

HOUSE No. 3947

The Commonwealth of Massachusetts

The committee of conference on the disagreeing votes of the two branches with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2011) of the House Bill making appropriations for the fiscal year 2014 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3903), reports (in part) recommending passage of the accompanying bill (House, No. 3947). March 11, 2014.

Brian S. Dempsey	Stephen M. Brewer
Stephen Kulik	Jennifer L. Flanagan
Angelo D'Emilia	

HOUSE No. 3947

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act making appropriations for the fiscal year 2014 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 forthwith supplemental appropriations for fiscal year 2014, and to make other changes in law, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1 SECTION 1. To provide for supplementing certain items in the general appropriation act
2 and other appropriation acts for fiscal year 2014, the sums set forth in section 2 are hereby
3 appropriated from the General Fund unless specifically designated otherwise in this act or in
4 those appropriation acts, for the several purposes and subject to the conditions specified in this
5 act or in those appropriation acts, and subject to the laws regulating the disbursement of public
6 funds for the fiscal year ending June 30, 2014. These sums shall be in addition to any amounts
7 previously appropriated and made available for the purposes of those items.

8 SECTION 2.

JUDICIARY

Committee for Public Counsel Services.

11 0321-1520.....\$8,000,000

Trial Court.

13 0321-2000.....\$53,000

DISTRICT ATTORNEYS

14

15 Worcester District Attorney.
16 0340-0400.....\$46,722

17 Hampden District Attorney.
18 0340-0500.....\$132,391

19 Bristol District Attorney.
20 0340-0900.....\$200,000
21 0340-0998.....\$250,000

22 Berkshire District Attorney.
23 0340-1198.....\$67,000

24 SECRETARY OF THE COMMONWEALTH
25 0521-0000.....\$310,901

26 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

27 Group Insurance Commission.
28 1108-5200.....\$16,000,000

29 Reserves.
30 1599-0026.....\$500,000
31 1599-2013.....\$670,000
32 1599-3384.....\$2,500,000
33 1599-4444.....\$ 15,025,316
34 1599-7104.....\$2,500,000

35 Human Resources Division.
36 1750-0300.....\$1,766,344

37 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

38 Department of Fish and Game.
39 2330-0100.....\$350,000

40 2330-0120.....\$100,000

41 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

42 Office of the Secretary.

43 4000-0005.....\$4,800,000

44 Department of Youth Services.

45 4200-0200.....\$3,030,853

46 4200-0300.....\$4,873,738

47 Department of Children and Families.

48 4800-0015.....\$1,650,000

49 4800-1100.....\$1,130,000

50 Department of Elder Affairs.

51 9110-1455.....\$1,019,000

52 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

53 Office of the Secretary.

54 7002-0021.....\$2,000,000

55 Department of Housing and Community Development.

56 7004-0101.....\$32,746,306

57 7004-0103.....\$12,640,246

58 7004-0104.....\$200,000

59 Massachusetts Marketing Partnership.

60 7008-0900.....\$289,000

61 University of Massachusetts.

62 7100-0200.....\$50,000

63 EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

64 Department of Career Services.

65 7002-0012.....\$1,000,000

66 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

67 Chief Medical Examiner.

68 8000-0122.....\$150,000

69 SHERIFFS

70 Hampden Sheriff's Office.

71 8910-0102.....\$762,570

72 Worcester Sheriff's Office.

73 8910-0105.....\$383,000

74 Middlesex Sheriff's Office.

75 8910-0107.....\$2,500,000

76 Franklin Sheriff's Office.

77 8910-0108.....\$650,000

78 Berkshire Sheriff's Office.

79 8910-0445.....\$50,000

80 Essex Sheriff's Office.

81 8910-0619.....\$5,869,420

82 Barnstable Sheriff's Office.

83 8910-8200.....\$2,500,000

84 Bristol Sheriff's Office.

85 8910-8300.....\$6,500,000

86 Dukes Sheriff's Department.

87 8910-8400.....\$265,000

88 Norfolk Sheriff's Office.

89 8910-8600.....\$2,700,000

90	Plymouth Sheriff's Office.	
91	8910-8700.....	\$5,000,000
92	Suffolk Sheriff's Office.	
93	8910-8800.....	\$1,000,000
94	Hampshire Sheriff's Office.	
95	8910-0110.....	\$686,000

96 SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to
 97 provide for an alteration of purpose for current appropriations and to meet certain requirements
 98 of law, the sums set forth in this section are hereby appropriated from the General Fund, unless
 99 specifically designated otherwise in this section, for the several purposes and subject to the
 100 conditions specified in this section and subject to the laws regulating the disbursement of public
 101 funds for the fiscal year ending June 30, 2014. These sums shall be in addition to any amounts
 102 previously appropriated and made available for the purposes of those items.

103 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

104 Office of the Secretary.

105 1599-0091 For a reserve to be administered by the executive office for administration and
 106 finance; provided, that not less than \$150,000 shall be expended by the division of marine
 107 fisheries for investigations of invertebrate species and fisheries in coastal waters, including a
 108 ventless lobster trap survey employing the services of contracted fishing vessels.....\$150,000

109 1599-1206 For the salary adjustments and other economic benefits authorized by the
 110 collective bargaining agreement between the commonwealth and the Service Employees
 111 International Union, local 509, for family child care providers, effective for the purposes of
 112 section 7 of chapter 150E of the General
 113 Laws.....\$3,232,824

114 1599-4000 For a reserve to support community colleges that serve a critical role in
 115 creating opportunity for local communities of the highest need; provided, that not less than
 116 \$3,000,000 shall be provided to Roxbury Community College
 117\$5,000,000

118 1599-6901 For the fiscal year 2014 annualized costs of the human service provider salary
 119 increases funded in item 1599-6901 of section 2 of chapter 139 of the acts of 2012; provided,
 120 that the secretary of administration and finance may transfer from the sum appropriated in this
 121 item to other items of appropriation and allocations thereof for fiscal year 2014 amounts that are
 122 necessary to meet these costs where the amounts otherwise available are insufficient for the

123 purpose in accordance with a transfer plan which shall be filed in advance with the house and
124 senate committees on ways and means.....\$10,695,490

125 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

126 Department of Public Health.

127 4516-1005 For the department of public health, which may expend not more than
128 \$120,000 generated by fees collected from providers or insurers for sexually-transmitted
129 infections testing performed at the state laboratory institute; provided, that revenues collected
130 may be used to supplement the costs of the laboratory; and provided further, that notwithstanding
131 any general or special law to the contrary, for the purpose of accommodating timing
132 discrepancies between the receipt of retained revenues and related expenditures, the department
133 may incur expenses and the comptroller may certify for payment amounts not to exceed the
134 lesser of this authorization or the most recent revenue estimate, as reported in the state
135 accounting system.....\$120,000

136 Department of Mental Health.

137 5095-1016 For the department of mental health, which may expend not more than
138 \$500,000 in revenue collected from occupancy fees charged to the tenants of the state hospitals;
139 provided, that all fees collected shall be expended to support the costs to sustain operations of the
140 state hospital facilities; and, provided further, that notwithstanding any general or special law to
141 the contrary, for the purpose of accommodating timing discrepancies between the receipt of
142 retained revenues and related expenditures, the department may incur expenses and the
143 comptroller may certify for payment amounts not to exceed the lesser of this authorization or the
144 most recent revenue estimate, as reported in the state accounting
145 system.....\$500,000

146 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

147 Office of Business Development.

148 7007-0210 For the purpose of the Brownfields Redevelopment Fund established pursuant
149 to section 29A of chapter 23G of the General Laws.....\$15,000,000

150 SECTION 2E.

151 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

152 CTF Transfer to the Mass Transportation Trust Fund.

153 1595-6368.....\$30,115,915

154 SECTION 3. The first paragraph of section 3 of chapter 38 of the General Laws, as
155 appearing in the 2012 Official Edition, is hereby amended by striking out clauses (13) to (19),
156 inclusive, and inserting in place thereof the following 6 clauses:-

157 (13) death in any public or private conveyance;

158 (14) fetal death, as defined in section 202 of chapter 111, where the period of gestation
159 has been 20 weeks or more or where fetal weight is 350 grams or more;

160 (15) death of children under the age of 18 years from any cause;

161 (16) any person found dead;

162 (17) death in an emergency treatment facility, medical walk-in center, child care center or
163 under foster care; or

164 (18) deaths occurring under such other circumstances as the chief medical examiner shall
165 prescribe in regulations promulgated pursuant to chapter 30A.

166 SECTION 4. Chapter 151F of the General Laws is hereby repealed.

167 SECTION 5. Section 23 of chapter 176O of the General Laws, as appearing in the 2012
168 Official Edition, is hereby amended by striking out, in line 3, the words “in real time” and
169 inserting in place thereof the following words:- within 2 working days.

170 SECTION 6. Said section 23 of said chapter 176O is hereby further amended by striking
171 out the words “within 2 working days”, inserted by section 5, and inserting in place thereof the
172 following words:- in real time.

173 SECTION 7. Section 3 of chapter 176Q of the General Laws, as most recently amended
174 by section 90 of chapter 35 of the acts of 2013, is hereby amended by adding the following
175 clause:-

176 (x) to administer payments for additional required benefits in accordance with 42 U.S.C.
177 § 18031(d)(3)(B).

178 SECTION 8. Sections 9, 17 and 18 of said chapter 176Q are hereby repealed.

179 SECTION 9. Section 9 of chapter 211B of the General Laws, as appearing in the 2012
180 Official Edition, is hereby amended by striking out, in line 133, the word “court,” and inserting
181 in place thereof the following words:- court; and

182 (xxiv) the authority to approve, upon the request of the court administrator, the court
183 administrator’s application for and acceptance on behalf of the commonwealth of any funds,
184 including grants, bequests, gifts or contributions, from any person which shall be deposited in a

185 separate account and may be expended by the court administrator, without further appropriation,
186 in accordance with chapter 29 and any rules or regulations promulgated thereunder.

187 SECTION 10. Section 9A of said chapter 211B, as so appearing, is hereby amended by
188 striking out, in line 171, the word “court,” and inserting in place thereof the following words:-
189 court; and

190 (xxiv) the authority, subject to the approval of the chief justice of the trial court, to apply
191 for and accept on behalf of the commonwealth any funds, including grants, bequests, gifts or
192 contributions, from any person which shall be deposited in a separate account and may be
193 expended by the court administrator, without further appropriation, in accordance with chapter
194 29 and any rules or regulations promulgated thereunder.

195 SECTION 11. Section 11A of chapter 293 of the acts of 2006, as appearing in section 16
196 of chapter 129 of the acts of 2008, is hereby amended by striking out, in line 20, the figure “2”
197 and inserting in place thereof the following figure:- 3.

198 SECTION 12. Item 1599-2013 of section 2A of chapter 142 of the acts of 2011 is hereby
199 amended by inserting after the word “families”, inserted by section 28 of chapter 36 of the acts
200 of 2013, the following words:- , and for costs of cases in which the department of developmental
201 services is a defendant.

202 SECTION 13. The fourth sentence of section 73 of chapter 36 of the acts of 2013 is
203 hereby amended by striking out the words “March 15, 2014” and inserting in place thereof the
204 following words:- June 16, 2014.

205 SECTION 14. Item 0340-0400 of section 2 of chapter 38 of the acts of 2013 is hereby
206 amended by inserting after the words “paid from this item” the following words:- ; provided
207 further, that not less than \$46,722 shall be expended on upgrades to extend the life of the
208 computer systems at the Worcester county district attorney’s office.

209 SECTION 15. Item 0521-0000 of said section 2 of said chapter 38 is hereby amended by
210 adding the following words:- ; provided further, that \$310,901 shall be expended for the costs of
211 the following special elections: (i) fifth Middlesex senatorial district; (ii) fourth Hampden
212 representative district; (iii) thirteenth Suffolk representative district; (iv) second Suffolk
213 representative district; (v) sixteenth Suffolk representative district; (vi) fifth Suffolk
214 representative district; and (vii) ninth Norfolk representative district; and provided further, that
215 the funds shall be in addition to any amounts previously appropriated and made available for
216 expenditure through June 30, 2015.

217 SECTION 16. Item 1410-0010 of said section 2 of said chapter 38 is hereby amended by
218 striking out the words “the Stand Up and Play Foundation, Boston chapter, for rehabilitative

219 adaptive equipment for veterans” and inserting in place thereof the following words:- Salute
220 Military Golf Association Boston for veteran rehabilitative equipment.

221 SECTION 17. Item 1599-0026 of said section 2 of said chapter 38 is hereby amended by
222 inserting after the words “accountability and transparency for local governments” the following
223 words:- ; provided further, that not less than \$500,000 shall be expended to fund a pilot program
224 in Plymouth county, including projects of regionalized county government services.

225 SECTION 18. Said section 2 of said chapter 38 is hereby further amended by striking out
226 item 1599-0081.

227 SECTION 19. Item 2300-0100 of said section 2 of said chapter 38 is hereby amended by
228 striking out, in lines 27 and 28, the words “180 days after the effective date of this item” and
229 inserting in place thereof the following words:- May 1, 2014.

230 SECTION 20. Item 2330-0100 of said section 2 of said chapter 38 is hereby amended by
231 inserting after the words “hinder the existing functions of the plant” the following words:- ;
232 provided further, that not less than \$350,000 shall be expended for the implementation of an
233 interdepartmental service agreement with the department of public health to address new
234 concerns associated with bacterial contamination of marine waters and shellfish.

235 SECTION 21. Item 2330-0120 of said section 2 of said chapter 38 is hereby amended by
236 inserting adding the following words:- ; provided, that \$100,000 shall be expended to conduct a
237 stock assessment of black sea bass in coastal waters in collaboration with the Atlantic States
238 Marine Fisheries Commission and the Mid-Atlantic Fishery Management Council and
239 employing the services of contracted fishing vessels.

240 SECTION 22. Item 3000-4065 of said section 2 of said chapter 38 is hereby amended by
241 striking out, in line 4, the figure “168” and inserting in place thereof the following figure:- 166.

242 SECTION 23. Said section 2 of said chapter 38 is hereby further amended by inserting
243 after item 4580-1000 the following item:-

244 4590-0081 For a public health evaluation grant program; provided, that the executive
245 office for administration and finance shall issue a report to the house and senate committees on
246 ways and means within 30 days of issuing a request for proposal for this program detailing the
247 criteria to be used to award grants; provided further, that grant recipients shall be selected
248 through a competitive grant process in which successful proposals shall: (a) demonstrate
249 substantial experience conducting evaluations of federal, state or local public health programs;
250 (b) focus on the evaluation of a state-funded department of public health program which may
251 include, but shall not be limited to, school-based health centers, smoking cessation programs,
252 HIV/AIDS prevention and treatment programs, obesity prevention programs and child nutrition
253 programs; (c) identify the state administrative datasets to be used; (d) ensure compliance with

254 applicable privacy regulations, including institutional review board policies; and (e) propose an
255 evaluation to be completed in not more than 24 months, which shall provide analysis that
256 examines the following areas of policy relevance: (i) the quantifiable effect of the program on
257 the population treated through the program; (ii) an estimate of the cost to the commonwealth of
258 the public health problem being addressed through the program; (iii) a comparison of the cost of
259 the program and the estimated short-term and long-term benefits received by program recipients
260 through the program; (iv) data limitations in estimating the effect of the program; and (v)
261 recommendations for further study; provided further, that in awarding grants, priority shall be
262 given to organizations located within the commonwealth; provided further, that not more than 50
263 per cent of the amount appropriated in this item shall be granted to any 1 organization; provided
264 further, that the request for proposals shall be issued not later than June 30, 2014; provided
265 further, that the department of public health, the center for health information and analysis, the
266 executive office of health and human services, the executive office of education, the department
267 of housing and community development and other relevant state agencies shall work with grant
268 recipients funded through this item, as necessary, to provide secure access to state collected data
269 that is necessary for evaluations; provided further, that organizations receiving funds through this
270 item shall report quarterly to the house and senate committees on ways and means, the joint
271 committee on public health and the department of public health on: (A) the status and
272 preliminary results of studies funded through this item; and (B) any obstacles encountered in
273 accessing data or other information that is negatively affecting the completion of the study; and
274 provided further, that funds appropriated in this item shall not revert and shall be available for
275 expenditure through the term of grants awarded under this item, but not later than October 1,
276 2016..... \$500,000

277 SECTION 24. Item 4800-0038 of said section 2 of said chapter 38 is hereby amended by
278 striking out the words “March 1” and inserting in place thereof the following words:- November
279 30.

280 SECTION 25. Item 7004-0104 of said section 2 of said chapter 38 is hereby amended by
281 adding the following words:- , prior appropriation continued.

282 SECTION 26. Item 7004-9316 of said section 2 of said chapter 38 is hereby amended by
283 striking out, in lines 40 and 44, the figure “90”, and inserting in place thereof, in each instance,
284 the following figure:- 50.

285 SECTION 27. Item 7008-0900 of said section 2 of said chapter 38 is hereby amended by
286 inserting after the words “Memorial Day to Columbus Day” the following words:- ; provided
287 further, that not less than \$200,000 shall be expended for any hosting fees associated with
288 visiting historical artifacts touring the commonwealth in 2014; provided further, that not less
289 than \$89,000 shall be provided for the support of the Plymouth Amphitheater.

290 SECTION 28. Item 7066-0036 of said section 2 of said chapter 38 is hereby amended by
291 striking out the words “August 1, 2014” and inserting in place thereof the following words:-
292 December 31, 2014; and provided further, that funds may be expended through December 31,
293 2014.

294 SECTION 29. Item 8000-0122 of said section 2 of said chapter 38 is hereby amended by
295 striking out, in line 2, the figure “\$2,570,700” and inserting in place thereof the following
296 figure:- \$2,720,700.

297 SECTION 30. Item 8910-0108 of said section 2 of said chapter 38 is hereby amended by
298 adding the following words:- ; provided, that not less than \$40,000 shall be expended for the
299 Franklin County Opioid Education and Awareness Task Force.

300 SECTION 31. Item 8910-0445 of said section 2 of said chapter 38 is hereby amended by
301 striking out, in line 2, the figure “\$250,000” and inserting in place thereof the following figure:-
302 \$300,000.

303 SECTION 32. Item 1595-1068 of section 2E of said chapter 38 is hereby amended by
304 striking out the figure “\$568,025,000”, inserted by section 40 of chapter 118 of the acts of 2013,
305 and inserting in place thereof the following figure:- \$620,025,000.

306 SECTION 33. Item 1595-6368 of said section 2E of said chapter 38 is hereby amended
307 by inserting after the figure “ 2014”, in line 14, the following words:- ; provided further, that
308 \$115,915 shall be expended for the Montachusett Regional Transit Authority to support services
309 in the town of Athol.

310 SECTION 34. The third sentence of the first paragraph of section 183 of said chapter 38
311 is hereby amended by striking out the figure “2014” and inserting in place thereof the following
312 figure:- 2015.

313 SECTION 35. The first sentence of subsection (a) of section 56A of chapter 118 of the
314 acts of 2013 is hereby amended by adding the following words:- ; provided further, that with the
315 written approval of the executive office for administration and finance, funds may be expended
316 regardless of federal reimbursement..

317 SECTION 36. (a) Notwithstanding any general or special law to the contrary, the
318 Massachusetts Department of Transportation may incur liabilities and make expenditures in
319 fiscal years 2014 and 2015 in excess of funds available to the department for snow and ice
320 removal; provided, that the expenditures shall be approved by the secretary of transportation in
321 consultation with the secretary of administration and finance. No expenditures shall be made in
322 excess of funds available until \$38,000,000 has been expended for snow and ice removal in each
323 of fiscal years 2014 and 2015 and the negative balance of funds available for snow and ice

324 removal shall not exceed \$50,000,000 at any time during each fiscal year. The state comptroller
325 may certify for payment invoices in excess of funds available to the department.

326 (b) The Massachusetts Department of Transportation shall, on or before May 1 in fiscal
327 years 2014 and 2015, report to the executive office for administration and finance and the house
328 and senate committees on ways and means the total amounts budgeted and expended for snow
329 and ice removal. The department shall seek appropriations, as required, to cure deficiencies
330 resulting from the removal of snow and ice for fiscal years 2014 and 2015.

331 SECTION 37. The salary adjustments and other economic benefits authorized by the
332 collective bargaining agreement between the commonwealth and the State Police Association of
333 Massachusetts, Unit 5A, shall be effective for the purposes of section 7 of chapter 150E of the
334 General Laws.

335 SECTION 38. The special commission established in section 164 of chapter 38 of the
336 acts of 2013 is hereby revived and continued. The commission shall file a report detailing its
337 work and findings, including any legislative recommendations, with the clerks of the house of
338 representatives and the senate not later than December 31, 2014.

339 SECTION 39. (a) Notwithstanding any general or special law to the contrary, the
340 secretary of energy and environmental affairs shall convene an advisory committee on flood
341 risks created by climate change. The advisory committee shall be chaired by the secretary, or the
342 secretary's designee, and shall be comprised of representatives with expertise in the following
343 areas: coastal zone and river flooding, hydrological and hydraulic modeling, natural hazard
344 preparedness and mitigation, sea level and storm surge projections, risk measurement and
345 reduction, emergency management planning and scenario planning.

346 (b) The advisory committee shall complete a report, not later than July 1, 2015 which
347 shall include: (i) a set of combined sea-level rise and storm-surge scenarios for the
348 commonwealth;

349 (ii) estimates of risk levels of each scenario occurring by 2030, 2050 and 2100; (iii)
350 estimates of flood water levels in coastal areas under each scenario which shall reflect
351 appropriate local information such as local uplift and subsidence, and coastal erosion rates; (iv)
352 estimates based on hydrological and hydraulic modeling of flood water levels in each scenario in
353 historically coastal areas now currently protected by dams, including the Charles River Basin and
354 the Mystic River Basin; (v) maps of areas subject to inundation in each scenario; and (vi)
355 recommendations for additional studies to assess the vulnerability of state agency and public
356 utility assets based on the scenarios developed.

357 (c) The committee shall conduct a public hearing before procuring any contract for
358 consulting services and a second hearing before finalizing its report. The report shall be filed

359 with the clerks of the senate and house of representatives, who shall forward the report to the
360 senate and house chairs of the joint committee on environment, natural resources and agriculture.

361 SECTION 40. Section 5 shall take effect as of October 1, 2013.

362 SECTION 41. Section 6 shall take effect on October 1, 2014.