HOUSE . . . . . No. 3887

[SPONSOR], a [PETITION] [BACKING TEXT]. Senate Ways and Means .

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

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

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make supplemental appropriations for fiscal year 2012 and to make certain changes in law, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public

[Emergency Preamble Context].

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

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

SECTION 2.

JUDICIARY

Massachusetts Legal Assistance Corporation

0321-1600 $1,000,000

SECRETARY OF THE COMMONWEALTH

Office of the Secretary of the Commonwealth

14 0521-0000 $101,125

15 TREASURER AND RECEIVER GENERAL

16 Office of the Treasurer and Receiver General

17 0612-0105 $200,000

18 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

19 Group Insurance Commission

20 1108-5201 $989,250

21 Appellate Tax Board

22 1310-1000 $275,000

23 Reserves

24 1599-0026 $1,000,000

25 1599-1705 $353,000

26 1599-1709 $350,258

27 1599-4430 $5,100,000

28 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

29 Office of the Secretary

30 2000-0100 $962,000

31 2030-1000 $727,850

32 Department of Agricultural Resources

33 2511-0100 $34,361

34 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

35 Department of Veterans Services

36 1410-0010 $10,000

37 Office of the Secretary

38 4000-0600 $35,000,000

39 Department of Youth Services

40 4200-0100 $600,000

41 4200-0300 $1,100,000

42 Department of Transitional Assistance

43 4403-2119 $140,000

44 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

45 Department of Housing and Community Development

46 7004-0099 $10,000

47 7004-0102 $230,000

48 EXECUTIVE OFFICE OF EDUCATION

49 Department of Higher Education

50 7066-0021 $1,800,000

51 EXECUTIVE OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY

52 Department of Criminal Justice Information Services

53 8000-0110 $150,000

54 Office of the Chief Medical Examiner

55 8000-0122 $140,000

56 Massachusetts Emergency Management Agency

57 8800-0001 $150,000

58 Department of Correction

59 8900-0010 $1,022,263

60 SHERIFFS

61 Hampden Sheriff's Department

62 8910-0102 $1,811,152

63 Worcester Sheriff's Department

64 8910-0105 $693,920

65 Middlesex Sheriff's Department

66 8910-0107 $4,699,590

67 Hampshire Sheriff's Department

68 8910-0110 $960,444

69 Berkshire Sheriff's Department

70 8910-0145 $1,410,841

71 Franklin Sheriff's Department

72 8910-0108 $1,000,000

73 Essex Sheriff's Department

74 8910-0619 $1,459,679

75 Barnstable Sheriff's Department

76 8910-8200 $1,800,000

77 Bristol Sheriff's Department

78 8910-8300 $1,904,189

79 Dukes Sheriff's Department

80 8910-8400 $183,204

81 Norfolk Sheriff's Department

82 8910-8600 $3,800,000

83 Plymouth Sheriff's Department

84 8910-8700 $1,743,757

85 Suffolk Sheriff's Department

86 8910-8800 $6,100,000

87 SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to
88 provide for an alteration of purpose for current appropriations, and to meet certain requirements
89 of law, the sums set forth in this section are hereby appropriated from the General Fund unless

90 specifically designated otherwise in this section, for the several purposes and subject to the
91 conditions specified in this section, and subject to the laws regulating the disbursement of public
92 funds for the fiscal year ending June 30, 2012. These sums shall be in addition to any amounts
93 previously appropriated and made available for the purposes of those items.

94 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

95 Office of the Secretary of Administration and Finance

96 1106-0065 For the oversight of a sonar study of groundfish in the Atlantic Ocean,
97 including, but not limited to, cod, haddock and yellowtail to be conducted by the Scientific
98 Oversight of the North Atlantic Region project; provided, further, that the secretary shall report
99 on the status of the oversight project to the chairs of the house and senate committees on ways
100 and means on or before April 1, 2012$200,000

101 Reserves

102 1599-4282 To provide for certain collective bargaining costs, including the cost of
103 salary adjustments and other economic benefits authorized by the collective bargaining
104 agreements between the Commonwealth of Massachusetts and the Service Employees
105 International Union, Local 509, Units 8 and 10 for fiscal year 2012 $2,893,000

106 1599-4380 For a reserve to support information technology requirements and improve
107 information technology infrastructure at state agencies and departments; provided that the
108 secretary of administration and finance, in consultation with the chief information officer of the
109 commonwealth, may transfer amounts from this account to items 1100-1700, 2000-1700, 4000-
110 1700, 7002-0017, 7009-1700 and 8000-1700; provided, further that in making transfers, the
111 secretary shall prioritize maintaining existing information technology capacity and necessary
112 improvements to address data security and data access; and provided, further that within 30 days
113 of any transfers from this fund the secretary shall report to the house and senate committees on
114 ways on: (1) amounts transferred from this account by line item, and (2) the methodology used to
115 determine transfers from this account$20,420,000

116 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

117 Division of Healthcare Finance and Policy

118 4100-0062 For the division of health care finance and policy, which may expend for
119 the migration of health safety net claims adjudication to the executive office of health and human
120 services through its MMIS system, and for the maintenance of that claims adjudication, an
121 amount equal to the amount of federal financial participation received by the state for such
122 activities, not to exceed $6,000,000; provided, that the federal revenue received for such
123 expenditures shall be deposited in the General Fund and an amount equal to such revenue shall
124 be transferred in this account; and provided further, that notwithstanding any general or special

125 law to the contrary, and for the purpose of accommodating timing discrepancies between the
126 receipt of retained revenues and related expenditures, the division may incur expenses in
127 anticipation of revenue, after written approval from the secretary of administration and finance,
128 and the comptroller shall certify for payment, amounts not to exceed the lower of this
129 authorization or the most recent revenue estimate, as reported in the state accounting system
130 $6,000,000

131 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

132 Department of Housing and Community Development

133 7004-1000 For a state supplement to the federal Low Income Home Energy
134 Assistance Program 42 U.S.C. section 8621 et seq., for the purpose of assisting low-income
135 elders, working families and other households with the purchase of heating oil, propane, natural
136 gas, electricity and other primary or secondary heating sources; provided, that expenditure of
137 these supplemental funds shall be made in accordance with the state plan submitted by the
138 department of housing and community development for operation of the fiscal year 2012
139 program, in accordance with federal law; provided, further, that the department shall establish
140 the maximum assistance for which a household shall be eligible commensurate with the
141 increased funding provided in this item; provided, further that any federal funds received for
142 fiscal year 2012 for the Low Income Home Energy Assistance Program that exceed
143 $163,776,315, shall be used to reimburse the state for expenditures made under this line item, up
144 to the amount appropriated herein $21,187,407

145 SECTION 3. Section 172 of chapter 6 of the General Laws, as appearing in the 2010
146 Official Edition, is hereby amended by inserting after the word “more”, in line 184, the following
147 words:- , for 10 years following the disposition thereof, including termination of any period of
148 incarceration or custody.

149 SECTION 4. Section 1 of chapter 29 of the General Laws, as so appearing, is hereby
150 amended by inserting after the figure “131”, in line 37, the following words:— and section
151 35NN of chapter 10.

152 SECTION 5. Section 3 of chapter 30A of the General Laws, as so appearing, is hereby
153 amended by striking out the fourth paragraph and inserting in place thereof the following
154 paragraph:-

155 A small business impact statement shall be filed with the state secretary on the same day
156 the notice is filed and shall accompany the notice. Notwithstanding section 6, the state secretary
157 shall include the small business impact statement on the electronic website of the state secretary,
158 and the statement may be inspected and copied in the office of the state secretary during business
159 hours.

160 SECTION 6. The definition of "regular compensation" in section 1 of chapter 32 of the
161 General Laws, is hereby amended by striking out the words "; provided, however, that if the
162 employee receives compensation for wages in whatever form from the federal government and
163 such wages were not reported to any employing authority, such wages shall not be counted as
164 regular compensation for the purposes of the benefits provided in this chapter" inserted by
165 section 6 of chapter 176 of the acts of 2011.

166 SECTION 7. Paragraph (g ¾) of subdivision (1) of said section 4 of said chapter 32,
167 inserted by section 10 of said chapter 176, is hereby amended by striking out the words "retired
168 member of the Boston Teachers Retirement System" and inserting in place thereof the following
169 words:- member who retired as a teacher from the State-Boston Retirement System.

170 SECTION 8. Paragraph (f) of subdivision (2) of section 5 of said chapter 32, added by
171 section 18 of said chapter 176, is hereby amended by striking out the word "excluding" and
172 inserting in place thereof the following word:- from.

173 SECTION 9. Paragraph (ii) of subdivision (4) of said section 5 of said chapter 32, as
174 amended by section 21 of said chapter 176, is hereby further amended by striking out the words
175 "January 1" and inserting in place thereof the following:- April 2.

176 SECTION 10. Section 15 of said chapter 32, as amended by section 31 of said chapter
177 176, is hereby further amended by adding the following subdivision:-

178 (7) In no event shall any member be entitled to receive a retirement allowance under
179 sections 1 to 28, inclusive, which is based upon a salary that was intentionally concealed from or
180 intentionally misreported to the commonwealth or any political subdivision, district, or authority
181 of the commonwealth, as determined by the commission. If a member intentionally concealed
182 compensation from or intentionally misreported compensation to any entity to which the member
183 was required to report the compensation, even if the reporting was not required for purposes of
184 calculating the member's retirement allowance, the member's retirement allowance shall be
185 based only upon the regular compensation actually reported to that entity or the amount reported
186 to the board, whichever is lower. The member shall receive, unless otherwise prohibited by law,
187 a return of any accumulated total deductions paid on amounts in excess of the compensation
188 actually reported, but no interest shall be payable on the accumulated deductions returned to the
189 member.

190 SECTION 11. The definition of "Services" in section 23B of chapter 32, as appearing in
191 section 42 of said chapter 176, is hereby amended by inserting after the words "employment
192 agreements" the following words:- contingency fee agreements,.

193 SECTION 12. Section 91 of chapter 32, as most recently amended by section 50 of said
194 chapter 176, is hereby amended by striking out the words "first year" and inserting in place
195 thereof the following words:- first 12 months.

196 SECTION 13. Section 6 of chapter 32A of the General Laws, as appearing in the 2010
197 Official Edition, is hereby amended by inserting after the second sentence the following 2
198 sentences:- For active and retired employees, their dependents, and their survivors, including
199 municipal subscribers, except as otherwise required by state or federal law, and except effective
200 July 1 of any year, the commission shall not alter the schedule of copayments and deductibles for
201 health plans, or alter any other terms relating to health plans which would require authorization
202 by vote of the commissioners, but, for health plans whose rates change on January 1 instead of
203 July 1, the commission may make such changes effective January 1. If, however, the governor
204 reduces allotments to the commission under section 9C of chapter 29, the commission may make
205 any necessary adjustments to account for the reduction, but the commission shall not alter the
206 contribution ratios provided in the most recent applicable appropriation act.

207 SECTION 14. Subsection (9) of section 8 of chapter 44 of the General Laws, as most
208 recently amended by section 3 of chapter 52 of the acts of 2011, is hereby further amended by
209 striking out the words "as determined by the director" and inserting in place thereof the
210 following words:- , or such longer period not to exceed 10 years as determined by the director
211 after taking into consideration the ability of the city, town or district to provide other essential
212 public services and pay when due the principal and interest on its debts, the amount of federal
213 and state payments likely to be received for the purpose of the appropriations and such other
214 factors as the director may deem necessary or advisable.

215 SECTION 14A. Section 6F of chapter 62 of the General Laws, as so appearing, is hereby
216 amended by inserting, in line 53, after the word "date." the following: - In the case of a decedent
217 dying after December 31, 2009 and before January 1, 2011, for property acquired from said
218 decedent within the meaning of section one thousand and fourteen (b) of the Code, the initial
219 basis of such property shall be determined under section one thousand and fourteen of the Code,
220 without reference to sections one thousand fourteen (d) and (f) of the Code; except that in the
221 case of an election by the executor pursuant to § 301(c) of the Tax Relief, Unemployment
222 Insurance Reauthorization, and Job Creation Act of 2010 (P.L. 111-312), the initial basis of
223 property acquired from said decedent shall be determined under section one thousand and twenty
224 two of the Code as amended and in effect on January 1, 2005.

225 SECTION 15. Chapter 68 of the Acts of 2011, in item 1410-0010, is hereby amended by
226 inserting after the words "department of veterans' services;" the following:- provided further,
227 that not less than $10,000 shall be expended for the Korean War memorial located in the
228 Charlestown navy yard ;

229 SECTION 16. The first sentence of section 64 of chapter 143 of the General Laws, as so
230 appearing, is hereby amended by striking out, in line 5, the word "shall" and inserting in place
231 thereof the following words:- , attached and detached shall. Furthermore, this change shall be
232 applied retroactively to all certificates of approval administered within the last 12 months.

233 SECTION 17. Chapter 176J of the General Laws is hereby amended by inserting after
234 section 11 the following 2 sections:-

235 Section 11A. A select or limited network plan shall continue to provide coverage for
236 medically necessary services that are part of the treatment program for patients, prior to joining
237 the select or limited network, undergoing an active course of treatment or follow up treatment for
238 a chronic disease at a comprehensive cancer center, pediatric hospital or pediatric specialty unit,
239 as defined in section 1 of chapter 118G, that does not participate in a carrier's select or limited
240 network plan.

241 For services provided under this section, reimbursement shall be based on median in-
242 network rates of that specific provider in such carrier's private plans in a manner consistent with
243 data filed by such carrier with the division of health care finance and policy; or if the specific
244 provider does not participate in any other plan of the carrier, then based on negotiated rates.
245 Patient cost sharing responsibility for the services sought may not exceed the lowest copayment
246 obligation established by such carrier for the receipt of such services offered through the carrier's
247 select or limited network.

248 Section 11B. Patients receiving an active course of treatment or follow up treatment for a
249 chronic disease at a comprehensive cancer center, pediatric hospital or pediatric specialty unit, as
250 defined in section 1 of chapter 118G, prior to joining a tiered network, shall not pay an amount
251 for patient cost sharing responsibility that exceeds the cost-sharing tier with the second highest
252 patient cost sharing responsibility.

253 SECTION 18. Section 11A of chapter 176J of the General Laws is hereby amended by
254 striking out the first paragraph and inserting in place thereof the following paragraph:-

255 For an insured member who is receiving an active course of treatment or follow up
256 treatment for a chronic disease and is newly enrolled in a select or limited network plan, the
257 carrier shall provide coverage for those medically necessary services that are part of that
258 treatment program provided by a health care provider not participating in a carrier's plan
259 pursuant to section 11 of chapter 176J for the duration of that treatment; provided that: (1) the
260 insured's employer only offers the insured a choice of plans in which the provider is not a
261 participant; (2) said provider is a comprehensive cancer center, pediatric hospital or pediatric
262 specialty unit as defined in section 1 of chapter 118G; and (3) said provider is providing the
263 insured with an ongoing course of treatment otherwise not available in-network.

264 SECTION 18A. Chapter 176J of the General Laws is hereby amended by inserting after
265 section 13 the following 2 sections:-

266 Section 14. If a medically necessary and covered service is not available to a member
267 within the carrier's provider network, the carrier must cover the services out-of-network, for as
268 long as the service is unavailable in-network.

269 Section 15. Any insurer offering a tiered network plan shall clearly and conspicuously
270 indicate in all promotional and agreement materials, the cost sharing differences for enrollees in
271 the various tiers. The division of insurance shall promulgate regulations for what constitutes
272 clear and conspicuous as well as the potential cumulative effects of these differences.

273 SECTION 19. Section 11B of chapter 176J of the General Laws is hereby repealed.

274 SECTION 20. Section 8 of chapter 45 of the acts of 2005 is hereby repealed.

275 SECTION 21. Section 78 of chapter 123 of the acts of 2006 is hereby repealed.

276 SECTION 22. Section 33 of chapter 112 of the acts of 2010 is hereby repealed.

277 SECTION 23. Item 1108-5201 in section 2 of chapter 68 of the acts of 2011 is hereby
278 amended by striking out the figure "$1,028,612" and inserting in place thereof, each time it
279 appears, the following figure:- $2,017,862.

280 SECTION 24. Item 1595-6379 of said section 2 of said chapter 68 is hereby amended by
281 striking out the figure "$7,806,972" and inserting in place thereof, each time it appears, the
282 following figure:- $8,808,113.

283 SECTION 25. Item 1599-0026 of said section 2 of said chapter 68 is hereby amended by
284 inserting after the words "aid share for fiscal year 2012" the following words:- ; provided further,
285 that not less than $1,000,000 shall be expended to fund a pilot program in Norfolk County,
286 including projects of regionalized county government services

287 SECTION 26. Item 1599-1705 in section 2 of chapter 52 of the acts of 2011 is hereby
288 amended by adding the following words:- provided further, that $353,000 shall be expended for
289 reimbursements to school districts for education transportation cost increases due to the tornado;.

290 SECTION 27. Item 1599-1709 of section 2 of chapter 171 of the acts of 2011 is hereby
291 amended by adding the following words:- ; provided, further that funds shall be transferred to
292 reimburse the town of Hawley for costs associated with repairing a bridge over the Chickley
293 River due to the flooding due to tropical storm Irene.

294 SECTION 28. Item 2000-0100 of section 2 of said chapter 68 is hereby amended by
295 striking out the words "the executive office shall expend not less than $150,000 for a program of
296 collaborative research with academic institutions that apply satellite and other technologies in an
297 innovative manner to an existing methodological model previously used in other fisheries to
298 assess the biomass of groundfish in the region managed by the New England Fishery
299 Management Council; provided further, that the executive office shall execute a memorandum of
300 agreement with any such academic institution not later than 30 days after the effective date of
301 this act; and provided further, that the memorandum shall require the timely production of
302 information for use in the fisheries management process" and inserting in place thereof the

303 following words:- the executive office shall expend not less than $1,112,000 for a program of
304 collaborative research with the Massachusetts Maritime Academy that applies sonar technology
305 over significant surface area of the ocean to assess the biomass of groundfish in the region
306 managed by the New England Fishery Management Council.

307 SECTION 29. Item 7004-0099 of said section 2 of said chapter 68 is hereby amended by
308 adding the following words:- ; and provided further that not more than $10,000 shall be
309 expended on funding the scouting and community center project identified in item 7003-0702 in
310 section 2 of chapter 182 of the acts of 2008.

311 SECTION 30. Item 7004-0101 of section 2 of chapter 68 of the acts of 2011, as amended
312 by section 6 of chapter 171 of the acts of 2011, is hereby further amended by striking out the
313 words "families who appear to be ineligible" and inserting in place thereof the following words:-
314 families who appear to be eligible.

315 SECTION 31. Said section 6 of said chapter 171 of the Acts of 2011 is hereby further
316 amended by striking out the words "provided further, that notwithstanding any general or special
317 law to the contrary, 60 days before promulgating or amending any regulation or policy affecting
318 eligibility, benefits or administration of this program, the department shall file with the house
319 and senate committees on ways and means and the clerks of the senate and house of
320 representatives a report setting forth justification for any such change including, but not limited
321 to, any determination by the secretary of housing and economic development that available
322 appropriations from the program will be insufficient to meet projected expenses;" and inserting
323 in place thereof the following words:-

324 provided further, that notwithstanding any general or special law to the contrary, 60 days
325 before promulgating or amending any regulations, administrative practice or policy that would
326 alter eligibility for or the level of benefits under this program, other than that which would
327 benefit the clients, the department shall file with the house and senate committees on ways and
328 means and the clerks of the senate and house of representatives a report setting forth justification
329 for said changes, including but not limited to any determination by the secretary of housing and
330 economic development that available appropriations from the program will be insufficient to
331 meet projected expenses;.

332 SECTION 32. Section 7 of said chapter 171of the Acts of 2011 is hereby amended by
333 striking out the last clause and inserting in place thereof the following words:- provided further,
334 that notwithstanding any general or special law to the contrary, 60 days before promulgating or
335 amending any regulations, administrative practice or policy that would alter eligibility for or the
336 level of benefits under this program, other than that which would benefit the clients, the
337 department shall file with the house and senate committees on ways and means and the clerks of
338 the senate and house of representatives a report setting forth justification for said changes,
339 including but not limited to any determination by the secretary of housing and economic

340 development that available appropriations from the program will be insufficient to meet
341 projected expenses;.

342 SECTION 33. Said section 2 of said chapter 68 is hereby further amended by striking out
343 item number “7007-0951” and inserting in place thereof the following item number:- 7007-0952.

344 SECTION 34. Item 8000-0122 of said section 2 of said chapter 68 is hereby amended by
345 striking out the figure “$1,860,000” and inserting in place thereof, each time it appears, the
346 following figure:- $2,000,000.

347 SECTION 35. Section 2 of chapter 131 of the acts of 2010 is hereby amended by striking
348 out item number “8400-0100” and inserting in place thereof the following item number:- 8400-
349 0101.

350 SECTION 36. Paragraph (c) of chapter 87 of the acts of 2011 is hereby amended by
351 striking out the words “December 31, 2011” and inserting in place thereof, the words:- July 1,
352 2012.

353 SECTION 37. Section 4 of chapter 57 of the General Laws, as amended by section 1 of
354 chapter 153 of the acts of 2011, is hereby further amended by striking out, under the caption
355 “Plymouth”, the words “First Plymouth. – Consisting of precincts 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,
356 14 and 15, of the town of Plymouth, in the county of Plymouth” and inserting in place thereof the
357 following words:- First Plymouth. – Consisting of precincts 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 14 and
358 15, of the town of Plymouth, in the county of Plymouth.

359 SECTION 38. The last paragraph of section 56 of chapter 176 of the acts of 2011 is
360 hereby amended by striking out the words “April 15, 2012” and inserting in place thereof the
361 following words:- November 30, 2012.

362 SECTION 39. The last paragraph of section 58 of said chapter 176 is hereby amended by
363 striking out the words “March 1, 2012” and inserting in place thereof the following:- November
364 30, 2012.

365 SECTION 40. Paragraph (6) of section 60 of said chapter 176 is hereby amended by
366 striking out the words “under paragraph (4)” and inserting in place thereof the following words:-
367 under paragraph (5).

368 SECTION 41. Notwithstanding any general or special law, rule or regulation to the
369 contrary, the division of insurance shall conduct a review into the network adequacy and cost and
370 quality-effectiveness of insurance products pursuant to section 11 of chapter 176J of the General
371 Laws for the health care needs of children and the health care needs of cancer patients. The
372 division of insurance shall promulgate regulations to ensure the needs of children and cancer
373 patients are being met, consistent with cost and quality goals, and shall submit an annual report

374 of its actions and potential legislative actions to the house and senate committees on ways and
375 means and the joint committee on health care financing by December 31, 2012.

376 SECTION 42. The salary adjustments and other cost items authorized by the following
377 2011 amendments to collective bargaining agreements, for the period from July 1, 2011, to June
378 30, 2014, shall be effective for the purpose of section 7 of chapter 150E of the General Laws:

379 (a) between the commonwealth and National Association of Government Employees
380 for units 1, 3 and 6;

381 (b) between the commonwealth and Alliance/AFSCME for unit 2;

382 (c) between the commonwealth and New England Police Benevolent Association for
383 unit 4A;

384 (d) between the Essex sheriff and International Brotherhood of Correction Officers
385 Local R1-71; and

386 (e) between the Plymouth sheriff and Massachusetts Correctional Officers Federated
387 Union Bureau of Criminal Investigation.

388 SECTION 43. Notwithstanding section 14 of chapter 151A of the General Laws, for
389 calendar year 2012, the experience rate of an employer qualifying therefor under subsection (b)
390 of said section 14 of said chapter 151A shall be the rate which appears in column "E" in clause
391 (1) of subsection (i) of said section 14 of said chapter 151A.

392 SECTION 44. Notwithstanding any general or special law to the contrary, the
393 comptroller shall transfer within 10 days of the effective date of this act $612,893 and the
394 accrued interest on said amount as determined by the comptroller, from the General Fund or
395 from other funds of the Commonwealth to the Marine Recreational Development Fund
396 established pursuant to section 35NN of chapter 10 of the General Laws.

397 SECTION 45. Section 10 shall apply to any member under chapter 32 of the General
398 Laws for whom a retirement allowance has not been finally approved before the effective date of
399 this act.

400 SECTION 46. Sections 18 and 19 shall take effect on July 31, 2013.

401 SECTION 47. Section 37 shall take effect as of November 3, 2011.

402 SECTION 48. Section 43 shall take effect as of January 1, 2012.

403 SECTION 49. Chapter 68 of the Acts of 2011 is hereby amended by striking out the
404 clause:- "For the Plymouth sheriff's office, which may expend for the operation of the office an
405 amount not to exceed $16,000,000 from revenues received from federal inmate reimbursements"

406 and inserting in place thereof the following:- For the operation of the Plymouth sheriff's office;
407 provided that the office may expend an amount not to exceed $13,500,000 from revenues
408 received from federal reimbursements;

409 SECTION 50. Chapter 68 of the Acts of 2011 is hereby amended by striking out the
410 clause:- For the Bristol sheriff's office, which may expend for the operation of the office an
411 amount not to exceed $8,460,000 from revenues received from federal inmate reimbursements"
412 and inserting in place thereof the following:- For the operation of the Bristol sheriff's office;
413 provided that the office may expend an amount not to exceed $7,710,000 from revenues received
414 from federal reimbursements;

415 SECTION 51. Chapter 2 of the resolves of 2010, as amended by section 91 of chapter
416 142 of the acts of 2011, is hereby further amended by striking out the last sentence and inserting
417 in place thereof the following:-

418 The commission shall report to the general court the results of its investigation and study
419 and its recommendations, if any, by filing the same with the clerk of the senate and the clerk of
420 the house of representatives not later than July 31, 2012. The commission shall continue to meet
421 on a quarterly basis thereafter, to monitor progress on the subject and to determine whether
422 further action may be required to implement the results of its investigation and study.

423 SECTION 52. Notwithstanding any general or special law to the contrary, the tax
424 expenditure commission established by section 160 of chapter 68 of the acts of 2011 shall
425 examine the issue of tax holidays including, but not limited to a meals tax holiday and furnish a
426 report of their impacts on the state's economy and revenue cost to the commonwealth, its
427 transportation infrastructure and its cities and towns in the form of local aid, including, but not
428 limited to, the current practices of other states, any anticipated change in employment or business
429 growth and ancillary economic activity. The commission shall file the report with the joint
430 committee on revenue by July 31, 2012.

431 SECTION 53. Section 4 of chapter 57 of the General Laws, as most recently amended by
432 chapter 153 of the of the Acts of 2011 is hereby amended by striking and replacing all of the
433 paragraph following "Seventh Suffolk" with the following:

434 Consisting of precincts 8, 9 and 10 of ward 4, sub-precinct 2A of ward 5, precincts 1, 2,
435 3, 4, 5 and 8 of ward 12, precincts 4 and 5 of ward 9, and precinct 1 of ward 21 of the city of
436 Boston, in the county of Suffolk.

437

438 Section 54. Section 2 of chapter 153 of the Acts of 2011 is hereby amended by striking
439 and replacing with the following:

440 Notwithstanding the provisions of any general or special law to the contrary, for the
441 purpose of electing representatives in the general court as provided in section 1, the election
442 commissioners for the city of Boston shall include census blocks census blocks 0102032000,
443 0102032001, 0102032004, 0102032005, 0102033000, 0102033001, 0102033002, 0102033003,
444 and 0102033004 in sub-precinct 2A of Ward 5 of the city of Boston. Notwithstanding and
445 general or special law to the contrary, the city of Boston shall divide precinct 2 of Ward 5 along
446 the representative district boundary into 2 sub-precincts. If the polling place for a sub-precinct
447 created under this act is located in the same building as for an existing precinct, no additional
448 election officers need be appointed for such sub-precinct.

449 SECTION 55. Section 1 of chapter 177 of the acts of 2011 is hereby amended by striking
450 out the words "Seventh Congressional District - Consisting of wards 1, 2, 3, precinct 1 of ward 4,
451 ward 5, precinct 3 of ward 10 and ward 11 of the city of Cambridge and the cities of Everett and
452 Somerville, all in the county of Middlesex; wards 1 and 2, precincts 7 and 8 of ward 3, ward 4,
453 precincts 1, 2, 6, 7, 8, 9 and 10 of ward 5, precinct 10 of ward 7, wards 8, 9 and 10, precincts 1,
454 2, 3, 4, 5, 6, 7 and 8 of ward 11, ward 12, precincts 1, 2, 4, 5, 6, 8 and 9 of ward 13, wards 14 and
455 15, precincts 1, 3, 4, 6, 8 and 11 of ward 16, wards 17 and 18, precincts 7, 10, 11, 12 and 13 of
456 ward 19, precinct 3 of ward 20, and wards 21 and 22 of the city of Boston and the city of
457 Chelsea, both in the county of Suffolk; and precincts 1, 5, and 10 in the town of Milton and the
458 town of Randolph, both in the county of Norfolk." and inserting in place thereof the following:
459 Seventh Congressional District - Consisting of wards 1, 2, 3, precinct 1 of ward 4, ward 5,
460 precinct 3 of ward 10 and ward 11 of the city of Cambridge and the cities of Everett and
461 Somerville, all in the county of Middlesex; wards 1 and 2, precincts 7 and 8 of ward 3, ward 4,
462 precincts 1, 2, sub-precinct 2A, 6, 7, 8, 9 and 10 of ward 5, precinct 10 of ward 7, wards 8, 9 and
463 10, precincts 1, 2, 3, 4, 5, 6, 7 and 8 of ward 11, ward 12, precincts 1, 2, 4, 5, 6, 8 and 9 of ward
464 13, wards 14 and 15, precincts 1, 3, 4, 6, 8 and 11 of ward 16, wards 17 and 18, precincts 7, 10,
465 11, 12 and 13 of ward 19, precinct 3 of ward 20, and wards 21 and 22 of the city of Boston and
466 the city of Chelsea, both in the county of Suffolk; and precincts 1, 5, and 10 in the town of
467 Milton and the town of Randolph, both in the county of Norfolk.

468 SECTION 56: Chapter 177 of the acts of 2011 is further amended by inserting after
469 Section 9 the following: Section 9A. Notwithstanding any general or special law to the
470 contrary, for the purpose of electing representatives in the Congress of the United States and
471 delegates and alternate delegates to the national conventions of political parties as provided in
472 section 1, the election commissioners for the city of Boston shall create sub-precinct 2A of ward
473 5 including census blocks 0102032000, 0102032001, 0102032004, 0102032005, 0102033000,
474 0102033001, 0102033002, 0102033003, and 0102033004, which shall be included within the
475 Seventh Congressional District.