

**HOUSE . . . . . No. 3566**

---

---

*The Commonwealth of Massachusetts*

---

**SO MUCH OF THE MESSAGE  
FROM  
HIS EXCELLENCY THE GOVERNOR  
RETURNING THE GENERAL APPROPRIATION BILL  
FOR FISCAL YEAR 2014  
(SEE HOUSE, NO. 3538)  
AS RELATES TO ATTACHMENTS A AND B,  
FOR ITEMS AND SECTIONS RETURNED WITH REDUCTIONS OR  
DISAPPROVALS  
UNDER THE PROVISIONS OF  
SECTION 5 OF ARTICLE LXIII  
AND SECTIONS RETURNED WITH  
RECOMMENDATIONS OF AMENDMENTS  
UNDER THE PROVISIONS OF ARTICLE LVI  
OF THE AMENDMENTS TO THE CONSTITUTION.**

---

July 12, 2013.

---

**The Commonwealth of Massachusetts**



DEVAL L. PATRICK  
GOVERNOR

EXECUTIVE DEPARTMENT  
STATE HOUSE • BOSTON 02133  
(617) 725-4000

July 12, 2013.

To the Honorable Senate and House of Representatives:

Pursuant to Section 5 of Article 63 of the Amendments to the Constitution, I am today signing House Bill 3538, “An Act Making Appropriations for the Fiscal Year 2014 for the Maintenance of the Departments, Boards, Commissions, Institutions and Certain Activities of the Commonwealth, for Interest, Sinking Fund and Serial Bond Requirements and for Certain Permanent Improvements,” and returning certain portions to you for reconsideration.

The Fiscal Year 2014 budget I am signing into law supports programs and policies that will help us build a better, stronger Massachusetts. The budget includes a \$15 million increase in funding that will enable more children to access early education services to help prepare them for future academic and economic success. It also significantly increases our investment in the Commonwealth’s public universities and colleges, moving the state towards funding 50 percent of public higher education costs and thus avoiding tuition and fee increases in the coming year.

With the resources provided in this budget for MassHealth and the Health Connector, Massachusetts is well-poised to implement the Affordable Care Act and maintain its national leadership in health insurance coverage. I am also pleased that the budget contains strong support for initiatives to prevent youth violence, most notably continuing current investments in summer jobs and our Safe and Successful Youth Initiative.

Additionally, the budget will strengthen how state government delivers services. Investments included in the budget will enable the Board of Pharmacy to increase inspections of all sterile compounding pharmacies in the Commonwealth, improving monitoring and accountability. It will also allow us to expand the network of Family

Access Centers to provide one-stop access to social and health services targeted to the needs of children, youth and families. The budget includes investments and a new, more flexible funding vehicle to promote access to affordable housing. Moreover, it establishes a commission which will identify ways to enhance efficiencies within our public higher education system and ensure that increased investments in this area achieve the maximum benefit for students.

I am also signing language streamlining our state's mechanisms for promoting employer responsibility for contributing to the costs of health insurance. We expect the Commonwealth's businesses to continue leading the nation in offering health insurance to their employees, with the help of cost containment initiatives spurred by comprehensive state legislation enacted last year and other market forces.

While I am very pleased to sign these and many other funding and language items into law, there are a limited number of proposed appropriations that I do not support and have thus taken action to reduce. I am instead proposing to allocate these funds, and additional resources that would be raised by enacting the Bottle Bill, to higher priority public needs, including scholarships for young people who need financial assistance to pay for college, currently unfunded expenses for implementing new legislative requirements to put photographs of public assistance recipients on their EBT cards, information technology services that are essential to the proper functioning of state government, accelerated implementation of judicial pay increases, and recycling programs. I have also returned certain sections with recommended amendments.

Additionally, I am taking action to ensure that the budget is in balance in light of the currently unresolved status of separate legislation raising revenue to support transportation and other budget needs (House Bill 3535). While I am willing to compromise on a tax bill that raises \$800 million per year for transportation, the bill passed by the Legislature falls short of this threshold because it does not account for the loss of existing toll revenue from the Western Turnpike under current law. I have returned the transportation finance bill with an amendment to fix this problem and ensure that it raises the full \$800 million for transportation that the Legislature claims it does. Pending legislative action to address my proposed amendment, I am reducing spending in the Fiscal Year 2014 budget in the areas of transportation and Unrestricted General Government Aid to conform to the level of enacted revenues. In tandem, I am proposing supplemental appropriations to restore full funding for these items if the Legislature accepts my amendment to the transportation finance bill.

Therefore:

- I am reducing appropriation amounts in items of section 2 of House 3538 enumerated in Attachment A of this message by the amount and for the reasons set forth in that Attachment;
- I am disapproving, or striking wording in, items of section 2 of House 3538 also set forth in Attachment A, for the reasons set forth in that Attachment;

- I am disapproving those sections of House 3538 itemized in Attachment B of this message for the reasons set forth in that Attachment; and
- Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution of the Commonwealth, I am returning sections 8, 13, 19, 21, 36, 45, 81, 114 to 134, inclusive, 207, 216 and 217 with recommendations for amendment. My reasons for doing so and the recommended amendments are set forth in separate letters dated today which are included with this message as Attachments C, D, E, F, G, H, I and J.

I approve the remainder of this Act.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Deval Patrick", written over a circular stamp or seal.

DEVAL L. PATRICK,  
*Governor.*

**Attachment A  
FY14 Budget  
Veto Items: Line Item Accounts**

| <b>Item Number</b>  | <b>Action</b>         | <b>Reduce By</b> | <b>Reduce To</b> |
|---|-----------------------|------------------|------------------|
| <i>Section 2</i>  |                       |                  |                  |
| <b>Administrative Staff</b>   |                       |                  |                  |
| 0330-0300   | Reduce/Strike Wording | 30,000           | 218,937,364      |
| I am striking language which earmarks funding for a program not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds.   |                       |                  |                  |
| <b>Mass Historical Commission</b>   |                       |                  |                  |
| 0526-0100   | Reduce/Strike Wording | 50,000           | 750,000          |
| I am striking language which earmarks funding for a program not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds.   |                       |                  |                  |
| <b>Unrestricted Local Aid</b>   |                       |                  |                  |
| 1233-2350   | Reduce                | 177,070,000      | 743,160,293      |
| I am reducing this item to ensure that the budget is in balance in light of the currently unresolved status of separate legislation raising revenue to support transportation and other budget needs (House Bill 3535).                       |                       |                  |                  |
| <b>Transportation Trust Funds</b>   |                       |                  |                  |
| 1595-6368   | Reduce/Strike Wording | 75,664,945       | 162,797,499      |
| I am striking language and reducing this item to ensure that the budget is in balance in light of the currently unresolved status of separate legislation raising revenue to support transportation and other budget needs (House Bill 3535). |                       |                  |                  |
| <b>CTF Transfer to MBTA</b>   |                       |                  |                  |
| 1595-6369   | Reduce                | 115,200,000      | 160,000,000      |
| I am reducing this item to ensure that the budget is in balance in light of the currently unresolved status of separate legislation raising revenue to support transportation and other budget needs (House Bill 3535).                       |                       |                  |                  |
| <b>CTF Transfer to RTA</b>  |                       |                  |                  |
| 1595-6370   | Reduce                | 49,135,055       | 18,500,000       |
| I am reducing this item to ensure that the budget is in balance in light of the currently unresolved status of separate legislation raising revenue to support transportation and other budget needs (House Bill 3535).                       |                       |                  |                  |
| <b>Municipal Regionalization Reserve</b>  |                       |                  |                  |
| 1599-0026   | Reduce/Strike Wording | 2,250,000        | 10,800,000       |
| I am striking language which earmarks funding for programs not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds.  |                       |                  |                  |

**Attachment A  
FY14 Budget  
Veto Items: Line Item Accounts**

|   |                       |           |               |
|---|-----------------------|-----------|---------------|
| <b>Social Innovation Financing</b>  |                       |           |               |
| 1599-3557   | Veto                  | 250,000   | 0             |
| I am vetoing this item because it is not consistent with my House 1 recommendation.   |                       |           |               |
| <b>Dartmouth/Bristol CC Reserve</b>   |                       |           |               |
| 1599-7104   | Reduce/Strike Wording | 1,500,000 | 2,700,000     |
| I am striking language which earmarks funding for a program not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds.               |                       |           |               |
| <b>Integrated Pest Management</b>   |                       |           |               |
| 2511-3002   | Reduce/Strike Wording | 40,000    | 55,446        |
| I am striking language which earmarks funding for a program not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds.               |                       |           |               |
| <b>State Parks and Recreation</b>   |                       |           |               |
| 2810-0100   | Reduce/Strike Wording | 570,000   | 41,984,957    |
| I am striking language which earmarks funding for programs not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds.                |                       |           |               |
| <b>EOHHS and Medicaid Administration</b>  |                       |           |               |
| 4000-0300   | Reduce/Strike Wording | 2,420,000 | 89,365,813    |
| I am striking language which earmarks funding for programs not recommended. The reduction in this item and 4000-0700 incorporates the amount of the stricken earmarked funds. |                       |           |               |
| <b>MassHealth Fee for Service</b>   |                       |           |               |
| 4000-0700   | Reduce                | 200,000   | 2,196,115,039 |
| I am striking language in 4000-0300 which earmarks funding for a program not recommended. The reduction in this item incorporates the amount of the stricken earmarked funds. |                       |           |               |
| <b>Living Independently for Equality</b>  |                       |           |               |
| 4120-4005   | Veto                  | 30,000    | 0             |
| I am vetoing this item because it is not consistent with my House 1 recommendation.   |                       |           |               |
| <b>Postpartum Depression Pilot Program</b>  |                       |           |               |
| 4510-0112   | Veto                  | 200,000   | 0             |
| I am vetoing this item because it is not consistent with my House 1 recommendation.   |                       |           |               |

**Attachment A  
FY14 Budget  
Veto Items: Line Item Accounts**

|   |                       |         |             |
|---|-----------------------|---------|-------------|
| <b>Radiation Monitoring RR</b>  |                       |         |             |
| 4510-0615   | Reduce                | 90,000  | 1,768,947   |
| I am striking language which earmarks funding for a program not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds. |                       |         |             |
| <b>Substance Abuse Treatment</b>  |                       |         |             |
| 4512-0200   | Reduce/Strike Wording | 475,000 | 83,483,094  |
| I am striking language which earmarks funding for programs not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds.  |                       |         |             |
| <b>Services for Children and Families</b>   |                       |         |             |
| 4800-0038   | Reduce/Strike Wording | 125,000 | 249,311,051 |
| I am striking language which earmarks funding for programs not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds.  |                       |         |             |
| <b>Domestic Violence Services</b>   |                       |         |             |
| 4800-1400   | Reduce/Strike Wording | 150,000 | 22,755,532  |
| I am striking language which earmarks funding for programs not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds.  |                       |         |             |
| <b>Housing Main Administration</b>  |                       |         |             |
| 7004-0099   | Reduce/Strike Wording | 250,000 | 6,397,129   |
| I am striking language which earmarks funding for programs not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds.  |                       |         |             |
| <b>MA Short-Term Housing Transition Program</b>   |                       |         |             |
| 7004-0108   | Reduce/Strike Wording | 175,000 | 58,788,556  |
| I am striking language which earmarks funding for a program not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds. |                       |         |             |
| <b>Housing Authority Subsidies</b>  |                       |         |             |
| 7004-9005   | Reduce/Strike Wording | 100,000 | 64,300,000  |
| I am striking language which earmarks funding for a program not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds. |                       |         |             |
| <b>MA Office of Travel and Tourism</b>  |                       |         |             |
| 7008-0900   | Reduce/Strike Wording | 930,000 | 12,714,651  |
| I am striking language which earmarks funding for programs not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds.  |                       |         |             |

**Attachment A  
FY14 Budget  
Veto Items: Line Item Accounts**

|   |                       |           |             |
|---|-----------------------|-----------|-------------|
| <b>Department of K-12 Education</b>   |                       |           |             |
| 7010-0005   | Reduce/Strike Wording | 600,505   | 13,862,895  |
| I am striking language which earmarks funding for programs not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds.  |                       |           |             |
| <b>School Breakfast Program</b>   |                       |           |             |
| 7053-1925   | Reduce/Strike Wording | 75,000    | 4,321,215   |
| I am striking language which earmarks funding for a program not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds. |                       |           |             |
| <b>Department of Higher Education</b>   |                       |           |             |
| 7066-0000   | Reduce/Strike Wording | 1,010,000 | 2,308,529   |
| I am striking language which earmarks funding for programs not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds.  |                       |           |             |
| <b>University of Massachusetts</b>  |                       |           |             |
| 7100-0200   | Reduce/Strike Wording | 200,000   | 478,691,873 |
| I am striking language which earmarks funding for programs not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds.  |                       |           |             |
| <b>Gallery 51 at the Berkshire Cultural Resource Cent</b>   |                       |           |             |
| 7113-0101   | Veto                  | 75,000    | 0           |
| I am vetoing this item because it is not consistent with my House 1 recommendation.   |                       |           |             |
| <b>Center for Tele &amp; Info - STCC</b>  |                       |           |             |
| 7514-0102   | Veto                  | 60,000    | 0           |
| I am vetoing this item because it is not consistent with my House 1 recommendation.   |                       |           |             |
| <b>Exec Office of Public Safety</b>   |                       |           |             |
| 8000-0600   | Reduce/Strike Wording | 100,000   | 1,972,230   |
| I am striking language which earmarks funding for a program not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds. |                       |           |             |
| <b>Department of State Police</b>   |                       |           |             |
| 8100-1001   | Reduce/Strike Wording | 200,000   | 251,714,660 |
| I am striking language which earmarks funding for a program not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds. |                       |           |             |

**Attachment A**  
**FY14 Budget**  
**Veto Items: Line Item Accounts**

|   |                       |           |             |
|---|-----------------------|-----------|-------------|
| <b>Department of Fire Services</b>  |                       |           |             |
| 8324-0000   | Reduce/Strike Wording | 1,880,000 | 17,236,873  |
| I am striking language which earmarks funding for programs not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds.  |                       |           |             |
| <b>Department of Correction Facility</b>  |                       |           |             |
| 8900-0001   | Reduce/Strike Wording | 2,200,000 | 544,913,917 |
| I am striking language which earmarks funding for programs not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds.  |                       |           |             |
| <b>Plymouth Sheriff</b>   |                       |           |             |
| 8910-8700   | Reduce/Strike Wording | 2,100,000 | 34,021,305  |
| I am striking language which earmarks funding for a program not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds. |                       |           |             |

**Attachment B**  
**FY14 Budget**  
**Veto Items: Outside Sections**

**Repeal DPS Civil Fines**

Section 36A

I am vetoing this section because, with section 37, it limits the enforcement powers of the Department of Public Safety for the tramway industry alone, without any apparent justification.

**Civil Fine Exemption for Tramway Industry**

Section 37

I am vetoing this section because, with section 36A, it limits the enforcement powers of the Department of Public Safety for the tramway industry alone, without any apparent justification.

**Primary Care Hospital Residency Programs**

Section 89

I am vetoing this section because the Department of Public Health believes that it will create additional barriers to critical access to primary care, predominantly in underserved communities.

**Collective Bargaining for Municipal Public Safety Officers**

Section 110

I am vetoing this section because, although I approve Section 50, which allows collective bargaining agreements to extend the present requirement that police officers and firefighters reside within 10 miles of the employing municipality, this additional unnecessary section inadvertently allows such agreements to prevail over other existing statutory provisions that employees must reside in the Commonwealth and that prefer municipal residents on civil service eligible lists.

**Mosquito Control District Budgets**

Section 135

I am vetoing this section because it effectively prevents the State Reclamation Board from supervising the budgets of local mosquito control districts.

**DOC Food Reprocurement**

Section 181

I am vetoing this section because the Department of Correction recently reprocured its food and commissary contracts after lengthy processes, and it cannot interfere with existing contracts.

**The Commonwealth of Massachusetts**



DEVAL L. PATRICK  
GOVERNOR

EXECUTIVE DEPARTMENT  
STATE HOUSE • BOSTON 02133  
(617) 725-4000

**— ATTACHMENT C —**

July 12, 2013.

To the Honorable Senate and House of Representatives:

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution, I am returning to you for amendment Sections 8 and 13 of House Bill No. 3538, “An Act Making Appropriations for the Fiscal Year 2014 for the Maintenance of the Departments, Boards, Commissions, Institutions and Certain Activities of the Commonwealth, for Interest, Sinking Fund and Serial Bond Requirements and for Certain Permanent Improvements.”

Preventing sex offenses and protecting public safety are vital goals. Ensuring that the Sex Offender Registry Board (“Board”) and local officials are aware of information concerning the whereabouts of sex offenders and the risk they may reoffend serves those goals. If amended, Sections 8 and 13 could accomplish these goals efficiently and effectively. As proposed, however, each section would yield collateral consequences that do not strengthen the Commonwealth’s sex offender registration system, and instead undermine its effectiveness.

For example, Section 8, as written, would expend public safety resources to penalize a registrant who has provided accurate and comprehensive information to the Board. Those resources are better spent on registrants who have sought to deceive the Board and the public it protects. As drafted, Section 13 would impose a blanket requirement on state and local officials to report information to the Board. This requirement, without clarification, could place those officials in conflict with federal privacy laws. The more precise tailoring of Sections 8 and 13 set forth below could avoid these consequences and better accomplish the goals that we share.

## **Section 8**

Section 8 seeks to ensure that, upon release from confinement, sex offenders cannot tell the Sex Offender Registry Board (the “Board”) that they will live in one location and then proceed to reside in another. I support the purpose of this section.

As written, however, Section 8 fails to distinguish between those registrants who have provided the Board with an accurate home address and those who have not – and therefore exposes registrants who are living precisely where they said they would to a six-month minimum sentence of imprisonment.

I believe Section 8 could more precisely target the deception it seeks to remedy. And with such precision, it could target the offender who, before his release, affirms that he will live at one address, but who establishes residence at another. If Section 8 is tailored to these circumstances, the offender who affirms the wrong address on purpose and then does not register in person at his new address would be subject to a mandatory five-year sentence of imprisonment — on the basis of one conviction for failing to provide a proper address and a second for failing to register at his actual address. Under a revised Section 8, if the offender registers at one address before his release, but, through no act of deception, ultimately resides at another, the proper police department will be so informed by the required in-person registration.

By the amendment proposed below, Section 8 will specifically and actively protect the public from offenders who change residences immediately upon release from custody — an important goal that is imperfectly served by the current proposal and current law.

For these reasons, I recommend that Section 8 be amended by striking out the text and inserting in place thereof the following text:-

SECTION 8. Section 178F1/2 of said chapter 6, as appearing in the 2012 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following 3 sentences:- An incarcerated sex offender finally classified by the board as a level 2 or level 3 sex offender who is required to register under sections 178C to 178P, inclusive, shall appear in person within 2 days of release from the custody of an agency, including the department of correction, the department of youth services or any of the houses of correction, at the local police department in the city or town in which the sex offender lives, or if the sex offender does not reside in the commonwealth, in the city or town in the commonwealth in which the sex offender has a secondary address, works or attends an institution of higher learning, to register; but no such obligation to register in person shall arise where the pertinent address is the same as that provided to the board by the offender before his release under subsection (a) of section 178E. The sex offender shall be informed by, and shall acknowledge in writing to, the agency that has custody of the sex offender of the duty to comply with this section. A sex offender who is finally classified by the board as a level 2 or level 3 offender and who is required to register under said sections 178C to 178P, inclusive, shall appear in person annually at the local police department in the city or town in which the sex offender lives or, if the sex

offender does not reside in the commonwealth, in the city or town in the commonwealth in which the sex offender has a secondary address, works or attends an institution of higher learning, to verify that the registration data on file remains true and accurate.

### **Section 13**

Section 13 also seeks to achieve a purpose that I firmly support, namely the provision of information to the Board concerning the likelihood that a registrant might reoffend. Here, too, an amendment would more effectively serve that purpose.

Section 13 dovetails with Section 10, which permits the Board to “have access to any information” in the possession of pertinent departments that it deems relevant to classification. As to a subset of that information and a subset of individuals in possession of it, Section 13 creates a requirement that certain information must be reported to the Board.

Mandatory reporting can be a valuable tool, as it has been in the context of teachers and physicians who must report evidence of child abuse to the Department of Children and Families. To ensure that value here, two related concerns must be addressed. First, as written, Section 13 requires information sharing, but it neither specifies what information must be shared nor under what circumstances it must be shared. This ambiguity undermines the goal of Section 13 and is particularly problematic for the Executive Office of Health and Human Services (“EOHHS”) which is permitted by certain federal law to share certain information only when expressly so directed by state law. If the section is enacted as written, EOHHS will face an ongoing challenge to meet its obligations under Section 13, on one hand, and federal privacy law, on the other.

Second, certain individuals who would be required under the proposed language to report information to the Board should be instructed as to the specific type of information for which they should be looking. To this end, Section 13 should be amended to better use the Board’s expertise by directing the Board to develop regulations creating greater specificity and clarity around these directives.

For these reasons, I recommend that Section 13 be amended by striking out the text and inserting in place thereof the following text:-

**SECTION 13.** Section 178P of said chapter 6, as so appearing, is hereby amended by adding the following paragraph:-

Whenever a police officer, district attorney or agent, employee or representative of the executive office of health and human services has information indicating that a sex offender is at risk to reoffend, the police department, district attorney or, to the extent permitted by federal law, the executive office of health and human services agent, employee or representative shall forward that information to the board; but a police department or district attorney shall not forward information to the board that the police department or district attorney believes will compromise an ongoing investigation. The board, after consulting the executive office of health and human services, shall adopt regulations to provide specific guidance concerning the type and location of information

that might indicate that a sex offender is at risk to reoffend and the circumstances that require disclosure.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Deval Patrick", written over a horizontal line.

DEVAL L. PATRICK,  
*Governor.*

**The Commonwealth of Massachusetts**



DEVAL L. PATRICK  
GOVERNOR

EXECUTIVE DEPARTMENT  
STATE HOUSE • BOSTON 02133  
(617) 725-4000

**— ATTACHMENT D —**

July 12, 2013.

To the Honorable Senate and House of Representatives:

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution, I am returning to you for amendment Section 19 of House Bill No. 3538, “An Act Making Appropriations for the Fiscal Year 2014 for the Maintenance of the Departments, Boards, Commissions, Institutions and Certain Activities of the Commonwealth, for Interest, Sinking Fund and Serial Bond Requirements and for Certain Permanent Improvements.”

Section 13 of chapter 6D of the General Laws, added by section 15 of chapter 224 of the Acts of 2012, authorizes the Health Policy Commission to conduct a cost and market impact review of a proposed material change to a health care provider’s operations or governance. The purpose of the review is to enhance the transparency of provider organizations and provide a public examination of changes in the health care marketplace.

Section 19 amends this law by introducing a deadline for completing such reviews. I do not object to the purposes of this section.

However, this section imposes an unreasonable deadline for completing a cost and market impact review. By requiring the Commission to complete its review within only 150 days *from the date that the provider organization has submitted notice to the Commission*, the section does not allow sufficient time for the meaningful review of data and information provided by the provider organization or the meaningful analysis and consideration by independent commissioners as intended by chapter 224. The section does not take into account existing statutory timeframes that allow for the Commission’s receipt and careful consideration of provider comments. The Commission may not

receive the data and information necessary for its analysis until 51 days after the provider organization has submitted notice of a material change. In addition, the Commission cannot complete the review until at least 30 days after the provider has been given an opportunity to respond in writing to a preliminary report. (The section also includes an erroneous reference to “section 11N of chapter 112”.)

I recommend imposing a reasonable deadline of 120 days from the date that the provider organization has submitted the required data and information, for the issuance of the Commission’s preliminary report. This amendment mirrors the timeline of the Department of Public Health’s Determination of Need process and allows the Commission to conduct a timely and thorough review consistent with your intent.

For these reasons, I recommend that Section 19 be amended by striking out the text and inserting in place thereof the following text:-

SECTION 19. Subsection (e) of section 13 of chapter 6D of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding the following sentence:- The commission shall issue its preliminary report on the cost and market impact review within 120 days after receipt of information and documents sought by the commission under subsection (c).

Respectfully submitted,



DEVAL L. PATRICK,  
*Governor.*

**The Commonwealth of Massachusetts**



DEVAL L. PATRICK  
GOVERNOR

EXECUTIVE DEPARTMENT  
STATE HOUSE • BOSTON 02133  
(617) 725-4000

**— ATTACHMENT E —**

July 12, 2013.

To the Honorable Senate and House of Representatives:

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution, I am returning to you for amendment Section 21 of House Bill No. 3538, “An Act Making Appropriations for the Fiscal Year 2014 for the Maintenance of the Departments, Boards, Commissions, Institutions and Certain Activities of the Commonwealth, for Interest, Sinking Fund and Serial Bond Requirements and for Certain Permanent Improvements.”

Section 21 adds two new members to the Public Employee Retirement Administration Commission, one appointed by the Speaker and one by the Senate President, both to be representatives of large county, city or town retirement systems (with assets over \$500 Million). Although I do not object to expanding the size of the commission, I have been advised that it would be unconstitutional to have members of the Legislature appoint members of a board that exercises executive powers. In addition, I am concerned about adding two members of large local retirement systems to a board that monitors and audits these systems.

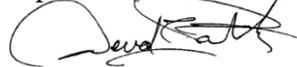
In order to address these concerns, I recommend that Section 21 be amended to change the appointing authority for the new members and to provide that one of the members be a member of the Teachers’ Retirement System.

For these reasons, I recommend that Section 21 be amended by striking out the text and inserting in place thereof the following text:-

SECTION 21. Section 49 of chapter 7 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) There shall be within the executive office for administration and finance, but not subject to its control, a public employee retirement administration commission consisting of 9 members, 5 of whom shall be appointed by the governor, 3 of whom shall be appointed by the state auditor, and 1 of whom shall be chosen by the first 8 members and who shall be chairperson. Of the 5 persons appointed by the governor, 1 shall be the governor or his designee, 1 shall be a representative of a public safety union, 1 shall be qualified by having training and experience in the investment of funds as a result of having been principally employed in such occupation for a period of at least 10 years, 1 shall be a representative of a county, city or town contributory retirement system with assets above \$500,000,000 at the time of appointment, and 1 shall be a member of the teachers' retirement system. Of the 3 persons appointed by the state auditor, 1 shall be the state auditor or his designee, 1 shall be the president of the Massachusetts AFL-CIO or his designee, and 1 shall be a representative of the Massachusetts Municipal Association. Each member of the commission shall serve for a term of 5 years, but in making initial appointments, the governor shall appoint 2 members for a term of 3 years and 2 members for a term of 4 years, and the state auditor shall appoint 1 member for a term of 3 years and 1 member for a term of 4 years. The members shall serve without compensation but shall receive their necessary expenses incurred in the discharge of their official duties. Upon the expiration of the term of an appointed member, or the chairperson, or a vacancy otherwise created in those positions, the successor for the position shall be appointed in the same manner specified above, or for the remainder of the term, whichever is applicable. If the representative of a public safety union or the designee of the president of the Massachusetts AFL-CIO is a public employee, he or she shall be granted leave, without loss of pay or benefits and without being required to make up lost time, if on duty, for regularly scheduled work hours while in the performance of responsibilities of the commission. The public employee retirement administration commission shall select an executive director, and enter into an employment contract with the director. Sections 9A, 45, 46, and 46C of chapter 30, chapter 31, and chapter 150E shall not apply to the executive director or any other employee of the commission.

Respectfully submitted,



DEVAL L. PATRICK,  
*Governor.*

**The Commonwealth of Massachusetts**



DEVAL L. PATRICK  
GOVERNOR

EXECUTIVE DEPARTMENT  
STATE HOUSE • BOSTON 02133  
(617) 725-4000

**— ATTACHMENT F —**

July 12, 2013.

To the Honorable Senate and House of Representatives:

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution, I am returning to you for amendment Section 36 of House Bill No. 3538, “An Act Making Appropriations for the Fiscal Year 2014 for the Maintenance of the Departments, Boards, Commissions, Institutions and Certain Activities of the Commonwealth, for Interest, Sinking Fund and Serial Bond Requirements and for Certain Permanent Improvements.”

Section 36 directs the Department of Energy Resources to make annual payments from the Regional Greenhouse Gas Initiative (RGGI) auction proceeds to municipalities meeting certain criteria when a coal and oil-fired facility reduces production. While I support the idea that municipalities must carefully plan for the effective re-use of property where decommissioned or soon-to-be decommissioned coal-fired power plants are currently located, requiring annual payments of this nature would be too costly for the limited RGGI funds. These funds, which fluctuate from year to year, are intended for Green Communities and energy efficiency programs.

Consequently, I am proposing an amendment that would limit this use of RGGI funds to a one-time payment and also direct the Massachusetts Clean Energy Center to provide resources to municipalities with retiring coal-fired power plants to examine the potential land uses, redevelopment options and remediation options for these sites. This kind of planning will help ensure that the closure

of these facilities is part of a larger process that has a goal of making our municipalities healthier, cleaner and more productive.

For these reasons, I recommend that Section 36 be amended by striking out the text and inserting in place thereof the following text:-

SECTION 36. (a) Notwithstanding any general law or special law to the contrary, the department of energy resources shall expend an amount not to exceed \$3,000,000 from the RGGI Auction Trust Fund established in section 35II of chapter 10 of the General Laws for a 1-time reimbursement to a municipality that has been negatively impacted by a reduction in property tax receipts from a dual coal and oil fired electric generating station due to a reduction in capacity factor, occurring after July 1, 2012. The municipality shall be entitled to reimbursement under this section of an amount by which the tax receipts, including payments in lieu of taxes or other compensation, paid by the affected property owner of the electric generating station in tax year 2013 is less than the amount of the tax receipts paid by the electric generating station in 2012. Before reimbursement to a municipality under this section, the municipality and the affected property owner of the electric generating station shall negotiate in good faith payments in lieu of taxes or other compensation for subsequent years; but if the municipality and the affected property owner of the electric generating station have not negotiated in good faith payments in lieu of taxes and other compensation, then the facility's tax obligation shall be determined by an independent third party assessor paid by the facility but selected jointly by the municipality and the affected property owner of the electric generating station or, if they are unable to arrive at a joint selection, by the department of revenue.

(b) Notwithstanding any general or special law to the contrary, the Massachusetts clean energy center shall provide not less than \$100,000 for communities to conduct site assessments of retiring coal-fired electric generating power plants located in that community.

The study shall include, but not be limited to, an examination of the potential land uses, redevelopment options and remediation options for the site.

Respectfully submitted,



DEVAL L. PATRICK,  
*Governor.*

**The Commonwealth of Massachusetts**



DEVAL L. PATRICK  
GOVERNOR

EXECUTIVE DEPARTMENT  
STATE HOUSE • BOSTON 02133  
(617) 725-4000

**— ATTACHMENT G —**

July 12, 2013.

To the Honorable Senate and House of Representatives:

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution, I am returning to you for amendment Section 45 of House Bill No. 3538, “An Act Making Appropriations for the Fiscal Year 2014 for the Maintenance of the Departments, Boards, Commissions, Institutions and Certain Activities of the Commonwealth, for Interest, Sinking Fund and Serial Bond Requirements and for Certain Permanent Improvements.”

Section 45 seeks to require that awarding authorities include price adjustment clauses in certain contracts so that if the price of fuel (diesel or gasoline), asphalt, concrete or steel varies by more than 5% per month the contract price can be adjusted accordingly. The Massachusetts Department of Transportation currently has the authority to include such provisions in its contracts. Section 45 extends that requirement to contracts for road, bridge, water and sewer projects of any awarding authority.

I am amenable to requiring price adjustment clauses for road, bridge, water and sewer projects by awarding authorities in addition to the Department of Transportation. This section, however, extends the requirement that contracts include price adjustment clauses to road, bridge, water and sewer projects awarded under Chapters 7C and 149 of the General Laws, which govern buildings and other vertical construction, and to contracts awarded under Chapter 25A of the General Laws, which concerns energy contracts, including wind turbines and solar panel arrays. For vertical construction and energy projects, requiring a price adjustment clause is problematic, as those projects cannot be segmented in the same way that a horizontal construction project can. I note that for these projects, steel and concrete are generally ordered early in the construction

process, so there is less risk that prices will fluctuate during the course of construction, and the use of asphalt for access roads, parking lots and sidewalks is incidental to the building or energy project. A fair balance can be achieved by eliminating the references to Chapters 7C, 25A and 149.

For these reasons, I recommend that Section 45 be amended by striking out the text and inserting in place thereof the following text:-

SECTION 45. Chapter 30 of the General Laws is hereby amended by inserting after section 38 the following section:-

Section 38A. Contracts for road, bridge, water and sewer projects awarded as a result of a proposal or invitation for bids under section 39M of this chapter shall include a price adjustment clause for each of the following materials: fuel, both diesel and gasoline; asphalt; concrete; and steel. A base price for each material shall be set by the awarding authority or agency and shall be included in the bid documents at the time the project is advertised. The awarding authority or agency shall also identify in the bid documents the price index to be used for each material. The price adjustment clause shall provide for a contract adjustment to be made on a monthly basis when the monthly cost change exceeds plus or minus 5 per cent.

Respectfully submitted,



DEVAL L. PATRICK,  
*Governor.*

**The Commonwealth of Massachusetts**



DEVAL L. PATRICK  
GOVERNOR

EXECUTIVE DEPARTMENT  
STATE HOUSE • BOSTON 02133  
(617) 725-4000

**— ATTACHMENT H —**

July 12, 2013.

To the Honorable Senate and House of Representatives:

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution, I am returning to you for amendment Section 81 of House Bill No. 3538, “An Act Making Appropriations for the Fiscal Year 2014 for the Maintenance of the Departments, Boards, Commissions, Institutions and Certain Activities of the Commonwealth, for Interest, Sinking Fund and Serial Bond Requirements and for Certain Permanent Improvements.”

Section 81 would prohibit the Department of Environmental Protection from issuing a Chapter 91 license to ethanol storage or blending facilities in densely populated areas of the state, which would have the effect of significantly constraining the transport of ethanol in Massachusetts. It is critical we ensure that ethanol and other hazardous materials are transported safely throughout the Commonwealth and that mitigation measures are in place in the event of an incident. However, as currently drafted Section 81 would interfere with marine terminal operations and potentially impact existing licenses throughout the state. Consequently, I propose to amend the section to ensure it is more precisely tailored to effectuate its underlying purpose. My amendment would prohibit for two years the addition of new routes of ethanol transport by rail in certain port areas, allowing time for the related safety issues to be more fully considered.

Additionally, as drafted Section 81 would not address the kinds of mitigation measures that are necessary in densely populated areas of the state, particularly environmental justice communities, through which ethanol passes by rail. To address this issue, I propose to direct the Massachusetts Emergency Management Agency (MEMA) to develop a comprehensive ethanol transport response plan for all municipalities through

which ethanol travels by rail. Under my proposed amendment, MEMA would work with relevant local, state and federal officials to develop a comprehensive plan addressing areas such as safety, training, communications and essential infrastructure improvements, as well as any necessary mitigation measures.

For these reasons, I recommend that Section 81 be amended by striking out the text and inserting in place thereof the following text:-

#### SECTION 81.

- A. Notwithstanding any general or special law to the contrary, no license shall be issued under section 14 of chapter 91 of the General Laws, as appearing in the 2012 Official Edition, permitting the transport of ethanol by rail to bulk storage and transfer facilities in the East Boston, Revere or Chelsea Creek Designated Port Areas until July 1, 2015.
- B. Notwithstanding any general or special law to the contrary, the status of licenses issued under section 14 of said chapter 91 of the General Laws before the effective date of this section shall not be impacted by this section.
- C. (a) Notwithstanding any general or special law to the contrary, the Massachusetts emergency management agency, in this section called MEMA, shall develop a comprehensive ethanol transport response plan for all municipalities that accommodate the transport of ethanol by rail. The response plan shall be developed in consultation with the Massachusetts department of transportation, the division of fire services, the department of environmental protection, the department of public health, the public safety departments of the impacted municipalities, the federal Department of Homeland Security, the Federal Railroad Administration, the federal Surface Transportation Board, and other relevant federal, state and local agencies and entities that would be involved in emergency response within the specified communities.
  - (b) The response plan shall include, but not be limited to, the following: (1) training related to ethanol and flammable gases; (2) identification of critical facilities along the potential ethanol transportation routes; (3) development of a regional foam response task force, including an inventory and analysis of the amount of alcohol-resistant foam needed to combat an ethanol related accident and the vehicles and equipment needed to utilize the foam effectively; (4) potential evacuation routes and procedures for when the public should be advised to shelter in place; (5) methods to communicate with limited English language speakers in the event of an incident; and (6) necessary improvements to the transportation and rail facilities to be utilized during ethanol transport.
  - (c) On or before October 1, 2014, MEMA shall file the response plan with the joint committee on public safety and homeland security. The response plan may also include any legislative recommendations that MEMA considers appropriate. The response plan shall include a methodology under which any entity transporting ethanol by rail shall be assessed to provide funding for the

development of the response plan and the training, equipment and any other mitigation measures as recommended by the response plan. Impacted municipalities and agencies shall pursue federal grants as necessary in order to subsidize, to the extent feasible, the cost of the training and equipment recommended by the response plan. MEMA may issue regulations to establish the means and methods by which it will assess entities transporting ethanol by rail to fund the development of the response plan and the mitigation measures recommended by MEMA in the response plan.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Deval Patrick", written over a horizontal line.

DEVAL L. PATRICK,  
*Governor.*

**The Commonwealth of Massachusetts**



DEVAL L. PATRICK  
GOVERNOR

EXECUTIVE DEPARTMENT  
STATE HOUSE • BOSTON 02133  
(617) 725-4000

**— ATTACHMENT I —**

July 12, 2013.

To the Honorable Senate and House of Representatives:

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution, I am returning to you for amendment Sections 114 to 134, inclusive, 216, and 217 of House Bill No. 3538, “An Act Making Appropriations for the Fiscal Year 2014 for the Maintenance of the Departments, Boards, Commissions, Institutions and Certain Activities of the Commonwealth, for Interest, Sinking Fund and Serial Bond Requirements and for Certain Permanent Improvements.”

These sections increase the compensation of judges and clerk-magistrates throughout our Judicial Branch. I strongly support the purposes of these sections.

These sections, however, will take effect in three steps, finally ending two years from now, on July 1, 2015. I believe this is too long to wait for this important initiative to provide adequate compensation for the Commonwealth’s judicial officers, last increased 7½ years ago. Therefore, I propose that the entire increase take effect on January 1, 2014. I am proposing necessary funding for this initiative in the Fiscal Year 2014 supplemental appropriation bill that I am also filing today.

For these reasons, I recommend that Sections 114 to 134, inclusive, 216, and 217 be amended by striking out their text and inserting in place thereof the following text:-

SECTION 1. Section 22 of chapter 211 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in line 1, the figure “\$151,239” and inserting in place thereof the following figure:- \$181,239.

SECTION 2. Said section 22 of said chapter 211, as so appearing, is hereby further amended by striking out, in line 2, the figure “\$145,984” and inserting in place thereof the following figure:- \$175,984.

SECTION 3. Section 2 of chapter 211A of the General Laws, as so appearing, is hereby amended by striking out, in line 1, the figure “\$140,358” and inserting in place thereof the following figure:- \$170,358.

SECTION 4. Said section 2 of said chapter 211A, as so appearing, is hereby further amended by striking out, in line 2, the figure “\$135,087” and inserting in place thereof the following figure:- \$165,087.

SECTION 5. Section 4 of chapter 211B of the General Laws, as so appearing, is hereby amended by striking out, in line 3, the figure “\$129,694” and inserting in place thereof the following figure:- \$159,694.

SECTION 6. Said section 4 of said chapter 211B, as so appearing, is hereby further amended by striking out, in line 5, the figure “\$135,124” and inserting in place thereof the following figure:- \$165,124.

SECTION 7. Said section 4 of said chapter 211B, as so appearing, is hereby further amended by striking out, in line 6, the figure “\$140,358” and inserting in place thereof the following figure:- \$170,358.

SECTION 8. This act shall take effect on January 1, 2014.

Respectfully submitted,



DEVAL L. PATRICK,  
*Governor.*

**The Commonwealth of Massachusetts**



DEVAL L. PATRICK  
GOVERNOR

EXECUTIVE DEPARTMENT  
STATE HOUSE • BOSTON 02133  
(617) 725-4000

**— ATTACHMENT J —**

July 12, 2013.

To the Honorable Senate and House of Representatives:

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution, I am returning to you for amendment Section 207 of House Bill No. 3538, “An Act Making Appropriations for the Fiscal Year 2014 for the Maintenance of the Departments, Boards, Commissions, Institutions and Certain Activities of the Commonwealth, for Interest, Sinking Fund and Serial Bond Requirements and for Certain Permanent Improvements.”

Section 207 directs the Department of Revenue and the Department of Energy Resources to prepare a report examining what steps would be required if the Commonwealth’s taxation of sales of gasoline is broadened to include taxation of sales of all carbon-based fuels. I support the purposes of this section and acknowledge the merits of performing such a study. But I also strongly believe that, where simple and sensible measures to mitigate environmental harm are available, it is incumbent upon us to adopt them.

To this end, I propose modifying Section 207 so that it includes both the carbon tax study and the bottle bill amendments that will increase recycling and reduce waste. Since enactment of the original bottle bill in 1982, the beverage market has changed, with bottled water, fruit drinks, iced tea and sports drinks now being some of the most popular choices available. However, these non-carbonated beverages are not covered by the law and often end up in landfills or along the side of the road.

Revising the definition of “beverages” will bring the statute up to date and will yield tangible environmental benefits. Under the proposed changes, consumers will be required to pay an additional \$0.05 cents on water, flavored waters, iced teas, coffee based drinks and sports drinks, and the amounts paid for deposits for expanded beverages will be returned to consumers if they return the empty bottles for recycling. By adopting these changes, the state will collect at least \$22 million in additional revenues next year, allowing for \$3 million in investments in state recycling coordination and redemption efforts.

For these reasons, I recommend that Section 207 be amended by striking out the text and inserting in place thereof the following text:-

SECTION 207.

- A. Section 321 of chapter 94 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the definitions of “Beverage” and “Beverage container” and inserting in place thereof the following 2 definitions:-

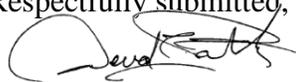
“Beverage”, soda water or similar carbonated soft drinks; beer and other malt beverages; non-carbonated soft drinks including but not limited to mineral water, flavored and unflavored water, spring water, fruit drinks, juice, sports drinks and other water beverages, coffee and coffee-based drinks; and all other non-alcoholic carbonated and noncarbonated drinks in liquid form intended for human consumption except milk and beverages that are primarily derived from dairy products, infant formula, and FDA-approved medicines; but shall not include alcoholic beverages other than beer and malt beverages as defined in chapter 138 or wine.

“Beverage container”, any sealable bottle, can, jar or carton which is primarily composed of glass, metal, plastic or any combination of those materials and is produced for the purpose of containing a beverage, including containers of 2 gallons capacity or less for carbonated and malt beverages and less than 1 gallon for noncarbonated beverages. This definition shall not include containers made of biodegradable material.

- B. The commissioner of revenue, in consultation with the commissioner of energy resources, shall file a report not later than December 1, 2013, regarding any statutory, regulatory and administrative changes, arrangements and calculations that may be required if the commonwealth’s taxation of sales of gasoline is broadened to include taxation of sales of all carbon-based fuels. The report shall be filed with the joint committee on revenue, the joint committee on environment,

natural resources and agriculture and the house and senate committees on ways and means.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Deval Patrick", written over a horizontal line.

DEVAL L. PATRICK,  
*Governor.*

The actions taken by the Governor are delineated on this excerpt from the original parchment:—

I disapprove the following items:

in Section 2

1599-3557  
 4120-4005  
 4510-0112  
 7113-0101  
 7514-0102

I disapprove Sections 36A, 37, 89, 110, 135, and 181.

I reduce the following items in Section 2 to the following amounts:

| Section 2 | Reduce By   | Reduce To     |
|-----------|-------------|---------------|
| 1233-2350 | 177,070,000 | 743,160,293   |
| 1595-6369 | 115,200,000 | 160,000,000   |
| 1595-6370 | 49,135,055  | 18,500,000    |
| 4000-0700 | 200,000     | 2,196,115,039 |

I reduce the following items in Section 2 to the following amounts, and disapprove the wording as indicated:

| Section 2 | Reduce By | Reduce To   | Wording Stricken  |
|-----------|-----------|-------------|---|
| 0330-0300 | 30,000    | 218,937,364 | "; provided further, that not less than \$30,000 shall be spent for the "Grandparents Raising Grandchildren Project" to provide legal services to such grandparents in the areas of family law and public benefits, and further requiring the chief justice of administration and management to make a report to the General Court on or before January 1, 2014, of all grandparents who requested legal services, their eligibility for such services and whether or not they were denied due to insufficient resources, including the legal problem for which they sought assistance" |
| 0526-0100 | 50,000    | 750,000     | "; provided, that no less than \$50,000 be expended for the rehabilitation of the State Theatre in the town of Stoughton"   |

|           |            |             |   |
|-----------|------------|-------------|---|
| 1595-6368 | 75,664,945 | 162,797,499 | "; provided, that the Massachusetts Department of Transportation shall expend not less than \$80,000,000 to complete forward funding of regional transit authorities"   |
| 1599-0026 | 2,250,000  | 10,800,000  | "; provided further, that \$2,000,000 shall be expended for a pilot program to promote tourism and community development in central and western Massachusetts; provided further, that eligible recipients shall include municipalities, school districts and not-for-profit organizations; provided further, that not less than \$250,000 shall be expended to Plymouth county for the purposes of acquiring saltwater dredging equipment; provided further, that any equipment shall be owned, operated and maintained by Plymouth county" |
| 1599-7104 | 1,500,000  | 2,700,000   | "; provided, that funds from this item shall be expended for the lease and operations of educational facilities procured by the University of Massachusetts to alleviate educational programmatic overcrowding"   |
| 2511-3002 | 40,000     | 55,446      | "; provided, that the department shall expend sufficient funds to continue the monitoring and mitigation of the brown marmorated stink bug and the spotted wing drosophila by the University of Massachusetts at Amherst center for agriculture"  |
| 2810-0100 | 570,000    | 41,984,957  | "; provided further, that not less than \$200,000 shall be expended for open space improvements in the City of Lowell; provided further, that not less than \$300,000 shall be expended for sand harvesting or the purchase of sand to renourish Salisbury Beach State Reservation"   |
|           |            |             | and   |
|           |            |             | "; provided further, that no less than \$50,000 shall be expended for the town playground at the Clyde F. Brown Elementary School in Millis; provided further, that \$20,000 shall be expended for a safety grant for the town of Franklin"   |
| 4000-0300 | 2,420,000  | 89,365,813  | "; provided further, that funds shall be provided in an amount not less than the total appropriated in item 1599-2009 in section 2 of chapter 182 of the acts of 2008"  |
|           |            |             | and   |
|           |            |             | "; provided further, that in calculating rates of inpatient and outpatient services for neonatal intensive care units, also known as NICU, with at least 55 licensed NICU beds within an acute hospital that has at least 109 pediatric intensive NICU licensed beds, the executive office shall make a supplemental payment of no more than \$200,000"   |
| 4512-0200 | 475,000    | 83,483,094  | "; provided further, that not less than \$250,000 shall be provided to the Gavin Foundation"  |
|           |            |             | and   |
|           |            |             | "; provided further, that not less than \$100,000 shall be expended for Self Esteem Boston's substance abuse direct service prevention and provider training programs; provided further, that not less than \$100,000 shall be expended for the New Beginnings program that targets youth at risk and in recovery in collaboration with school districts; provided further, that not less than \$25,000 shall be expended to fund the Charlestown Against Drugs (CHAD) program"   |
| 4800-0038 | 125,000    | 249,311,051 | "; provided further, that not less than \$50,000 shall be expended to the Weymouth teen center to provide job skills training, remedial education services, and to promote a social service program promoting growth and social welfare"  |
|           |            |             | and   |
|           |            |             | "; provided further, that not less than \$75,000 shall be expended for a contract with Julie's Family Learning Program in the South Boston section of the city of Boston"   |
| 4800-1400 | 150,000    | 22,755,532  | "; provided further, that \$150,000 shall be expended for the   |

|           |         |            |   |
|-----------|---------|------------|---|
|           |         |            | operation of the Portal to Hope servicing Everett, Malden, and Medford"   |
| 7004-0099 | 250,000 | 6,397,129  | <p>"; provided further, that not less than \$75,000 shall be expended to World is Our Classroom, Inc. serving the towns of Holyoke, Westfield, Chicopee and Greenfield; provided further, that no less than \$50,000 shall be expended for the South Worcester Neighborhood Improvement Corporation; provided further, that no less than \$25,000 shall be expended for Solutions at Work in the city of Cambridge"</p> <p>and</p> <p>"; and provided further, that the town of Holbrook shall receive not less than the amount appropriated in Chapter 139 of the Acts of 2012 for a one-time community action grant"</p>  |
| 7004-0108 | 175,000 | 58,788,556 | <p>"; provided further, that not less than \$175,000 shall be expended annually for provision of emergency services that provide domestic violence intervention, workforce development, housing assistance, operation of food vouchers, winter coats for kids and holiday dinners operated by Community Action Programs Inter-City, Incorporated for the communities specified in item 7004-0099 of section 2 of chapter 68 of the acts of 2011"</p>  |
| 7004-9005 | 100,000 | 64,300,000 | <p>"; provided further, that not less than \$100,000 shall be provided for the Clinton Housing Authority"</p>   |
| 7008-0900 | 930,000 | 12,714,651 | <p>"; provided further, that not less than \$125,000 shall be expended as matching grants to the Plymouth 400 Committee for the commemoration of the four hundredth anniversary of the town of Plymouth; provided further, that not less than \$25,000 shall be expended for the 375th anniversary of the town of Sandwich"</p> <p>and</p> <p>"; provided further, that no less than \$50,000 be expended for the purposes of the operation of the programs of the Riverside Theatre Works, an organization located in the Hyde Park section of the city of Boston; provided further, that no less than \$25,000 shall be expended as grants for business assistance organizations in the city of Haverhill that were in item 7007-0900 in chapter 182 of the acts of 2008"</p> <p>and</p> <p>"; provided further, that no less than \$200,000 shall be expended for a grant program to the Enrichment Center located in the city of Lowell; provided further, that no less than \$150,000 shall be expended for a public safety grant in the town of Methuen; provided further, that no less than \$90,000 shall be expended for the Russian Community Association of Massachusetts, Inc. ; provided further, that not less than \$50,000 shall be expended for a public safety grant in the town of Falmouth; provided further, that not less than \$75,000 shall be expended for a child safety grant in the town of North Attleboro"</p> <p>and</p> <p>"; provided further, that the amount of \$50,000 shall be expended to Stone Soul Inc. to implement the state wide Sesquicentennial Emancipation Proclamation Celebration 2013"</p> <p>and</p> <p>"; provided further, that not less than \$25,000 shall be expended for a child safety grant in the town of North Reading; provided further, that not less than \$25,000 shall be expended for the Pentucket Lake elementary school"</p> <p>and</p> <p>"; provided further, that not less than \$20,000 shall be expended for the planning of the bicentennial celebration of the town of Southbridge"</p> |

|           |           |             |  |
|-----------|-----------|-------------|--|
|           |           |             | and  |
|           |           |             | "; provided further, that \$20,000 shall be expended for the Zamir Chorale of Boston, Inc.'s musical and educational organization"   |
| 7010-0005 | 600,505   | 13,862,895  | "; provided further, that no less than the following amounts shall be made available for equipment and maintenance grants: (a) \$288,000 to the Hingham public schools (b) \$262,705 to the Hull public schools and (c) \$49,800 to the Cohasset Public schools"   |
| 7053-1925 | 75,000    | 4,321,215   | "; provided, that \$75,000 more than the amount expended in fiscal year 2013 shall be expended for a grant with Project Bread-The Walk for Hunger to enhance and expand the summer food service outreach program and the school breakfast outreach program"  |
| 7066-0000 | 1,010,000 | 2,308,529   | "; provided further, that the State University Internship incentive program shall receive not less than the amount appropriated in fiscal year 2013 for said program in item 7066-0000 of section 2 of chapter 139 of the acts of 2012"  |
|           |           |             | and  |
|           |           |             | "; provided further, that \$10,000 shall be made available to supplement an existing scholarship program in the criminal justice program at the University of Massachusetts Lowell "   |
| 7100-0200 | 200,000   | 478,691,873 | "; provided further that no less than \$150,000 be allocated for the Clemente Course in the Humanities, administered by the Massachusetts Foundation for the Humanities in partnership with the University of Massachusetts Boston and the University of Massachusetts Dartmouth and local social service agencies, which provides college-level humanities instruction and support service free of charge and for college credit to low income adults"  |
|           |           |             | and  |
|           |           |             | "; and provided further, that \$50,000 shall be expended for the University of Massachusetts at Amherst to conduct an industrial base analysis in the North Quabbin region"  |
| 8000-0600 | 100,000   | 1,972,230   | "; and provided further, that not less than \$100,000 shall be expended to the town of Braintree for public safety improvements"   |
| 8100-1001 | 200,000   | 251,714,660 | "; provided further, that no less than \$200,000 shall be expended for Operation Cutone"   |
| 8324-0000 | 1,880,000 | 17,236,873  | "and fire department training academies"   |
|           |           |             | and  |
|           |           |             | "; provided further, that \$50,000 shall be provided for the city of Quincy fire department hazardous material response team"  |
|           |           |             | and  |
|           |           |             | "; provided further, that not less than \$35,000 shall be expended for the firefighting equipment grant program for the Hadley Fire Department; provided further, that not less than \$45,000 shall be expended for a regional fire grant for the Millis Fire Department"  |
| 8900-0001 | 2,200,000 | 544,913,917 | "; provided further, that \$200,000 shall be expended for a pilot program to provide opiate and substance abuse services in cooperation with the Greater Lowell Health Alliance; provided further, that the department shall expend not less than \$2,000,000 for cities and towns hosting department of correction facilities; provided further, that of that \$2,000,000, no city or town hosting a department of correction facility shall receive more than \$800,000; provided further, that of the \$2,000,000, no city or town hosting a department of correction facility shall receive less than the amount allocated in item 8900-0001 of section 2 of chapter 68 of the acts of 2011; provided further, that the department of correction shall submit to the house and senate committees on ways and means on or before December 6, 2013, a report on the undue costs to cities and towns hosting department of correction facilities" |

8910-8700            2,100,000    34,021,305    "; provided, that not less than \$2,100,000 shall be expended for mitigation under a memorandum of understanding between the Plymouth county correctional facility and the host community of the facility"

I reduce the following items in Section 2 by striking the wording as indicated and inserting in place thereof the following wording set forth below:

| Section 2 | Reduce<br>By | Reduce<br>To |                  |
|-----------|--------------|--------------|------------------|
| 4510-0615 | 90,000       | 1,768,947    | Wording Stricken |

"For the department of public health, which may expend not more than \$180,000 from assessments collected under section 5K of chapter 111 of the General Laws for services provided to monitor, survey and inspect nuclear power reactors; provided, that the department may expend not more than \$1,678,947 from fees collected from licensing and inspecting users of radioactive material within the commonwealth under licenses presently issued by the Nuclear Regulatory Commission; provided further, that the revenues may be used for the costs of both programs, including the compensation of employees; provided further, that in fiscal year 2014 an amount not less than in fiscal year 2013 shall be expended for the C-10 Research & Education Foundation of Newburyport for the purposes of providing radiological monitoring of the 6 Massachusetts communities within the plume exposure emergency planning zone of Seabrook Nuclear Power Plant; "

Wording Inserted

"For the department of public health, which may expend not more than \$180,000 from assessments collected under section 5K of chapter 111 of the General Laws for services provided to monitor, survey and inspect nuclear power reactors; provided, that the department may expend not more than \$1,588,947 from fees collected from licensing and inspecting users of radioactive material within the commonwealth under licenses presently issued by the Nuclear Regulatory Commission; provided further, that the revenues may be used for the costs of both programs, including the compensation of employees; "

In section 3, I reduce the amount "\$920,230,293" by \$177,070,000 to \$743,160,293, each time it appears, and, in the first paragraph, I strike the words "in accordance with this section" and insert in place thereof the following words: - by reducing by 17.33 per cent the amount listed for each city or town in the column headed "Unrestricted General Government Aid".

I return for amendment, pursuant to the authority vested in me by Article 56, as amended by Article 90, Section 3, of the Amendments to the Constitution, Sections 8, 13, 19, 21, 36, 45, 81, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 207, 216, and 217. The text of my recommended amendments is set forth in separate letters of this date to the Senate and House of Representatives.

The remainder of this bill I approve.

Approved, July 12, 2013

at                    o'clock and                    minutes,                    .M.

Deval Patrick  
Governor