HOUSE DOCKET, NO. 2372 FILED ON: 1/17/2013

HOUSE . . . . . No. 2361

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to the transfer of Department of Highways employees from the capital budget to the operating budget.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Bradley H. Jones, Jr.	*20th Middlesex*
George N. Peterson, Jr.	*9th Worcester*
Bradford Hill	*4th Essex*
Elizabeth A. Poirier	*14th Bristol*
Viriato Manuel deMacedo	*1st Plymouth*
Donald F. Humason, Jr.	*4th Hampden*
Sheila C. Harrington	*1st Middlesex*
Paul K. Frost	*7th Worcester*
Nicholas A. Boldyga	*3rd Hampden*
Kimberly N. Ferguson	*1st Worcester*
Daniel B. Winslow	*9th Norfolk*
Todd M. Smola	*1st Hampden*
Kevin J. Kuros	*8th Worcester*

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By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 2361) of Bradley H. Jones, Jr. and others for legislation to transfer the payment of personnel and operating expenses of the Department of Highways from the capital budget to the operating budget of said department. Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *2960* OF 2011-2012.]

The Commonwealth of Massachusetts

An Act relative to the transfer of Department of Highways employees from the capital budget to the operating budget.

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

SECTION 1. Subparagraph (C) of section 2 of chapter 21J of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking the sentence contained in lines 41 to 43, inclusive, and inserting in place thereof the following:- The department shall deposit all receipts collected pursuant to this section as follows: (i) 60 per cent shall be deposited into the General Fund; and (ii) 40 per cent shall be deposited into the Capital Employees Transition Fund, established pursuant to section 2YYY of chapter 29.

SECTION 2. Chapter 29 of the General Laws, as most recently amended by chapter 224 of the acts of 2012, is hereby amended by inserting after section 2GGGG the following section:-

Section 2HHHH. There shall be established and set upon the books of the commonwealth a separate fund to be known as the Capital Employees Transition Fund, hereinafter referred to as the fund, which shall be administered by the department of highways within the executive office of transportation and public works. There shall be credited to the fund: (a) 40 per cent of all receipts collected pursuant to section 2 of chapter 21J; and (b) any appropriations authorized by the general court. Amounts credited to the fund shall be expended by the department, in addition to any revenues appropriated by the general court from the Highway Fund, for the purpose of paying for a portion of the department's operating costs that would have otherwise been paid by

17 bond proceeds. Operating costs may include, but shall not be limited to, the full-time personnel
18 expenses of the department, as well as any expenses incurred by the department as part of its
19 normal operations. The comptroller shall certify payments, including payments during the
20 accounts payable period, in anticipation of revenues from the fund for the purpose of making
21 authorized expenditures; provided however, that no expenditure shall cause the fund to be in
22 deficit at the end of a fiscal year.