can be performed on a non-overtime basis by another investigator; provided further, that all investigators in the division of health care quality responsible for the investigations shall receive training by the medicaid fraud

control unit of the office of the attorney general under a comprehensive training program to be developed by the division and the unit; provided further, that the division shall report quarterly to the house and senate committees on ways and means on the number of incident reports and, for those reports requiring investigations under section 72H of chapter 111, indicating for each such report, the time in which: (1) the division completed its investigation; (2) the division made an evaluation and determination of the validity of the report; (3) made a referral of such report to the appropriate agency or agencies; provided further, that if in any quarter the division maintains a backlog of cases requiring investigation that have not been investigated, evaluated and determined within the time frames established in section 72H of chapter 111, the division shall include in the report an explanation as to the reasons therefore; provided further, that the division shall include in the report a list of all instances of the payment of overtime for investigators and the justification therefore and in each quarter shall compare the overtime expenditures from this item with the overtime expenditures made in the corresponding quarter of fiscal year 2005; provided further, that the division shall continue to research and develop, in consultation with the nursing home industry and consumer representatives, appropriate confidential survey tools to assess consumer satisfaction in long-term care facilities; provided further, that the division shall continue a comprehensive training, education and outreach program for nursing home administrators and managers and other supervisory personnel in long-term care to improve the quality of care in long-term care facilities; provided further, that the program shall promote the use of best practices, models of quality caregiving and the culture of workforce retention within the facilities and shall focus on systemic ways to reduce deficiencies; and provided further, that the department shall report to the house and senate committees on the results of the program not later than April 30, 2006 ..... $7,684,277

4510-0712 The department may expend not more than $504,922 in revenues collected from the licensure of health facilities for program costs of the division of health care quality; provided, that the department may expend not more than $800,000 from revenues collected from individuals applying for emergency medical technician licensure and recertification; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenue and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefore as reported in the state accounting system $1,304,922

4510-0720 For a scholarship program for certified nurses' aide and direct care worker training; provided, that no funds shall be expended in the AA object class for any personnel-related costs; provided further, that the department shall establish appropriate guidelines and application criteria for the administration of the program; provided further, that the scholarships shall cover the full cost of tuition to an approved certified nurses' aide or long-term care direct worker training program, including approved programs providing for cross-training; provided further, that funds may also be available to provide adult basic education and English as a second language training for applicants otherwise meeting criteria for the scholarships, as well as pilot training programs using enhanced curricula designed to support increased retention; provided further, that the department shall, in consultation with the nursing home industry, consumer groups, the department of labor and workforce development, the Commonwealth Corporation, training providers and other appropriate state and local agencies, conduct outreach regarding the availability of such scholarships; provided further, that the department shall consult with the scholarship program advisory council and the extended care career ladder initiative to review and recommend new training requirements for certified nurses' aides,

home health aides and home care workers to improve the quality of the direct care workforce and the quality of care provided in all long-term care settings by developing skill standards, supporting the transition from training to work, improving retention, promoting portability, recognizing career advancement curricula and addressing language and education barriers; and provided further, that costs for outreach activities shall not exceed 5 per cent of the amount appropriated in this item and administrative costs of the program shall not exceed 5 per cent of the amount appropriated in this item..... $250,000

4510-0721 For the costs of personnel, administration, information technology, equipment, newsletter and other essential spending of the board of registration in nursing; provided, that the board shall prepare a compilation of cases involving preventable medical error that resulted in harm to a patient or health care provider for the purpose of assisting health care providers, hospitals and pharmacies to modify their practices and techniques to avoid error; and provided further, that the board shall submit the compilation to the house and senate committees on ways and means, the joint committee on health care and the commissioner of the department of public health by January 4, 2006 and shall make the compilation widely available, including by electronic means, to the public and to all hospitals, pharmacies and health care providers doing business in the commonwealth $1,481,370

4510-0722 For the costs of personnel, administration, newsletter, dues, travel, public information advertising, and other expenses of the board of registration in pharmacy; provided, that the board shall prepare a compilation of cases involving preventable medical error that resulted in harm to a patient or health care provider for the purpose of assisting health care providers, hospitals and pharmacies to modify their practices and techniques to avoid error; and provided further, that the board shall submit the compilation to the house and senate committees on ways and means, the joint committee on health care and the commissioner of the department of public health by January 4, 2006 and shall make the compilation widely available, including by electronic means, to the public and to all hospitals, pharmacies and health care providers doing business in the commonwealth $477,689

4510-0723 For the operation and administration of the board of registration in medicine and the committee on acupuncture; provided, that the board of registration in medicine shall prepare a compilation of cases from its patient care assessment program describing incidents involving preventable medical error that resulted in harm to patient or health care provider for the purpose of assisting the providers, hospitals, and pharmacies to modify their practices and techniques to avoid error, and any other relevant topics; provided further, that the board shall submit the report to the general court, house and senate committees on ways and means and the joint committee on health care by January 4, 2006 and shall make the compilation widely available, including by electronic means, to the public; and provided further, that the board shall promulgate rules and regulations to coordinate their patient care assessment program with the boards of nursing and pharmacy $2,128,072

4510-0725 For the costs of personnel, administration, public information advertising and other expenses of certain health boards of registration, including the boards of registration in dentistry, nursing home administrators, physician assistants, perfusionists, and respiratory care $401,742

4510-0726 The board of registration in medicine, including the physician profiles program, may expend not more than $300,000 from revenues associated with license and renewal fees; provided, that this amount shall be in excess of the amount described in section 1B $300,000

4510-0790 For regional emergency medical services; provided, that no funds shall be expended in the AA object class for any personnel-related costs; provided further, that the regional emergency medical services councils, designated as such in accordance with 105 CMR 170.101 and the C-MED communications as of January 1, 1992, shall remain the designated councils and C-MEDs; and provided further, that the department shall report quarterly on the number of investigations of ambulance services performed by the inspectors and by inspectors funded in items 4510-0710 and 4510-0712 as well as the number of investigations pending at the end of each quarter and the reasons therefore $1,246,896

4510-0810 For a statewide sexual assault nurse examiner program and for the care of victims of sexual assault; provided, that the program shall be established by the department to operate under specific statewide protocols and by an on-call system of nurse examiners $1,740,626

4510-0820 For a statewide pediatric sexual assault nurse examiner program and for the care of victims of sexual assault; provided, that the program shall be established by the department to operate under specific statewide protocols and by an on-call system of nurse examiners $1,000,000

4512-0103 For acquired immune deficiency syndrome services and programs; provided, that no funds shall be expended in the AA object class for any personnel-related costs; provided further, that particular attention shall be paid to direct the funding proportionately amongst each of the demographic groups afflicted by HIV/AIDS; provided further, that funds shall be expended for rental housing subsidies for the purposes of preventing admissions to acute hospitals, chronic hospitals and nursing homes for persons with acquired immune deficiency syndrome; provided further, that the department may contract for the administration of this program; provided further, that the costs of this administrative contract shall not be expended from this item; provided further, that rents payable by tenants shall not be less than 30 per cent of total household income if heat and cooking fuel are provided by the landlord and shall not be less than 25 per cent of total household income if heat and cooking fuel are not provided; provided further, that no funds shall be expended for subsidies for housing units in excess of the number of units funded on June 30, 1991; provided further, that the department shall not enter into any new housing contracts or expend funds for such new contracts in fiscal year 2006 that would fund units in excess of the number of units funded on June 30, 2005; and provided further, that no funds from this item shall be expended for disease research in fiscal year 2006 ..... $35,453,770

4512-0106 The department of public health may expend not more than $1,900,000 from revenues received from pharmaceutical manufacturers participating in the section 340B rebate program administered by the federal health resources and services administration and office of drug pricing $1,900,000

4512-0200 For the division of substance abuse services, including a program to reimburse driver alcohol education programs for services provided for court adjudicated indigent clients; provided, that no funds shall be expended in the AA object class for any personnel-related costs; provided further, that the commissioner of public health shall ensure that funding is allocated in a manner that reflects the level of need among demographic groups; provided further, that not less than $50,000 shall be expended for the Louis D. Brown Peace Institute for homicide victims' family support services and anti-violence advocacy programs; provided further, that not less than $650,350 shall be expended for a contract with STEP Inc. for substance abuse treatment, education and prevention; provided further, that not less than $75,000 shall be expended for the Tynan Community Center's Adolescence

Wellness program in the city of Boston; provided further, that not less than $100,000 shall be expended for the South Boston Youth Collaborative for the purposes of responding to adolescent suicide cluster and drug abuse in the South Boston section of the city of Boston; provided further, that not less than $961,324 shall be expended to the Gavin Foundation for an adolescent residential facility for boys and girls that provide substance abuse and rehabilitation services in the South Boston section of the city of Boston; provided further, that not less than $90,000 shall be expended for the Russian Teens-at-Risk program operated by the Jewish Family Children's Service in the cities of Boston and Lynn and the town of Brookline; provided further, that not less than $100,000 shall be expended for the Link House, Inc., in the town of Salisbury for purposes of establishing transitional housing for women in recovery from substance abuse; provided further, that $500,000 shall be expended for the 65-person recovery shelter run by the Pine Street Inn in the north Dorchester section of the city of Boston; provided further, that not less than $45,000 shall be expended in grants for the Framingham Coalition for the Prevention of Alcohol and Drug Abuse; provided further, that not less than $319,500 shall be expended for a contract with the Gavin Foundation to provide a total immersion program in conjunction with the probation department of South Boston division of the district court department of the trial court and other district courts; provided further, that not less than $125,000 shall be expended for the Barnstable Action for New Direction (BAND) program facilitated by Gosnold of Cape Cod Inc. in conjunction with the Barnstable District Court and the Cape and Islands District Attorney; provided further that not less than $200,000 be provided to the Boston Municipal Court and other district courts to fund treatment coordinators for the Drug Court Program to treat nonviolent, substance-abusing offenders; provided further, that $99,000 shall be expended for Self Esteem Boston; provided further, that not less than $90,000 shall be expended for Franklin Medical Center's Beacon Recovery program at the Orange Recovery House; provided further, that an additional $100,000 shall be expended for a contract with Bay Cove Human Services, Inc. for the purpose of establishing an independent licensed halfway house in Charlestown, in collaboration with the Charlestown Recovery House, Inc. for persons in recovery from alcoholism and chemical dependency; provided further, that not less than $833,000 shall be expended for the Volunteers of America Rebound Youth Residential Recovery Program at the Long Island Hospital in the city of Boston for substance abuse and rehabilitation services to youths with addictions; provided further, that not less than $90,000 shall be expended for a batterer prevention program in the city of New Bedford; provided further, that not less than $99,925 shall be expended for Latinas Y Ninos to provide a full-time child advocate parent educator specialist to attend to the needs of Latino women in recovery with a focus on pregnant women, new parents, and mothers recently reunified with their children; provided further, that not less than $250,000 shall be expended for the Latino After School Initiative; provided further, that not less than $150,000 shall be expended for the Northern Educational Services, Inc. (NES); provided further, that not less than $60,000 shall be provided to Project COPE, Inc., in Lynn for the prevention and education of the problems associated with Oxycontin and heroin use; and provided further, that not less than $150,000 shall be expended for the New Beginnings program $47,274,186

4512-0225 The department of public health may expend not more than $654,942 for a compulsive gamblers' treatment program from unclaimed prize money held in the State Lottery Fund for more than 1 year from the date of the drawing when the unclaimed prize money was won, and from the proceeds of a multi-jurisdictional lottery game under subsection (e) of section 24A of chapter 10 of the General Laws; provided, that the state comptroller shall transfer the amount to the General Fund $654,942

4512-0500 For dental health services; provided, that no funds shall be expended in the AA object class for any personnel-related costs; provided further, that of the amount appropriated in this item, funds shall be expended to maintain a program of dental services for the developmentally disabled; and provided further, that not less than $122,000 shall be allotted to the Doherty Dental Health Clinic in the city of Taunton for the basic dental needs of moderate and low income residents of Southeastern Massachusetts $1,556,150

4513-1000 For the operation of the bureau of family health services; provided, that no funds shall be expended in the AA object class for any personnel-related costs; provided further, that funds shall be expended on family planning clinics, rape crisis centers and primary care services for women and children; provided further, that not less than $450,000 shall be directed to community health centers to provide maternal-child health services through combined primary care; provided further, that not less than $50,000 shall be expended for the Molly Bish Institute for Child Safety at Mount Wachusett Community College; provided further, that $50,000 shall be expended for Falmouth Family Planning; provided further, that not less than $158,000 shall be expended for the public health model of community engagement and intervention for sexual violence and intimate partner violence in the homosexual male community; provided further, that not less than $800,000 shall be expended on the Refugees and Immigrant Safety and Empowerment program; provided further, that not less than $200,000 shall be expended for ROCA, Inc. for outreach and youth development for at-risk youth and young adults in Chelsea, Revere, and East Boston; and provided further, that of the amount appropriated in this item, funds may be expended for rape prevention and victim services, including the statewide Spanish language hotline for sexual abuse, family planning services, the Northeastern University conflict resolution program, Latinas y Ninos and statewide suicide and violence prevention outreach to gay and lesbian youth $8,570,196

4513-1002 For women, infants and children's (WIC) nutrition services in addition to funds received under the federal nutrition program; provided, that no funds shall be expended in the AA object class for any personnel-related costs; provided further, that all new WIC cases, in excess of fiscal year 1991 caseload levels, shall be served in accordance with priority categories 1 through 7, as defined by the state WIC program; and provided further, that not less than $680,000 shall be expended for the Growth and Nutrition Program $12,859,601

4513-1010 The department of public health may expend not more than $3,500,000 in revenue received from the collection of federal financial participation for early intervention services delivered to medicaid-eligible children by developmental educators and professionals in related disciplines; provided, that nothing in this item shall give rise to or shall be construed as giving rise to enforceable legal rights to any such services or an enforceable entitlement to the services funded in this item; and provided further, that the revenue may be used to pay for current and prior year claims $3,500,000

4513-1012 The department of public health may expend not more than $24,076,000 from revenues received from the federal cost-containment initiatives including, but not limited to, infant formula rebates and Northeast Dairy Compact reimbursements; provided, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $24,076,000

4513-1020 For the early intervention program; provided, that no funds shall be expended in the

AA object class for any personnel-related costs; provided further, that the department shall report quarterly to the house and senate committees on ways and means the total number of units of service purchased and the total expenditures for the units of service paid by the department, the executive office of health and human services, and by third party payers for early intervention services for the following services categories: home visit, center-based individual, child-focused group, parent-focused group, screening, and assessment; provided further, that the department shall make all reasonable efforts to secure third party and Medicaid reimbursements for the services funded in this item; provided further, that funds from this item shall be expended for a reserve to provide respite services to families of children enrolled in early intervention programs who have complex care requirements, multiple disabilities and extensive medical and health needs; provided further, that priority shall be given to low and moderate income families; provided further, that the department shall submit to the house and senate committees on ways and means a report on the number of families served by the program and the amount of funds appropriated in this item granted to qualified families not later than February 1, 2006; provided further, that no claim for reimbursement made on behalf of an uninsured person shall be paid from this item until the program receives notice of a denial of eligibility for the MassHealth program from the executive office of health and human services; provided further, that not less than $1,000,000 shall be expended for the provision of cost reimbursement funding to certified Early Intervention Programs; and provided further, that nothing stated in this item shall give rise to or shall be construed as giving rise to enforceable legal rights to any such services or an enforceable entitlement to the early intervention services funded in this item $30,840,024

4513-1023 For the costs associated with the implementation of the universal newborn hearing program; provided, that no funds shall be expended in the AA object class for any personnel-related costs; and provided further, that the funds appropriated in this item shall be expended for the notification of and follow through with affected families, primary care providers and early intervention programs upon the department's receipt of data indicative of potential hearing disorders in newborns..... $83,060

4513-1026 For the provision of statewide and community-based suicide prevention, intervention, post-vention and surveillance activities and the implementation of a statewide suicide prevention plan; provided, that no funds shall be expended in the AA object class for any personnel-related costs; provided further, that the department, in coordination with the department of mental health, shall provide grant funds for locally targeted suicide prevention, intervention and postvention activities; provided further, that any department, group or institution applying for these grants shall state the program's goals, feasibility and effectiveness, such that other communities may replicate this program, document how the program replicates or builds upon relevant evidence-based strategies or tests new strategies, describe the activities to be undertaken and include an evaluation component in the program; provided further, that prevention and intervention activities shall be targeted toward identifying and assisting those at risk; provided further, that prevention and intervention activities shall include, but not be limited to, training programs about the recognition and treatment of suicidal behavior for professionals who are in regular contact with at-risk individuals, collaborative work with emergency rooms and doctors to disseminate information regarding follow-up services for known attempters and efforts to increase public knowledge of suicide prevention; provided further, that postvention activities shall be targeted toward family and friends of individuals who have attempted or completed suicide; provided further, that postvention activities shall include, but not be limited to, training for first-responders about sensitive and responsible ways of interacting with the families of suicide victims, efforts to increase survivors' access to mental health services and to

decrease the stigma associated with their roles as survivors and the development of comprehensive support programs to facilitate positive coping among survivors; provided further, that surveillance activities shall be targeted toward increasing the accuracy of statistics on suicide morbidity and the availability of information on suicide attempts and ideation; provided further, that surveillance activities shall include, but not be limited to, efforts to increase both the quantity and quality of suicide data collected by first responders, hospital staff and the department and the development of a system for accessing and collecting data from suicide survivors; provided further, that funds from this item shall not be transferred to any other program or item; and provided further, that the departments shall, in consultation with the commissioner of education, report to the house and senate committees on ways and means on the status of statewide and community-based suicide prevention, intervention, postvention, and surveillance activities not later than June 30, 2006 ..... $500,000

4513-1112 For a prostate cancer screening, education and treatment program; provided, that screening, education and treatment shall have a particular focus on the high rate of prostate cancer among African American males; and provided further, that no funds shall be expended in the AA object class for any personnel-related costs $1,004,469

4513-1113 For a program to raise public awareness and provide health care provider education on colorectal cancer, including dissemination of materials on preventing and screening the disease and cancer registry reporting; provided, that no funds shall be expended in the AA object class for any personnel-related costs $185,000

4513-1114 For the purposes of the Hepatitis C program, including mitigating the effects of Hepatitis C; provided, that no funds shall be expended in the AA object class for any personnel-related costs; provided further, that funds shall be expended to increase public awareness and provide health care provider information; provided further, that awareness efforts shall be presented in multiple languages and in a culturally appropriate manner where applicable; provided further, that hepatitis C prevention, counseling and testing and case management services shall be integrated into existing substance abuse, HIV/AIDS and STD service programs; and provided further, that funds in this item shall supplement, and not supplant, funding for such purposes in item 4580-1000 ..... $562,876

4513-1115 For a multiple sclerosis screening, information, education and treatment program; provided, that no state employees shall be paid from this item; and provided further, that funds appropriated in this item shall be expended for the Multiple Sclerosis Home Living Independently Navigating Key Services program administered by the Central New England Chapter of the National Multiple Sclerosis Society to maximize matching dollars from the Society, to be used exclusively for the purposes of the program $162,368

4516-0263 The department of public health may expend not more than $1,486,551 in revenues from various blood lead testing fees collected from insurers and individuals, for the purpose of conducting such tests; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefor as reported in the state accounting system $1,486,551

4516-1000 For the administration of the center for laboratory and communicable disease control, including the division of communicable venereal diseases, the division of tuberculosis control and the state laboratory institute; provided, that the department

shall give priority to the analysis of samples used in prosecution of controlled substances offenses; provided further, that funds shall be expended for an eastern encephalitis testing program and for tuberculosis testing and treatment services; provided further, that no funds appropriated in this item shall be expended for administrative, space or energy expenses of the department not directly related to personnel or programs funded in this item; provided further, that funds from this item may be expended for the purchase of equipment for the drug laboratory at the state laboratory institute; provided further, that not less than $240,000 shall be expended for the maintenance of the statewide rabies control program coordinated by the department of public health providing assistance to cities, towns and the public, and for the interagency collaboration through the rabies advisory committee, the 24-hour epidemiological and clinical consultation for rabies exposures, the rapid laboratory diagnostic services; provided further, of the $240,000, not less than $150,000 shall be expended for the continuation of the Oral Rabies Vaccine Project on Cape Cod operated through a contract with Tufts University School of Veterinary Medicine in collaboration with the federal Centers for Disease Control and Prevention; and provided further, that funds from this item may be expended for the purpose of an interagency service agreement with the University of Massachusetts Medical School for the department's share of the cost of occupancy, including the cost of facility support personnel, for the state laboratory institute $10,037,658

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

4518-0200 The department may expend not more than $261,687 generated by fees collected from the following services provided at the registry of vital records and statistics: amendments of vital records, all requests for vital records not issued in person at the registry and research requests performed by registry staff at the registry; provided, that revenues so collected may be used for all program costs, including the compensation of employees; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $261,687

4530-9000 For teenage pregnancy prevention services; provided, that no funds shall be expended in the AA object class for any personnel-related costs; provided further, that applications for such funds shall be administered through the department upon receipt and approval of coordinated community service plans to be evaluated in accordance with guidelines issued by the department; provided further, that portions of the grants may be used for state agency purchases of designated services identified by the community service plans; provided further, that $100,000 shall be expended for teen pregnancy prevention services in the town of Orange; provided further, that not less than $15,000 shall be expended on Girls, Inc. in the city of Lynn; provided further, that not less than $150,000 shall be expended for the Berkshire Coalition to Prevent Teen Pregnancy program in Berkshire County; and provided further, that not less than $250,000 shall be expended for the abstinence-based teen pregnancy prevention programs in the cities of North Adams and Pittsfield $1,492,643

4570-1500 For an early breast cancer detection program, mammographies for the uninsured, and a breast cancer detection public awareness program; provided, that no funds shall be expended in the AA object class for any personnel-related costs; and provided further that not less than $107,500 shall be expended for Silent Spring Institute to complete the Household Exposure Study $3,284,833

4580-1000 For the universal immunization program and the purchase and distribution of the pneumococcal conjugate vaccine; provided, that no funds shall be expended in the AA object class for any personnel-related costs; and provided further, that no funds appropriated in this item shall be expended for administrative or energy expenses of the department not directly related to programs funded in this item $27,052,068

4590-0250 For school health services and school-based health centers in public and non-public schools; provided, that no funds shall be expended in the AA object class for any personnel-related costs; provided further, that services shall include, but not be limited to: (1) strengthening the infrastructure of school health services in the areas of personnel and policy development, programming, and interdisciplinary collaboration; (2) developing linkages between school health services programs and community health providers, and (3) incorporating health education programs, including tobacco prevention and cessation activities in school curricula and in the provision of school based health services and (4) incorporating obesity prevention programs, including nutrition and wellness programs in school curricula to address the nutrition and lifestyle habits needed for healthy development; provided further, that not more than $250,000 shall be expended for the governor's commission on gay and lesbian youth; provided further, that not less than $12,000,000 shall be expended for school nurses and school based health centers; provided further, that not less than $200,000 shall be expended for Berkshire Area Health Education Center, Inc. for support and implementation of model community coalitions and community capacity building activities; and provided further, that the services shall meet standards and eligibility guidelines established by the department of public health in consultation with the department of education $14,568,309

4590-0300 For smoking prevention and cessation programs; provided, that no funds shall be expended in the AA object class for any personnel-related costs $3,750,000

4590-0912 The department may expend not more than $14,630,014 from reimbursements collected for western Massachusetts hospital services; provided, that such revenues may be expended for the purpose of hospital-related costs, including personnel, capital expenditures, DD object class chargebacks and motor vehicle replacement; provided further, that all revenues expended shall be pursuant to schedules submitted to the secretary of administration and finance and the house and senate committees on ways and means; provided further, that notwithstanding any general or special law to the contrary, the western Massachusetts hospital shall be eligible to receive and retain full reimbursement from the medical assistance program of the executive office of health and human services; provided further, that notwithstanding any general or special law to the contrary, the western Massachusetts hospital shall reimburse the General Fund for a portion of employee benefit expenses, according to a schedule submitted by the commissioner of public health and approved by the secretary for administration and finance; provided further, that such reimbursement shall not exceed 10 per cent of total personnel costs for the hospital; provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, that no funds appropriated in this item shall be expended for administrative, space or

energy expenses of the department not directly related to personnel or programs funded in this item $14,630,014

4590-0913 For the department of public health Lemuel Shattuck hospital, for the purposes of funding expenses for services provided to inmates of county correctional facilities which have privatized medical care; provided, that the department may expend not more than $500,000 in revenues collected from private medical vendors; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $500,000

4590-0914 For a 3-year pilot program to promote the long term stability of direct care staffing and delivery of high quality care at the 4 public health hospitals by promoting the recruitment, retention and career advancement of direct care staff at said hospitals; provided, that the program may rely upon career path incentives, tuition and fee reimbursement, the purchase of training materials and contracted in-service training, internships and fellowships, web-based programs, agreements among said hospitals with the Commonwealth's public schools of nursing, and any other efforts that facilitate the pursuit of clinical competencies, higher degrees and advanced licensure, leadership and management skills, and other masteries that stabilize and enhance the delivery of patient care at the hospitals; provided further, that direct care employees of the departments of public health and mental health on the campuses of Lemuel Shattuck hospital, Tewksbury hospital, Western Massachusetts Hospital and the Massachusetts Hospital School shall be eligible for the program established in this section; provided further, that contracts of not less than 2 years' service at any of the hospitals shall be required of any direct care staff person benefiting from tuition reimbursement or other payment toward a degree from an institution of higher education funded by this item; provided further, that the program shall be managed by the hospital bureau of the department and may employ a program coordinator; provided further, that not more than $180,000 of the amount appropriated in this item may be expended for the salary and expenses of the program coordinator; provided further, that not more than $60,000 shall be expended for this purpose in any given year; provided further, that no expenditure shall be made from this item for the purpose of supplementing the wages paid to any such direct care staff; provided further, that the program shall file not less than 60 days before the end of the fiscal year a report summarizing objectives, strategies and achievements of the prior year; provided further, that the report shall make recommendations relative to the transferability of said accomplishments for implementation at other state-operated direct care facilities; and provided further, that the funds appropriated in this item shall be made available for expenditure through June 30, 2008 ..... $1,600,000

4590-0915 For the maintenance and operation of Tewksbury state hospital, Massachusetts hospital school, Lemuel Shattuck hospital, and for the hospital bureau, including the state office of pharmacy services; provided, that all revenue generated by the hospitals shall be credited to the General Fund; provided further, that no funds appropriated in this item shall be expended for administrative, space or energy expenses of the department not directly related to personnel or programs funded in this item; provided further, that Tewksbury state hospital shall not be used to house county, state, or other prisoners; provided further, that the department shall take no action to reduce or realign the client population and services at Tewksbury hospital unless such action results in alternative service delivery in an appropriate and cost-effective method of care; provided further, that staffing configurations at Tewksbury hospital shall be consistent with the client population and service

realignment; provided further, that Tewksbury hospital shall expend not less than $2,000,000 for the purpose of executing the Plan of Correction submitted by the department to the Center for Medicare and Medicaid Services; provided further, that not less than $1,000,000 shall be expended for capital needs of the hospitals; provided further, that $1,400,000 shall be made available for the purchase of medical and other equipment for the hospitals, including the Western Massachusetts hospital, pursuant to a schedule detailing the priority needs of each such hospital; provided further, that said schedule shall be filed by the hospital bureau with the house and senate committees on ways and means not later than September 1, 2005; provided further, that no such expenditures shall be made prior to the filing of the schedule; provided further, that the schedule shall be updated within six months of filing to reflect any changes made to those priorities; provided further, that upon making final expenditures from the amount appropriated in this item, the schedule shall be updated to reflect actual purchases and be accompanied by a 5 year equipment replacement and upgrade plan; provided further, that $275,000 shall be made available for the second of 6 annual TELP payments for a CT scanner procured for Lemuel Shattuck hospital; and provided further, that reimbursements received for medical services provided at the Lemuel Shattuck hospital to inmates of county correctional facilities not managed by private health care vendors shall be credited to item 4590-0903 of section 2B $120,176,151

OFFICE OF CHILDREN, YOUTH AND FAMILY SERVICES.

Department of Social Services.

4800-0015 For central and area office administration; provided, that the associated expenses of employees whose AA object class costs are paid from item 4800-1100 shall be paid from this item; provided further, that no funds shall be expended from this item for the compensation of unit 8 employees; provided further, that the department shall not place a child or adolescent referred by or discharged from the care of the department of mental health until the latter department forwards an assessment and recommendation as to whether the child or adolescent may be appropriately placed in foster care or, if due to severe emotional disturbance, is more appropriate for group care; provided further, that the department, in consultation with the department of mental health, shall establish guidelines to assist the latter department in making such assessments and recommendations; provided further, that unless otherwise authorized, all funds including federal reimbursements received by the department shall be credited to the General Fund; and provided further, not less than $1,000,000 shall be expended to hire additional staff needed to bring the department into compliance with regulations regarding foster care licensing, CORI checks, fair hearings, and any other finding of the April 14, 2005 audit $69,604,798

4800-0025 For foster care review services $2,688,606

4800-0036 For a sexual abuse intervention network program to be administered in conjunction with the district attorneys; provided, that each district attorney shall receive not less than the amount it received in the previous fiscal year for the sexual abuse intervention program $736,272

4800-0038 For stabilization, unification, reunification, permanency, adoption, guardianship, and foster care services provided by the department of social services; provided, that services funded through this item shall include shelter services, substance abuse treatment, family reunification networks, young parent programs, parent aides, education and counseling services, family preservation services, foster care, adoption and guardianship subsidies, tiered reimbursements used to promote the

foster care placement of children with special medical and social needs, assessment of the appropriateness of adoption for children in the care of the department for more than 12 months, protective services provided by partnership agencies, targeted recruitment and retention of foster families, respite care services, post-adoption services, support services for foster, kinship and adoptive families and juvenile firesetter programs; provided further, that any child who would have been eligible for a clothing benefit under regulations in place on January 1, 2005 shall receive a clothing benefit in fiscal year 2006; provided further, that not less than $7,000,000 shall be expended to ease the transition of certain children from group care into community settings; provided further, that these children shall receive the services necessary for their care and protection during the transition; provided further, that the department shall report to the house and senate committees on ways and means and the joint committee on children and families by March 15, 2006 on the utilization of the transitional funds and the progress of the implementation of the department's reprocured system of care; provided further, that not less than $2,200,000 shall be expended for the Young Parent Support Program; provided further, that not less than $500,000 shall be expended on the recruitment and retention of foster parents; provided further, that not later than February 17 of the current fiscal year the department shall provide to the house and senate committees on ways and means a recommendation on whether or not to discontinue any program, including earmarked programs, the cost of which, per unit of service or service outcomes, do not fall within a reasonable standard; provided further, that not less than $348,850 shall be expended for Latinas y Ninos and Casa Esperanza; provided further, that not less than $298,000 shall be expended for alternative schools for students aged 14 to 16, inclusive, who are placed before the court on child in need of services petitions in region 6; provided further, that not less than $295,000 shall be expended for Massachusetts Families for Kids; provided further, that not less than $257,000 shall be expended for the Laboure Center in South Boston; provided further, that not less than $250,000 shall be expended on a juvenile firesetters program; provided further, that not less than $200,000 shall be expended for a statewide contract with Northeastern University for a violence prevention and conflict resolution program; provided further, that not less than $200,000 shall be expended to support the family center component of the Greater Lowell Family Resource Center; provided further, that not less than $150,000 shall be expended in region 1 for a community-based family unification counseling program to prevent juvenile delinquency; provided further, that not less than $150,000 shall be expended for a contract with Julie's Family Learning program in South Boston; provided further, that not less than $140,000 shall be expended for the Comprehensive School Age Parenting Program, Inc. for expansion of a year-round school-based program in Boston high schools and middle schools for pregnant teens, young mothers and fathers and other youth at high-risk for school dropout; provided further, that not less than $130,000 shall be expended for the Children's Cove Cape and Islands Child Advocacy Center; provided further, that not less than $104,123 shall be provided for the school-age parenting project at Framingham High School; provided further, that not less than $100,000 shall be expended for the operation of the Healthy Families program; provided further, that not less than $60,000 shall be expended by the Framingham office of the department of social services for the Metrowest Campership program operated by the Ashland youth advisory board; provided further, that not less than $50,000 shall be expended for the purpose of providing case management services for the Amity Transitional Housing program in the city of Lynn; provided further, that not less than $45,000 shall be expended for a contract with Big Brothers and Sisters of Cape Cod and the Islands; and provided further, that not less than $15,000 shall be expended for a contract with child and family services of Cape Cod for the court diversion program $271,459,996

4800-0041 For group care services; provided, that funds may be expended from this item to provide intensive community based services to children who would otherwise be placed in residential settings; provided further, that the department shall form area review teams that shall evaluate the feasibility of maintaining the child in the community in this manner wherever possible before recommending placement in a residential setting; and provided further, that the department shall provide quarterly reports detailing the number of children diverted from residential settings, the programs in which they were placed, the associated cost savings from the diversion and any other measurements that would help assess the success of these programs in promoting the health and well-being of children $235,944,538

4800-0091 The department of social services may expend not more than $3,000,000 in federal reimbursements received under Title IV-E of the Social Security Act during fiscal year 2006 for the purposes of developing a training institute for professional development of social workers at the department of social services, with the University of Massachusetts Medical School and Salem State College; provided, that for the purposes off accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; provided further, that notwithstanding section 1 or any other general or special law to the contrary, federal reimbursements received in excess of $3,000,000 shall be credited to the General Fund; provided further, that no funds shall be expended from this item for lease-purchases or the Family-Net System; and provided further, that not more than $50,000 may be expended for information technology purchases needed for the institute $3,000,000

4800-0151 For a program to provide alternative overnight nonsecure placements for status offenders and nonviolent delinquent youths up to the age of 17 in order to prevent the inappropriate use of juvenile cells in police stations for such offenders, in compliance with the federal Juvenile Justice and Delinquency Prevention Act of 1974; provided, that the programs which provide such alternative nonsecure placements shall collaborate with the appropriate county sheriff's office to provide referrals of those offenders and delinquent youths to any programs within the sheriff's office designed to positively influence youths or reduce, if not altogether eliminate, juvenile crime $310,743

4800-1100 For the AA object class costs of the department's social workers; provided, that funds shall be directed toward mitigating social worker caseloads in those area offices furthest above the statewide weighted caseload standard and toward achieving a social worker caseload ratio of 18 to 1 statewide; provided further, that the department shall report monthly to the house and senate committees on ways and means on the current social worker caseloads by type of case and level of social worker assigned to cases, the caseload ratio of each social worker with a caseload ratio in excess of 18 to 1, the office in which each of the social workers works and the total number of social workers in excess of the 18 to 1 ratio by region; provided further, that only employees of bargaining unit 8 as identified in the Massachusetts personnel administrative reporting and information system shall be paid from this item; and provided further, that any other payroll or administrative expenses associated with the management or support of such employees shall be paid from item 4800-0015 ..... $136,297,301

4800-1400 For shelters and support services for people at risk of domestic violence; provided, that the department shall pursue the establishment of public-private partnership agreements established for family stabilization services funded from sources other than the commonwealth; provided further, that services shall include supervised

visitation programs, certified batterer intervention programs for indigent batterers and their families, and scattered site transitional housing programs, including programs to assist victims of domestic violence in finding and maintaining permanent housing; provided further, that participants in battered women's programs shall be provided with information regarding local transitional housing resources; provided further, that funding shall be made available to enhance counseling services for children who have witnessed domestic violence; provided further, that funding shall be made available for emergency shelters for substance abusing battered women; provided further, that funding shall be made available for a statewide domestic violence hotline; provided further, that not less than $500,000 shall be expended for the YWCA Battered Women's shelter in Springfield; provided further, that not less than $200,000 shall be expended for the women's shelter operated by SMOC of Massachusetts at the People in Peril shelter in the city of Worcester; provided further, that not less than $90,000 shall be expended for the New England Learning Center for Women in Transition Survivor's Project in Berkshire, Hampden, Franklin and Hampshire counties; provided further, that not less than $75,000 shall be expended for a domestic violence prevention program called Teens-At-Risk, operated by Portal of Hope for the communities of Everett, Lynn, Malden and Medford; provided further, that not less than $60,000 shall be expended for the Planned Learning Achievement for Youth program in Amherst, in collaboration with the department of education through an interagency service agreement; provided further, that not less than $50,000 shall be expended for the On the Rise shelter for homeless women in the city of Cambridge; provided further, that not less than $15,000 shall be expended for the Words not Weapons mentoring project in Saugus; provided further, that not less than $10,000 shall be expended for the Melrose Alliance Against Violence; and provided further, that domestic violence prevention specialists shall be funded from this item $20,430,496

OFFICE OF HEALTH SERVICES.

Department of Mental Health.

5011-0100 For the operation of the department; provided, that the department shall not refer or discharge a child or adolescent to the custody or care of the department of social services until the department of mental health forwards its assessment and recommendation as to whether the child or adolescent is appropriate for foster care or, if due to severe emotional disturbance, is more appropriate for group care $37,144,330

5042-5000 For child and adolescent services, including the costs of psychiatric and related services provided to children and adolescents, determined to be medically ready for discharge from acute hospital units or mental health facilities and who are experiencing unnecessary delays in being discharged due to the lack of more appropriate settings; provided, that for the purpose of funding those services, the commissioner of mental health may allocate funds from the amount appropriated in this item to other departments within the executive office of health and human services; provided further, that the department shall submit a report to the house and senate committees on ways and means not later than January 16, 2006 on the results of the collaboration between the department and the other departments within the executive office of health and human services; provided further, that the report shall detail the current status of the implementation of clinically appropriate service models for that population of children and adolescents, remaining disparities in the service system which require children and adolescents to be served in unnecessarily restrictive or otherwise clinically inappropriate settings and changes during fiscal years 2004 and 2005 in the clinical acuity of children and adolescents; provided further, that not less than $2,500,000 shall be expended for the Child Psychiatric Access project; and provided further, that not less than

$1,800,000 shall be expended from this item in fiscal year 2006 to ensure that a licensed practitioner or a licensed nurse administers medication to children and adolescents whose mental health services are delivered by public or private providers of such services $71,419,901

5046-0000 For adult mental health and support services; provided, that the department shall allocate funds in an amount not to exceed $5,000,000 from item 5095-0015, to this item, as necessary, pursuant to allocation plans submitted to the house and senate committees on ways and means 30 days prior to any such transfer, for residential and day services for clients formerly receiving care at department facilities; provided further, that $100,000 shall be expended for a jail diversion program in Framingham; provided further, that the department shall submit a report to the house and senate committees on ways and means no later than March 1, 2006 on the feasibility of expanding this diversion program to other regions of the commonwealth; provided further, that funds spent from this item for the purposes of research in fiscal year 2006 shall not be less than the amount spent in fiscal year 2005 for such purposes; provided further, that not less than $3,000,000 shall be expended for services for clients of the department who are aging into the adult system from the child/adolescent mental health system or other systems of care if the clients meet the clinical eligibility criteria of the department; and provided further, that the department shall report to the house and senate committees on ways and means no later than February 16, 2005 on the use of any funds expended for this purpose $293,277,097

5046-2000 For homelessness services; provided, that not less than $90,000 shall be expended for the provision of health services to the homeless and uninsured by Primary Care and Mental Health, Inc. located in the city of Lynn $22,210,686

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

5047-0001 For emergency service programs and acute inpatient mental health care services; provided, that the department shall continue an interagency service agreement with the executive office of health and human services for the purchase of services and for such other services as the agreement may provide including, but not limited to, acute inpatient care and diversionary services; provided further, that the most recent savings projection from the implementation of the agreement may be expended for community services in the MM object class of this item; and provided further, that the emergency service programs shall take all reasonable steps to identify and invoice the third party insurer of all persons serviced by the programs..... $31,482,359

5047-0002 The department of mental health may expend not more than $4,500,000 in revenue collected from services rendered in emergency programs and acute inpatient and diversionary settings on continuing care services in the community; provided, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $4,500,000

5055-0000 For forensic services provided by the department..... $6,050,905

5095-0015 For the operation of adult inpatient facilities, including the community mental heath centers; provided, that in order to comply with the Olmstead decision and to enhance care within available resources to clients served by the department, the department shall take steps to consolidate or close psychiatric hospitals managed by the department and shall endeavor within available resources to discharge clients residing in the inpatient facilities to residential services in the community when the following criteria are met: 1) the client is deemed clinically suited for a more integrated setting; 2) community residential service capacity and resources available are sufficient to provide each client with an equal or improved level of service; and 3) the cost to the commonwealth of serving the client in the community is less than or equal to the cost of serving the client in inpatient care; provided further, that any client transferred to another inpatient facility as the result of a facility closure shall receive a level of care that is equal to or better than the care that had been received at the closed facility; provided further, that no action to reduce the client population of the Worcester or Westborough facilities for the sole purpose of closing the hospital shall be undertaken, and no steps shall be taken to close the institution through attrition, layoffs or any other means until a study of the hospital building plan is completed and the General Court shall have approved the closure of Worcester State Hospital and Westborough State Hospital; and provided further, that the department may allocate funds in an amount not to exceed $5,000,000 from this item to item 5046-0000, as necessary, pursuant to allocation plans submitted to the house and senate committees on ways and means 30 days prior to any such transfer, for residential and day services for clients formerly receiving inpatient care at the centers and facilities $159,881,738

OFFICE OF DISABILITIES AND COMMUNITY SERVICES.

Department of Mental Retardation.

5911-1000 For the administration of the department of mental retardation; provided, that the department shall not charge user fees for transportation or community day services; and provided further, that the department shall not charge fees for eligibility determination for services provided by the department or for applications of requests for transfer of guardianship $12,799,349

5911-2000 For transportation costs associated with the adult services program; provided, that the department shall provide transportation on the basis of priority of need as determined by the department; provided further that not less than $109,522 shall be expended from this item for the Life Focus Center in the Charlestown section of the city of Boston $13,882,269

5920-1000 For the operation of regional and area offices of the department $53,490,519

5920-2000 For vendor-operated community-based residential adult services, including intensive individual supports; provided, that $9,520,000 shall be expended in annualized funding for turning 22 clients who began receiving the services in fiscal year 2004 pursuant to item 5920-5000 of section 2 of chapter 26 of the acts of 2003; provided further, that $8,250,000 shall be expended for the fiscal year 2004 annualized cost of the settlement agreement in Rolland v. Cellucci, and $5,000,000 shall be expended for the fiscal year 2005 cost of the settlement; provided further, that the commissioner of the department of mental retardation shall transfer funds from this item to item 5920-2010, as necessary, pursuant to an allocation plan, which shall detail by object class the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means 15 days prior to any such transfer; provided further, that not more than $5,000,000 shall be transferred from this item in fiscal year 2006; provided further, that not less

than $50,000 shall be expended for the Advocacy Resource Center in New Bedford to provide critical family support services in the area of community-based resident education for special needs children; provided further, that an additional $304,000 shall be expended on a contract with Work, Inc. for enhance or expanded services to clients; provided further, that not less than $500,000 shall be expended for Best Buddies Massachusetts ; provided further that not less than $100,000 shall be provided for GROW in Stoughton; and provided further, that not less than $100,000 shall be allocated for Special Olympics for the purpose of unified sports $499,591,126

5920-2010 For state-operated community-based residential services for adults, including community-based health services for adults; provided, that the department shall maximize federal reimbursement, whenever possible under federal regulation, for the direct and indirect costs of services provided by the employees funded in this item $119,556,581

5920-2020 For compliance with the terms of the Settlement Agreement, dated December 19, 2000, and entered into by the parties of Boulet v. Cellucci, Civil Action No. 99-CV-10617-DPW, filed in the United States District Court of Massachusetts in order to provide services to the clients of the department on the waiting list on July 14, 2000; provided, that notwithstanding paragraph 41 of the Settlement Agreement for Boulet, et al v. Cellucci, et al, civil action No. 99-CV-10617-DPW, United States District Court of Massachusetts, no amount appropriated in this item shall fund attorneys' fees for this action $85,614,227

5920-2025 For community-based day and work programs for adults and for $2,720,000 in annualized funding for Turning 22 clients who began receiving services in fiscal year 2004 pursuant to item 5920-5000 of section 2 of chapter 26 of the acts of 2003; provided, that not less than $302,000 shall be expended for the life focus center in the Charlestown section of the city of Boston, including an alternative work program..... $113,106,979

5920-3000 For respite services and intensive family supports and for $1,360,000 in annualized funding for Turning 22 clients who began receiving services in fiscal year 2004 pursuant to item 5920-5000 of section 2 of chapter 26 of the acts of 2003; provided, that the department shall pursue the highest rates of federal reimbursement possible for such services..... $51,289,967

5920-3010 For contracted support services for families with autistic children through the autism division at the department of mental retardation; provided, that not less than $200,000 shall be expended for the purposes of a contract with Melmark New England to provide training and support to families, educational collaboratives and public school districts on methods for coping with behavioral challenges associated with children who have autism spectrum disorders $1,000,000

5920-5000 For services for clients of the department who turn 22 years of age during state fiscal year 2005; provided, that the amount appropriated herein shall not annualize to more than $13,600,000 in fiscal year 2007 ..... $6,467,670

5930-1000 For the operation of facilities for the mentally retarded, including the maintenance and operation of the Glavin Regional Center; provided, that in order to comply with the provisions of the Olmstead decision and to enhance care within available resources to clients served by the department, the department shall take steps to consolidate or close intermittent care facilities for the mentally retarded, hereinafter "ICF/MRs", managed by the department and shall endeavor, within available resources, to discharge clients residing in the ICF/MRs to residential services in the community if the following criteria are met: (1) the client is deemed clinically

suited for a more integrated setting; (2) community residential service capacity and resources available are sufficient to provide each client with an equal or improved level of service; and (3) the cost to the commonwealth of serving the client in the community is less than or equal to the cost of serving the client in ICF/MRs; provided further, that any client transferred to another ICF/MR as the result of a facility closure shall receive a level of care that is equal to or better than the care that had been received at the closed ICF/MR; provided further, that the department shall report to the joint committee on human services and the house and senate committees on ways and means on the progress of this initiative, including both past actions and proposed future actions; provided further, that the report shall include progress on the plan for the closure of the Fernald Developmental Center; provided further, that the report shall include: the number of clients transferred from facility care into the community, the community supports provided to clients discharged from facility care into the community and the current facility bed capacity relative to the number of clients in ICF/MRs managed by the department; provided further, the report shall also include steps being taken to help minimize increases in travel distances for family members visiting clients at ICF/MRs resulting from the transfer of clients from one ICF/MR to another; provided further, that the department shall submit the report no later than February 15, 2006; provided further, that the Fernald Development Center shall not be closed before October, 2005 to ensure adequate community, client, and family member input into the closure planning process; provided further, that the department of mental retardation shall submit a plan regarding the closure of the Fernald State School by January 1, 2006 to the house and senate committees on ways and means; provided further, that the plan shall detail the transition of clients from the school to appropriate settings; provided further, that the plan shall include consideration for the transition of employees of the school into community setting with their clients in order to ensure continuity of service wherever possible; provided further, that the plan shall be subject to the approval of the house and senate committees on ways and means; provided further, that the department may allocate funds from this item to items 5920-2000, 5920-2010, and 5920-2025, as necessary, pursuant to allocation plans submitted to the house and senate committees on ways and means 30 days before the transfer, for residential and day services for clients formerly receiving inpatient care at ICF/MRs; and provided further, that the department shall maximize federal reimbursement, whenever possible under federal regulation, for the direct and indirect costs of services provided by the employees funded in this item $165,986,286

5982-1000 The department of mental retardation may expend not more than $100,000 accrued through the sale of milk and other farm-related and forestry products at the Templeton Developmental Center for program costs of the center, including supplies, equipment and maintenance of the facility; provided, that notwithstanding any general or special law to the contrary and for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefore as reported in the state accounting system $100,000

EXECUTIVE OFFICE OF TRANSPORTATION.

Office of the Secretary.

6000-0100 For the office of the secretary of transportation; provided, that the office shall collaborate with the department of transitional assistance in its efforts to develop a program of transportation services for current and former recipients of the transitional aid to families with dependent children program pursuant to item 4401-

1000; provided further, that the office shall submit to the joint committee on transportation and the house and senate committees on ways and means monthly reports detailing projects funded through the statewide transportation improvement program including, but not limited to, the location of the projects, the cost of the projects, the date of advertisement of the projects, the commencement date of the projects, the projected completion date of the projects and the source of funds for the projects; provided further, that the office shall also provide the committees with quarterly reports detailing construction and reconstruction projects on town and county ways as described in paragraph (a) of clause (2) of the first paragraph of section 34 of chapter 90 of the General Laws for which municipalities are projected to seek, have filed claims or have been paid state reimbursement; provided further, that a city or town shall comply with the procedures established by the secretary to obtain the necessary information to produce the reports; provided further, that the reports shall include, but not be limited to, the cost of the projects by city or town, the source of funding of the projects by city or town and the commencement and completion dates of the projects by city or town; provided further, that the secretary of the executive office of transportation, in collaboration with the commissioner of highways, shall file a report each year with the joint committee on transportation and the house and senate committees on ways and means by June 30, 2006 and the last day of each subsequent fiscal year; provided further, that the report shall include spending in the commonwealth through the statewide road and bridge program, the Chapter 90 program, the Small Town Road Assistance Program and all other programs expending funds for road and bridge projects within the commonwealth; provided further, that the report shall detail the location of the project by city or town, a brief project description, the project cost, the expected completion date, the source of funding and any other information deemed necessary; provided further, that the office shall submit to the house and senate committees on ways and means quarterly reports detailing all personnel-related expenditures made from capital funds; provided further, that the reports shall delineate for the executive office and for each agency, board, authority or commission under its control, the amounts paid in the prior quarter as compensation for each type of position assigned to capital projects that were charged to each such funding source; provided further, that the reports shall also delineate by funding source any other amounts paid for personnel-related costs that were charged to those funds, including payroll allocations for budgetary employees, fringe recovery and other chargebacks; provided further, that the reports shall identify the number of full time equivalent personnel classified in each position type; provided further, that the reports shall list all employees who are paid from this item and items 6010-0002 and 6006-0003 who also receive payments from any capital funds; provided further, that the reports shall include for each of those employees how much money the employees receive from the items and how much money each employee receives from any capital funds; provided further, that the reports shall delineate the information for full-time employees, part-time employees and contracted personnel; and provided further, that agencies within the executive office may, with the prior approval of the secretary, streamline and improve administrative operations pursuant to interdepartmental service agreements $204,158

Highway Fund 100.0%

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

6000-0200 For the inter-district transportation program; provided, that this program shall include

routes currently serviced through the inter-district transportation program including, but not limited to, bus routes Lift 5 and 6, so-called; provided, that the program shall be administered by the executive office of transportation; provided further, that the executive office of transportation shall negotiate an extension of all existing contracts for fiscal year 2006; provided further, that before the execution of the extensions, and at the end of fiscal year 2006, the executive office shall request and each contractor shall provide all necessary books, materials, records and other compilations of data from each contractor to establish the appropriate state subsidy associated with each bus route; provided further, that the amount of this item shall not exceed $2,100,000 annually; and provided further, that the compilations of data shall be made available to the senate and house committees on ways and means and the joint committee on transportation $2,000,000

General Fund 80.0%
Highway Fund 20.0%

6005-0015 For certain assistance to the regional transit authorities, including operating grants and reimbursements to increase the accessibility of transit provided to the elderly and disabled under the mobility assistance program, the regional transit authority program, and the inter-city bus capital assistance program; provided, that the commonwealth, acting by and through the executive office for administration and finance, for the period beginning July 1, 2005 and ending June 30, 2006, may enter into contracts with the authorities; provided further, that notwithstanding section 152A of chapter 161, and section 23 of chapter 161B of the General Laws, the amount shall be at least 50 per cent and up to 75 per cent of the net cost of service of each authority incurred in fiscal year 2005 shall be paid by the commonwealth, and shall not be assessed upon the cities and towns constituting the authorities; provided further, that the share assessed upon the cities and towns shall be at least 25 per cent of the net cost of service; provided further, that in the event that 25 per cent of the net cost of service of each authority exceeds 102.5 per cent of the previous year's local assessment, excluding payments made by cities and towns for the costs of new service, for which the cities and towns have not previously been assessed, as allowed by chapter 580 of the acts of 1980, the regional transit authority shall reduce its operating expenses or increase its revenues to meet the difference; provided further, that operating expenditures of each of the regional transit authorities for fiscal year 2006 shall not exceed 102.5 per cent of its operating expenditures for fiscal year 2005; provided further, that for the purposes of this item, operating expenditures shall not include federal, private or additional municipal non-state revenue sources or any expenses arising from the provision of services required by the Americans with Disabilities Act, or new services implemented after July 1, 1999 in an amount not to exceed a total of $3,613,905 for the 15 regional transit authorities; provided further, that the new services must have first received approval of the appropriate regional transit authority advisory board; provided further, that not less than 25 per cent of the net cost of service of the new services shall be assessed to the cities and towns of the appropriate transit authority, as detailed previously in this item; provided further, that each regional transit authority which provides the new services must file a report with the house and senate committees on ways and means and the joint committee on transportation, detailing the total costs and revenues associated with the new service; provided further, that the cost of the new services shall not annualize to more than $3,613,905; provided further, that not later than January 1, 2006, each of the 15 regional transit authorities shall submit to the house and senate committees on ways and means a report detailing any and all revenues collected as a result of services provided pursuant to item 4401-1000; provided further, that the executive office of transportation shall work cooperatively with the authorities and other public and

private funding sources to maximize new revenues sources to expand transit services; provided further, that the authorities and the executive office of transportation shall develop processes and procedures for contracts for services with other state agencies; provided further, that the executive office of transportation and the authorities shall develop a 5-year transit plan for operational and capital objectives that the parties may measure against and plan toward and shall file the plan with the house and senate committees on way and means no later than April 1, 2006; provided further, that the executive office of transportation and the authorities shall work cooperatively to implement multi-year contracting for regional transit authority capital projects, particularly for construction projects and other multi-year commitments of the authorities; provided further, that the regional transit authorities shall implement structural, managerial and administrative reforms in order to achieve cost savings in services provided by the authorities; provided further, that the reforms shall include, but not be limited to, improved financing procedures for capital needs, approved plans for short- and long-term service, a coordinated program of mass transportation for the regional transit authorities that provides standards of service for the authorities for types of service, passenger miles, hours of service, cost of service by route and mile and passenger, non-transportation revenue and system revenue generating options included, but not limited to, fare revenue and advertising revenue, assessments on member cities and towns, net operating investment per passenger-mile ratio and service quality standards; provided further, that the program shall involve an approach to service coordinated with the Massachusetts Bay Transportation Authority and other transit providers in order to achieve maximum efficiency of regional transit authority service routes; provided further, that all regional transit authorities shall achieve the fare and/or revenue recovery ratio of 40 per cent within 24 months from the effective date of chapter 149 of the acts of 2004; and provided further, that the Massachusetts Association of Regional Transit Authorities shall, on or before November 15, 2005, report to the joint committee on transportation and the house and senate committees on ways and means on the operations of the authorities in the first half of fiscal year 2006, and focus the report on the reforms and improvements..... $49,182,640

General Fund 80.0%
Highway Fund 20.0%

Massachusetts Aeronautics Commission.

6006-0003 For the administration of the commission, including the expenses of the commissioners $524,922

Department of Highways.

6010-0001 For personnel costs of the department of highways, for certain administrative and engineering expenses and equipment of the highways commission, the office of the commissioner of highways, the division of administrative services, highway engineering, highway maintenance, highway construction, the outdoor advertising board, district and other highway activity offices, materials, supplies, fleet maintenance and equipment, general maintenance and equipment and the maintenance and operation of state highways and bridges, and for the costs associated with the global positioning system program; provided, that no expenditures shall be made from the AA object code; provided further, that notwithstanding any general or special law to the contrary, the department may expend from capital authorizations amounts necessary to cover operational costs of the department in excess of amounts appropriated in this item to ensure that adequate staffing levels are maintained to support the services and programs offered

by the department; provided further, that the department shall develop a plan that, by June 30, 2007, shall phase into the budgetary appropriation all personnel costs transferred to capital authorizations since June 30, 2002; provided further, that such plan be reported to the house and senate committees on ways and means by December 31, 2005; provided further, that the department shall file quarterly reports with the house and senate committees on ways and means detailing all amounts expended on bond-funded capital projects under the jurisdiction of the department, and for all administrative and personnel expenses of the department charged to such bonds; provided further, that the reports shall be filed not later than 30 days after the end of each quarter; provided further, that notwithstanding any administrative bulletin or general or special law to the contrary, the department shall not pay any fees charged for the leasing or maintenance of vehicles to the division of operational services; provided further, that the department shall not be subject to section 36A of chapter 30 of the General Laws and section 22 of chapter 7 of the General Laws, but shall submit to the secretary of transportation for approval requests to repair vehicles costing in excess of the limit set forth in said section 22 of said chapter 7; provided further, that the costs of routine highway maintenance in contract areas 1A, 1B, 2A, 2B, 3A, 3B, 3C, 4A, 4B, 4C, 4D, 5A, 5B, and 5C and for costs associated with police services and overtime within the areas shall be paid from this item; provided further, that $90,000 shall be made available for all contractual contingency costs associated with highway maintenance in said areas; and provided further, that the department shall submit quarterly reports to the house and senate committees on ways and means detailing for each contract area expenditures for the costs of contractual contingency fees, personnel, police services, overtime, materials, and vehicle repair $15,281,640

Highway Fund 100.0%

6010-0002 For AA object class payroll costs of item 6010-0001; provided, that the funds appropriated in this item shall be the only source of funding for all overtime expenses associated with the department's snow and ice control efforts $19,275,956

Highway Fund 100.0%

6010-0003 For the purpose of accepting on behalf of the commonwealth revenue generated from promotional programs, to be used for the management of that program and for maintenance costs $7,000,000

Highway Fund 100.0%

6030-7201 For the cost of hired and leased equipment, vehicle repair, and sand, salt, and other control chemicals used for snow and ice control; provided further, that $20,000 shall be expended for conducting an environmental assessment and developing a remediation plan to address the ongoing pollution of drinking water in the town of Andover due to the presence of a salt storage depot in that town $20,000,000

Registry of Motor Vehicles.

8400-0001 For the administration and operation of the registry of motor vehicles, including the title division and including all rent and related parking and utility expenses of the registry; provided, that the positions of administrative assistant to the registrar, legislative assistant, executive assistant to the registrar and the director of employee relations shall not be subject to civil service laws and rules; provided further, that all expenditures related to computer automation shall be subject to satisfactory quarterly reviews by the information technology division and pursuant to schedules

by the division; provided further, that 40 per cent of the costs of personnel services associated with the registry computer, which reflects the proportionate use of the computer by the merit rating board, shall be assessed to insurance companies doing motor vehicle insurance business within the commonwealth, pursuant to section 183 of chapter 6 of the General Laws; provided further, that the registry may operate a full-service branch in the town of Southbridge; provided further, that the registry shall operate an office in the city of Fall River; provided further, that not less than $110,000 shall be expended to operate a license express office in the city of Lynn; provided further, that the registry may operate a full service office in the town of Milford to be operated 5 days a week; provided further, the registry shall operate a license express office in the town of Walpole; provided further, that the registry shall operate a license express office in the town of Falmouth; provided further, that the registry may operate a full-service office in the city of Lowell; provided further, that the registry may operate a license express office in the Grove Hall neighborhood in the city of Boston; provided further, that the registry shall operate an office in the city of Taunton and the town of Plymouth which shall handle license business, learner's permits, road testing and full service registration business to the general public; provided further, that the registry shall establish and maintain a record of all vehicles leased within the commonwealth for a period longer than 30 days; provided further, that the record shall include, but not be limited to, the names and addresses of the lessor and the lessee; provided further, that the registry shall take all steps necessary to improve customer service within existing resources; and provided further, that the registry may operate within the Springfield branch a one-stop international registration plan office for truck registrations to serve the counties of Hampden, Hampshire, Franklin and Berkshire $46,598,649

Highway Fund 100.0%

8400-0016 For the operation of the motorcycle safety program $185,691

8400-0024 Notwithstanding section 2 of chapter 280 of the General Laws, the registry of motor vehicles may expend not more than $3,000,000 of revenue collected pursuant to chapter 90C of the General Laws from assessments for civil motor vehicle infractions; provided, that the amount of this expenditure shall be subtracted from the amount that otherwise would be credited to the Highway Fund pursuant to said section 2 of said chapter 280 and shall not affect nor alter the amounts of payments made to cities and towns pursuant to said section 2 of said chapter 280; provided further, that the registry of motor vehicles shall work with the office of the state comptroller to participate in the state's intercept program; and provided further, that no costs payable in the AA object class shall be charged to this item..... $3,000,000

8400-0033 The registry of motor vehicles may expend revenues collected up to a maximum of $3,500,000 from the fees charged for driver record access, operating under the influence reinstatement and registration reinstatement; provided, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the registry may incur expenses and the comptroller may certify for payments amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; provided further, that all expenditures related to computer automation shall be subject to satisfactory quarterly reviews by the information technology division and pursuant to schedules prepared by the division; provided further, that 40 per cent of the costs of personnel services associated with the registry computer, which reflects the proportionate use of the computer by the merit rating board, shall be assessed to insurance companies doing motor vehicle insurance business within the commonwealth, pursuant to section 183 of chapter 6 of the General Laws; and

provided further, that no costs payable in the AA object class shall be charged to this item $3,500,000

8400-0222 The registry of motor vehicles may expend not more than $3,500,000 from revenues collected from registry renewal fees for the purpose of maintaining registry services $3,500,000

Board of Library Commissioners.

7000-9101 For the operation of the board of library commissioners $985,720

7000-9401 For state aid to regional public libraries; provided, that the board of library commissioners may provide quarterly advances of funds for purposes authorized by clauses (1) and (2) of section 19C of chapter 78 of the General Laws, as it considers proper, to regional public library systems throughout each fiscal year, in compliance with the office of the comptroller's regulations on state grants, 815 CMR 2.00; provided further, that notwithstanding section 19C of said chapter 78 or any other general or special law to the contrary, the Boston public library shall, as the library of last recourse for reference and research services for the commonwealth, be paid from this item an amount equal to $1.06 per resident in the commonwealth; and provided further, that notwithstanding any general or special law to the contrary, in calculating the fiscal year 2006 distribution of funds appropriated herein, the board of library commissioners shall employ population figures used to calculate the fiscal year 2005 distribution $14,980,361

7000-9402 For the talking book library at the Worcester public library $325,000

7000-9406 For the Braille and talking book library at Watertown, including the operation of the machine lending agency; provided, that not less than $50,000 shall be expended for the National Federation of the Blind Newsline Program $1,978,550

7000-9501 For state aid to public libraries; provided, that notwithstanding any general or special law to the contrary, no city or town shall receive any money under this item in any year when the appropriation of the city or town for free public library services is below an amount equal to 102.5 per cent of the average of the appropriations for free public library service for the three years immediately preceding; provided further, that notwithstanding any general or special law to the contrary, the board of library commissioners may grant no more than 55 additional waivers in excess of the waiver limit set forth in the second paragraph of section 19A of chapter 78 of the General Laws in fiscal year 2006 for a period of not more than 1 year; provided further, that notwithstanding any general or special law to the contrary, of the amount by which this item exceeds the amount appropriated in chapter 194 of the acts of 1998, funds shall be distributed under the guidelines of the municipal equalization grant program and under the guidelines for the library incentive grant program; and provided further, that any payment made under this item shall be deposited with the treasurer of the city or town and held as a separate account and shall be expended by the public library of such city or town without appropriation, notwithstanding any general or special law to the contrary $8,539,844

7000-9506 For the technology and automated resource sharing networks $2,000,000

EXECUTIVE OFFICE OF ECONOMIC DEVELOPMENT.

Office of the Secretary.

7002-0010 For the office of the secretary of the executive office of economic development;

provided, that agencies within the executive office may, with the prior approval of the secretary, streamline and improve administrative operations pursuant to interdepartmental service agreements $398,808

7002-0012 For a summer jobs youth-at-risk program targeted at reducing juvenile delinquency in high risk areas of the commonwealth; provided, that $500,000 of these funds shall be matched by private organizations $4,000,000

Department of Labor.

7002-0200 For the operation of the division of occupational safety; provided, that the division may employ staff not subject to chapter 31 of the General Laws for a program to evaluate asbestos levels in public schools and other public buildings; and provided further, that funds shall be expended from this item for the GG subsidiary costs of the board of conciliation and arbitration, the division of apprentice training, the labor relations commission and the division of occupational safety $2,336,350

7002-0201 The division of occupational safety may expend an amount not to exceed $152,850 received from fees authorized pursuant section 3A of chapter 23 of the General Laws $152,850

7002-0500 For the operation and administrative expenses of the division of industrial accidents; provided, that not less than $800,000 shall be expended for occupational safety training grants; provided further, that said division shall submit a report not later than February 1, 2006 to the house and senate committees on ways and means detailing the scope, objective and results of grant recipients' safety training program; provided further, that the General Fund shall be reimbursed the amount appropriated in this item and for associated indirect and direct fringe benefit costs from assessments levied pursuant to section 65 of chapter 152 of the General Laws; provided further, that the division shall assign a judge to hear cases in the county of Berkshire not less than once a month; and provided further, that the treasurer may release to the division, subject to adequate and appropriate documentation of the need, to the workers' compensation advisory council and the affirmative vote of at least 7 members of the workers' compensation advisory council, sufficient funds from the special reserve account established in clause (c) of subsection (4) of said section 65 of said chapter 152 to pay for expenses to continue expansion of the conversion of the agency's computer system from unify to oracle $19,788,445

7002-0600 For the operation of the labor relations commission $832,701

7002-0700 For the operation of the joint labor management committee for municipal police and fire $530,126

7002-0800 For the operation of the board of conciliation and arbitration $768,337

Department of Workforce Development.

7002-0100 For the administration of the department of workforce development, including the divisions under the control of the department; provided, that on January 4, 2006 the director of the department of workforce development shall submit to the house and senate committees on ways and means a comprehensive report describing in detail the job training services, including labor exchange, skills training and remedial education services related thereto which have been provided during the course of

the fiscal year in the commonwealth, describing the systems for delivery of these services, describing the costs of the services and the sources of revenue for the services $153,117

7002-0101 For the operation of the apprentice training program; provided, that no position in the apprentice training division shall be subject to chapter 31 of the General Laws; provided further that, an apprentice identification card shall contain the photograph of the apprentice, the apprentice registration number or such other number as the deputy director requires, the name and business address of the appropriate apprenticeship committee or single employee sponsor, the steps of progression and related dates applicable to the apprentice, and the projected date on which the apprentice is projected to complete the apprenticeship; provided further, that as a condition of his apprenticeship the apprentice shall keep the apprentice identification card on his person during his hours of employment during the apprenticeship; provided further, that any apprentice performing work on a project or projects subject to this item shall maintain in his possession an apprentice identification card; provided further, that any apprentice who is determined by the deputy director to be un-enrolled in related classroom instruction classes shall be paid at the journey level rate for the duration of the public works project or projects; and provided further, that for every week in which an apprentice is employed by a contractor, subcontractor, or public body subject to this section, a photocopy of the apprentice's apprentice identification card, shall be attached to the records submitted under this item $419,961

7003-0604 For the career ladder grant program in long-term care established pursuant to section 410 of chapter 159 of the acts of 2000; provided, that grants shall be available for certified nurses' aides, home health aides, homemakers and other entry level workers in long-term care; provided further, that the grants may include training for English for speakers of other languages and other language and adult basic education programs to improve quality of care and improve direct care worker access to and participation in career ladder training; provided further, that the length of such grants shall not exceed a period of 3 years; provided further, that the Commonwealth Corporation shall submit quarterly reports to the house and senate committees on ways and means on said grant program including, but not limited to, the number of grants awarded, the amount of each grant, a description of the career ladder programs, changes in care-giving and workplace practices that have occurred and their impact on quality of care and worker retention and the certificates, degrees or professional status attained by each participating employee; provided further, that the administrative and program management costs for the implementation of the grant program shall not exceed 4 per cent of the amount appropriated in this item; and provided further, that each grant may include funding for technical assistance and evaluation $1,500,000

7003-0605 For the operation and maintenance of the Massachusetts Manufacturing Extension Partnership for the purpose of maintaining and promoting manufacturing as an integral part of the Massachusetts economy $850,000

7003-0701 For grants and technical assistance administered by the department of workforce development, pursuant to section 2RR of chapter 29 of the General Laws and for the cost of collecting the assessment established in section 14L of chapter 151A of the General Laws; provided, that the department of workforce development shall provide a report on the grants and technical assistance programs authorized herein detailing the firms receiving grants, by number of employees, revenues, and industry, to the house and senate ways and means committee by January 15, 2006; provided further, that the report shall include specific measures of how grant

recipients were able to increase job growth, retention rates, and productivity as a result of the grants; provided further, that the report shall include measures of whether training participants received promotions and increased incomes as a result of training; provided further, that not more than $3,000,000 shall be expended for direct technical assistance pursuant to clause (2) of subsection (b) of said section 2RR of said chapter 29; provided further, that of said $3,000,000, not less than $75,000 shall be provided to the Workforce Investment Board Association to support the activities of business, labor, education, youth councils, and community members in leading regional workforce development systems; provided further, that of said $3,000,000, each of the 16 workforce investment boards shall receive $75,000 in fiscal year 2006; provided further, that of said $3,000,000, each of the boards shall receive $20,000 for youth councils; and provided further, that the director shall demonstrate that each dollar expended generates not less than $5 in private investment in job training $21,000,000

Workforce Training Fund 100.0%

7003-0702 For grants to be administered by the department of workforce development; provided, that not less than $900,000 shall be expended on the Massachusetts Service Alliance; provided further, that not less than $400,000 shall be expended on the Commonwealth Corporation; provided further, that not less than $300,000 shall be expended to provide employment, training and job placement by Year Up of Boston; provided further, that not less than $300,000 shall be expended for a hospital skill training program operated by the Commonwealth Corporation; provided further, that not less than $250,000 shall be expended on the Acre Urban Revitalization project in the city of Lowell; provided further; that not less than $250,000 shall be expended for the Center for Women & Enterprise; provided further, that not less than $250,000 shall be expended on the Jackson-Appleton-Middlesex plan in the city of Lowell; provided further, that not less than $250,000 shall be expended for education, career development and employment service programs operated by the Urban League of Massachusetts; provided further, that not less than $250,000 shall be expended to support the Technology Initiative of the Metro South/West Regional Employment Board for the development of the Technology Centers of Excellence serving the region's youth and business but the grant shall require a 200 per cent match from the private sector; provided further, that not less than $200,000 shall be expended on the welfare-to-work employment mentoring program to be operated by the Jewish Vocational Service and the Women’s Union in the city of Boston; provided further, that not less than $200,000 shall be expended to the Western Massachusetts Enterprise Fund; provided further, that not less than $200,000 shall be expended on the Southeastern Economic Development Corporation's microenterprise programs as a supplemental match to conduct an entrepreneurial training and technical assistance program for support of emerging high-growth microenterprises that are owned by or employ income-eligible residents; provided further, that not less than $195,000 shall be expended for 3 full-time equivalent rapid response labor specialists at the Massachusetts AFL-CIO; provided further, that not less than $150,000 shall be expended for a Farm Workers' Council serving low income people and the Hispanic population in western Massachusetts; provided further, that not less than $139,500 shall be expended for Just-a-Start Corporation to provide training for entry level employment in the biotech and medical fields for 30 unemployed or displaced workers, or persons receiving benefits from transitional aid to families with dependent children; provided further, that not less than $135,000 shall be expended for incumbent worker coordinators at the Massachusetts AFL-CIO; provided further, that not less than $127,000 shall be expended for the employee involvement and ownership program; provided further, that not less than $105,000 shall be made available to the E-Team Machinist Program in the city of Lynn; provided further,

that not less than $100,000 shall be provided to the Workforce Investment Association of Ma, Inc. for the purpose of assisting administrators, career center directors, and fiscal agents; provided further, that not more than $100,000 shall be expended for both the Reunion Center in the town of Easthampton and the Easthampton Youth Entrepreneurship Project; provided further, that not less than $100,000 shall be expended for the Hispanic Chamber of Commerce in the city of Holyoke; provided further, that not less than $100,000 shall be expended for the MetroWest/495 Corridor Partnership, as successor to the I-495 Technology Initiative; provided further, that not less than $95,000 shall be expended for the Mature Workers Program of the Cape and Islands Workforce Investment Board; provided further, that not less than $90,000 shall be expended for Centro Latino de Chelsea to provide workforce training, educational services and other transitional services in the city of Chelsea; provided further, that not less than $75,000 shall be expended for the Martin Luther King, Jr. Business Empowerment Center in the city of Worcester; provided further, that not less than $50,000 shall be expended for the Allston-Brighton vocational adjustment center for the continued operation of a job training and placement center; and provided further, that not less than $7,500 shall be provided for the Bonnie Brae Camp in the city of Gardner $5,649,500

Workforce Training Fund 100.0%

7003-0803 For the one-stop career centers; provided, that not less than $2,750,000 shall be expended for the one-stop career centers that were in existence on May 1, 1997, located in the Boston, Hampden county and the metro north service delivery areas and any satellite offices thereof which opened on or before December 1, 1997; provided further, that each career center shall inform unemployed or underemployed recipients of transitional aid to families with dependent children benefits who seek assistance from the center of the full range of education and training programs that are available to them, the availability of jobs in the professions for which the programs prepare participants, and the average wage rates in the professions within the commonwealth; provided further, that such information shall encompass certified nurses aide training programs, job availability and wage rates; and provided further, that not less than $1,000,000 shall be expended for 1-stop career centers that opened after January 1, 1999 ..... $4,000,000

Department of Housing and Community Development.

7004-0000 For the commonwealth development coordinating council $246,270

7004-0001 For the Indian affairs commission; provided, that not less than $100,000 shall be expended for the development of a Native American Institute to be developed in conjunction with the Massachusetts Commission on Indian Affairs and Tribal Leaders in Massachusetts $198,449

7004-0099 For the operation of the department of housing and community development; provided, that notwithstanding any general or special law to the contrary, the department may make expenditures for the purposes of the department against federal grants for certain direct and indirect costs pursuant to a cost overhead allocation plan approved by the comptroller; provided further, that the comptroller shall maintain an account on the Massachusetts management accounting and reporting system for the purpose of making such expenditures; provided further, that expenditures made against the account shall not be subject to appropriation and may include the cost of personnel; provided further, that notwithstanding any general or special law, rule, or regulation to the contrary, the department of housing and community development may conduct annual verifications of household income levels based upon state tax returns for the purposes of administering the

state and federal housing subsidy programs funded in items 7004-9005, 7004-9009, 7004-9014, 7004-9019, 7004-9020, 7004-9024, 7004-9030 and 7004-9033; provided further, that as a condition of eligibility or continued occupancy by an applicant or a tenant, the department may require disclosure of the social security number of an applicant or tenant and members of such applicant's or tenant's household for use in verification of income eligibility; provided further, that the department may deny or terminate participation in subsidy programs for failure by an applicant or a tenant to provide a social security number for use in verification of income eligibility; provided further, that the department may also consult with the department of revenue, the department of transitional assistance or any other state or federal agency which it deems necessary to conduct such income verification; provided further, that notwithstanding any general or special law to the contrary, such state agencies shall consult and cooperate with the department and furnish any information in the possession of the agencies including, but not limited to, tax returns and applications for public assistance or financial aid; provided further, that for the purposes of conducting such income verification, the director of the department may enter into an interdepartmental service agreement with the commissioner of revenue to utilize the department of revenue's wage reporting and bank match system for the purpose of verifying the income and eligibility of participants in such federally assisted housing programs and that of members of the participants' households; provided further, that for the purposes of clarification only, notwithstanding section 12 of chapter 490 of the acts of 1980, the department may authorize neighborhood housing services corporations to retain, re-assign, and reloan funds received in repayment of loans made pursuant to the neighborhood housing services rehabilitation program; provided further, that no less than $20,000 shall be expended for Methuen-Arlington Neighborhood, Inc.; provided further, that not less than $95,000 shall be expended for the West Broadway Housing Task Force for the purposes of tenant services; provided further, that $100,000 shall be expended for the Pleasant Street Neighborhood Network in Worcester; provided further, that no less than $50,000 shall be expended for the continued operation of computer technology centers at the Commonwealth Housing Development and the Jackson Mann Community Center; provided further, that not less than $100,000 shall be expended for the Indian Orchard Business Partnership; provided further, that not less than $150,000 shall be expended for the Hungry Hill Development Corporation in the city of Springfield; provided further, that $25,000 shall be expended for the Allston-Brighton Community Development Corporation; provided further, that not less than $25,000 shall be expended for one staff position for the Beverly Affordable Housing Coalition; provided further, that $100,000 shall be expended for the Springfield Neighborhood Housing Services, Inc.; provided further, that not less than $10,000 shall be expended for the Turning Point Day Resource Center for the Homeless in the town of Wareham; provided further, that not less than $100,000 shall be expended for Neighbors in Need in Lawrence; provided further, that $200,000 shall be expended on technical assistance for smart growth administration; provided further, that $100,000 shall be expended for the design phase of the Pembroke Council of Aging; provided further, that not less than $100,000 shall be made available for case management services for indigent households residing in subsidized affordable rental housing in southeastern Massachusetts owned and operated by a not-for-profit organization; provided further, that the department of housing and community development shall file a report with the house and senate committees on ways and means no later than March 1, 2006 relative to data collection for affordable housing; provided further, that the report shall include current, accurate and detailed information on the residents of the state’s assisted housing; provided further, that the department shall gather, compile and distribute data regarding the resources for and beneficiaries of housing permitted, constructed, preserved or otherwise financed with state assistance, including privately-owned

housing with public subsidy, and also including federal funds administered by the state; provided further, that this data shall include but not be limited to location of housing, type of housing, number of bedrooms, accessibility, size of family, age and number of children, income level of households, and race and ethnicity of those occupying the housing; and provided further, that this information shall be collected for comparison of racial composition and income distribution within census tracts $7,791,299

7004-2475 For the homeownership opportunity affordable housing program; provided, that all sums appropriated shall be used to write down interest rates on soft second mortgage loans for low and moderate income first-time home buyers $2,500,000

7004-3036 For housing services and counseling; provided, that not less than $1,000,000 shall be expended as grants for the operation of 9 regional housing consumer education centers operated by the regional nonprofit housing authorities; provided further, that the grants shall be through a competitive application process under criteria created by the department; provided further, that not less than $141,000 shall be expended for the Just-A-Start Corporation to administer a housing stabilization conflict management services program to prevent homelessness; provided further, that $80,925 shall be expended for the Central Massachusetts Housing Alliance; and provided further, that no funds shall be expended from this item in the AA object class for the compensation of state employees $1,221,925

7004-4314 For the expenses of a service coordinators program established by the department to assist tenants residing in housing developed pursuant to under sections 39 and 40 of chapter 121B of the General Laws to meet tenancy requirements in order to maintain and enhance the quality of life in that housing $490,401

7004-9005 For subsidies to housing authorities and nonprofit organizations; provided, that notwithstanding any general or special law to the contrary, all housing authorities operating elderly public housing shall offer first preference for elderly public housing units which are vacant as of the effective date of this act, and thereafter, to those persons 60 years of age or older on June 30, 2005, receiving rental assistance from the Massachusetts rental voucher program; provided further, that the department may expend funds appropriated in this item for deficiencies caused by certain reduced rentals which may be anticipated in the operation of housing authorities for the first quarter of the subsequent fiscal year; provided further, that no monies shall be expended from this item for the purpose of reimbursing the debt service reserve included in the budgets of housing authorities; provided further, that no funds shall be expended from this item in the AA object class for the compensation of state employees; provided further, that the amount appropriated herein shall be deemed to meet any and all obligations pursuant to sections 32 and 40 of chapter 121B; provided further, that any new reduced rental units developed in fiscal year 2006 eligible for subsidies under this item, shall not cause any annualization that results in an amount exceeding the amount appropriated in this item; and provided further, that all funds in excess of normal utilities, operations, and maintenance costs may be expended for capital repairs $34,871,170

7004-9024 For a program of rental assistance for low-income families and elderly persons through mobile and project-based vouchers; provided, that rental assistance shall only be paid under a program to be known as the Massachusetts rental voucher program; provided further, that the income of the households shall not exceed 200 per cent of the federal poverty level; provided further, that the department may award mobile vouchers to eligible households currently occupying project-based units, that shall expire due to the nonrenewal of project-based rental assistance contracts; provided further, that the department, as a condition of continued

eligibility for vouchers and voucher payments, may require disclosure of social security numbers by participants and members of participants' households in the Massachusetts rental voucher program for use in verification of income with other agencies, departments and executive offices; provided further, that any household in which a participant or member of a participant's household shall fail to provide a social security number for use in verifying the household's income and eligibility shall no longer be eligible for a voucher or to receive benefits from the voucher program; provided further, that the vouchers shall be in varying dollar amounts and shall be set by the department based on considerations, including, but not limited to, family size, composition, income level and geographic location; provided further, that notwithstanding any general or special law to the contrary, the monthly dollar amount of each voucher shall be the department-approved total monthly rent of the unit less the monthly amount paid for rent by the household; provided further, that notwithstanding any general or special law to the contrary, the use of rent surveys shall not be required in determining the amounts of the mobile vouchers or the project-based units; provided further, that any household which is proven to have caused intentional damage to its rental unit in an amount exceeding 2 month's rent during any 1-year lease period shall be terminated from the program; provided further, that notwithstanding any general or special law to the contrary, a mobile voucher whose use is or has been discontinued shall be re-assigned within 90 days; provided further, that the department shall pay agencies $40 per voucher per month for the costs of administering the program; provided further, that the costs of administration shall not exceed 6 per cent of the appropriation provided in this item; provided further, that the 6 per cent shall include, but not be limited to, all expenditures which may be made by the department to conduct or otherwise contract for rental voucher program inspections; provided further, that subsidies shall not be reduced for the cost of accommodating the cost of the inspections; provided further, that notwithstanding any general or special law to the contrary, there shall be no maximum percentage applicable to the amount of income paid for rent by each household holding a mobile voucher or project-based voucher, but each household shall pay at least 30 per cent but not more than 40 per cent of its income as rent; provided further, that the department shall establish the amounts of the mobile vouchers and the project-based vouchers, so that the appropriation in this item is not exceeded by payments for rental assistance and administration; provided further, that the department shall not enter into commitments which will cause it to exceed the appropriation set forth herein; provided further, that ceiling rents shall not be enforced by the department; provided further, that the households holding mobile vouchers shall have priority for occupancy of the project-based dwelling units in the event of a vacancy; provided further, that the department may impose certain obligations for each participant in the Massachusetts rental voucher program through a 12-month contract which shall be executed by the participant and the department; provided further, that such obligations may include, but need not be limited to, job training, counseling, household budgeting and education, as defined in regulations promulgated by the department and to the extent such programs are available; provided further, that each participant shall be required to undertake and meet any such contractually established obligation as a condition for continued eligibility in the program; provided further, that for continued eligibility each participant shall execute any such 12-month contract on or before September 1, 2005 if the participant’s annual eligibility recertification date occurs between June 30, 2005 and September 1, 2005 and otherwise on or before the annual eligibility recertification date; provided further, that any participant who is over the age of 60 years or who is handicapped may be exempted from any obligations unsuitable under particular circumstances; provided further, that the department shall submit an annual report not later than February 1, 2006 to the secretary of administration and finance and the house and senate committees on ways and means detailing expenditures, the number of outstanding rental vouchers by income

level and the number and types of units leased that are funded from this item; provided further, that no funds shall be expended from this item in the AA object class for the compensation of state employees; provided further, that the department may assist housing authorities, at their written request, in the immediate implementation of a homeless prevention program utilizing alternative housing resources available to them for low-income families and the elderly by designating participants in the Massachusetts rental voucher program as at risk of displacement by public action through no fault of their own; provided further, that participating local housing authorities may take all steps necessary to enable them to transfer mobile voucher program participants from the Massachusetts rental voucher program into another housing subsidy program; and provided further, that the department of housing and community development shall strive to avoid a reduction in the value of the Massachusetts rental voucher from its value as of June 30, 2005 ..... $26,283,345

7004-9030 For the transitional rental assistance program established under chapter 179 of the acts of 1995; provided, that notwithstanding any general or special law to the contrary, the transitional rental assistance shall be in the form of mobile vouchers; provided further, that the vouchers shall be in varying dollar amounts set by the department based on considerations including, but not limited to, household size, composition, household income and geographic location; provided further, that any household which is proven to have caused intentional damages to its rental unit in an amount exceeding 2 month's rent during any 1 year shall be terminated from the program; provided further, that the department shall pay agencies that administer the program an allowance not to exceed $25 per voucher per month for the costs of administration; provided further, that notwithstanding any general or special law to the contrary, there shall be no maximum percentage applicable to the amount of income paid for rent by each household holding a mobile voucher, but each household shall be required to pay not less than 25 per cent of its net income, as defined in regulations promulgated by the department, for units if utilities are not provided by the unit owner, or not less than 30 per cent of its income for units if utilities are provided by the unit owner; provided further, that payments for the transitional rental assistance may be provided in advance; provided further, that the department shall establish the amounts of the mobile vouchers, so that the appropriation herein is not exceeded by payments for rental assistance and administration; provided further, that the department shall not enter into commitments which will cause it to exceed the appropriation set forth herein; provided further, that the amount of a rental assistance voucher payment for an eligible household shall not exceed the rent less the household's minimum rent obligation; provided further, that the word "rent", as used in this item, shall mean payments to the landlord or owner of a dwelling unit pursuant to a lease or other agreement for a tenant's occupancy of the dwelling unit, but shall not include payments made by the tenant separately for the cost of heat, cooking fuel, and electricity; provided further, that the department shall submit an annual report to the budget director, the secretary of administration and finance, and the house and senate committees on ways and means detailing expenditures, the number of outstanding rental vouchers, and the number and types of units leased; provided further, that nothing stated herein shall give rise to or shall be construed as giving rise to enforceable legal rights in any party or an enforceable entitlement to any form of housing; provided further, that consistent with chapter 179 of the acts of 1995 the amount appropriated herein shall not annualize to more than $2,300,000 in fiscal year 2007; and provided further, that the program shall provide funding for not more than 800 mobile vouchers $2,300,000

7004-9033 For rental subsidies to eligible clients of the department of mental health; provided, that the department shall establish the amounts of those subsidies so that payment

thereof and of any other commitments from this item shall not exceed the amount appropriated herein $2,500,000

7004-9201 For interest subsidies for the private development of affordable housing; provided, that notwithstanding any general or special law to the contrary, no new commitments shall be entered into during fiscal year 2006 for that fiscal year or any subsequent fiscal years; and provided further, that funds may be allocated by that agency to its existing interest subsidy contracts in a manner as it may determine necessary to maximize the preservation of existing affordable housing units throughout the commonwealth $5,500,000

7004-9315 For the low-income housing tax credit program; provided, that the department may expend not more than $1,500,000 from revenue collected from fees collected for the regulation of TELLER projects undertaken under clause (m) of section 26 of chapter 121B of the General Laws from fees collected pursuant to Executive Order No. 291, pertaining to low-income housing tax credits, for the costs of administering and monitoring the programs, including the costs of personnel, subject to the approval of the director of the department; and provided further, that notwithstanding any general or special law to the contrary and for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefor as reported in the state accounting system, prior appropriation continued..... $1,500,000

7004-9316 For a program to provide assistance for homeless families and families at risk of becoming homeless; provided, that the amount of financial assistance shall not exceed $3,000 per family; provided further, that funds may be used for security deposits, first and last month's rent, moving expenses, utility payments or other uses as determined by the department of housing and community development; provided further, that assistance shall be administered by the department through contracts with the regional non-profit housing agencies; provided further, that no such assistance shall be provided to any family with an income in excess of 50 per cent of the areawide median income; provided further, that prior to authorizing a residential assistance payment for a family, the non-profit housing agency shall make an assessment of whether the payment, with or without additional housing stabilization support, will enable the family to retain its current housing, obtain new housing, or otherwise avoid homelessness; provided further, that in making such assessment the agency shall apply a presumption that the payment will enable a family to retain its housing, obtain new housing, or otherwise avoid homelessness if the family is paying less than or equal to 50 per cent of its income for that housing; provided further, that a family who is paying more than 50 per cent of its income for its housing shall be provided a fair opportunity to establish that a residential assistance payment will enable it to retain its housing, obtain new housing, or otherwise avoid homelessness; provided further, that residential assistance payments may be made through direct vendor payments according to standards to be established by the department; provided further, that the agencies shall establish a system for referring families approved for residential assistance payments who the agencies determine would benefit from such services to existing community-based programs that provide additional housing stabilization supports, including assistance in obtaining housing subsidies and locating alternative housing that is safe and affordable for those families; and provided further, that the program shall be administered under guidelines established by the department $5,000,000

Office Of Consumer Affairs and Business Regulation.

7006-0000 For the office of the director of consumer affairs and business regulation, including expenses of an administrative services unit $1,523,155

Division of Banks.

7006-0010 For the operation of the division of banks; provided, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item shall be assessed upon financial institutions which the division currently regulates pursuant to powers granted to the division by the General Laws, a special law or state regulations; provided further, that this assessment will be in addition to any and all assessments that the division currently assesses upon financial institutions and will be made at a rate sufficient to produce $11,178,605 in additional revenue that shall pay for this item $11,178,605

Division of Insurance.

7006-0020 For the operation of the division of insurance, including the expenses of the board of appeal on motor vehicle policies and bonds, and certain other costs of supervising motor vehicle liability insurance and the expenses of the fraudulent claims board; provided, that the positions of counsel I and counsel II shall not be subject to the provisions of chapter 31 of the General Laws; provided further, that contracts or orders for the purchase of statement blanks for the making of annual reports to the commissioner of insurance shall not be subject to the restrictions prescribed by section 1 of chapter 5 of the General Laws; provided further, that the division shall maintain a phone system in its western Massachusetts office that will immediately transfer calls made to that office to the consumer assistance office in Boston during any business hours when the western Massachusetts office is closed; provided further, that the division shall have an employee or other such person answering all initial incoming telephone calls, excluding all direct in-dial calls, between the hours of 9:00 a.m. and 5:00 p.m.; provided further, that the division shall designate an employee to handle all incoming calls relative to chapter 218 of the acts of 1995 or regulations promulgated under section 51 of chapter 111 of the General Laws; provided further, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item shall be assessed upon the institutions which the division currently regulates except for licensed business entity producers under powers granted to the division by the General Laws, a special law or state regulations; and provided further, that this assessment will be in addition to any and all assessments that the division currently assesses upon said institutions and will be made at a rate sufficient to produce $10,026,621 in additional revenue that will pay for this item $10,026,621

Division of Professional Licensure.

7006-0040 For the operation and administration of the division of professional licensure; provided, that of the funds appropriated in this item, sufficient monies shall be expended for the reduction of case backlog at the boards of registration; provided further, that the division shall at all times employ not less than 2 hearing officers to facilitate the processing of cases pending before the various boards; provided further, that the position of investigator of radio and television technicians shall not be subject to chapter 31 of the General Laws; provided further, that the division shall maintain and staff an office in the city of Springfield $3,180,940

Division of Standards.

7006-0060 For the operation of the division of standards $683,220

7006-0066 For the support of the division of standard's municipal inspection efforts; provided, that up to 15 per cent of the amount appropriated herein may be expended for administrative costs of the division $300,000

7006-0067 The division of standards may expend for enforcement of weights and measures laws an amount not to exceed $458,900 from revenues received from item pricing violations collected through municipal inspection efforts, and from weights and measure fees and fines collected from cities and towns..... $458,900

7006-0068 The division of standards may expend an amount not to exceed $450,000 from revenue received from license fees assessed to owners of motor vehicle repair shops..... $450,000

Department of Telecommunications and Energy.

7006-0070 For the operation and administration of the department of telecommunications and energy including the community antenna television division; provided, that notwithstanding the second sentence of the first paragraph of section 18 of chapter 25 of the General Laws, the assessments levied pursuant to said first paragraph of said section 18 of said chapter 25 for fiscal year 2006 shall be made at a rate sufficient to produce $7,897,089; provided further, that the department shall maintain a toll-free consumer access telephone number to facilitate statewide citizen access on customer service issues in the delivery of cable television services..... $7,897,089

7006-0080 For the operation of the transportation division $532,951

7006-0090 The department of telecommunications and energy may expend revenues collected up to $75,000 for the operation of the energy facilities siting commission $75,000

State Racing Commission.

7006-0110 For the operation of the state racing commission..... $2,124,351

Division of Energy Resources.

7006-1000 For the operation of the division of energy resources; provided that notwithstanding any general or special law to the contrary, the amount assessed under section 11H of chapter 25A of the General Laws shall be equal to the amount expended from this item $1,441,404

7006-1001 For the residential conservation service program under chapter 465 of the acts of 1980, and the commercial and apartment conservation service program pursuant to section 11A of chapter 25A of the General Laws $197,715

Department of Business and Technology.

7007-0100 For the office of the director of the department of business and technology..... $382,935

7007-0300 For the operation of the Massachusetts office of business development and for marketing and promoting the commonwealth in order to attract and retain targeted businesses and industries; provided, that the office shall maintain business development assistance services at an office to be located at the University of Massachusetts at Dartmouth for the purposes of responding to inquiries and providing assistance to businesses seeking to expand or relocate to southeastern

Massachusetts $1,338,574

7007-0500 For the operation and maintenance of the Massachusetts Biotechnology Research Institute for the purpose of promoting the commercialization of new, academic-based research and development, and raising the scientific awareness of the communities of the commonwealth $500,000

7007-0515 For economic development grants to be administered by the department of business and technology; provided, that not less than $150,000 be expended on the Cape Cod Regional Incubator Project to be operated by the Cape Cod Chamber of Commerce; provided further, that not less than $200,000 shall be expended on the operation of the Massachusetts Fisheries Recovery Commission; provided further, that not less than $250,000 shall be expended for a grant to the South Shore Tri-Town Development Corporation established in chapter 301 of the acts of 1998; and provided further, that $350,000 shall be expended for a grant to the Massachusetts Alliance for Economic Development for the purpose of enhancing economic development related services, including but not limited to implementation of a statewide online site finder to assist business growth $950,000

7007-0800 For a grant for the state match for a small business development center; provided, that no funds shall be expended from this item until such time as the United States small business administration has made a payment or has executed a contract to pay the University of Massachusetts at Amherst for the operation of the center; provided further, that the funds expended from this item shall not exceed 25 per cent of the gross operating cost of said center; provided further, that not more than $300,000 of the amount appropriated herein shall be expended for the purpose of operating federal procurement technical assistance services within said center; provided further, that the services, shall include, but not be limited to, assisting businesses in securing federal contracts, obtaining contract financing, generating responses to requests-for-proposals, interpreting bid documents, providing educational workshops and seminars, and the electronic identification and tracking of federal bid opportunities; provided further, that the expenditure of said $300,000 shall be subject to the receipt of matching funds from federal or private sources including the department of defense; and provided further, that quarterly expenditure reports shall be filed with the house and senate committees on ways and means $1,113,415

7007-0900 For the operation and administration of the office of travel and tourism and for grants to public and private nonprofit local and regional organizations to be awarded by the Massachusetts office of travel and tourism for tourism promotion; provided, that performance-based standards shall be incorporated in all contracts executed by said office for the procurement of tourism marketing and advertising services; provided further, that the organizations shall be required, as a condition of receiving a grant, to submit a total operating budget which identifies each source and use of operating and capital funds; provided further, that said grants shall not replace or supplant funding otherwise available to said centers from local chambers of commerce, regional tourist councils, and other public or private funding sources; provided further, that said office shall grant not less than $2,000,000 to the Massachusetts International Marketing Partnership Incorporated, the business entity awarded the contract pursuant to section 60 of chapter 141 of the acts of 2003 for the express purpose of implementing the strategic marketing and promotional program to recover the commonwealth's lost international market share; provided further, that not less than $1,000,000 shall be made available through a grant application process established by the office of travel and tourism to offset deficits that may occur during fiscal year 2006 for the highway information centers operating year round

on state highways and federally-assisted highways, and the visitor information centers on Boston Common and the Prudential Center, both in the city of Boston; provided further, that $450,000 shall be expended for a grant to the Massachusetts Sports and Entertainment Partnership; provided further, that not less than $300,000 shall be expended for the purpose of a grant to the Greater Boston Convention & Visitors Bureau, Inc. to develop and implement, in cooperation with the Massachusetts Lodging Association, an advertising and direct mail program to promote tourism throughout the commonwealth during the winter season; provided further, that not less than $250,000 shall be expended for the Merrimack Valley Economic Development Council; provided further, that notwithstanding any general or special law to the contrary, a grant of not less than $250,000 shall be transferred from this item to the Massachusetts office of business development for regional tourism and economic development in southeastern Massachusetts including the Southcoast Development Project; provided further, that not less than $250,000 shall be expended for the Southcoast Development Partnership for the purposes of regional tourism and economic development; provided further; that not less than $250,000 shall be expended for the Museum of Afro-American History located in the city of Boston; provided further, that not less than $200,000 shall be expended for the Bay State Games; provided further, that not less than $200,000 shall be expended for a grant for the From the Top, Inc.; provided further, that not less than $185,000 shall be expended for the International Trade Assistance Center in the city of Fall River; provided further, that not less than $150,000 shall be expended for City Stage; provided further, that not less than $125,000 shall be expended for a historic development project at the Worcester Center for the Performing Arts; provided further, that not less than $125,000 shall be expended for the New England Puerto Rican association; provided further, that not less than $100,000 shall be expended for the Cape Cod Economic Development Council; provided further, that not less than $100,000 shall be expended for the Freedom Trail Foundation; provided further, that not less than $100,000 shall be expended for the Old Provincial State House; provided further, that not less than $100,000 shall be expended for an economic development project on state highway route 110 in the town of Amesbury; provided further, that not less than $100,000 shall be expended for the Russian Community Association; provided further, that not less than $100,000 shall be expended for the Merrimack Repertory Theatre; provided further, that not less than $100,000 shall be expended for the Buzzards Bay Village Association; provided further, that not less than $100,000 shall be expended for the Boston Symphony Orchestra; provided further, that not less than $75,000 shall be expended for a technology training program operated by the Cape Cod Technology Council; provided further, that not less than $75,000 shall be expended for the Cultural Center of Cape Cod; provided further, that not less than $75,000 shall be expended for the North End Visitor Center in the city of Boston; provided further, that not less than $75,000 shall be appropriated to the Puerto Rican Cuatro Project, a cultural development project under the Spanish American Union, Inc of Springfield, Massachusetts; provided further, that not less than $75,000 shall be expended for the Waltham Tourist Council; provided further, that not less than $60,000 shall be expended for Herman Melville's Arrowhead Museum; provided further, that not less than $50,000 shall be expended for the Victory Theater in the city of Holyoke; provided further, that not less than $50,000 shall be expended for the Plymouth Area Chamber of Commerce; provided further, that not less than $50,000 shall be expended for the Caribbean Carnival Association; provided further, that not less than $50,000 shall be expended for the New Bedford Art Museum; provided further, that not less than $50,000 shall be expended for the Riverside Theater Works in the Hyde Park section of the city of Boston; provided further, that not less than $50,000 shall be expended for the Forefather Monument at Pilgrim State Park; provided further, not less than $50,000 shall be expended for the North Quabbin Woods Project; provided further, that not less than $40,000 shall

be expended as a grant for the Pioneer Valley Visitors and Tourist Information Center; provided further, that not less than $25,000 shall be expended for the Salisbury Chamber of Commerce; provided further, that not less than $25,000 shall be expended to operate the Cape Cod Junior Technology Council; provided further that not less than $25,000 shall be expended for the Sandwich Glass Museum; provided further, that not less than $10,000 shall be expended for the Providence and Worcester Railfan Museum in the town of Webster; provided further, that not less than $5,000 shall be expended for the Massachusetts Film Bureau and the agency shall be the primary service provider for film production and development in the commonwealth; provided further, that expenditures on international and domestic promotion and administration shall be separately accounted for in the Massachusetts management accounting and reporting system; provided further, that the office shall make travel arrangements for all international travel not less than 7 days before departure; provided further, that the office shall dedicate 1 full-time equivalent employee to the advisory commission on travel and tourism; and provided further, that the office shall make every effort to develop tourism in under-visited regions of the commonwealth $18,143,306

Tourism Fund 100.0%

7007-1000 For assistance to local tourist councils under section 14 of chapter 23A of the General Laws; provided, that notwithstanding any general or special law, regulation or rule to the contrary, each of the councils may expend an amount not to exceed 20 per cent of the funds appropriated in this item for the cost of administrative services $8,000,000

Tourism Fund 100.0%

7007-1200 For a program to create and maintain a more favorable and responsive environment for the attraction and retention of technology-intensive clusters for the commonwealth; provided, that such clusters may be characterized by technological or market focus, geographic proximity or other shared interests; provided further, that cluster activities shall be deemed to be the exercise of an essential governmental function intended to: (1) foster increased collaboration among cluster organizations; (2) facilitate improved communications between the commonwealth and cluster organizations; (3) identify and respond to challenges and opportunities related to cluster organizations; (4) enhance the competitive position of cluster firms; (5) reduce the costs of doing business in the commonwealth through 1 or more purchasing cooperatives; and (6) generally improve the perception of the value and benefits of doing business in the commonwealth; provided further, that amounts appropriated in this item shall be expended to the Massachusetts Technology Park Corporation to be held, applied and administered through its Massachusetts Technology Collaborative; provided further, that said corporation shall establish an independent advisory panel to advise said corporation relative to the most effective application of funds appropriated in this item; provided further, that the executive director shall file a report with the house and senate committees on science and technology and the house and senate committees on ways and means detailing the activities undertaken with the funds appropriated herein by January 15, 2006 ..... $500,000

7007-1300 For the operation of the Massachusetts international trade council $961,853

Tourism Fund 100.0%

7007-1500 For the operation and administration of the state office of minority and women

business assistance; provided, that the office shall administer an electronic business certification application which shall be accessible to business applicants through use of the internet; provided further, that the office shall ensure the integrity and security of personal and financial information transmitted by electronic application; provided further, that the office shall, using all existing available resources, provide certification services within each of the 1-stop regional assistance centers of the Massachusetts office of business development; and provided further, that the office shall develop and implement measures and procedures to continue to improve the efficiency and the timeliness of the certification process $1,096,135

Department of Education.

7010-0005 For the operation of the department of education; provided, that the department of education, in collaboration with the governor's commission on gay and lesbian youth, shall implement the board of education's recommendations on the support and safety of gay and lesbian students $9,522,805

7010-0012 For grants to cities, towns and regional school districts for payments of certain costs incurred under the program for the elimination of racial imbalance; provided, that grants to cities, towns and regional school districts shall be limited to actual and specifically incurred documented incremental costs including those costs under chapter 71B of the General Laws as a direct consequence of participation in the program whenever the reimbursements requested by such city, town or regional school district exceed the level of reimbursement received in fiscal year 1977; provided further, that the division of elementary, secondary and occupational education shall, through a competitive procurement process, contract with qualified school transportation business enterprises; and provided further, that funds shall be made available for payment for services rendered by METCO, Inc. and Springfield public schools $17,615,313

7010-0030 For per pupil facilities aid for commonwealth charter schools, calculated under subsection (nn) of section 89 of chapter 71 of the General Laws, as amended by provisions of this act; provided, that funds shall be expended from this item to provide one time grants to ensure that no charter school receives less funding in fiscal year 2005 than it would have received had tuition been calculated pursuant to subsection (nn) of section 89 of chapter 71 of the General Laws as in effect prior to passage of this act; prior appropriation continued $11,863,923

7010-0216 For the teacher, principal, and superintendent recruitment and retention programs established in sections 19B, 19C, and 19E of chapter 15A of the General Laws $1,090,123

7027-0016 For matching grants for various school-to-work programs; provided, that the board of education shall establish guidelines for such programs in consultation with the department of workforce development; provided further, that any funds distributed from this item to cities, towns or regional school districts shall be deposited with the treasurer of the city, town, or regional school district and held in a separate account and shall be expended by the school committee without further appropriation, notwithstanding any general or special laws to the contrary; provided further, that each grant awarded herein shall be matched by the recipient from local, federal, or private funds; provided further, that the board of education may determine the percentage match required on an individual grant basis; provided further, that the department of education shall make available a payment of $734,400 for the state's matching grant for the CS-squared program at the Corporation for Business, Work and Learning; provided further, that the department of education shall make available a payment of $942,191 to Jobs for Bay State Graduates, Inc., for the purpose of school-to-work activities; and provided further,

that not less than $50,000 shall be expended for the Diploma Plus Program at Cape Cod Community College $1,769,566

7027-0019 For school-to-career connecting activities; provided, that notwithstanding any general or special law to the contrary, the board of education, in cooperation with the department of workforce development and the state workforce investment board, may establish and support a public-private partnership to link high school students with economic and learning opportunities on the job as part of the school-to-work transition program; provided further, that such program may include the award of matching grants to workforce investment boards or other local public-private partnerships involving local community job commitments and work site learning opportunities for students; provided further, that the grants shall require at least a 200 per cent match in wages for the students from private sector participants; provided further, that the program shall include, but not be limited to, a provision that business leaders commit resources to pay salaries, to provide mentoring and instruction on the job and to work closely with teachers; and provided further, that public funds shall assume the costs of connecting schools and businesses to ensure that students serve productively on the job $4,129,687

7027-1005 For the purposes of increasing the salaries of the department of youth services' teachers $2,550,000

7028-0031 For the expenses of school age children in institutional schools under section 12 of chapter 71B of the General Laws; provided, that the department may provide special education services to eligible inmates in county houses of correction; provided further that the department of youth services shall continue to collaborate with the department of education in order to align curriculum at the department of youth services with the statewide curriculum frameworks and to ease the reintegration of youth from facilities at the department of youth services into regular public school settings; and provided further, that the department of education, in conjunction with, the commissioner of youth services shall submit a report on progress made to the house and senate committees on ways and means by December 1, 2005 ..... $7,475,183

7030-1002 For kindergarten development grants to provide ongoing grant awards to continue quality enhancement of existing full-day kindergarten classrooms and to encourage the transition of half-day classrooms into full-day kindergarten classrooms; provided, that the office of school readiness shall administer a grant program to encourage the voluntary expansion of high quality, full-day kindergarten education throughout the commonwealth; provided further, that grants of not more than $18,000 per classroom shall be made available to public schools for the enhancement of existing full-day kindergarten classrooms and for the transition of existing half-day kindergarten classrooms into full-day kindergarten classrooms; provided further, that the grants shall be awarded pursuant to guidelines established by the department relative to the application and award process which shall include eligibility criteria, allowable grant expenditures and grant recipient obligations; provided further, that guidelines for transition grants shall require applicants for such grants to identify obstacles that impede the transition to full-day kindergarten; provided further, that the guidelines shall require grant recipients to identify the anticipated date by which the implementation of quality enhancement or transition projects shall commence; provided further, that the guidelines shall detail the range of permissible grant expenditures which shall include, but not be limited to, the expenditure of funds for facility improvements or other expenses necessary to provide adequate space for the transition from half-day kindergarten classrooms into full-day kindergarten classrooms; provided further, that grants funded through this appropriation shall not annualize to more than $18,000 per classroom in

subsequent fiscal years; provided further, that preference shall be given to grant applicants with high percentages of students scoring in levels 1 or 2 on the Massachusetts comprehensive assessment system exam, as determined by the department based on available data; provided further, that any grant funds distributed from this item shall be deposited with the treasurer of such city, town or regional school district and held in a separate account and shall be expended by the school committee of such city, town or regional school district without further appropriation, notwithstanding the provisions of any general or special law to the contrary; provided further, that such program shall supplement and shall not supplant currently funded local, state and federal programs at the school or district; provided further, that not later than January 15, 2006 the department shall report to the house and senate committees on ways and means on the total number of enhancement and transition grants requested and awarded; provided further, that the report shall detail common factors associated with both successful and unsuccessful applications and shall include the total number of full-day and half-day kindergarten classrooms projected to be in operation in Massachusetts public schools in fiscal year 2007; provided further, that funds appropriated in this item for transition grant awards may be expended through August 31, 2006 for the purposes of transition projects scheduled for the school year beginning in September 2006; and provided further, that the department may expend not more than $200,000 to administer the grants program established herein $23,000,000

7030-1003 For the John Silber early literacy program and teacher training to promote research based school-wide literacy education and to promote literacy among children in grades K through 3 in the commonwealth; provided, that the office of reading and language arts shall administer the early literacy grant programs to improve the quality and effectiveness of literacy education in the commonwealth to the greatest extent possible; provided further, that these early literacy education programs shall be based on a scientifically-based reading research program consistent with the federal Reading First Initiative; provided further, that such school-wide literacy education programs shall provide for the evaluation and tracking of all students' reading and writing skills annually, shall include measurable goals and benchmarks, shall be led by a school-based planning team which includes teaching faculty and the school principal, shall provide for the training of teachers in effective strategies for reading instruction and shall include a school-wide literacy coordinator who shall be responsible for the coordination and training of other school staff; provided further, that $385,000 shall be expended for JFY.net, a Jobs for Youth initiative for high technology, literacy and job skill instruction to youth and adults through advanced software and existing infrastructure capacity in schools and community agencies; provided further, that no more than $50,000 shall be made available to Edvocacy of Concord, Massachusetts to expand a school-based program in the Bourne Public Schools to detect, evaluate, and track dyslexia in students grades K through 3; provided further, that funds shall be expended for the BayState Readers Initiative, modeled on the research-based best practices of the Alabama Reading Initiative, and which shall include maintaining support for existing Bay State Readers schools and providing additional funds for new schools to participate in the program; provided further, that the initiative shall provide for the training of teachers in effective strategies for reading instruction and shall otherwise be consistent with the overall purpose of this item and with the Reading First Initiative; provided further, that in its evaluation of applications for the initiative, the office may take into consideration schools' cumulative grade 3 MCAS scores; provided further, that funds appropriated in this item for the initiative may be expended through August 31, 2006; provided further, that the results of the pilot shall be reported to the commissioner of education not later than December 31, 2005; provided further, that the program shall supplement currently funded local, state and federal programs at the school or district; and provided further, that any

grant funds distributed from this item shall be deposited with the treasurer of such city, town or regional school district and held in a separate account and shall be expended by the school committee of the city, town or regional school district, without further appropriation, notwithstanding the provisions of any general or special law to the contrary $3,512,989

7030-1005 For early intervention individual tutorial literacy programs designed as a pre-special education referral and short term intervention for children who are at risk of failing to read in the first grade; provided, that these programs shall be research-based with proven long-term results, including identifying students in need of additional help not later than mid-first grade, providing ongoing training and support to program teachers, and including ongoing documentation and evaluation of results $2,700,000

7035-0002 For grants to provide and strengthen adult basic education services, including reading, writing and mathematics, to a diverse network of organizations which have demonstrated commitment and effectiveness in the provision of such services, and that are selected competitively by the department of education; provided, that such grants shall support the successful transition of students from other adult basic education programs to community college certificate and degree-granting programs; provided further, that such grants shall be contingent upon satisfactory levels of performance as defined and determined by the department; provided further, that in no case shall grants be considered an entitlement to a grant recipient; provided further, that the department shall consult with the community colleges and other service providers in establishing and implementing content, performance and professional standards for adult basic education programs and services; and provided further, that not more than 7.5 per cent of the funds appropriated herein may be expended for non-grant purposes $29,322,628

7035-0006 For reimbursements to regional school districts for the transportation of pupils; provided, that notwithstanding any general or special law to the contrary, the commonwealth's obligation shall not exceed the amount appropriated in this item $42,500,000

7035-0007 For reimbursements to cities, towns, regional vocational or county agricultural school districts, independent vocational schools, or collaboratives for certain expenditures for transportation of non-resident pupils to any approved vocational-technical program of any regional or county agricultural school district, city, town, independent school or collaborative under section 8A of chapter 74 of the General Laws; provided, that upon receipt by the department of education of required transportation cost reports, the department shall reimburse the total cost certified by the department; provided, further, that these reports shall meet criteria established by the department..... $1,600,000

7051-0015 For the administration of the emergency food assistance program $747,000

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

7053-1909 For reimbursements to cities and towns for partial assistance in the furnishing of lunches to school children, including partial assistance in the furnishing of lunches to school children as authorized by chapter 538 of the acts of 1951, and for supplementing funds allocated for the special milk program; provided, that

notwithstanding any general or special law to the contrary, payments so authorized in the aggregate for partial assistance in the furnishing of lunches to school children shall not exceed the required state revenue match contained in Public Law 79-396, as amended, cited as the National School Lunch Act, and in the regulations implementing the act..... $5,426,986

7053-1925 For the school breakfast program for public and nonpublic schools and for grants to improve summer food programs during the summer school vacation period; provided, that of the sum appropriated in this item, not less than $300,000 shall be expended for the summer food service outreach program and not less than $200,000 shall be expended for the school breakfast outreach program, including reimbursement of municipal expenses; provided further, that within the summer food program, priority shall be given to extending such programs for the full summer vacation period and promoting increased participation in such programs; provided further, that the department of education shall solicit proposals from returning sponsors and school food authorities in time for implementation of this grant program during the summer of 2006; provided further, that the grants shall only be awarded to sponsors who can demonstrate their intent to offer full summer programs or increase participation; provided further, that the department shall require sufficient reporting from each grantee to measure the success of the grant program; provided further, that the department shall select grantees for the program authorized by this item not later than March 30, 2006, prior appropriation continued..... $2,266,575

7053-1927 For a supplement to the federally-funded school breakfast program, whereby all children in schools receiving funds under the program shall be provided free, nutritious breakfasts at no cost to them; provided, that, subject to regulations of the board that specify time and learning standards, breakfasts shall be served during regular school hours; provided, further, that participation shall be limited to those elementary schools mandated to serve breakfast under section1C of chapter 69 of the General Laws where 60 per cent or more of the students are eligible for free or reduced-price meals under the federally-funded school meals program; provided further, that the department shall select school sites for programs authorized by this item no later than November 15, 2005 and shall report to the house and senate committees on ways and means on the preliminary results of these grants no later than January 9, 2006; provided further, that nothing in this item shall give rise to enforceable legal rights in any party or an enforceable entitlement to services; and provided further, that nothing stated in this item shall be construed as giving rise to enforceable legal rights or enforceable entitlement to any services..... $2,011,060

7061-0008 For school aid to cities, towns, regional school districts, counties maintaining agricultural schools, independent vocational schools and independent agricultural and technical schools to be distributed under chapters 70 and 76 of the General Laws and section 3; provided, that $200,000 of the funds allocated from this item to the city of Lawrence by section 3 shall be transferred to the University of Massachusetts at Lowell for its college preparation program; provided further, that each school district shall report annually to the department of education on its professional development expenditures, in a manner and form prescribed by the commissioner and consistent with the accountability requirements of the federal No Child Left Behind Act; and provided further, that the department of education shall report annually to the house and senate committees on ways and means on school districts' professional development spending $3,288,931,062

7061-0011 For a reserve to (1) meet extraordinary increases in the minimum required local contribution of a municipality as calculated pursuant to the requirements of section 3 of this act; provided, further, that preference shall be given to municipalities with an increase of greater than 20 per cent in required contribution to any of the districts

to which the municipality belongs in part as a result of the new regional allocation methodology; (2) meet expenses associated with extraordinary increases in enrollment calculated on a per centage basis for such municipalities; provided, that preference shall be given to districts with enrollment growth of greater than 10 per cent from fiscal year 2001 through fiscal year 2006; (3) address the effects of reductions in per pupil chapter 70 aid between fiscal year 2004 and fiscal year 2006; provided, that preference in the awarding of such funds shall be given to districts which receive less than 20 per cent of their foundation budgets as chapter 70 aid, and which received reductions in chapter 70 aid of greater than 10% between fiscal year 2003 and fiscal year 2004; (4) assist towns impacted by stresses in the commercial fishing industry which receive less than 20% of their foundation budget from the state; (5) assist municipalities with median income below the state average and equalized valuation per capita above the state average; provided further, that preference in the awarding of funds shall be given to municipalities with required local contributions greater than 80 per cent of their foundation budgets; (6) assist municipalities which pay a separate and additional tax to multiple fire districts within the municipality's borders, and which have required minimum contributions in excess of 80 per cent of the municipal district's foundation budget; (7) assist municipalities negatively impacted by shortfalls in federal impact aid for the education of children of families employed by the federal government on military reservations located within the town limits; (8) assist densely populated urban districts with high fixed costs and enrollment declines of greater than 3 per cent resulting in no increase in Chapter 70 aid; provided further, that notwithstanding the provisions of any general or special law to the contrary, assistance funded by this item shall only be available on a one time non-recurring basis; provided further, that the department shall make not less than 80 per cent of awards from this item not later than October 15, 2005; and provided further, that no funds distributed from this item to a municipality shall be considered base aid nor used in the calculation of the minimum required local contribution for fiscal year 2007 provided, that a municipality seeking funds hereunder shall apply for a waiver from the department of revenue pursuant to the provisions of section 3 of this act; provided, further, that the commissioner shall issue a finding concerning such waiver applications within 30 days of the receipt thereof, after consulting with the commissioner of education regarding the merits of such application $6,870,000

7061-0012 For the reimbursement of extraordinary special education costs under section 5A of chapter 71B of the General Laws; provided, that reimbursements shall be pro-rated such that expenses of this item do not exceed the amount appropriated herein; provided further, that upon receipt by the department of education of required special education cost reports from school districts, the department shall reimburse districts based on fiscal year 2005 claims; provided further, that not more than $9,250,000 shall be used to continue and expand voluntary residential placement prevention programs between the department of education and other departments within the executive office of health and human services that develop community-based support services for children and their families; provided further, that of this $9,250,000, not less than $8,000,000 shall be made available to the department of mental retardation for the voluntary residential placement prevention program administered by that department; provided further, that not less than $600,000 shall be expended for the costs of borrowing audiotaped textbooks by special needs students whose disabilities include, but shall not be limited to, blindness, visual impairments, learning disabilities such as dyslexia, or physical disabilities such as cerebral palsy that limit the use of standard print, and for the cost of an outreach program geared toward special education teachers, students and parents regarding the services of the program; provided further, that of that amount, $100,000 may be expended for the purposes of training teachers and students; provided further, that $300,000 shall be expended for the costs of four incentive, start-up grants to

educational collaboratives to provide partial funding for a full-time transportation coordinator, administrative support and for the purchase of specialized transportation route planning software for the purposes of implementing a pilot program to demonstrate that transportation of students to out-of-district special education placements can be accomplished at a lower cost and with improved quality of service by delegating the planning and contracting for such transportation to education collaboratives which would be responsible for the transportation of students to all out-of-districts programs located within the pilot program collaborative catchment area; provided further, that not more than $1,000,000 shall be expended for the monitoring and follow-up activities of the department's complaint management system, review and approval of local educational agency applications, and local school district's compliance with the part B requirements of the federal special education law, known as the Individuals with Disabilities Education Act, in the provision of special education and related services to children with disabilities; provided further, that these monitoring activities shall occur in each school district in cycles of not less than 3 years; provided further, that, in order to facilitate such monitoring, the department may allocate funds from this item to item 7061-0029, as necessary, pursuant to allocation plans submitted to the house and senate committees on ways and means 30 days prior to any transfer; provided further, that not more than $500,000 shall be expended to administer the reimbursements funded herein; provided further, that notwithstanding section 5A of chapter 71B of the General Laws, as amended by this act, the department, at the discretion of the commissioner, may expend up to $3,000,000 to reimburse districts for extraordinary increases in costs incurred during fiscal year 2006 which, except for the change in this act to reimbursing for prior year expenses, would be reimbursable under section 5A; provided further, that reimbursements for current year costs shall be limited to school districts which experience increases of greater than 25 per cent from costs reimbursable under section 5A of chapter 71B of the General Laws and incurred during fiscal year 2005 to costs reimbursable under section 5A of chapter 71B of the General Laws and incurred during fiscal year 2006 or other cases of extraordinary hardship where special education costs increase in relationship to total district costs as the department may define through regulation or guidelines; provided further, that reimbursements for current year costs shall be allocated as one-time grants and shall not decrease reimbursements in the following fiscal year; provided further, that, the department shall conduct audits of fiscal year 2005 claims in no fewer than 50 districts; provided further, that if the claims are found to be inaccurate, the department shall recalculate the fiscal year 2006 reimbursement amount and adjust the third and fourth quarter payments to the districts to reflect the new reimbursement amount; and provided further, that the department shall file a report with the house and senate committees on ways and means no later than January 1, 2006 on the results of the audits $201,600,262

7061-0029 For the office of educational quality and accountability established under section 55A of chapter 15 of the General Laws $3,049,470

7061-9010 For fiscal year 2006 reimbursements to certain cities, towns and regional school districts under section 89 of chapter 71 of the General Laws; prior appropriation continued $46,715,985

7061-9200 For the education technology program $745,343

7061-9400 For student and school assessment including the administration of the Massachusetts comprehensive assessment system (MCAS) exam established by the board of education under sections 1D and 1I of chapter 69 of the General Laws and for grants to school districts to develop portfolio assessments for use in individual classrooms as an enhancement to student assessment; provided, that as much as is

practicable, especially in the case of students whose performance is difficult to assess using conventional methods, the instruments shall include consideration of work samples and projects and shall facilitate authentic and direct gauges of student performance; provided further, that the portfolio assessments shall not replace the statewide standardized assessment based on the curriculum frameworks; provided further, that all school assessments shall center on the academic standards embodied in the curriculum frameworks and shall involve gauges which shall be relevant and meaningful to students, parents, teachers, administrators and taxpayers under the first paragraph of section 1L of chapter 69 of the General Laws; and provided further, that notwithstanding any general or special law to the contrary, assessment of proficiency in English shall be administered in English $23,000,000

7061-9404 For targeted intervention to schools and districts at risk of or determined to be underperforming in accordance with sections 1J and 1K of chapter 69 of the General Laws and for assistance and grants to cities, towns and regional school districts to provide targeted remediation programs in English and math to high school students in the classes of 2003 to 2007, inclusive, scoring in level one on the Massachusetts Comprehensive Assessment System (MCAS) exam established by the board of education pursuant to the provisions of sections 1D and 1I of chapter 69; provided, that the department and districts shall ensure that services are available to students with disabilities; provided further, that, in awarding targeted remediation funds, preference may be given to schools and districts at risk of or determined to be under-performing in accordance with sections 1J and 1K of chapter 69; provided further, that the purpose of this program shall be to improve students' performance on the MCAS exam through replication of services and educational strategies with proven results as determined by the department of education that may include but shall not be limited to: integrated tutoring and mentoring programs, supplemental web-based tutorial programs that are diagnostic and prescriptive, weekend and school vacation programs focused on English and math remediation, the English and math components of comprehensive after-school programs, and the remediation component of summer programs; provided further, that such programs shall supplement currently funded local, state, and federal programs at the school or district; provided further, that such grants and assistance shall be used solely for the academic portions of such programs, and shall focus on the acquisition of skills in English and math needed to pass the MCAS; provided further, that funds shall be expended for a competitive grant program to fund academic support and college transition services to be implemented in fiscal year 2006, and operated by public institutions of higher learning or by public-private partnerships in the commonwealth, for students in the graduating classes of 2003, 2004, and 2005 who have completed high school but have not yet obtained a competency determination as defined in section 1D of chapter 69 as measured by the MCAS assessment instrument authorized by section 1I of chapter 69, but who are working to pass the English and math MCAS tests, obtain a competency determination, and earn a high school diploma; provided further, that for the purpose of the programs, appropriated funds may be expended through August 31, 2006 to allow for summer remediation programs; provided further, that funds shall be expended for a competitive grant program to fund so-called Pathways programs targeting eleventh and twelfth graders, instituted by local school districts, public institutions of higher education and qualified public and private educational services organization and One Stop Career Centers including, but not limited to, school-to-work connecting activities creating worksite learning experiences for students as an extension of the classroom, outreach programs for students who will need post-twelfth grade remediation to attain the skills necessary to pass MCAS, and counseling programs to educate parents and high school students on post-twelfth grade remediation options; provided further, that funds shall be expended for a competitive grant program, guidelines for which shall be developed by the

department of education, for intensive remediation programs, in communities with students in the graduating classes of 2003 to 2007, inclusive, who have not obtained a competency determination on either the tenth grade English or math MCAS exams; provided further, that the department of education may give preference for this assistance to those districts with a high percentage of high school students scoring in level one on the MCAS exam in English and math; provided further, that eligible applicants shall include individual high schools, and those institutions which shall have partnered with a high school or group of high schools, including but not limited to, institutions of public and private higher education, providers of adult basic education services, career centers, other public and private educational services organizations, including, but not limited to, JFY. Net, and after-school programs with a structured academic component and focused on MCAS remediation operated by public and non-public entities including, but not limited to, members of the national alliance of boys and girls clubs; provided further, that no district shall receive a grant from this appropriation until the district submits to the department of education a comprehensive district plan under section 1I of chapter 69, to improve performance of all student populations including, but not limited to, students with disabilities; provided further, that any grant funds distributed from this item to a city, town or regional school district shall be deposited with the treasurer of the city, town, or regional school district and held in a separate account and shall be expended by the school committee of the city, town, or regional school district without further appropriation, notwithstanding any general or special law to the contrary; provided further, that not less than $20,000 shall be expended for a Brown Eyes Blue Eyes Pilot Project, linking performance to perception to improve MCAS scores by teaching children how to recognize faulty stereotypes inherent in racism for schools in Falmouth, Mashpee, Bourne, Barnstable and Springfield; provided further, that not more than $500,000 be expended for English language acquisition professional development as part of an initiative designed to improve the academic performance of English language learners and effectively implement sheltered English immersion as outlined in chapter 386 of the acts of 2002; provided further, that not less than $1,000,000 shall be transferred to JFY Networks, formerly Jobs for Youth, for a matching grant for the purposes of enhancing student performance on the Massachusetts Comprehensive Assessment System examination through instructional computer software; provided further, that the department shall issue a report, not later than February 1, 2006 and annually thereafter as a condition of continued funding under this account, in collaboration with the board of higher education, describing MCAS support programs for the graduating classes of 2003 to 2007, inclusive, by items 7061-9404 and 7027-0019, school to work accounts, institutions of public higher education, and other sources, including federal sources; provided further, that this report shall include but not be limited to, the number of students eligible to participate in such programs, the number of students participating in such programs, the number of students who have passed the MCAS assessment and obtained a competency determination through these programs, but not met local graduation requirements, and the number of students who have passed the MCAS assessment and obtained a competency determination through these programs and met local graduation requirements; provided further, that the report shall be provided to the chairs of the house and senate ways and means committees and the house and senate chairs of the joint committee on education, arts, and humanities; provided further, that the department may expend up to $350,000 to administer programs funded herein; provided further, that not less than $60,000 shall be expended for Casa Dominicana in the city of Lawrence; and provided further, that $50,000 shall be expended for the Astro Park Astronomy Facility at Barnstable High School $10,000,000

7061-9408 For targeted intervention in districts at risk of or determined to be underperforming under sections 1J and 1K of chapter 69 of the General Laws; provided further, that

targeted intervention funds shall not be expended in any school or district that fails to file a comprehensive district plan under section 1I of chapter 69 of the General Laws; provided further, that targeted intervention funds in those districts may be expended on preventive remediation in grades eight through ten, on any student who failed the English or math MCAS in the eighth grade; provided, further, that targeted intervention funds may be expended on grants which allow for the implementation of whole school reform in those schools and districts; provided, that the department shall only approve reform plans with proven, replicable results in improving student performance; provided, further, that no funds shall be expended on targeted intervention unless the department shall have approved, as part of the comprehensive district improvement plan, a professional development plan which provides for professional development among teachers of the same grade levels and teachers of the same subject matter across grade levels, and which focuses on improving skills in the teacher's subject areas, and on providing teachers with research-based strategies for increasing student success; provided, further, that funds from any targeted intervention grant may be used to partially offset the cost of the professional development; provided further, that preference in the awarding of the funds shall be given to professional development in math and English content skills, with a proven record of success, and to intervention strategies which are research-based and replicable; provided further, that any grant funds distributed from this item to a city, town or regional school district shall be deposited with the treasurer of the city, town, or regional school district and held in a separate account and shall be expended by the school committee of the city, town, or regional school district without further appropriation, notwithstanding any general or special law to the contrary $5,000,000

7061-9604 For teacher preparations $1,787,946

7061-9612 For the school of excellence program at the Worcester Polytechnic Institute; provided, that every effort shall be made to recruit and serve equal numbers of male and female students; provided further, that sending districts of students attending the academy shall not be required to expend any funds for the cost of these students while in attendance at the academy; provided further, that the Massachusetts Academy of Mathematics and Science shall be obligated to provide professional development activities at the school located at Worcester Polytechnic Institute, including salary and benefits for master teachers and visiting scholars; provided further, that the department of education shall provide a subsidy to the Worcester Polytechnic Institute to operate a school of excellence in mathematics and science; and provided further, that the academy shall file a report with the joint committee on education and the house and senate committees on ways and means by February 1, 2006 detailing the professional development activities $1,274,231

7061-9614 For the alternative education grant program established under section 1N of chapter 69 of the General Laws; provided that the commissioner shall allocate funds for both subsection (a) and (b) of said section 1N of said chapter 69..... $1,000,000

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

7061-9621 For the administration of a grant program for gifted and talented school children; provided, that the funds appropriated in this item shall be in addition to any federal funds available for such program; provided further, that priority shall be given to those grant applications that address the needs of students who are identified by any

of the following criteria: (1) the result of a standardized aptitude examination which is 3 or more standard deviations above the mean; (2) an evaluation by the child's teachers that the child does perform, or is capable of performing satisfactorily at 2 or more grade levels above the child's chronological age; or, (3) a score on the math or verbal Scholastic Aptitude Test by a child of no more than 13 years of age which is equal to, or greater than, the average on either test obtained by college-bound high school juniors; and provided further, that such programs may be made available by a city, town or regional school district $250,000

7061-9626 For grants and contracts with youth-build programs for the purposes of providing comprehensive youth-build services $1,450,000

7061-9634 For a transfer of this item to the Massachusetts Service Alliance, which shall be solely responsible for administering a grant program for public and private agencies with mentoring programs for the recruitment and training of mentors and for other supporting services including, but not limited to, academic support services; provided, that the department of education shall transfer the amount appropriated in this item to the Massachusetts Service Alliance for the purpose of these grants; provided further, that in order to be eligible to receive funds from this item, each public or private agency shall provide a matching amount equal to $1 for every dollar disbursed from this item; provided further, that funds may be expended to support the mentoring activities of the planned learned achievement for youth program; provided further, that the Massachusetts Service Alliance shall submit a report detailing the expenditure of such funds and the amount and source of matching funds raised to the secretary of administration and finance and the house and senate committees on ways and means not later than December 29, 2005 ..... $287,000

Board of Higher Education.

7066-0000 For the operation of the board of higher education; provided, that the board shall recommend savings proposals that permit institutions of public higher education to achieve administrative and program cost reductions, resource re-allocation and program re-assessment and utilize resources otherwise available to such institutions; provided further, that in order to meet the estimated costs of employee fringe benefits provided by the commonwealth on account of employees of the Massachusetts State College Building Authority and the University of Massachusetts Building Authority, and in order to meet the estimated cost of heat, light, power and other services, if any, to be furnished by the commonwealth to projects of these authorities, the boards of trustees of the state colleges and the University of Massachusetts shall transfer to the General Fund from the funds received from the operations of the projects such costs, if any, as shall be incurred by the commonwealth for these purposes in the current fiscal year, as determined by the appropriate building authority, verified by the chancellor of higher education and approved by the secretary of administration and finance; provided further, that the board of higher education shall work with the operational services division to implement an equipment maintenance pilot program at the state colleges to create savings in state warranty agreements information technology, printers, facsimile machines, copiers, telecommunication equipment, mail machines and other hardware; and provided further, that $500,000 shall be expended for the Massachusetts Nursing and Allied Health Workforce Development Initiative, to develop and support strategies that increase the number of Massachusetts public higher education faculty members and students who participate in programs that support careers in fields related to nursing and allied health $2,603,866

7066-0005 For the commonwealth's share of the cost of the compact for education $61,978

7066-0009 For the New England board of higher education $367,402

7066-0015 For the community college workforce training incentive grant program established in section 15F of chapter 15A of the General Laws $2,900,000

7066-0016 For a program of financial aid to support the matriculation of certain persons at public and private institutions of higher learning; provided, that only persons in the custody of the department of social services under a care and protection petition upon reaching the age of 18, or persons in the custody of the department matriculating at such an institution at an earlier age, shall qualify for such aid; provided further, that no such person shall be required to remain in the custody of the department beyond age 18 to qualify for such aid; provided further, that this aid shall not exceed $6,000 per recipient per year; and provided further, that this aid shall be granted after exhausting all other sources of financial support..... $850,000

7070-0031 For the McNair component of the financial assistance program to increase access to public and independent institutions of higher education for students who meet certain income eligibility standards developed by the chancellor of higher education and for students with serious physical impairments, known as the Ronald E. McNair education opportunity program $1,965,638

7070-0065 For a scholarship program to provide financial assistance to Massachusetts students enrolled in and pursuing a program of higher education in any approved public or independent college, university, school of nursing, or any other approved institution furnishing a program of higher education; provided, that the Massachusetts state scholarship office shall expend not less than $13,495,295 for Foster Furcolo community college access grants to ensure that no Massachusetts resident enrolled in and pursuing an associate's degree in any of the community colleges pays more than $500 in tuition and fees net of any federal or state scholarship or tax credit; provided further, that any resident whose expected family contribution level, as determined under the federal methodology established under Part F of Title IV of the Higher Education Act of 1965, as amended, is not more than $2,250, shall incur no net tuition and fee costs after deducting any federal or state scholarship or tax credit from financial need as calculated by the state scholarship office; provided further, that residents who are not fully eligible for the federal HOPE tax credit based on their exceeding maximum income eligibility limits, shall not be eligible for the grants; provided further, that not less than $9,896,550 shall be expended for state college access grants; provided further, that any Massachusetts resident enrolled in and pursuing a bachelor's degree in any of the state colleges whose expected family contribution level, as determined according to the federal methodology established pursuant to Part F of Title IV of the Higher Education Act of 1965, as amended, is not more than $2,000, shall incur no net tuition and fee costs after deducting any federal or state scholarship or tax credit from financial need as calculated by the state scholarship office; provided further, that not less than $8,697,220 shall be expended for a program of needs-based financial assistance for Massachusetts residents enrolled in and pursuing a program of higher education in the University of Massachusetts; provided further, that $3,148,902 shall be expended for the part-time student grant program; provided further, that of the sum appropriated in this item, not less than $427,351 shall be obligated for the purposes of the Massachusetts plan, under section 5C of chapter 15C of the General Laws; provided further, that the Massachusetts state scholarship office shall expend not less than $18,923,508 to provide for matching scholarship grants to needy Massachusetts students at participating Massachusetts independent regionally accredited colleges, universities, and schools of nursing; provided further, that not less than $170,940 shall be made available to provide financial assistance for Massachusetts residents enrolled at public higher education

institutions to participate in the Washington Center-Massachusetts Initiative Academic Internship program; provided further, that except as otherwise provided in this act, all financial assistance mentioned previously in this item shall be distributed to students demonstrating the greatest need as determined by an eligibility index used by the state scholarship office; provided further, that students awarded full or partial scholarships under the Christian A. Herter Memorial Scholarship Program, established in section 16 of chapter 15A of the General Laws, who have matriculated in a program of higher education outside the commonwealth may continue to receive the scholarship aid guaranteed by that program; provided further, that the state scholarship office is authorized to expend monies for the public service awards as established in section 16 of chapter 15A; provided further, that the chancellor of higher education, in coordination with the Massachusetts state scholarship office, shall adopt regulations governing the eligibility and the awarding of financial assistance; provided further, that not more than $1,589,945 shall be expended on the administration of the scholarship program; provided further, that not less than $2,249,216 shall be provided for grants to residents of the commonwealth who are working as paraprofessionals in public schools of the commonwealth while pursuing a bachelor's degree at a public college or university in the commonwealth in order to become a certified teacher in Massachusetts; and provided further, that eligibility shall be limited to persons who have worked as a paraprofessional in the public schools of the commonwealth for a minimum of 2 years before receipt of such grant, or who are enrolled in and pursuing courses of study that will lead to certification as a teacher in bilingual education, special education, math, science, or foreign languages, and who commit to teach and actually teach, for a period determined by the board of higher education, in the public schools of the commonwealth upon graduation and certification pursuant to section 38G of chapter 71 ..... $83,673,454

7077-0023 For a contract with the Tufts School of Veterinary Medicine; provided, that funds appropriated in this item shall be expended under the Massachusetts resident veterinary tuition remission plan submitted January 8, 1998, for supportive veterinary services provided to the commonwealth; provided further, that prior year costs may be paid from this item; provided further, that funds appropriated herein shall support bioterrorism prevention research related to diseases that can be transmitted from animals to humans, in consultation with Massachusetts emergency authorities; and provided further, that the school shall work in consultation with the Norfolk County Agricultural School on veterinary programs $3,554,000

University of Massachusetts.

7100-0200 For the operation of the University of Massachusetts; provided, that notwithstanding any general or special law to the contrary, the university may establish and organize auxiliary organizations, subject to policies, rules and regulations adopted by the board, to provide essential functions which are integral to the educational mission of the university; provided further, that notwithstanding any general or special law to the contrary, the university may enter into leases of real property without prior approval of the division of capital asset management and maintenance; provided further, that not less than $500,000 shall be expended in fiscal year 2006 for the University of Massachusetts at Amherst Cranberry Station at Wareham; provided further, that such funds shall be expended under a plan reviewed and recommended by the University of Massachusetts at Amherst Cranberry Experiment Station Board of Oversight; provided further, not less than $66,000 shall be expended for the state cranberry bog renovation at the University of Massachusetts at Amherst Cranberry Station at Wareham; provided further, that not less than $500,000 shall be expended for the Center for Portuguese Studies to operate at the University of Massachusetts at Dartmouth; provided further, that not less than $380,000 shall be

expended for the School for Marine Environmental Science Technology and Fisheries to operate at the University of Massachusetts at Dartmouth; provided further, that the sum expended for the UMass Extension in fiscal year 2006 shall be adjusted only in direct proportion to university budget adjustments to other academic programs of the University of Massachusetts at Amherst; provided further, that such funds shall be expended in accordance with a plan reviewed by the UMass Extension Board of Public Overseers; provided further, that not less than $50,000 shall be expended for the 4-H program; provided further, that not less than $250,000 shall be expended for labor studies programs at the Amherst, Boston, Dartmouth and Lowell campuses; provided further, that no funds appropriated in this item may be used for the issuance or renewal of student or employee identification cards which display a student or employee's social security number; provided further, that funding for the William Joiner Center for the Study of War and Social Consequences shall be funded at an amount not less than was allocated in the previous fiscal year; provided further, that not less than an additional $30,000 shall be appropriated for the Hispanic Writers in the Schools program; provided further, that not less than $368,000 shall be expended for the Maurico Gaston Institute for Latino Community Development and Public Policy at the University of Massachusetts at Boston; provided further, that not less than $30,000 shall be expended for the Grace Grossman Inner-City Youth Collaborative at the University of Massachusetts Field Station on Nantucket; and provided further, that not less than $100,000 shall be expended for the Sustainable Urban Redevelopment Program at the University of Massachusetts at Lowell; provided further, that not less than $350,000 shall be expended for the William Monroe Trotter Institute at the University of Massachusetts at Boston; and provided further, that funds shall be expended for the salary of a state geologist, who shall be appointed for a 5-year term by the chancellor of the University of Massachusetts Amherst in consultation with the secretary of the executive office of environmental affairs and department of geosciences; provided further, that the state geologist shall be a professional geologist who shall perform research on the land, mineral, and water resources of the commonwealth; coordinate and facilitate research and communication among various agencies, researchers and stakeholders; collect, compile, analyze and preserve data pertaining to the geologic environment; disseminate the findings of such research to the public through maps, reports, and other publications; and, direct the Massachusetts Geological Survey; provided further, that the state geologist shall advise all other branches of state and local government, concerning the geologic character of the state and its implications for both economic and scientific needs in conjunction with all existing and future environmental factors relating to the geology of the state; and provided further, that the state geologist shall maintain liaison with federal and other state geological surveys, and academic institutions..... $408,820,034

7100-0300 For the operation of the toxics use reduction institute program at the University of Massachusetts at Lowell under section 6 of chapter 21I of the General Laws $1,240,217

7100-0350 For an assessment at the Toxics Use Reduction Institute on the feasibility of adopting chemical or technological alternatives for the following toxic or hazardous substances: lead, formaldehyde, perchloroethylene, hexavalent chromium, and di-(2 ethylhexyl)phthalate (DEHP); provided, that the assessment shall, for each named toxic or hazardous substance, identify: (1) significant uses of the toxic substance in manufacturing, consumer products and any other applications; (2) potential human health and environmental impacts; (3) any alternative chemicals or technologies, both proven and emergent, and an analysis of their potential to serve as substitutes for any of the toxic or hazardous substances listed above, which shall include a assessment of: (a) specific applications of any alternative chemical or technology; (b) potential impacts on the environment, human health, workers, employment level

and economic competitiveness of the commonwealth from adopting and implementing any alternative chemical or technology as substitutes; (c) the economic opportunities or feasibility of adopting and implementing any alternative chemical or technology as a substitute including, but not limited to, consideration of the potential effects on capital, operating and production unit costs, and product price, to result from the substitution; and provided further, that the Institute shall report its findings to the joint committee on environment, natural resources and agriculture by July 1, 2006 ..... $250,000

7100-0500 For the operation of the board of higher education's Commonwealth College honors program at the University of Massachusetts at Amherst $3,430,000

7100-0700 For the operation of the office of dispute resolution at the University of Massachusetts at Boston under section 46 of chapter 75 of the General Laws, inserted by this act $166,440

State Colleges.

7109-0100 For Bridgewater State College; provided, that not less than $245,814 shall be expended for the operation of the John Joseph Moakley Center for Technological Applications at Bridgewater State College; and provided further, that the initiative shall be conducted on the site of the college for the purposes of technological applications to classroom teaching and initiatives in distance learning and economic development in conjunction with business and industry in southeastern Massachusetts $34,153,292

7110-0100 For Fitchburg State College $24,213,899

7112-0100 For Framingham State College; provided, that not less than $160,000 shall be expended for the regional economic research center; provided further, that $130,000 shall be expended for the operation of the commonwealths' global education centers $20,541,080

7113-0100 For the Massachusetts College of Liberal Arts $12,309,513

7114-0100 For Salem State College $32,501,837

7114-0101 For a reserve for the operation and maintenance costs associated with the acquisition of the GTE/Sylvania property located in the city of Salem $701,383

7114-0105 For the aquaculture program at Salem State College established under section 274 of chapter 38 of the acts of 1995 ..... $200,000

7114-0106 For the second degree nursing program at Salem State College $915,900

7115-0100 For Westfield State College $20,184,505

7116-0100 For Worcester State College $20,501,687

7116-0101 For the Latino Education Institute at Worcester State College $200,000

7117-0100 For the Massachusetts College of Art $11,167,184

7118-0100 For the Massachusetts Maritime Academy; provided further, that $325,000 shall be expended for the development of an alternative energy source with Massachusetts Technology Collaborative $11,107,771

Community Colleges.

7502-0100 For Berkshire Community College $8,226,345

7503-0100 For Bristol Community College $13,687,490

7504-0100 For Cape Cod Community College $9,829,611

7504-0101 For the operation of an environmental technology, education, and job training partnership through the Cape Cod Community College; provided, that the college shall coordinate the partnership with the Massachusetts Maritime Academy and the University of Massachusetts at Dartmouth; provided further, that the initiative shall be conducted at the Massachusetts military reservation, or at any site on Cape Cod determined by the college to be suitable for the purposes of on-site education and training in the use of alternative technologies to clean up designated superfund sites; provided further, that preference shall be given to local applicants; and provided further, that the executive office of environmental affairs and the University of Massachusetts at Dartmouth shall participate in the testing and evaluation of innovative technologies $124,438

7505-0100 For Greenfield Community College $8,062,547

7506-0100 For Holyoke Community College; provided, that funds may be expended for the operation of the Holyoke Home Information Center $15,973,761

7507-0100 For Massachusetts Bay Community College $12,286,568

7508-0100 For Massasoit Community College $17,407,014

7509-0100 For Mount Wachusett Community College; provided, that $100,000 shall be expended for the Latino education and family development program $10,427,486

7510-0100 For Northern Essex Community College $16,554,154

7511-0100 For North Shore Community College, including the post-secondary programs of the Essex Agricultural and Technical Institute operated by North Shore Community College $17,638,434

7511-0101 For the establishment and administration of the public policy institute and resource center at North Shore Community College $250,000

7512-0100 For Quinsigamond Community College $12,974,525

7514-0100 For Springfield Technical Community College $20,720,495

7514-0102 For the Massachusetts Center for Telecommunications and Information Technology through the Springfield Technical Community College Assistance Corporation, as established by section 125 of chapter 273 of the acts of 1994; provided, that the amount appropriated in this item shall include, but not be limited to, operating and maintaining cable television programming, distance learning curricula, telecommunications-intensive company facilities, and a small business incubator; provided further, that funds shall be allocated for a reserve for the operation and maintenance expenses incurred by Springfield Technical Community College associated with the acquisition of the Digital property; provided further, that the college may expend revenues in an amount not to exceed $575,000 received from

rent, utility, and other charges for the operation and maintenance of the property; and provided further, that funds shall be encumbered for an emergency reserve for unanticipated operating and maintenance expenses of Springfield Technical Community College in the acquisition of the Digital property $535,206

7515-0100 For Roxbury Community College $9,266,398

7515-0120 For the operation of the Reggie Lewis Track and Athletic Center at Roxbury Community College $793,788

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

7516-0100 For Middlesex Community College $16,979,751

7518-0100 For Bunker Hill Community College; provided, that $108,000 shall be obligated for the life focus center $17,697,906

7520-0424 For a health and welfare reserve for eligible personnel employed at the community and state colleges $3,850,000

EXECUTIVE OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY.

Office of the Secretary.

8000-0000 For the office of the secretary, including the administration of the committee on criminal justice, and the highway safety bureau to provide matching funds for a federal planning and administration grant pursuant to 23 U.S.C. section 402 ..... $2,250,856

General Fund 15.0%
Highway Fund 85.0%

8000-0010 For community policing grants to be administered by the executive office of public safety; provided, that no such grants shall be awarded to the department of state police; provided further, notwithstanding chapter 172 of the acts of 2004, that any community earmarked to receive funds in item 8000-0010, in section 2, of chapter 26 of the acts of 2003, including funds allocated by section 67 of chapter 140 of the acts of 2003, shall receive 100 per cent of the amount so earmarked in fiscal year 2006; provided further, that $80,000 shall be provided for community policing in Newburyport; provided further, that $47,000 shall be provided for community policing in Swampscott; provided further, that $83,920 shall be provided for community policing in Framingham; provided further, that $20,000 shall be provided for community policing in Revere; provided further, that $165,000 of the grants awarded to Boston shall be provided for community policing in Dudley Square section of Roxbury in the city of Boston; provided further, that $240,000 of the grants awarded to Boston shall be provided for community policing in West Roxbury and Hyde Park; provided further, that $38,000 shall be provided for community policing in Falmouth; provided further, that $19,200 shall be provided for community policing in Kingston; provided further, that $19,200 shall be provided for community policing in Pembroke; provided further, that $100,000 shall be provided for community policing in Plymouth; provided further, that

$38,000 shall be provided for community policing in Plympton; provided further, that $50,000 shall be provided for community policing in Sandwich; provided further, that $25,000 shall be expended to the Milton Police Department to provide additional Milton Police patrols for that portion of the Neponset River bicycle path in the town of Milton; provided further, that grants shall only be expended on items that are related to community policing activities, programs, purchases or construction; provided further, that grant funds shall not be expended on food and beverages, recruit training academy tuition, salaries and benefits for non-community policing personnel and payments for non-related overtime; and provided further, that, not later than March 15, 2006, the executive office of public safety shall submit a report to the house and senate committees on ways and means detailing the amount of grants awarded to these grant recipients and descriptions of these grants $20,267,596

8000-0040 For police career incentives to reimburse certain cities and towns for career incentive salary increases for police officers $46,092,122

8000-0060 For the costs associated with implementation of chapter 228 of the acts of 2000; provided, that the secretary of public safety may allocate funds appropriated in this item to agencies within the executive office of public safety $150,000

8000-0202 For the purchase and distribution of sexual assault evidence collection kits..... $80,000

8000-0619 For the distribution of grants for city and town student awareness of fire education programs, to be known as S.A.F.E programs, which shall include information about the fire risks caused by smoking; provided, that grants awarded by the executive office of public safety to a municipality under the program shall, when applicable, be in an amount not less than the amount of the grant or grants each such municipality received in fiscal year 2000 ..... $1,078,666

Office of Chief Medical Examiner.

8000-0105 For the operation of the office of the chief medical examiner, established pursuant to section 2 of chapter 38 of the General Laws; provided, that not less than $850,000 shall be expended for toxicology testing and results..... $6,542,664

8000-0106 For the operation and related costs of the state police crime laboratory; provided, that the analysis of narcotic drug synthetic substitutes, poisons, drugs, medicines, and chemicals shall be funded in this item in order to support the law enforcement efforts of the district attorneys, the state police and municipal police departments; provided further, that the agency shall contract with a public institution to conduct testing for criminal cases; and provided further, that the practices and procedures of the state police crime laboratory shall be informed by the recommendations of the Forensic Sciences Advisory Board $12,199,007

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

Criminal History Systems Board.

8000-0110 For the operation of the criminal history systems board; provided, that the board shall fund 1 administrative assistant who shall be employed in the victim services unit of the board for the continued and enhanced operation of the post-conviction victim and witness certification program operated pursuant to chapter 258B and clause (c) of the first paragraph of section 172 of chapter 6 of the General Laws; provided further, that the victim services position shall be in addition to any such positions approved as of February 1, 1998; provided further, that not more than $75,000 shall be expended for the purpose of enabling local housing authorities access to criminal offense information when qualifying applicants for state-assisted housing; provided further, that the board shall, not later than September 30, 2005, adopt regulations to: a) assure that the distribution of criminal offender record information relates to the individual for whom the request has been made, b) afford practical assistance in corrections to a criminal offender record information report to an individual who submits evidence to the board that one or more charges in a criminal offender record information report distributed by the board and purportedly relating to that individual, in fact, do not relate to that individual, c) limit the distribution of criminal offender record information to conviction data and data regarding any pending criminal charge, except as otherwise authorized by law; and provided further, that not later than January 1, 2006, the board shall file a report with the house and senate committees on ways and means detailing the steps the board has taken to implement the preceding proviso and the success of those steps in improving the accuracy of the criminal offender record information system $2,826,982

Highway Fund 50.0%
General Fund 50.0%

8000-0180 For the implementation of the Massachusetts instant recording and check system..... $400,000

8000-0190 For a retained revenue account for the criminal history systems board; provided, that the board may expend not more than $185,000 from fees collected for criminal offender record information requests; provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $185,000

8000-1122 For the telecommunications and information technology costs of the criminal history systems board; provided, that no funds provided in this item shall be expended in the KK object class $3,117,681

Sex Offender Registry Board.

8000-0125 For the operation of the sex offender registry program, including, but not limited to, the costs of maintaining a computerized registry system and the classification of persons subject to the registry..... $3,597,380

8000-0225 The sex offender registry board may expend an amount not to exceed $750,000 from revenues collected from sex offender registration fees for the purpose of expediting the final classification of sex offenders and reducing the current case backlog; provided, that $200,000 shall be expended for interagency service agreements between the sex offender registry board and the various district attorneys in order to defray the costs incurred by the district attorneys from proceedings relative to the

civil commitment of sexually dangerous persons, including, but not limited to, probable cause hearings and trials initiated pursuant to sections 12 through 15, inclusive, of chapter 123A of the General Laws $750,000

State Police.

8100-0000 For the administration and operation of the department of state police; provided, that costs associated with the 77th and 78th state police classes shall be funded herein; provided further, that the department shall expend funds from this item for the purpose of maximizing federal grants for the operation of a counter-terrorism unit; provided further, that the department shall maintain the division of field services which shall include, but not be limited to, the bureau of metropolitan district operations; provided further, that not fewer than 40 officers may be provided to the department of conservation and recreation for the purpose of patrolling the watershed property of the department of conservation and recreation; provided further, that funds shall be expended from this item for the administration and operation of an automated fingerprint identification system and the motor carrier safety assistance program; provided further, that not fewer than 5 officers shall be provided to the disabled persons protection commission for the purpose of investigating cases of criminal abuse; provided further, that the department shall enter into an interagency agreement with the department of conservation and recreation to provide police coverage on department properties and parkways; provided further, that the creation of a new or the expansion of the existing statewide communications network shall include the office of law enforcement in the executive office of environmental affairs at no cost to, or compensation from, that office; provided further, that not less than $2,328,946 shall be expended for the payroll costs of the state police directed patrols; provided further, that any community that was selected to receive earmarked funds in fiscal year 2004 shall receive 100 per cent of the amount so earmarked in fiscal year 2006; provided further, that not less than $900,000 shall be expended to curb gang-related activities in the cities of Boston, Brockton, Chelsea, Lawrence, Lowell, New Bedford, Revere, Springfield and Worcester; provided further, that $100,000 shall be expended for the SCARR program in Newburyport and Haverhill; provided further, that not less than $50,000 shall be expended for patrols in Berkshire county; provided further, that $50,000 shall be expended for patrols in the Myles Standish state park in the town of Plymouth; provided further, that $75,000 shall be expended for the 5-A program in the city of Springfield; and provided further, that the department may expend funds from this item for the administration of budgetary, procurement, fiscal, human resources, payroll and other administrative services of the office of the chief medical examiner, the municipal police training committee and the criminal history systems board $211,036,870

Highway Fund 88.20%
General Fund 11.80%

8100-0006 For private police details; provided, that the department may expend up to $13,500,000 in revenues collected from fees charged for private police details and for the costs of administering such details; and provided further, that notwithstanding any general or special law to the contrary, the department may incur, and the comptroller may certify for payment, expenses and liabilities during fiscal year 2006 to be charged to this item in an amount not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system for the purposes stated in this item to accommodate the delayed receipt of revenues authorized to be retained in this item during fiscal year 2006 ..... $13,500,000

8100-0007 For the overtime of state police officers including the operation of the drug enforcement task force; provided, that the department shall furnish, on a quarterly and annual basis, a report to the house and senate committees on ways and means outlining by category, division and cost the overtime hours worked; provided further, that the report shall also include a calculation reviewing the reduced number of overtime hours worked and savings to the department resulting from the addition of the 77th, 78th, and 79th state police classes..... $14,010,782

Highway Fund 88.20%
General Fund 11.80%

8100-0011 The department may expend an amount not to exceed $3,600,000 for certain police activities provided pursuant to agreements authorized in this item; provided, that for fiscal year 2006, the superintendent of the state police may enter into service agreements with the commanding officer or other person in charge of a military reservation of the United States located in the Massachusetts Development Finance Agency, established in chapter 23G of the General Laws; provided further, that such agreements shall establish the responsibilities pertaining to the operation and maintenance of police services including, but not limited to: (1) provisions governing payment to the department for the cost of regular salaries, overtime, retirement and other employee benefits; and (2) provisions governing payment to the department for the cost of furnishings and equipment necessary to provide such police services; provided further, that the department may charge any recipients of police services for the cost of such services, as authorized by this item; provided further, that the department may retain the revenue so received and expend such revenue as necessary pursuant to this item to provide the agreed level of services; provided further, that the superintendent may enter into service agreements as may be necessary to enhance the protection of persons, as well as assets and infrastructure located within the commonwealth, from possible external threat or activity, provided that such agreements shall establish the responsibilities pertaining to the operation and maintenance of police services including, but not limited to: (1) provisions governing payment to the department for the cost of regular salaries, overtime, retirement and other employee benefits; and (2) provisions governing payment to the department for the cost of equipment necessary to provide such police services; provided further, that the department may charge any recipients of police services for the cost of such services, as authorized by this item; provided further, that the department may retain the revenue so received and expend such revenue as necessary pursuant to this item to provide the agreed level of services; provided further, that the superintendent may expend from this item costs associated with joint federal and state law enforcement activities from federal reimbursements received therefore; and provided further, that notwithstanding any general or special law to the contrary for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not exceed the lower of this authorization or the most recent revenue estimate $3,600,000

Highway Fund 100.0%

8100-0012 The department of state police may expend for the costs of security services provided by state police officers, including overtime and administrative costs, an amount not to exceed $1,000,000 from fees charged for these services; provided, that notwithstanding the provisions of any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this

authorization or the most recent revenue estimate therefore as reported in the state accounting system $1,000,000

8100-0020 The department may expend an amount not to exceed $150,000 in fees charged for the use of the statewide telecommunications system for the maintenance of the system $150,000

8100-0101 The department may expend for the auto theft strike force an amount not to exceed $368,000 from fees for services performed through the auto etching program and from insurance industry settlements $368,000

8100-0515 For the training and related costs of the 79th Recruit Training Troop $4,418,246

Municipal Police Training Committee.

8200-0200 For the operation of veteran, reserve and in-service training programs conducted by the Massachusetts municipal police training committee; provided, that the committee shall expend not less than $250,000 in accordance with chapter 30B of the General Laws, for training and technical assistance for chiefs of police and administrative or command personnel by: a) a combination of training manuals, seminars, computer based training and distance learning; b) research, drafting and mailing of monthly articles and presentations on legal and administration topics; c) training presentations during and following monthly meetings of policy chiefs; d) e-mail, toll-free consultation to chiefs on administrative issues and follow-up on seminar topics; e) a state-wide 3 day training conference on management, legal and leadership issues; provided further, that under no circumstances shall any expenditures authorized by this item be charged to item 8200-0222; and provided further, that no expenditures shall be made, on or after the effective date of this act, which would cause the commonwealth's obligation for the purpose of this item to exceed the amount appropriated in this item $3,241,478

8200-0222 The committee may collect and expend an amount not to exceed $1,363,500 for the purposes of providing training to new recruits; provided, that the committee shall charge $2,300 per recruit for the training; provided further, that notwithstanding any general or special law to the contrary, the committee shall charge a fee of $2,300 per person for training programs operated by the committee for all persons who begin training on or after July 1, 2005; provided further, that the fee shall be retained and expended by the committee; provided further, that the trainee, or, if the trainee is a recruit, the municipality in which the recruit shall serve, shall provide the fee in full to the committee no later than the first day of orientation for the program in which such trainee or recruit has enrolled; provided further, that no recruit or person shall begin training unless the municipality or the person has provided the fee in full to the committee; provided further, that for recruits of municipalities, upon the completion of the program, the municipality shall deduct the fee from the recruit's wages in 23 equal monthly installments, unless otherwise negotiated between the recruit and the municipality in which the recruit shall serve; provided further, that if a recruit withdraws from the training program before graduation, the committee shall refund the municipality in which the recruit was to have served a portion of the fee according to the following schedule: if a recruit withdraws from the program before the start of week 2, 75 per cent of the payment shall be refunded; if a recruit withdraws from the program after the start of week 2 but before the start of week 3, 50 per cent of the fee shall be refunded; if a recruit withdraws from the program after the start of week 3 but before the start of week 4, 25 per cent of the fee shall be refunded; if a recruit withdraws after the start of week 4, the fee shall not be refunded; provided further, that a recruit who withdraws from

the program shall pay the municipality in which he was to have served the difference between the fee and the amount forfeited by the municipality according to the schedule; provided further, that the schedule shall also apply to trainees other than recruits who enroll in the program; provided further, that no expenditures shall be charged to this item that are not directly related to new recruit training; provided further, that no expenditures shall be charged to this item that are related to chief, veteran, in-service, or reserve training, or any training not directly related to new recruits; provided further, that the committee shall submit a report on the status of recruit training, including the number of classes, start and end dates of each class, total number of recruits enrolled and graduating in each class, cost per recruit and cost per class for fiscal years 2005 and 2006; provided further, that the report shall be submitted to the house and senate committees on ways and means no later than January 1, 2006; and provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the committee may incur expenses and the comptroller may certify for payments not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $1,363,500

Department of Public Safety.

8311-1000 For the administration of the department of public safety, including the board of building regulations and standards and the architectural access board; provided, that the department may charge fees for permitting the operation of amusement devices and to support the department's participation in the National Council for Amusement and Recreational Equipment Safety; provided further, that the department may charge fees for amusement operator certification; and provided further, that the salaries of the commissioner and the deputy commissioner of the department of public safety shall be paid from this item $1,052,495

8315-1000 For the administrative costs of the division of inspections; provided, that the expenses of the state boxing commission shall be paid from this item; provided further, that a doctor's certificate from another state shall be accepted as evidence of an eye examination; provided further, that no funds shall be expended from this item for the salaries of the commissioner or deputy commissioner of public safety; provided further, that the department shall employ not less than 46.5 full-time equivalent elevator inspectors, including an additional engineer inspector; provided further, that such additional engineer inspector's duties shall include, but not be limited to, administering pipefitter license examinations; provided further, that such an additional engineer inspector and elevator inspectors shall be regular state employees compensated from the AA object class of this item; provided further, that such additional engineer inspector position shall be in addition to any such positions added during fiscal year 1995; provided further, that the division shall develop reasonable rules or promulgate regulations for the granting of hardship fee exemptions to certain owners or persons in control of a building or domicile in which an elevator is operated; provided further, that the division shall report to the house and senate committees on ways and means on the elevator inspection backlog not later than October 1, 2005; provided further, that the division shall develop and maintain an electronic database that shall include, but not be limited to, the location and a categorical classification of buildings in which inspections are conducted; and provided further, that the division shall inspect all elevators in the state house and the McCormack office building $4,507,803

8315-1020 The department of public safety may expend not more than $1,700,000 in revenues collected from fees for annual elevator and amusement park ride inspections; provided, that funds shall be expended for the operation of the department and for

the purposes of addressing the existing elevator inspection backlog; provided further, that the department shall make efforts to employ inspectors that will perform overnight and weekend inspections as their regular work shift; provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most-recent revenue estimate as reported in the state accounting system $1,700,000

8315-1025 The department of public safety may collect and expend an amount not to exceed $80,000 for the purposes of providing state building code training and courses for instruction; provided, that the agency may charge fees for the classes and education materials associated with administering training; and provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most-recent revenue estimate as reported in the state accounting system..... $80,000

Department of Fire Services.

8324-0000 For the administration of the department of fire services, including the state fire marshal's office, the hazardous materials emergency response program and the Massachusetts firefighting academy, including the Massachusetts fire training council certification program, municipal and non-municipal fire training, and expenses of the council; provided, that the fire training program shall use the split days option; provided further, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item for the administration of the department of fire services, the state fire marshal's office and the Massachusetts firefighting academy shall be assessed upon insurance companies writing fire, homeowners multiple peril or commercial multiple peril policies on property situated in the commonwealth and paid within 30 days after receiving notice of such assessment from the commissioner of insurance; provided further, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item for the operation of the hazardous materials emergency response program shall be assessed upon insurance companies writing commercial multiple peril, non-liability portion, policies on property situated in the commonwealth and commercial auto liability policies as referenced in line 5.1 and line 19.4, respectively, in the most recent annual statement on file with the commissioner of insurance; provided further, that notwithstanding any general or special law to the contrary, funds scheduled in the PP object class, pursuant to section 27 of chapter 29 of the General Laws for this item in fiscal year 2006 shall not be transferred to any other object class in said fiscal year; provided further, that not more than 10 per cent of the amount designated for the arson prevention program shall be expended for the administrative cost of the program; provided further, that the expenses of the board of fire prevention regulations, pursuant to section 4 of chapter 22D of the General Laws, shall be paid from this item; provided further, that the expenses of the fire safety commission shall be paid from this item; provided further, that $25,000 shall be expended for the costs of operating the fire starters program by the Plymouth county juvenile court; and provided further, that not less than $100,000 be expended for the administration of a statewide program to provide for critical incident stress intervention for the fire departments of the cities, towns, and fire districts of the commonwealth including, but not limited to, consultant services, training, equipment, and supplies $10,223,098

8324-1101 For the costs of the department for the enforcement of underground storage tank compliance standards set forth in sections 38B to 38I, inclusive, of chapter 148 of the General Laws and the rules and regulations promulgated pursuant thereto $106,092

Merit Rating Board.

8400-0100 For the operation of the safe driver insurance plan authorized pursuant to section 113B of chapter 175 of the General Laws, including the rent, related parking and utility expenses of the merit rating board; provided, that notwithstanding the provisions of any general or special law to the contrary, no safe driver insurance plan shall require the payment of an unsafe driver point surcharge for the first offense for non-criminal, motor vehicle traffic violations as described in chapter 90C of the General Laws $8,606,736

Highway Fund 100.0%

Military Division.

8700-0001 For the operation of the military division, including the offices of the adjutant general and state quartermaster, the operation of the armories, the camp Curtis Guild rifle range and certain national guard aviation facilities; provided, that notwithstanding chapter 30 of the General Laws, certain military personnel in the military division may be paid salaries according to military pay grades; and provided further, that the adjutant general shall maintain a roster of Massachusetts veterans as directed by section 15 of chapter 33 of the General Laws $5,451,741

8700-1140 The state quartermaster may expend an amount not to exceed $400,000 from revenues collected for the purposes described in this item; provided, that the state quartermaster may expend from fees collected for the non-military rental or use of armories for the costs of utilities and maintenance; and provided further, that the state quartermaster may expend an amount not to exceed $250,000 for salaries, subsistence, quarters, and associated costs for national guard soldiers ordered to perform state missions pursuant to chapter 33 of the General Laws, from revenues resulting from the acceptance of funds from any person, governmental entity or non-governmental entity to defray such expenses $400,000

Massachusetts Emergency Management Agency.

8800-0001 For the operations of the Massachusetts emergency management agency; provided, that expenditures from this item shall be contingent upon the prior approval of the proper federal authorities $997,301

8800-0100 For the nuclear safety preparedness program of the Massachusetts emergency management agency; provided, that the costs of the program, including fringe benefits and indirect costs, shall be assessed upon Nuclear Regulatory Commission licensees operating nuclear power generating facilities in the commonwealth; provided further, that the department of telecommunications and energy shall develop an equitable method of apportioning such assessments among such licensees; and provided further, that such assessments shall be paid during the current fiscal year as provided by the department..... $388,855

8800-0200 For the Seabrook nuclear safety preparedness and radiological emergency response plan evaluations program; provided, that the cost of the program, including associated fringe benefits and indirect costs, shall be assessed on electric companies in the commonwealth which own, in whole or in part, or purchase power from,

nuclear power plants located outside the commonwealth whose nuclear power plant areas, as defined in section 2B of chapter 639 of the acts of 1950, include communities located within the commonwealth and shall be credited to the General Fund; provided further, that the department of telecommunications and energy shall develop an equitable method of apportioning such assessments among the licensees; provided further, that such assessments shall be paid during the current fiscal year as provided by the department; provided further, that for the purposes of this item, "electric companies" shall mean all persons, firms, associations and private corporations which own or operate works or a distributing plant for the manufacture and sale or distribution and sale of electricity within the commonwealth; and provided further, that the term "electric company" shall not include municipalities or municipal light plants $269,473

8800-0300 For environmental monitoring of the nuclear power plant in Seabrook, New Hampshire including a continuous real-time radiological monitoring system for Massachusetts cities and towns located within the emergency planning zone of the nuclear power plant; provided, that the cost of this item, including any applicable fringe benefits and indirect costs, shall be assessed on electric companies in Massachusetts which own, in whole or in part, or purchase power from the Seabrook nuclear power plant; provided further, that the department of telecommunications and energy shall develop an equitable method of apportioning such assessments among the licensees; provided further, that such assessments shall be paid during the current fiscal year as provided by the department; provided further, that for the purposes of the item, electric companies shall be defined as all persons, firms, associations and private corporations which own or operate works or distribute electricity in the commonwealth; provided further, that the term "electric companies" shall not include municipalities or municipal light plants; and provided further, that the department shall report to the house and senate committees on ways and means not later than March 1, 2006, the results of the monitoring project between the department and the citizens monitoring group, including but not limited to, the reasons for increases and decreases in radiation levels..... $90,356

Department of Correction.

8900-0001 For the operation of the commonwealth's department of correction; provided, that the department shall expend not less than $1,010,500 to cities and towns hosting facilities; provided further, that one-half of the number of inmates incarcerated at Souza Baranowski correctional center shall be deemed to be incarcerated within a correctional facility in the town of Shirley and one-half shall be deemed to be incarcerated within a correctional facility in the town of Lancaster; provided further, that before closing any correctional facility, the commissioner of corrections and the secretary of public safety shall report to the house and senate committees on ways and means and public safety on the per-inmate cost of incarceration in the closing facility, and the per-inmate cost in the facilities to which inmates will be moved; provided further, the commissioner of corrections and the secretary of public safety shall report to the house and senate committees on ways and means and public safety before January 1 of each year the point score compiled by the department of correction's objective classification system for all prisoners confined in each prison operated by the department; provided further, that not less than $200,000 shall be provided for the Aid to Incarcerated Mothers organization; provided further, that not less than $40,000 shall be provided for the Dismas House; provided further, that the department shall expend not less than $500,000 to the community hosting the facility at Cedar Junction; and provided further, that the department may expend funds appropriated herein for the administration of budgetary, procurement, fiscal, human resources, payroll and

other administrative services of the military division, the Massachusetts parole board and the sex offender registry board $434,294,878

8900-0010 For prison industries and farm services $2,783,521

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

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

County Corrections.

8910-0000 For a reserve to fund county correctional programs; provided, that the funds appropriated in this item shall be distributed among the sheriffs departments of Barnstable, Bristol, Dukes, Nantucket, Norfolk, Plymouth and Suffolk counties by the county government finance review board upon prior notification to the house and senate committees on ways and means; provided further, that funds appropriated in this item shall be in addition to and contingent on the requirements of item 1599-7092; provided further, that funds made available to Plymouth county can be expended for operating and debt service costs associated with state inmates housed in the Plymouth county facility, pursuant to the provisions of clauses 3 and 4 of the memorandum of agreement signed May 14, 1992; provided further, that Suffolk county may receive additional funding from the balance for county correction maintenance and operation expenses; provided further, that funds distributed from this item shall be paid to the treasurer of each county who shall place such funds in a separate account within the treasury of each such county; provided further, that the treasurer shall authorize temporary transfers into this account for operation and maintenance of jails and houses of correction in advance of receipt of the amount distributed by the commonwealth under this item; provided further, that upon receipt of the state distribution, the treasurer may transfer out of such account an amount equal to the funds so advanced; provided further, that all funds deposited in such accounts and any interest accruing thereto shall be used solely for the functions of the sheriffs' departments of the various counties including, but not limited to, maintenance and operation of jails and houses of correction, without further appropriation; provided further, that the sheriff's department of each county shall reimburse the county treasurer of each county for personnel-related expenses, with the exception of salaries, attributable to the operations of the sheriff's department of each county heretofore paid by the county including, but not limited to, the cost of employee benefits; provided further, that the spending plans required by this item shall be developed by the county

government finance review board, in consultation with the Massachusetts Sheriffs' Association; provided further, that in accordance with section 247 of chapter 38 of the acts of 1995, all spending plans shall be detailed by object code in accordance with the expenditure classification requirements promulgated by the comptroller; provided further, that such spending plans shall be accompanied by a delineation of all personnel employed by each county correctional facility including, but not limited to, position, title, classification, rank, grade, salary and full-time or part-time status; provided further, that such spending plans shall be accompanied by a delineation of all vehicles leased, owned or operated by each county sheriff; provided further, that no sheriff shall purchase any new vehicles or major equipment in fiscal year 2006 unless such purchase is made pursuant to a multicounty or regionalized collaborative procurement arrangement or unless such purchase is directly related to significant population increase or is otherwise necessary to address an immediate and unanticipated public safety crisis and is approved by the county government finance review board and the executive office of public safety; provided further, that notwithstanding the provisions contained in this item, sheriffs may purchase "marked" prisoner transportation vans, upon notification to the county government finance review board; provided further, that notwithstanding any special law to the contrary, no county treasurer shall retain revenues derived by the sheriffs from commissions on telephone service provided to inmates or detainees; provided further, that the revenues shall be retained by the sheriffs not subject to further appropriation for use in a canteen fund; provided further, that the county government finance review board and the executive office of public safety shall identify and develop county correction expenditures which shall be reduced through shared contracts, regionalized services, bulk purchasing and other centralized procurement savings programs; provided further, that the daily count sheet for county facilities, compiled by the executive office of public safety, shall be filed with the Massachusetts Sheriffs' Association not less than monthly; provided further, that all revenues including, but not limited to, revenue received from housing federal prisoners, United States Marshals, canteen revenues, inmate industries and work-crew revenues shall be tracked and reported quarterly to the house and senate committees on ways and means and the Massachusetts Sheriffs' Association; provided further, that on or before August 15, 2005, each county sheriff shall submit a final spending plan for fiscal year 2006 to the county government finance review board and the house and senate committees on ways and means detailing the level of resources deemed necessary for the operation of each county correctional facility and the expenditures which shall be reduced to remain within the appropriation; provided further, that failure by a county sheriff to comply with any provision of this item shall result in a reduction of subsequent quarterly payments to amounts consistent with a rate of expenditure of 95 per cent of the rate of expenditure for fiscal year 2005, as determined by the county government finance review board; provided further, that each sheriff shall submit to the executive office of public safety and the house and senate committees on ways and means copies of such spending plans not later than August 15, 2005; provided further, that on or before September 15, 2005, the county government finance review board shall have approved final fiscal year 2006 county correction budgets; provided further, that the county government finance review board shall provide the executive office of public safety and the house and senate committees on ways and means with copies of such approved budgets not later than October 15, 2005; provided further, that such budgets shall include distribution schedules for the final 2 quarters of fiscal year 2006 and such plans shall be used to make all subsequent quarterly distributions; provided further, that services shall be provided to the extent determined to be possible within the amount appropriated in this item and each sheriff shall make all necessary adjustments to ensure that expenditures do not exceed the appropriation; provided further, that each county shall expend during fiscal year 2006, for the operation of county jails and houses of correction and other

statutorily authorized facilities and functions of the office of the sheriff, in addition to the amount distributed from this item, not less than 102.5 per cent of the amount expended in fiscal year 2005 for such purposes from own-source revenues, which shall not be less than 5 per cent of total county revenues including, but not limited to, amounts levied pursuant to sections 30 and 31 of chapter 35 of the General Laws and amounts provided pursuant to sections 11 to 13, inclusive, of chapter 64D of the General Laws; provided further, that in fiscal year 2006, those counties which have not met maintenance of effort obligations in prior fiscal years shall expend not less than the minimum contribution, as defined above from own-source revenues; provided further, that notwithstanding the provisions stated in this item, the maintenance of effort obligations for Suffolk county shall be 4 per cent of the total fiscal year 2006 Suffolk county correction operating budget as approved by the county government finance review board; provided further, that notwithstanding any general or special law to the contrary, the deputy commissioner of local services shall certify on or before May 15, 2006, that all municipalities have appropriated and transferred to their respective county treasuries, not less than 102.5 per cent of the municipality's prior year obligations or minimum contributions as defined above, whichever is greater, for county corrections; provided further, that if a municipality fails to transfer such obligation, the deputy commissioner shall withhold an amount equal to the shortfall in the obligation due to the county from such municipality's fourth quarter local aid "cherry sheet" distribution, authorized from item 0611-5500 of section 2 and from funds made available from the State Lottery Fund distribution in section 3; provided further, that on or before August 1, 2005, the deputy commissioner shall report all such withholdings to the house and senate committees on ways and means; provided further, that in fiscal year 2006, notwithstanding section 20A of chapter 59 of the General Laws, any county except Suffolk and Nantucket may increase its county tax for the fiscal year by an additional amount if the total amount of such additional county tax is approved by two-thirds of the cities and towns in the county, in towns by a majority vote of the town meeting or town council, and in cities by a majority vote of the city council or board of aldermen, with the approval of the mayor or manager; and provided further, that each sheriff funded from this item shall report on a monthly basis to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than September 30, 2005 ..... $140,260,963

8910-0002 For the administration of a sex offender warrant unit program in the Barnstable county sheriff's office; provided, that the unit shall support the regional cape cod sex offender management task force, provide address verification and maintain a regional sex offender database for local law enforcement $152,000

8910-0003 For 2 regional behavioral evaluation and stabilization units to provide forensic mental health services within existing physical facilities for incarcerated persons in the care of correctional facilities in the commonwealth; provided, that 1 unit shall be located in Hampden county to serve the needs of incarcerated persons in the care of Berkshire, Franklin, Hampden, Hampshire, and Worcester counties; provided further, that 1 unit shall be located in Middlesex County to serve the needs of incarcerated persons in the care of Barnstable, Bristol, Dukes, Essex, Nantucket, Middlesex, Norfolk, Plymouth, and Suffolk counties; provided further, that the services of the units shall be made available to incarcerated persons in the care of the department of correction; provided further, that the Massachusetts sheriffs' association, in conjunction with the department of correction, shall prepare a report that shall include, but not be limited to, a) the number of incarcerated persons in facilities located in counties that were provided services in each unit, b) the number of incarcerated persons in department of correction facilities that were provided

services in each unit, c) the alleviation in caseload at Bridgewater state hospital associated with fewer incarcerated persons in the care of counties being attended to at the hospital and, d) the estimated and projected cost-savings in fiscal year 2006 to the sheriff departments and the department of correction associated with the regional units; provided further, that the report shall be submitted to the house and senate committees on ways and means no later than March 15, 2006; and provided further, that the department of mental health shall maintain monitoring and quality review functions of the units $2,600,000

8910-0010 For the purpose of funding expenses for services provided to inmates of county correctional facilities by the department of public health Lemuel Shattuck hospital in fiscal year 2006; provided, that the department shall notify the county government finance review board and the comptroller of all such expenses; provided further, that not more than 30 days after receiving such notification, the board shall certify to the comptroller the amount of such expenses to be charged to this item; provided further, that upon receiving such certification, the comptroller shall effect the transfer of such amount from this item to item 4590-0903 in section 2B; and provided further, that such actual and projected payments shall be considered expenditures within each county spending plan and shall be reflected as such in proposed spending plans required by 8910-0000 in section 2 ..... $2,647,829

Sheriffs.

8910-0102 For the operation of the jail, house of correction and any other statutorily authorized facilities and functions under the administration of the office of the sheriff of Hampden county; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2005 ..... $55,076,711

8910-0105 For the operation of the jail, house of correction and any other statutorily authorized facilities and functions under the administration of the office of the sheriff of Worcester county; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2005 ..... $41,098,321

8910-0107 For the operation of the jail, house of correction and any other statutorily authorized facilities and functions under the administration of the office of the sheriff of Middlesex county; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2005 ..... $49,641,858

8910-0108 For the operation of the jail, house of correction and any other statutorily authorized facilities and functions under the administration of the office of the sheriff of Franklin county; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2005 ..... $6,264,939

8910-0110 For the operation of the jail, house of correction and any other statutorily authorized facilities and functions under the administration of the office of the sheriff of Hampshire county; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2005; provided further, that $225,000 shall be expended for the lease payments for modular units located at 205 Rock Hill Road in the city of Northampton $10,874,732

8910-0145 For the operation of the jail, house of correction, and any other statutorily authorized facilities and functions under the administration of the office of the sheriff of Berkshire county; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2005 ..... $13,112,020

8910-0160 For a retained revenue account for the Middlesex sheriff's department for reimbursements from the federal government for costs associated with the incarceration of federal inmates at the Billerica house of correction; provided, that the department may expend for the operation of the department and for renovation of a new training facility and one-time capital maintenance issues at the Billerica house of correction an amount not to exceed $850,000 from revenues collected from the incarceration of federal inmates; provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most-recent revenue estimate therefor as reported in the state accounting system; and provided further, that all expenditures from this item shall be subject to chapter 29 of the General Laws and recorded on the Massachusetts management accounting and reporting system $850,000

8910-0188 The Franklin sheriff's department may expend for the operation of the department an amount not to exceed $1,300,000 from revenues received from federal inmate reimbursements; provided, that $300,000 from the reimbursements shall not be available for expenditure and shall be deposited in the General Fund at a rate of the first $75,000 of each quarter before the retention by the department of any reimbursements; provided further, that the quarterly payments shall total $300,000 in fiscal year 2006; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefor as reported in the state accounting system $1,300,000

8910-0445 The Berkshire sheriff's department may expend an amount not to exceed $150,000 from revenues generated from the operation of the Berkshire county communication center's 911 dispatch operations and other law enforcement related activities, including the Berkshire county sheriff prison industries program; provided, that all expenditures from this item shall be subject to chapter 29 of the General Laws and recorded on the Massachusetts management accounting and reporting system $150,000

8910-0619 For the operation of the jail, house of correction and any other statutorily authorized facilities and functions under the administration of the office of the sheriff of Essex county; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2005 ..... $40,534,727

8910-0888 For a prison industries revenue retention account for the Franklin sheriff's department; provided, that the department may expend any amount not to exceed $100,000 from revenues collected from the sale and production of printed materials manufactured at the sheriff’s department's print shop; provided further, that all expenditures from this item shall be subject to chapter 29 of the General Laws and recorded on the

Massachusetts management accounting and reporting system $100,000

8910-1000 For a prison industries revenue retention account for the Hampden sheriff's department; provided, that the department may expend any amount not to exceed $710,000 from revenues collected from the sale of products, for materials, supplies, equipment, maintenance of facilities, reimbursement for community service projects and compensation of employees of the program; and provided further, that all expenditures from this item shall be subject to chapter 29 of the General Laws and recorded on the Massachusetts management accounting and reporting system $710,000

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

8910-1111 The Hampshire sheriff's department may expend for the operation of the department an amount not to exceed $163,000 from revenues received from federal inmate reimbursements; provided, that $150,000 from the reimbursements shall not be available for expenditure and shall be deposited into the General Fund at a rate of the first $35,500 of each quarter before the retention by the department of any of these reimbursements; provided further, that the quarterly payments shall total $150,000 in fiscal year 2006; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system $163,000

8910-2222 The Hampden sheriff's department may expend for the operation of the department an amount not to exceed $320,000 from revenues received from federal inmate and federal overtime reimbursements; provided, that $312,000 from the reimbursements shall not be available for expenditure and shall be deposited into the General Fund at a rate of the first $78,000 of each quarter before the retention by the department of any of these reimbursements; provided further, that the quarterly payments shall total $312,000 in fiscal year 2006; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefor as reported in the state accounting system $320,000

8910-6619 The Essex sheriff's department may expend for the operation of the department an amount not to exceed $2,000,000 from revenues received from federal inmate reimbursements; provided, that $150,000 from the reimbursements shall not be available for expenditure and shall be deposited quarterly into the general fund before the retention by the department of any of these revenues as certified by the comptroller; provided further, that the quarterly payments shall total $600,000 in fiscal year 2006; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as

reported in the state accounting system $2,000,000

8910-7101 For the operation of the Massachusetts Sheriffs' Association; provided, that the sheriffs shall appoint persons to serve as executive director, assistant executive director and research director and other staff positions as necessary for the purpose of coordination and standardization of services and programs, the collection and analysis of data related to incarceration and recidivism and generation of reports, technical assistance and training to ensure standardization in organization, operations, and procedures; provided further, that this staff shall not be subject to section 45 of chapter 30 or to chapter 31 of the General Laws and shall serve at the will and pleasure of a majority of sheriffs; provided further, that the executive director of the Association shall submit a report that shows the amounts of all grants awarded to each sheriff in fiscal year 2006; and provided further, that the report shall be submitted to the house and senate committees on ways and means not later than February 1, 2006 ..... $344,300

Parole Board.

8950-0001 For the operation of the parole board $13,436,481

8950-0002 For the victim and witness assistance program of the parole board in accordance with chapter 258B of the General Laws $286,710

8950-0008 For the operation of the parole board's sex offender management program and the supervision of high-risk offenders, the parole board may expend an amount not to exceed $600,000 from revenues collected from fees charged for parolee supervision; provided, that the parole board shall file a report with the house and senate committees on ways and means not later than February 1, 2006, which shall include, but not be limited to, the number of parolees participating in the program and the reincarceration rate of participating parolees $600,000

EXECUTIVE OFFICE OF ELDER AFFAIRS.

9110-0100 For the operation of the executive office; provided, that the secretary shall continue to support community care ombudsman services $1,820,633

9110-0102 For the regulation of assisted living facilities; provided, that the executive office of elder affairs shall report annually to the house and senate committees on ways and means the number of assisted living units certified and the total revenues generated from application and certification fees for such units $247,217

9110-1455 For the costs of the drug insurance program authorized by section 39 of chapter 19A of the General Laws; provided, that amounts received by the executive office of elder affairs' vendor as premium revenue for this program may be retained and expended by the vendor for the purposes of the program; provided further, that not less than $600,000 shall be made available for the operation of the pharmacy outreach program established by section 4C of chapter 19A; provided further, that notwithstanding any general or special law to the contrary, unless otherwise prohibited by state or federal law, prescription drug coverage or benefits payable by the executive office of elder affairs, and the entities with which it has contracted for administration of the subsidized catastrophic drug insurance program pursuant to section 39 of chapter 19A, shall be the payer of last resort for such program for eligible persons with regard to any other third party prescription coverage or benefits available to such eligible persons; provided further, that the executive office shall notify the house and senate committees on ways and means not less

than 90 days in advance of any action to limit or cap the number of enrollees in the program; provided further, that notwithstanding any special or general law to the contrary, effective until December 31, 2005, the secretary of elder affairs shall not implement any cost sharing increases to Prescription Advantage, and any and all prescription drug benefits provided to enrollees shall be the same as those provided to Prescription Advantage enrollees in fiscal year 2005; provided further, that there will be an open enrollment period, lasting not less than 1 month and not more than 2 months, that will begin no later than May 15, 2006; provided, that the open enrollment shall be preceded by at least 30 days of advance public notice and marketing; provided further, that during the open enrollment period, individuals shall be enrolled in the program in the order in which the program receives their completed application; provided further, that a person will also be eligible to enroll in the program at any time within a year of reaching age 65. ..... $92,249,126

9110-1460 To provide relief from co-payments related to prescription advantage; provided, that not later than July 1, 2005, the secretary of elder affairs shall implement a co-payment reduction plan to be effective between July 1, 2005, and December 31, 2005, inclusive, limited to members in category 1 whose income is at or below 188 per cent of the federal poverty level; provided further, that the co-payment reduction plan shall seek to reduce the required co-payments for all levels of prescription drugs, both retail and mail service, to the lowest extent possible; provided further, that the secretary of elder affairs may transfer 100 per cent of funds appropriated in this item to item 9110-1455 in order to off-set the cost of this co-payment reduction plan; and provided further, that the cost of the reduction shall not exceed in fiscal year 2006 the amount authorized herein $5,000,000

9110-1500 For the provision of enhanced home care services, including case management to elders who meet the eligibility requirements of the home care program and who need services above the level customarily provided under the program to remain safely at home, including elders previously enrolled in the managed care in housing, enhanced community options, and chronic care enhanced services programs; provided further, that the secretary shall actively seek to obtain federal financial participation for any and all services provided to seniors who qualify for medicaid benefits pursuant to the section 2176 waiver; provided further, that the executive shall collect income data on persons receiving services provided in this item; provided further, that the executive office shall submit a report to the house and senate committees on ways and means detailing the population served by this item delineated by both 2005 federal poverty line income levels and 2005 social security income standards; provided further, that the report shall be submitted not later than February 1, 2006; and provided further, that the executive office shall submit a report to the house and senate committees on ways and means which shall include the number of individuals on a waiting list for these services on October 1, 2005, compared to the number of individuals on a waiting list on July 1, 2005; and provided further, that the report shall be submitted no later than October 15, 2005..... $42,015,213

9110-1604 For the operation of the supportive senior housing program $1,942,371

9110-1630 For the operation of the elder home care program, including contracts with aging service access points or other qualified entities for the home care program, home care, health aides, home health and respite services and other services provided to the elderly; provided, that a sliding fee shall be charged to qualified elders; provided further, that the secretary of elder affairs may waive collection of sliding fees in cases of extreme financial hardship; provided further, that not more than $7,500,000 in revenues accrued from sliding fees shall be retained by the individual home care corporations without re-allocation by the executive office of elder affairs, and shall be expended for the purposes of the home care program, consistent

with guidelines to be issued by the executive office; provided further, that the executive office shall report quarterly to the house and senate committees on ways and means on the receipt and expenditure of revenues accrued from the sliding fees; provided further, that the executive office shall report monthly to the house and senate committees on ways and means and the executive office for administration and finance on the amount expended from this item for purchase of service expenditures by category of service as set forth in 651 C.M.R. 3.01 and 651 C.M.R. 3.06; provided further, that no rate increase shall be awarded in fiscal year 2006 which would cause a reduction in client services or the number of clients served; provided further, that no funds shall be expended from this item to pay for salary increases for direct service workers who provide state-funded homemaker and home health aid services which would cause a reduction in client services; and provided further, that the secretary of elder affairs may transfer an amount not to exceed 3 per cent of the funds appropriated in this item to item 9110-1633 for case management services and the administration of the home care program $98,509,945

9110-1633 For the operation of the elder home care case management program, including contracts with aging service access points, or other qualified entities for home care case management services and the administration of the home care corporations funded through item 9110-1630 and item 9110-1500; provided, that such contracts shall include the costs of administrative personnel, home care case managers, travel, rent and other costs deemed appropriate by the executive office of elder affairs; provided further that no funds appropriated in this item shall be expended for the enhancement of management information systems; and provided further, that the secretary of elder affairs may transfer an amount not to exceed 3 per cent of the funds appropriated herein to item 9110-1630 ..... $38,627,967

9110-1635 For a one-time rate add-on for wages, compensation and/or salary and associated employee-related costs to personnel providing homemaker and personal care homemaker services to elderly clients under items 9110-1500, 9110-1630, and 4000-0600 ..... $3,900,000

9110-1636 For the elder protective services program, including protective services case management, guardianship services, the statewide elder abuse hotline, and the elder-at-risk program; provided, that not less than $800,000 shall be expended for money management services $13,656,546

9110-1660 For congregate and shared housing services for the elderly; provided further, that not less than $50,000 shall be expended for the congregate housing services at the Tuttle House facility in Dorchester; and provided further, that not less than $150,000 shall be allocated to the Committee to End Elder Homelessness, Inc $1,324,435

9110-1700 For residential assessment and placement programs for homeless elders $250,000

9110-1900 For the elder lunch program; provided, that not less than $40,000 shall be expended for a youth/elder outreach position at the Roche Family Community Center in West Roxbury; provided further, that not less than $15,000 shall be expended for the Grandparents as Parents Initiative $4,482,014

9110-9002 For the local services program for grants to the councils on aging and for grants to or contracts with non-public entities which are consortia or associations of councils on aging; provided, that notwithstanding the foregoing, all monies appropriated in this item shall be expended in accordance with the distribution schedules for formula and incentive grants established by the secretary; and provided further, that such distribution schedules shall be submitted to the house and senate committees on ways and means $7,000,000

LEGISLATURE.

Senate.

9500-0000 For the operation of the senate $18,050,647

House of Representatives.

9600-0000 For the operation of the house of representatives $30,872,678

Joint Legislative Expenses.

9700-0000 For the joint operations of the legislature $6,767,859

COMMISSION ON BEACHES.

9700-0200 For a commission on beaches pursuant to section 104 ..... $125,000

COMMISSION ON THE STATUS OF WOMEN.

0950-0000 For the commission on the status of women $195,000