



The committee on Ways and Means, to whom was referred the House Bill making appropriations for the fiscal year 2013 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3707); reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 1890.

[Sponsors] move to amend the bill SECTION 1. To provide for supplementing certain items in the general appropriation act and other appropriation acts for fiscal year 2013, 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, 2013. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of those items. These sums shall be made available until June 30, 2014.

SECTION 2.

DISTRICT ATTORNEYS

Worcester District Attorney.

0340-0498.....\$25,000

Berkshire District Attorney.

0340-1198.....\$65,535

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Department of Revenue.

1232-0100.....\$2,254,260

Human Resources Division.

1750-0300.....\$60,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Office of the Secretary of Health and Human Services.

4000-0265..... \$3,000,000

Department of Public Health.

4516-1000..... \$285,000

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

Department of Workforce Development.

7003-1206..... \$400,000

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

Department of Housing and Community Development.

7004-0103..... \$13,000,000

EXECUTIVE OFFICE OF EDUCATION

Department of Elementary and Secondary Education.

7027-1004.....\$540,000

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

Executive Office of Public Safety.

8000-0600.....\$81,517

Department of Fire Services.

8324-0000.....\$100,000

Military Division.

8700-1150.....\$2,600,000

SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an alteration of purpose for current appropriations and to meet certain requirements of law, the sum set forth in this section is hereby appropriated from the General Fund unless specifically designated otherwise in this section, for the several purposes and subject to the conditions specified in this section, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2013. This sum shall be in addition to any amounts

previously appropriated and made available for the purposes of this item. These sums shall be made available until June 30, 2014.

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

Department of Workforce Development.

7003-0808 For the operation of the Massachusetts Workforce Professionals Association.....\$75,000

SECTION 2C.I. For the purpose of making available in fiscal year 2014 balances of appropriations which otherwise would revert on June 30, 2013, the unexpended balances of the maintenance appropriations listed below, not to exceed the amount specified below for each item, are hereby re-appropriated for the purposes of and subject to the conditions stated for the corresponding item in section 2 of chapter 139 of the acts of 2012. The unexpended balances of all appropriations in the Massachusetts management accounting and reporting system with a secretariat code of 01 or 17, are hereby re-appropriated for the purposes of and subject to the conditions stated for the corresponding item said section 2 of said chapter 139 or section 2A of chapter 194 of the acts of 2011. For items which do not appear in section 2 of the general appropriation act, the amounts in this section are re-appropriated for the purposes of and subject to the conditions stated for the corresponding item in section 2 of this act or in prior appropriation acts. Amounts in this section are re-appropriated from the funds designated for the corresponding item in said section 2 of the general appropriation act. The sums re-appropriated in this section shall be in addition to any amounts available for those purposes.

SECRETARY OF THE COMMONWEALTH

Office of the Secretary of the Commonwealth

0521-0000.....\$8,128,528

OFFICE OF THE INSPECTOR GENERAL

0910-0200.....\$400,000

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Office of the Secretary of Administration and Finance.

1106-0064.....\$111,000

Reserves.

1599-0026.....\$1,060,000

1599-0087.....\$47,000

1599-0090.....	\$1,207,450
1599-0093.....	\$225,186
1599-0117.....	\$2,395,754
1599-1705.....	\$589,328
1599-2004.....	\$695,000
1599-2013.....	\$100,000
1599-3384.....	\$3,000,000

EXECUTIVE OFFICE OF ENERGY AND ENVIORNMENTAL AFFAIRS

Department of Conservation and Recreation.

2810-0100.....	\$350,000
----------------	-----------

EXECUTIVE OFFICE OF EDUCATION

Department of Early Education and Care.

3000-1000.....	\$85,000
3000-7000.....	\$99,842

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Office of the Secretary of Health and Human Services.

4000-0300.....	\$300,000
4000-0700.....	\$16,062,000

Department of Transitional Assistance.

4400-1000.....	\$1,300,000
4400-1100.....	\$800,000

Department of Public Health.

4516-1010.....	\$1,000,000
----------------	-------------

4590-0915.....\$221,000

Department of Children and Families.

4800-0015.....\$617,691

4800-0038.....\$1,800,000

4800-0041.....\$2,000,000

Department of Mental Health

5046-0000.....\$1,000,000

5095-0015.....\$2,500,000

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

Department of Housing and Community Development.

7004-0099.....\$150,000

7004-0102.....\$145,387

Massachusetts Marketing Partnership.

7008-0900.....\$575,000

EXECUTIVE OFFICE OF EDUCATION

Department of Elementary and Secondary Education.

7053-1925.....\$400,912

Department of Higher Education.

7066-0025.....\$1,240,000

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

Chief Medical Examiner.

8000-0106.....\$702,400

Department of State Police.

8100-1001.....	\$100,000
Department of Fire Services.	
8324-0000.....	\$50,000
Military Division.	
8700-0001.....	\$100,000
Parole Board.	
8950-0001.....	\$387,991
SHERIFFS	
Worcester Sheriff's Office.	
8910-0106.....	\$50,000

SECTION 2C.II. For the purpose of making available in fiscal year 2014 balances of retained revenue and intragovernmental chargeback authorizations which otherwise would revert on June 30, 2013, the unexpended balances of the authorizations listed below, not to exceed the amount specified below for each item, are hereby re-authorized for the purposes of and subject to the conditions stated for the corresponding item in section 2 or 2B of the general appropriation act for fiscal year 2013. For items which do not appear in said section 2 or 2B of the general appropriation act, the amounts in this section are re-authorized for the purposes of and subject to the conditions stated for the corresponding item in section 2, 2A, or 2B of this act or in prior appropriation acts. Amounts in this section are re-authorized from the funds designated for the corresponding item in said section 2 or 2B of the general appropriation act. The sums re-authorized in this section shall be in addition to any amounts available for those purposes.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Division of Human Resources.

1750-0102.....	\$220,000
1750-0601.....	\$150,000

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

Office of the Chief Medical Examiner.

8000-0122.....\$250,000

SECTION 2E. The sums set forth in this section are hereby appropriated for transfer from the General Fund to the trust funds named within each item unless specifically designated otherwise in this section, for the purposes and subject to the conditions specified in this section and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2014. Items in this section shall not be subject to allotment under section 9B of chapter 29 of the General Laws or reduction under section 9C of said chapter 29, without express authorization from the general court. Notwithstanding section 19A of said chapter 29, any transfer under this section shall be made by the comptroller in accordance with a transfer schedule to be developed for each item by the comptroller, after consulting with the appropriate agency secretary, the secretary of administration and finance and the state treasurer. The schedule for each appropriation shall provide for transfers in increments considered appropriate to meet the cash flow needs of each fund and all transfers under the schedule shall be completed not later than June 30, 2014. Not later than 7 days after the schedules receive final approval by the comptroller, they shall be reported to the house and senate committees on ways and means. These sums shall be made available until June 30, 2014.

TRANSPORTATION

Massachusetts Department of Transportation.

1595-6368.....\$1,496,215

Commonwealth Transportation Fund.....100%

SECTION 3. The fourth sentence of section 41 of chapter 19A of the General Laws, as appearing in section 32 of chapter 38 of the acts of 2013, is hereby amended by inserting after the word “that” the following word:- no.

SECTION 4. Section 7H of chapter 29 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

The governor shall submit to the general court annually, within 3 weeks after the general court convenes in regular session, an operating budget for the commonwealth. In the first year of the term of office of a governor who has not served in the preceding year, the governor shall recommend the budget within 8 weeks after the convening of the general court. The recommendations contained therein shall, to the fullest possible extent, conform with the programs of the several offices and departments as defined by the secretary of administration and finance with the advice of the agency heads or other officers responsible for the administration thereof. The budget shall also include definite recommendations of the governor for financing the expenditures recommended.

SECTION 5. Section 7I of said chapter 29, as so appearing, is hereby amended by striking out the last sentence.

SECTION 6. Chapter 29 of the General Laws is hereby amended by inserting after section 9G the following section:-

Section 9G1/2. On or before July 1 of each year, the governor shall publish the allocation of commonwealth debt for capital facility projects for the fiscal year starting on July 1 of that year. A copy of the allocation shall be sent to the chairs of the house and senate committees on bonding, capital expenditures and state assets and shall be published electronically on the commonwealth's website.

SECTION 7. Subsection (f) of section 60B of said chapter 29, as appearing in the 2012 Official Edition, is hereby amended by striking out the word "September 10" and inserting in place thereof the following word: - December 15.

SECTION 8. Said section 60B of said chapter 29, as so appearing, is hereby further amended by striking out subsection (h) and inserting in place thereof the following subsection:-

(h) On or before January 15, the governor shall determine the total authorizations of the new commonwealth debt that the governor considers advisable for the next year; provided, however, that in the first year of the term of office of a governor who has not served in the preceding year, the total authorizations of the new commonwealth debt considered advisable for the next year shall be determined not later than January 31 of that year.

SECTION 9. Section 1 of chapter 32 of the General Laws is hereby amended by inserting after the word "law", in line 543, as so appearing, the following words:- ; provided, however, that for the purpose of investing in the Pension Reserves Investment Trust Fund established in subdivision (8) of section 22, the Massachusetts State College Building Authority shall be deemed to be a system.

SECTION 10. Chapter 119 of the General Laws is hereby amended by striking out section 39I, as appearing in section 31 of chapter 240 of the acts of 2012, and inserting in place thereof the following section:-

Section 39I. A child, parent, legal guardian or custodian may appeal from any order or determination, whether final or not final, made under sections 39E to 39H, inclusive. Pending the appeal, the juvenile court shall retain jurisdiction and may enter any order under this chapter to meet the needs of the child. Notwithstanding any general or special law to the contrary, the appeal shall be to a single justice of the appeals court under section 118 of chapter 231 and shall proceed in accordance with the procedures governing petitions to a single justice.

SECTION 11. Chapter 151A of the General Laws is hereby amended by inserting after section 38 the following section:-

Section 38A. (a) If the director, or the director's authorized representative, determines, after providing written or electronic notice to the employer, that a payment of benefits was made because the employing unit, or an agent of the employing unit, was at fault for failing to respond timely or adequately to any request of the department for information relating to the claim for benefits, then: (i) the employing unit, except for employing units making payments into the Unemployment Compensation Fund under section 14A, shall not be relieved of charges on account of any such payment of benefits; and (ii) if the employing unit makes payments into the Fund under section 14A, it shall not be relieved from reimbursing the fund on account of any such payment of benefits. For purposes of this subsection, a response shall be considered inadequate if it fails to provide sufficient facts to enable the department to make the proper determination regarding a claim for benefits. A response shall not be considered inadequate if the department fails to ask for all necessary information, except in any case where there has been a failure to respond.

(b) The director shall adopt regulations implementing this section.

(c) A determination that an employing unit, or an agent of an employing unit, is at fault for failing to timely or adequately respond to a request of the department relating to a claim for benefits may be appealed under sections 39 to 42, inclusive, but the remedy shall not be subject to appeal.

SECTION 12. Section 69 of said chapter 151A, as appearing in the 2012 Official Edition, is hereby further amended by adding the following subsection:-

(e) At the time the department determines that an erroneous payment from the Unemployment Compensation Fund was made to an individual due to the individual's misrepresentation of a material fact or failure to disclose a material fact that the individual knew, or reasonably should have known, was material, the individual shall be assessed a penalty equal to 15 per cent of the amount of the erroneous payment. Except as provided in subsection (b), recovery of the penalty shall not be waived. Any appeal of the penalty under subsection (c) shall be limited to whether the amount on which the penalty was assessed is correct. All assessments paid under this subsection shall be deposited immediately in the Unemployment Compensation Fund.

SECTION 13. Section 3 of chapter 203A of the General Laws is hereby amended by striking out the first sentence, as so appearing, and inserting in place thereof the following sentence:- An account of the administration of each common trust fund shall be prepared annually and shall be audited by an independent certified public accountant and a copy of the account and the audit report shall be made available to any interested party upon written request, free of charge.

SECTION 14. Chapter 108 of the acts of 2006 is hereby repealed.

SECTION 15. The last sentence of the last paragraph of section 178 of chapter 131 of the acts of 2010, as appearing in section 145 of chapter 139 of the acts of 2012, is hereby amended

by striking out the words "October 1, 2012" and inserting in place thereof the following words:-
December 31, 2013.

SECTION 16. The last sentence of section 94 of chapter 142 of the acts of 2011 is hereby amended by striking out the figure "2013" and inserting in place thereof the following figure:-
2014.

SECTION 17. Item 2810-0100 of section 2 of chapter 139 of the acts of 2012, as most recently amended by section 38 of chapter 36 of the acts of 2013, is hereby further amended by adding the following words:- ; and provided further, that any unexpended funds for aquatic invasive species control shall not revert and shall be made available for expenditure until June 30, 2014.

SECTION 18. Item 4516-1010 of said section 2 of said chapter 139, as most recently amended by section 43 of said chapter 36, is hereby further amended by adding the following words:- ; and provided further, that any unexpended funds for the city of Boston's public health department for emergency preparedness and ambulance services at public events shall not revert and shall be made available for expenditure until June 30, 2014.

SECTION 19. Item 7004-0099 of said section 2 of said chapter 139 is hereby amended by adding the following words:- ; and provided further, that any unexpended funds for a one-time community action grant in the town of Holbrook under section 69 of chapter 36 of the acts of 2013 shall not revert and shall be made available for expenditure until June 30, 2014 for the purposes of said section 69 of said chapter 36.

SECTION 20. Item 7004-0102 of said section 2 of said chapter 139, as most recently amended by section 45 of chapter 36 of the acts of 2013, is hereby further amended by adding the following words:- ; and provided further, that any unexpended funds for the Friends of the Homeless, Inc. in the city of Springfield shall not revert and shall be made available for expenditure until June 30, 2014.

SECTION 21. Item 7008-0900 of said section 2 of said chapter 139, as most recently amended by section 47 of said chapter 36, is hereby further amended by adding the following words:- ; and provided further, that any unexpended funds for: (i) the Massachusetts International Festival of the Arts for the planned renovations and reopening of the Victory Theatre in the city of Holyoke, including construction consulting, business planning and architecture and engineering costs; (ii) the Wareham Summer of Celebration Organization, Incorporated for the town of Wareham's two hundredth anniversary commemoration of the attack on Wareham harbor by the British sloop HMS Nimrod and the two hundred and seventy-fifth anniversary of the incorporation of the town of Wareham; (iii) the New Bedford Whaling Museum, in cooperation with the city of New Bedford, for the visit of the whaling ship Charles W. Morgan to the city of New Bedford in June 2014; (iv) the New Bedford Ocean Explorium; (v) the Frederick Douglass House in the city of New Bedford for educational services, interpretative and museum services, programs and acquisitions and to undertake tourism and marketing activities; (vi) accessibility at the Arc of Greater Plymouth, Inc.; and (vii) the Greater

Plymouth Performing Arts Center, Inc. shall not revert and shall be made available for expenditure until June 30, 2014.

SECTION 22. Item 8100-1001 of said section 2 of said chapter 139, as most recently amended by section 51 of said chapter 36, is hereby further amended by adding the following words:- ; and provided further, that any unexpended funds for the purposes of enhancing the state police presence in the city of Springfield shall not revert and shall be made available for expenditure until June 30, 2014.

SECTION 23. Item 8324-0000 of said section 2 of said chapter 139, as most recently amended by section 53 of said chapter 36, is hereby further amended by adding the following words:- ; and provided further, that any unexpended funds for conceptual planning and development for fire safety improvements in the town of Dudley shall not revert and shall be made available for expenditure until June 30, 2014.

SECTION 24. Subsection (a) of section 155 of said chapter 139, as appearing in section 145 of chapter 38 of the acts of 2013, is hereby amended by striking out the words “and (vii)” and inserting in place thereof the following words:- (vii) \$21,800,000 to the secretary of administration and finance for transfer to appropriate accounts for information technology operating expenses; and (viii).

SECTION 25. The last sentence of section 131 of chapter 165 of the acts of 2012 is hereby amended by striking out the word “July” and inserting in place thereof the following word:- December.

SECTION 26. Chapter 262 of the acts of 2012 is hereby amended by striking out section 10 and inserting in place thereof the following section:-

Section 10. Regulations promulgated under section 1 shall be completed by January 1, 2014. Rules, regulations, ordinances or bylaws promulgated under section 9 shall be completed by: (i) December 31, 2014; or (ii) 1 year after the effective date of regulations promulgated under section 1, whichever last occurs.

SECTION 27. Item 1599-0087 of section 2A of chapter 36 of the acts of 2013 is hereby amended by adding the following words:- ; provided, that any unexpended funds in this item shall not revert and shall be made available for expenditure until June 30, 2014 for the purposes as set forth in this item.

SECTION 28. Item 1599-0090 of said section 2A of said chapter 36 is hereby amended by adding the following words:- ; and provided further, that any unexpended funds in this item shall not revert and shall be made available for expenditure until June 30, 2014 for the purposes as set forth in this item.

SECTION 29. Item 8910-0106 of said section 2A of said chapter 36 is hereby amended by adding the following words:- ; and provided further, that any unexpended funds in this item

shall not revert and shall be made available for expenditure until June 30, 2014 for the purposes as set forth in this item.

SECTION 30. Section 77 of said chapter 36 is hereby amended by adding the following sentence:- Any unexpended funds for extraordinary election costs incurred by the town of Northampton due to the November 6, 2012 election shall not revert and shall be made available for expenditure until June 30, 2014 for the purposes as set forth in this section.

SECTION 31. Section 79 of said chapter 36 is hereby amended by adding the following subsection:-

(d) Any unexpended funds transferred under subsection (a) for the uniform college and career readiness pilot program shall not revert and shall be made available for the purposes of subsection (b) until June 30, 2014.

SECTION 32. Item 4000-0500 of section 2 of chapter 38 of the acts of 2013 is hereby amended by adding the following words:- ; provided further, that MassHealth shall implement all Current Procedural Terminology, or CPT, evaluation and management codes for behavioral health services in accordance with the new CPT evaluation and management codes as most recently adopted by the American Medical Association and the Centers for Medicare and Medicaid Services, or CMS; provided further, that any integrated care organization, managed care entity or behavioral health carve-out entity that manages behavioral health services on behalf of the commonwealth shall implement all CPT evaluation and management codes for behavioral health services in accordance with the new CPT evaluation and management codes as most recently adopted by the American Medical Association and CMS; provided further, that any integrated care organization, managed care entity or behavioral health carve-out entity that manages behavioral health services on behalf of the commonwealth shall be required to pay, at a minimum, the MassHealth rates of payment for all CPT evaluation and management codes for behavioral health services by January 1, 2014; and provided further, that MassHealth shall review and may adjust all rates of payment accordingly for mental health services provided in community health centers and mental health centers by January 1, 2014.

SECTION 33. Item 4000-0700 of said section 2 of said chapter 38 is hereby amended by striking out the words “\$23,000,000 shall be expended from this item, or item 4000-0500 if necessary, to achieve maximum federal financial participation, to enhance the ability of hospitals and community health centers to serve populations in need more efficiently and effectively; provided further, that the executive office shall maximize federal reimbursements for state expenditures made to these providers” and inserting in place thereof the following words:- not less than \$23,000,000 shall be expended for fiscal year 2014 from this item, or item 4000-0500 if necessary to achieve maximum federal financial participation, to enhance the ability of hospitals and community health centers to serve populations in need more efficiently and effectively; provided, further, that not more than \$14,500,000 shall be expended for the purposes of the fiscal year 2013 funding solicitation.

SECTION 34. Item 7003-1206 of said section 2 of said chapter 38 is hereby amended by striking out the words “\$300,000 shall be expended for the Urban League of Springfield, Inc.”

and inserting in place thereof the following words:- \$400,000 shall be expended for the Urban League of Springfield, Inc.; provided further, that not less than \$300,000 shall be expended for the Urban League of Eastern Massachusetts.

SECTION 35. Item 7004-0103 of said section 2 of said chapter 38 is hereby amended by adding the following words:- ; provided further, that upon written approval from the secretary of administration and finance, funds may be transferred from item 7004-0101 to this item; provided further, that the secretary of administration and finance shall notify the house and senate committees on ways and means 30 days before approving any such transfer; and provided further, that the secretary of administration and finance shall notify the house and senate committees on ways and means concurrently with the transfer if the department has identified an immediate cash run-out.

SECTION 36. Item 7061-9011 of said section 2 of said chapter 38 is hereby amended by striking out the words “and provided further, that priority shall be given to schools proposed in level 3 and 4 districts” and inserting in place thereof the following words:- provided further, that priority shall be given to schools proposed in level 3 and 4 districts; and provided further, that up to \$225,000 may be expended through June 30, 2015 on innovation fellowships in sponsoring school districts that will participate in an in-depth, year-long planning process which shall include, but not be limited to, a comprehensive review and analysis of the department’s District Standards and Indicators, Conditions for School Effectiveness and other priorities of the department.

SECTION 37. Item 8000-0600 of said section 2 of said chapter 38 is hereby amended by inserting after the word “reimbursements” the following words:- ; provided further, that \$81,517 shall be made available for costs incurred by the city known as the town of Watertown due to the events of the Boston Marathon bombing and deemed nonreimbursable by the Federal Emergency Management Agency;

SECTION 38. Item 8315-1024 of section 2 of said chapter 38 is hereby amended by adding the following words:- ; and 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.

SECTION 39. Item 1595-1068 of section 2E of said chapter 38 of the acts of 2013 is hereby amended by striking out the words “\$312,050,000 from the Medical Assistance Trust Fund to the Cambridge public health commission for dates of service in state and federal fiscal year 2014 only after the Cambridge public health commission transfers up to \$156,025,000” and inserting in place thereof the following words:- \$308,000,000 from the Medical Assistance Trust Fund to the Cambridge Public Health Commission for dates of service in state and federal fiscal year 2014 only after the Cambridge Public Health Commission transfers up to \$154,000,000 of its funds to the Medical Assistance Trust Fund using a federally permissible source of funds which shall fully satisfy the non-federal share of such payment; and provided further, that \$174,025,000 in payments made for federal fiscal year 2013 shall be made from the Medical

Assistance Trust Fund of which \$28,050,000 shall be made to the Cambridge Public Health Commission for dates of service in state and federal fiscal year 2013 only after the Cambridge Public Health Commission transfers up to \$14,025,000.

SECTION 40. Said item 1595-1068 of said section 2E of said chapter 38 is hereby further amended by striking out the figure “\$394,000,000” and inserting in place thereof the following figure:- \$568,025,000.

SECTION 41. The third paragraph of section 3 of said chapter 38 is hereby amended by striking out the last sentence and inserting in place thereof the following 2 sentences:- The department of elementary and secondary education shall not consider health care costs for retired teachers to be part of net school spending for any district in which such costs were not considered part of net school spending in fiscal year 1994. If this section conflicts with the distribution listed below, the distribution below shall control.

SECTION 42. Section 154 of said chapter 38 is hereby repealed.

SECTION 43. Section 166 of said chapter 38 is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) There shall be a special commission to make an investigation and study of the cost of administering early education and care services and make recommendations to enhance those services where necessary and appropriate. The special commission shall consist of the commissioner of early education and care, who shall serve as chair; the secretary of administration and finance or a designee; the house and senate chairs of the joint committee on education or their designees and the house and senate chairs of the joint committee on children, families and persons with disabilities or their designees; the ranking minority members of the house and senate serving on the joint committee on education or their designees; 1 member of the house of representatives, 1 member of the senate; the child advocate or a designee; the commissioner of elementary and secondary education or a designee who shall have experience in elementary school transition; the executive director of the Massachusetts Head Start Association or a designee; a representative of the Massachusetts Early Education and Care Association; the commissioner of transitional assistance or a designee; the commissioner of children and families or a designee; and 3 persons to be appointed by the governor, at least 1 of whom shall be a provider of early education and care and at least 1 of whom shall be a social worker with experience in serving families with children; a representative of the Massachusetts Teachers Association; and a representative of the American Federation of Teachers-Massachusetts.

SECTION 44. Section 211 of said chapter 38 is hereby amended by adding the following subsection:-

(d) If federal financial participation shall be unavailable to provide additional payment under subsection (b), the office of Medicaid shall expend not more than \$6,153,884.50, subject to sufficient funds received under an interagency agreement under this section, on such additional payment under said subsection (b); provided, however, that the interagency agreement under subsection (a) shall be reduced by \$6,153,884.50.

SECTION 45. (a) Notwithstanding sections 33 to 37, inclusive, of chapter 7C of the General Laws, section 20 of chapter 304 of the acts of 2008, or any other general or special law to the contrary, the commissioner of capital asset management and maintenance may convey a certain parcel of state-owned land with the buildings thereon located at 2 Main street in the city of Worcester to the city of Worcester.

(b) As consideration for the conveyance authorized in subsection (a), the city of Worcester shall pay the commonwealth \$1. Upon any subsequent sale or lease of the property or any portion thereof by the city of Worcester, the city shall pay half of the net proceeds of any such sale or lease to the commonwealth.

(c) The city of Worcester shall bear all costs that the commissioner finds necessary or appropriate for the conveyance authorized in this section including, without limitation, all costs for legal work, surveys, title and the preparation of plans and specifications.

SECTION 46. (a) Notwithstanding sections 6 and 7 of chapter 53 of the General Laws, sections 86 and 95 of chapter 54 of the General Laws or any other general or special law to the contrary, the state secretary may add or change any dates relating to functions appurtenant to the special primaries or the election for representative in the Congress of the United States in the Fifth Congressional District, writs having been issued by the governor for December 10, 2013, as the state secretary deems necessary for the orderly administration of the primaries or election by providing notice of any such change with the regulations division and by posting on the secretary's website and by whatever other means he deems appropriate.

(b) Notwithstanding any general or special law to the contrary, the full election calendar shall be as follows: (i) the last day for a person running in the state primary to enroll in a party or for a person running only in the state election to unenroll from a party, except for newly-registered voters, shall be May 15, 2013 for party candidates and May 15, 2013 for nonparty candidates; (ii) the last day and hour for submitting nomination papers to local registrars of voters or election commissioners for the certification of signatures shall be 5:00 p.m. on July 31, 2013 for party candidates and 5:00 p.m. on September 17, 2013 for nonparty candidates; (iii) the certification of nomination papers shall be completed by August 12, 2013 for party candidates and September 26, 2013 for nonparty candidates; (iv) the last day and hour for filing nomination papers, including enrollment certificates, with the state secretary shall be 5:00 p.m. on August 14, 2013 for party candidates and 5:00 p.m. on October 1, 2013 for nonparty candidates; (v) the last day and hour for filing withdrawals of, or objections to, all nomination papers and certificates of nomination with the state secretary shall be 5:00 p.m. on August 16, 2013 for party candidates and 5:00 p.m. on October 3, 2013 for nonparty candidates; (vi) the last day and hour for filling vacancies caused by withdrawals for primary candidates shall be 5:00 p.m. on August 20, 2013; (vii) the last day to register voters for the state primary shall be September 25, 2013; (viii) the state primary shall be held on Tuesday, October 15, 2013; (ix) the last day and hour for the filing of withdrawals of or objections to nominations made at the state primary and for filing written acceptances by write-in or sticker candidates who won in the state primary with the state secretary shall be 5:00 p.m. on October 21, 2013; (x) the last day and hour for filling vacancies caused by withdrawals at the state primary shall be 5:00 p.m. on October 22, 2013; (xi) the last

day to register voters for the state election shall be November 20, 2013; and (xii) the state election shall be held on Tuesday, December 10, 2013 pursuant to writs issued by the governor.

SECTION 47. The secretary of public safety and security shall conduct a study on the use of active or passive fire suppression kits in state and municipal law enforcement vehicles. The study shall include, but not be limited to, the costs and benefits of installing fire suppression kits to aid in the prevention of fires resulting from rear end collisions. The secretary shall file a report not later than March 1, 2014 with the clerks of the senate and house of representatives who shall forward a copy of the report and recommendations to the chairs of the joint committee on public safety and homeland security.

SECTION 48. Any monies remaining in the Supplemental Reserve Fund to Ensure Fiscal Stability established in section 5 of chapter 108 of the acts of 2006 shall be transferred to the Pentucket Regional School District Middle and High School Complex Capital Fund established in section 49.

SECTION 49. Notwithstanding any general or special law to the contrary, there shall be a Pentucket Regional School District Middle and High School Complex Capital Fund into which shall be deposited all monies held in the Supplemental Reserve Fund to Ensure Fiscal Stability established in section 5 of chapter 108 of the acts of 2006 for capital expenditures for the Pentucket regional school district middle and high school complex located in the town of West Newbury. The Pentucket regional school committee shall be the custodian of the fund and may authorize disbursements from the fund for capital purposes that the committee considers appropriate to provide for the middle and high school complex. Any income derived from the investment or reinvestment of amounts held in the fund shall remain with and become part of the fund.

SECTION 50. The Pentucket regional school committee may dissolve the Pentucket Regional School District Middle and High School Complex Capital Fund and may authorize disbursements from the fund for operating purposes that the committee considers appropriate to maintain and continue regional school district operations.

SECTION 51. (a) Notwithstanding any general or special law to the contrary, the secretary of administration and finance may direct the comptroller to transfer to the General Fund any remaining balance in the Commonwealth Care Trust Fund as of June 30, 2013.

(b) Notwithstanding any general or special law to the contrary, the secretary of administration and finance may expend funds from the Commonwealth Care Trust Fund in anticipation of receipt of revenue during fiscal year 2014. The secretary shall ensure that no expenditures from the fund shall cause the fund to be in deficiency at the close of the fiscal year.

SECTION 52. The salary adjustments and other economic benefits authorized by the following collective bargaining agreements shall be effective for the purpose of section 7 of chapter 150E of the General Laws:

- (a) between the commonwealth and the Massachusetts Correction Officers Federated Union, Unit 4;
- (b) between the Bristol sheriff and the Bristol Correction Officers MCOFU, Unit SA4;
- (c) between the Bristol sheriff and the Bristol NCEU, Unit SA3;
- (d) between the Bristol sheriff and the Bristol K-9 Unit, Unit SA7;
- (e) between the Franklin sheriff and the Franklin Administrative Professionals IBCO, Unit SF3;
- (f) between the Franklin sheriff and the Franklin NCEU Correction Officers, Unit SF1;
- (g) between the Hampshire sheriff and the Hampshire Treatment Staff Local 1459, Unit SH6;
- (h) between the Hampshire sheriff and the Hampshire Non-Uniform, Unit SH7;
- (i) between the Hampshire sheriff and the Hampshire Sheriff Officers Independent Association, Unit SH8;
- (j) between the Hampshire sheriff and the Hampshire Correction Officers NCEU, Unit SH9;
- (k) between the Suffolk sheriff and the Suffolk Jail Officers, Unit SS4;
- (l) between the Plymouth sheriff and the NCEU 301, Unit SP7;
- (l) between the Plymouth sheriff and the NCEU 104, Unit SP1;
- (m) between the Worcester sheriff and the Worcester United Auto Workers, Unit SW5;
- (n) between the Worcester sheriff and the Worcester Corrections Officers, Unit SW6;
- (o) between the Worcester sheriff and the Worcester NAGE 06, Unit SW4;
- (p) between the Worcester sheriff and the NEPBA Local 275, Unit SW2; and
- (q) between the alcoholic beverages control commission and the Coalition of Public Safety, Unit 5.

SECTION 53. The secretary of health and human services shall develop a methodology for establishing capitation rates to be paid by Medicaid to the PACE program. The methodology shall be based on an actuarially sound determination of costs incurred for the services provided

or paid for by PACE but the rate shall not be in excess of the upper payment level. The rate shall be reviewed on an annual basis. The methodology shall be developed within 90 days after the effective date of this section and shall be made available to PACE providers.

SECTION 54. (a) Notwithstanding the last paragraph of section 2H of chapter 29 of the General Laws or any other general or special law to the contrary, the comptroller shall include in the certification of the consolidated net surplus for fiscal year 2013 one-time settlements or judgments for the commonwealth, of which the net value to the commonwealth of the proceeds of that settlement or judgment, after all restitution or other remedial payments are made pursuant to the settlement or judgment, exceeds \$10,000,000 in fiscal year 2013 and which would otherwise be transferred to the Commonwealth Stabilization Fund; provided, however, that upon certification by the comptroller that the consolidated net surplus equals \$106,800,000, all other such judgments and settlements shall be disposed of pursuant to said last paragraph of said section 2H of said chapter 29.

(b) Upon compliance with subsection (a), the comptroller shall dispose of the consolidated net surplus under subsection (a) of section 155 of chapter 139 of the acts of 2012.

SECTION 55. Notwithstanding any general or special law to the contrary, the state secretary shall reimburse the cities and towns from item 0521-0000 of section 2C.I for extraordinary election costs due to the June 25, 2013 special election.

SECTION 56. Notwithstanding any general or special law to the contrary, the executive office of health and human services shall expend not less than \$3,000,000 from item 4000-0265 of section 2 to increase community health centers' reimbursement for dental, behavioral health and urgent care services under Medicaid.

SECTION 57. Except as otherwise provided, this act shall take effect as of June 30, 2013.

SECTION 58. Sections 3, 24, 32 to 44, inclusive, shall take effect as of July 1, 2013.

SECTION 59. Section 53 shall take effect upon passage of this act.

SECTION 60. Section 50 shall take effect on July 1, 2018.