

# **HOUSE . . . . . No. 3899**

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## **The Commonwealth of Massachusetts**

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HOUSE OF REPRESENTATIVES, February 10, 2014.

The committee on Ways and Means to whom was referred the message from His Excellency the Governor submitting requests for making appropriations for the fiscal year 2014 to provide for supplementing certain existing appropriations and for certain other activities and projects (printed in House, No. 3867), reports, in part, recommending that the accompanying bill (House, No. 3899) ought to pass [Total Appropriations: \$154,700,792.00].

For the committee,

BRIAN S. DEMPSEY.

**HOUSE . . . . . No. 3899**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Fourteen**  
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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 supplemental appropriations for fiscal year 2014, and to make other changes in law, each of which is immediately needed for important public purposes, 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

DISTRICT ATTORNEYS

*Hampden District Attorney.*

14       0340-0500..... \$132,391

15 *Bristol District Attorney.*

16 0340-0900..... \$200,000

17 0340-0998..... \$250,000

18 *Berkshire District Attorney.*

19 0340-1198..... \$67,000

20 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

21 *Group Insurance Commission.*

22 1108-5200..... \$16,000,000

23 *Reserves.*

24 1599-0026..... \$500,000

25 1599-2013..... \$670,000

26 1599-4444..... \$14,124,958

27 1599-7104..... \$2,500,000

28 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

29 *Office of the Secretary of Health and Human Services.*

30 4000-0005..... \$4,800,000

31 *Department of Youth Services.*

32 4200-0200..... \$3,030,853

33 4200-0300..... \$4,873,738

34 *Department of Children and Families.*

35 4800-0015..... \$1,650,000

36 4800-1100..... \$1,130,000

37 *Department of Elder Affairs.*

38 9110-1455..... \$1,019,000

39 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

40 *Office of the Secretary.*  
41 7002-0021..... \$2,000,000

42 *Department of Housing and Community Development.*  
43 7004-0101..... \$32,746,306  
44 7004-0103..... \$12,640,246  
45 7004-0104..... \$200,000

46 *Massachusetts Marketing Partnership.*  
47 7008-0900..... \$100,000

48 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

49 *Chief Medical Examiner.*  
50 8000-0122..... \$150,000

51 SHERIFFS

52 *Hampden Sheriff's Department.*  
53 8910-0102..... \$762,570

54 *Worcester Sheriff's Department.*  
55 8910-0105..... \$383,000

56 *Middlesex Sheriff's Department.*  
57 8910-0107..... \$2,500,000

58 *Franklin Sheriff's Department.*  
59 8910-0108..... \$650,000

60 *Berkshire Sheriff's Department.*  
61 8910-0445..... \$50,000

62 *Essex Sheriff's Department.*  
63 8910-0619..... \$5,869,420

64 *Barnstable Sheriff's Department.*

65	8910-8200.....	\$2,500,000
66	<i>Bristol Sheriff's Department.</i>	
67	8910-8300.....	\$6,500,000
68	<i>Norfolk Sheriff's Department.</i>	
69	8910-8600.....	\$2,700,000
70	<i>Plymouth Sheriff's Department.</i>	
71	8910-8700.....	\$3,000,000
72	<i>Suffolk Sheriff's Department.</i>	
73	8910-8800.....	\$1,000,000
74	<i>Hampshire Sheriff's Department.</i>	
75	8910-0110.....	\$686,000

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

83 EXECUTIVE OFFICE OF ADMINISTRATION AND FINANCE

84 *Office of the Secretary for Administration and Finance.*

85 1599-6901 For the fiscal year 2014 annualized costs of the human service provider  
86 salary increases funded in item 1599-6901 of chapter 139 of the acts of 2012; provided, that the  
87 secretary of administration and finance may transfer from the sum appropriated in this item to  
88 other items of appropriation and allocations thereof for fiscal year 2014 amounts that are  
89 necessary to meet these costs where the amounts otherwise available are insufficient for the  
90 purpose, in accordance with a transfer plan which shall be filed in advance with the house and  
91 senate committees on ways and means.....\$10,695,490

92 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

93 *Department of Public Health.*

94 4516-1005 For the department of public health, which may expend not more than  
95 \$120,000 generated by fees collected from providers and/or insurers for sexually transmitted  
96 infections testing performed at the state laboratory institute; provided, that revenues collected  
97 may be used to supplement the costs of the laboratory; and provided further, that notwithstanding  
98 any general or special law to the contrary, for the purpose of accommodating timing  
99 discrepancies between the receipt of retained revenues and related expenditures, the department  
100 may incur expenses and the comptroller may certify for payment amounts not to exceed the  
101 lesser of this authorization or the most recent revenue estimate, as reported in the state  
102 accounting  
103 system.....\$120,000

104

105 *Department of Mental Health.*

106 5095-1016 For the department of mental health, which may expend not more than  
107 \$500,000 in revenue collected from occupancy fees charged to the tenants of the state hospitals;  
108 provided, that all fees collected shall be expended to support the costs to sustain operations of the  
109 facilities; and provided further, that notwithstanding any general or special law to the contrary,  
110 for the purpose of accommodating timing discrepancies between the receipt of retained revenues  
111 and related expenditures, the department may incur expenses and the comptroller may certify for  
112 payment amounts not to exceed the lesser of this authorization or the most recent revenue  
113 estimate, as reported in the state accounting system.....\$500,000

114 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

115 *Department of Business Development.*

116 7007-0210 For the purpose of the brownfields redevelopment fund established  
117 pursuant to section 8G of chapter 212 of the acts of 1975, as  
118 amended.....\$10,000,000

119 SECTION 3. The first paragraph of section 3 of chapter 38 of the General Laws, as  
120 appearing in the 2012 Official Edition, is hereby amended by striking out clause (13).

121 SECTION 4. The first paragraph of section 2 of chapter 112 of the General Laws, as so  
122 appearing, is hereby amended by inserting after the second sentence the following 3 sentences:-

123 The board shall require that applicants for full licensure, who are engaged in direct  
124 patient care, demonstrate that their practice utilizes digitized patient-specific clinical information.  
125 Practicing physicians, whose patient records are not digitized, shall be required to demonstrate to  
126 the board familiarity with the use of digitized records in comprehensive patient care. The board  
127 shall determine the appropriate means to facilitate the implementation of this section.

128 SECTION 5. Chapter 151F of the General Laws is hereby repealed.

129 SECTION 6. Section 3 of chapter 176Q of the General Laws, as appearing in the 2012  
130 Official Edition, is hereby amended by adding the following clause:-

131 (w) to administer payments for additional required benefits in accordance with 42 USC §  
132 18031(d)(3)(B).

133 SECTION 7. Sections 9, 17 and 18 of chapter 176Q of the General Laws are hereby  
134 repealed.

135 SECTION 8. Section 9 of chapter 211B of the General Laws, as appearing in the 2012  
136 Official Edition, is hereby amended by inserting the following new clause:-

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

142 SECTION 9. Section 9A of said chapter 211B, as so appearing, is hereby further  
143 amended by inserting the following new clause:-

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

149 SECTION 10. Section 11A of chapter 293 of the acts of 2006, as inserted by section 16  
150 of chapter 129 of the acts of 2008, is hereby amended by striking out, in the third sentence, the  
151 figure “2” and inserting in place thereof the following figure:- 3.

152 SECTION 11. Item 1599-2013 of section 2A of chapter 142 of the acts of 2011 is hereby  
153 amended by inserting after the figure “3:10-CV30073” the following words:- and for costs of  
154 cases in which the department of developmental services is a defendant.

155 SECTION 12. Sections 108 and 299 of chapter 224 of the acts of 2012 are hereby  
156 repealed.

157 SECTION 13. Section 206 of chapter 224 of the acts of 2012 shall take effect as of  
158 October 1, 2013.

159 SECTION 14. Section 207 of said chapter 224 shall take effect on October 1, 2014.

160 SECTION 15. Section 73 of chapter 36 of the acts of 2013 is hereby amended by striking  
161 out, in the fourth sentence, the words “March 15, 2014” and inserting in place thereof the  
162 following words:- June 16, 2014.

163 SECTION 16. Item 1599-0026 of section 2 of chapter 38 of the acts of 2013 is hereby  
164 amended by inserting after the words “accountability and transparency for local governments”  
165 the following words:- provided further, that not less than \$500,000 shall be expended to fund a  
166 pilot program in Plymouth County, including projects of regionalized county government  
167 services;

168 SECTION 17. Item 3000-4065 of said section 2 of said chapter 38 is hereby amended by  
169 striking out the words “section 168” and inserting in place thereof the following words:- section  
170 166.

171 SECTION 18. Item 4800-0038 of said section 2 of said chapter 38 is hereby amended by  
172 striking out the word “March” and inserting in place thereof the following word:- November.

173 SECTION 19. Item 7004-0104 of said section 2 of said chapter 38 is hereby amended by  
174 inserting after the words “savings in other state-funded programs” the following words:- , prior  
175 appropriation continued

176 SECTION 20. Item 7008-0900 of said section 2 of said chapter 38 is hereby amended by  
177 inserting after the words “Memorial Day to Columbus Day” the following words:- provided  
178 further, that not less than \$100,000 shall be expended for any hosting fees associated with  
179 visiting historical artifacts touring the Commonwealth in 2014.

180 SECTION 21. Item 7066-0036 of said section 2 of said chapter 38 is hereby amended by  
181 striking out the words “August 1, 2014” and inserting in place thereof the following:- December  
182 31, 2014; and provided further, that funds may be expended through December 31, 2104.

183 SECTION 22. Item 8910-0108 of said section 2 of said chapter 38 is hereby amended by  
184 inserting after the words “Franklin sheriff’s office” the following words:- provided further, that  
185 not less than \$40,000 shall be expended for the Franklin County Opioid Education and  
186 Awareness Task Force.

187 SECTION 23. Item 1595-1068 of section 2E of chapter 38 of the acts of 2013, as  
188 amended by section 40 of chapter 118 of the acts of 2013, is hereby further amended by striking  
189 out the figure “\$568,025,000” and inserting in place thereof the following figure:- \$620,025,000.

190 SECTION 24. The third sentence of the first paragraph of section 183 of said chapter 38  
191 is hereby amended by striking out the figure “2014” and inserting in place thereof the following  
192 figure:- 2015.



193 SECTION 25. Paragraph (a) of section 56A of chapter 118 of the acts of 2013 is hereby  
194 amended by inserting the following words:- ; provided further, that \$1,728,363 shall be expended  
195 regardless of federal reimbursement so that participating agencies that administer the federal  
196 Low Income Home Energy Assistance Program receive a total of \$20,000,000 in additional  
197 federal and state funding.

198 SECTION 26. Notwithstanding section 14 of chapter 151A of the General Laws, for  
199 calendar year 2014, the experience rate of an employer qualifying therefor under subsection (b)  
200 of section 14 of chapter 151A of the General Laws shall be the rate which appears in column "E"  
201 of clause (1) of subsection (i) of said section 14 of said chapter 151A.

202 SECTION 27. (a) Notwithstanding any general or special law to the contrary, the  
203 Massachusetts Department of Transportation may incur liabilities and make expenditures in  
204 fiscal years 2014 and 2015 in excess of funds available to the department for snow and ice  
205 removal; provided that the expenditures are approved by the secretary of transportation in  
206 consultation with the secretary of administration and finance. No expenses shall be made in  
207 excess of funds available until \$38,000,000 has been expended for snow and ice removal in each  
208 of fiscal years 2014 and 2015 and the negative balance of funds available for snow and ice  
209 removal shall not exceed \$50,000,000 at any time during each fiscal year. The state comptroller  
210 may certify for payment invoices in excess of funds available to the department.

211 (b) The department shall, on or before May 1 in fiscal years 2014 and 2015, report to the  
212 executive office for administration and finance and the house and senate committees on ways  
213 and means the total amounts budgeted and expended for snow and ice removal. The department  
214 shall seek appropriations, as required, to cure deficiencies resulting from the removal of snow  
215 and ice for fiscal years 2014 and 2015.

216 SECTION 28. The salary adjustments and other economic benefits authorized by the  
217 collective bargaining agreement between the commonwealth and the State Police Association of  
218 Massachusetts, (Unit 5A) shall be effective for the purpose of section 7 of chapter 150E of the  
219 General Laws.

220 SECTION 29. Section 26 shall take effect as of January 1, 2014.

221 SECTION 30. Section 4 shall take effect January 1, 2015.