

HOUSE. No. 3676

The Commonwealth of Massachusetts

EXECUTIVE DEPARTMENT



CHARLES D. BAKER
GOVERNOR

KARYN POLITO
LIEUTENANT GOVERNOR

July 17, 2015

To the Honorable Senate and House of Representatives,

We are filing for your consideration a bill entitled “An Act Making Appropriations for the Fiscal Year 2015 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects.”

When we took office in January, we inherited a significant budget gap for Fiscal Year 2015 and are pleased to file this supplemental budget without raising taxes, and while still making critical investments in local aid, education, and transportation. In addition to shoring up deficiencies for Fiscal Year 2015, this supplemental budget allocates money to complete many of the solutions developed earlier this year and helps cities and towns pay off excessive snow removal costs from one of the worst winters in our state’s history. The legislation also pays down some of the Commonwealth’s debt, while simultaneously increasing the balance of the state’s Stabilization Fund for the first time in three years.

In conjunction with investments included in the Fiscal Year 2016 General Appropriation Bill, we are proposing to fund an additional \$5 million for homelessness preventive services to prevent families from becoming homeless and shorten the time homeless families spend in shelters.

To combat the ever-growing opioid epidemic sweeping the state, we are also proposing \$27.8 million to fund various treatment and preventive programs within the Executive Office of Health and Human Services and the Executive Office of Education.

This proposal closes out previously identified deficiencies, including:

- \$203 million for MassHealth
- \$31.5 million for snow and ice removal costs at the Department of Transportation
- \$25.3 million for sheriffs
- \$25 million for municipal snow and ice removal costs
- \$9.4 million for tuition reimbursements for those serving in the National Guard
- \$6.4 million for the Committee on Public Counsel Services, and
- \$2 million for services provided by the Department of Children and Families, including \$1.1 million for caseload, especially intensive foster care and congregate care services, primarily driven by caseload trends which are higher than previously projected; \$350,000 for adoption support services; and, \$550,000 for support and stabilization services, driven by higher utilization.

In total, the legislation we are filing includes supplemental funding requests of \$357.7 million (\$254.7 million net) to fund obligations; additionally, we are recommending a \$50 million deposit to the Stabilization Fund and \$140 million to pay down existing debt. Sufficient revenues are estimated to be available to finance these appropriations.

Respectfully submitted,

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

12	0321-1510	Private Counsel Compensation.....	\$3,700,000
13	0321-1520	Indigent Court Costs	\$2,400,000
14		EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE	
15		<i>Office of the Secretary for Administration and Finance</i>	
16	1599-2015	Winter 2015 Storm Reserve.....	\$8,043,236
17	1599-6901	Human Services Salary Reserve	\$5,287,476
18		EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS	
19		<i>Department of Conservation and Recreation</i>	
20	2810-0100	State Parks and Recreation	\$402,000
21		EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES	
22		<i>Office of the Secretary of Health and Human Services</i>	
23	4000-0700	MassHealth Fee for Service	\$206,000,000
24		<i>Department of Public Health</i>	
25	4512-0200	Substance Abuse Treatment.....	\$15,200,000
26		<i>Department of Mental Health</i>	
27	5095-0015	Hospital Services	\$5,800,000
28		<i>Department of Children and Families</i>	
29	4800-0038	Services for Children and Families.....	\$2,000,000
30		MASSACHUSETTS DEPARTMENT OF TRANSPORTATION	
31		<i>Department of Transportation</i>	
32	1595-6368	Transportation Trust Funds.....	\$31,518,732
33		Commonwealth Transportation Fund..... 100%	
34		EXECUTIVE OFFICE OF EDUCATION	
35		<i>Department of Elementary and Secondary Education</i>	
36	7010-0060	Substance Abuse Counselors	\$3,800,000
37		EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY	
38		<i>Military Division</i>	

39 8700-1150 National Guard Tuition and Fees.....\$9,400,000

40 *Department of Correction*

41 8900-0001 Department of Correction Facility.....\$2,193,155

42 SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide
43 for an alteration of purpose for current appropriations, and to meet certain requirements of law, the sums
44 set forth in this section are hereby appropriated from the General Fund unless specifically designated
45 otherwise in this section, for the several purposes and subject to the conditions specified in this section,
46 and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30,
47 2015. These sums shall be in addition to any amounts previously appropriated and made available for the
48 purposes of these items. These sums shall be made available until June 30, 2016.

49 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

50 *Office of the Secretary for Administration and Finance*

51 1599-0044 For a reserve related to special litigation costs.....\$1,500,000

52
53 1599-0999 For a reserve to assist agencies in organizational transformation and other improvements\$2,000,000

54 1599-1002 For a reserve to reimburse municipalities for extraordinary expenses incurred as a result of
55 severe storms affecting the Commonwealth.....\$25,000,000

56 1599-8911 For a reserve to remediate identified and approved deficiencies incurred by the Sheriffs of
57 the Commonwealth.....\$25,303,853

58 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

59 *Office of the Secretary of Health and Human Services*

60 1599-0017 For a homelessness prevention reserve at the executive office of health and human
61 services.....\$5,000,000

62 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

63 *Office of the Secretary of Housing and Economic Development*

64 7002-0042 For grants to small businesses through the Massachusetts Growth Capital Corporation and
65 for MassVentures START grants.....\$3,200,000

66 SECTION 2C.I. For the purpose of making available in fiscal year 2016 balances of
 67 appropriations which otherwise would revert on June 30, 2015, the unexpended balances of the
 68 appropriations listed below, not to exceed the amount specified below for each item, are hereby re-
 69 appropriated for the purposes of and subject to the conditions stated for the corresponding item in section
 70 2 of chapter 165 of the acts of 2014. However, for items which do not appear in section 2 of the general
 71 appropriation act, the amounts in this section are re-appropriated for the purposes of and subject to the
 72 conditions stated for the corresponding item in section 2 or 2A in prior appropriation acts. The
 73 unexpended balances of all appropriations in the Massachusetts management accounting and reporting
 74 system with a secretariat code of 01 or 17, are hereby re-appropriated for the purposes of and subject to
 75 the conditions stated for the corresponding item section 2 of chapter 165 of the acts of 2014 or section 2A
 76 of chapter 194 of the acts of 2011. The sums re-appropriated in this section shall be in addition to any
 77 amounts available for said purposes.

78 SHERIFFS

79 *Hampden Sheriff's Department*

80 8910-0102 Hampden Sheriff.....\$240,000

81 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

82 *Office of the Secretary for Administration and Finance*

83 1599-0054 Hinton Lab Response Reserve\$1,235,079

84

85 1599-0415 Boston Marathon Home Modifications\$53,357

86

87 1599-4444 Collective Bargaining Agreement Costs.....\$3,774,924

88

89 1599-6903 Chapter 257 Reserve\$7,435,045

90 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

91 *Department of Environmental Protection*

92 2200-0135 Clean Water Planning & Assistance\$400,000

93 *Department of Public Utilities*

94	2100-0012	Department of Public Utilities	\$127,589
95		EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES	
96		<i>Department of Public Health</i>	
97	4510-0710	Health Care Quality	\$1,634,400
98		<i>Department of Mental Health</i>	
99	5046-0000	Adult Support Services	\$2,000,000
100		<i>Department of Transitional Assistance</i>	
101	4401-1000	Employment Services Program	\$862,000
102		<i>Department of Children and Families</i>	
103	4800-0015	Clinical Support Services and Operations	\$208,302
104		EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT	
105		<i>Massachusetts Marketing Partnership</i>	
106	7008-0900	MA Office of Travel and Tourism.....	\$662,924
107		EXECUTIVE OFFICE OF EDUCATION	
108		<i>Department of Early Education and Care</i>	
109	3000-4060	Child Care Access.....	\$3,400,000
110		<i>Cape Cod Community College</i>	
111	7504-0102	FAA Certified Airframe and Power Plant	\$1,921,600
112		SECTION 2C.II. For the purpose of making available in fiscal year 2016 balances of retained	
113		revenue and intragovernmental chargeback authorizations which otherwise would revert on June 30,	
114		2015, the unexpended balances of the authorizations listed below, not to exceed the amount specified	
115		below for each item, are hereby re-authorized for the purposes of and subject to the conditions stated for	
116		the corresponding item in section 2 or 2B of the general appropriation act for fiscal year 2015. Amounts	
117		in this section are re-authorized from the fund or funds designated for the corresponding item in section 2	
118		or 2B of the general appropriation act; however, for items which do not appear in section 2 or 2B of the	
119		general appropriation act, the amounts in this section are re-authorized from the fund or funds designated	

120 for the corresponding item in section 2, 2A, or 2B of this act or in prior appropriation acts. The sums re-
121 authorized in this section shall be in addition to any amounts available for those purposes.

122 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

123 *Human Resources Division*

124 1750-0601 Chargeback for HRCMS Functionality\$300,000

125 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

126 *Office of the Chief Medical Examiner*

127 8000-0122 Chief Medical Examiner RR.....\$200,000

128 SECTION 1. Section 207 of chapter 6 of the General Laws, as appearing in the 2014 Official Edition, is
129 hereby amended by striking out, in line 21, the words “public welfare” and inserting in place thereof the
130 following words:- transitional assistance.

131 SECTION 2. Said section 207 of said chapter 6, as so appearing, is hereby further amended by
132 inserting after the words “or,” in line 22, the following words:- of the division of medical
133 assistance under.

134 SECTION 3. Section 14A of chapter 6A of the General Laws, as so appearing, is hereby
135 amended by striking out, in line 34, the words “and (7)” and inserting in place thereof the
136 following words:- (7) provide consolidated human resource services to the employees of the
137 department of higher education, the department of early education and care and the department
138 of elementary and secondary education; and (8).

139 SECTION 4. Section 16I of Chapter 6A is hereby repealed.

140 SECTION 5. Section 3 of chapter 6C of the General Laws, as appearing in the 2014 Official
141 Edition, is hereby amended by striking out, in lines 294 to 296, inclusive, the words “and
142 funding; and (48) designate a representative to act in its interest in labor relations matters with its
143 employees” and inserting in place thereof the following words:-

144 and funding;

145 (48) designate a representative to act in its interest in labor relations matters with its
146 employees;

147 (49) sell, lease or otherwise contract for advertising, including in or on the facilities of the
148 department; and

149 (50) exercise all the powers and duties formerly exercised by the outdoor advertising
150 board under chapter 93.

151 SECTION 6. Section 17 of said chapter 6C of the General Laws, as so appearing, is hereby
152 amended by striking out subsection (a) and inserting in place thereof the following subsection:-

153 (a) The department may provide by resolution for the issuance of bonds of the department
154 relating to the turnpike and the metropolitan highway system. The department may also refinance
155 any of the bonds relating to the turnpike and the metropolitan highway system. Any such bonds
156 shall be special obligations of the department payable solely from monies credited to the fund.
157 Bonds issued pursuant to this section shall not be general obligations of the commonwealth or
158 any political subdivision thereof and shall not constitute a debt or a pledge of the faith and credit
159 of the commonwealth or any political subdivision.

160 SECTION 7. Said section 17 of said chapter 6C, as so appearing, is hereby further amended by
161 inserting in line 12, after the word "issued," the following word:- , refinanced.

162 SECTION 8. Subsection (a) of section 45 of chapter 7C of the General Laws, as so appearing, is
163 hereby amended by striking out the second sentence and inserting in place thereof the following
164 sentence:- 8 members shall be appointed by the governor, 3 of whom shall have not fewer than

165 15 years' experience as registered architects in the commonwealth, 3 of whom shall have not
166 fewer than 15 years' experience as registered engineers in the commonwealth, and 2 of whom
167 shall be representatives of the public who are not architect designers, engineers or construction
168 contractors.

169 SECTION 9. Subsection (c) of said section 45 of said chapter 7C, as so appearing, is hereby
170 amended by striking out the first sentence and inserting in place thereof the following sentence:-
171 The board shall employ an executive director, who shall be appointed by the secretary of the
172 executive office for administration and finance and shall have not fewer than 15 years'
173 experience as an architect registered in the commonwealth or an engineer registered in the
174 commonwealth, and such other staff or consultants as it may deem necessary, subject to
175 appropriation.

176 SECTION 10. Said chapter 7C, as so appearing, is hereby amended by striking out section 59
177 and inserting in place thereof the following section:-

178 Section 59. Every appropriation or authorization for the design or construction of a building
179 project, beyond schematic design, for which a state agency is the using agency shall be deemed
180 to require the satisfactory completion of a study or program through schematic design before any
181 services for the design or construction of such project may be contracted for, performed by
182 contract or otherwise, or funds allotted, encumbered or expended therefor, unless such
183 appropriation or authorization specifically states that no such study or program need or shall be
184 done.

185 No provider of design services for any building project for which a state agency is the using
186 agency shall be selected by the designer selection board or by the administering agency and no

187 design services shall be performed beyond schematic design for or by such administering agency
188 for any building project for which the satisfactory completion of a study program is required
189 prior to the design or construction of that project, unless and until: (a) said study, program or
190 where appropriate, both, have been satisfactorily completed through schematic design; (b) the
191 using agency certifies in writing to the commissioner of capital asset management and
192 maintenance that the study or program including schematic design, or where appropriate, both,
193 correspond to the current needs of that agency, including its current long term capital facilities
194 development plan; (c) the commissioner requests that one or more of the directors of the office
195 of programming, office of project management, or office of facilities management review the
196 study or program including schematic design, or where appropriate, both, and the director or
197 directors certify in writing to the commissioner that the study or program including schematic
198 design, or where appropriate, both, reflect the using agency's needs as stated, that they provide
199 an accurate estimate of the project requirements, cost and schedule, that the project can be
200 accomplished within the appropriation or authorization for that project, and recommends
201 proceeding with design, construction, or where appropriate, both; and (d) the commissioner of
202 the capital asset management and maintenance certifies in writing to the secretary of
203 administration and finance that the study or program including schematic design, or where
204 appropriate, both, are in conformity with the scope and purpose of the appropriation or
205 authorization for the project and legislative intent in regard to long range capital facility plans for
206 the using agency, approves proceeding with regard to long range capital facility plans for the
207 using agency, and approves proceeding with design, construction, or where appropriate, both.

208 If either the director or directors whose review is requested or the commissioner of capital asset
209 management and maintenance should fail to so certify, recommend, or approve, the

210 commissioner shall forthwith send notice of his decision and the reasons therefor to the secretary
211 of administration and finance and to the house and senate committees on ways and means.

212 As used in this section, “schematic design” shall, unless the context clearly requires otherwise,
213 mean a basic and preliminary revision, development and implementation of the study or program
214 parameters, or where applicable, both such parameters, and a further, but preliminary,
215 investigation of the construction details, mechanical system, code issues, construction schedule,
216 site utilities and cost estimate including preliminary designs and design premises upon which the
217 design scheme is based.

218 SECTION 11. Section 35AAA of chapter 10 of the General Laws, as appearing in section 25 of
219 chapter 165 of the acts of 2014, is hereby amended by striking out the seventh sentence and
220 inserting in place thereof the following two sentences:-

221 Any fiscal year-end balance in the fund that is not subject to appropriation shall not revert to the
222 General Fund but shall remain in the fund and be available for expenditure during the next fiscal
223 year. Any fiscal year-end balance in the fund that is subject to appropriation shall not be subject
224 to section 5C of chapter 29.

225 SECTION 12. Chapter 14 of the General Laws, as appearing in the 2014 Official Edition, is
226 hereby amended by striking out section 2 and inserting in place thereof the following section:-

227 Section 2. The commissioner of revenue, in this chapter called the commissioner, shall be
228 appointed by the secretary of administration and finance, with the approval of the governor, and
229 may be removed in like manner. The commissioner shall be a person of ability and experience,
230 shall devote full time to his duties, and shall perform such functions as said secretary shall from

231 time to time assign to him. The position of commissioner shall be classified in accordance with
232 section 45 of chapter 30, and the salary shall be determined in accordance with section 46C of
233 said chapter 30. The position of commissioner shall not be subject to the provisions of chapter 31
234 or section 9A of chapter 30.

235 The commissioner shall give to the state treasurer a bond for the faithful performance of his
236 official duties in a penal sum and with sureties approved by the governor.

237 SECTION 13. Section 21 of chapter 15A of the General Laws, as so appearing, is hereby
238 amended by inserting in line 54, after the words, "higher education," the following words:-
239 except as otherwise required by section 4 of this chapter.

240 SECTION 14. Section 14 of chapter 17 of the General Laws is hereby repealed.

241 SECTION 15. Section 2 of chapter 26 of the General Laws, as appearing in the 2014 Official Edition, is
242 hereby amended by striking out, in lines 9-10, the words ", and he shall not engage in any other business".

243 SECTION 16. Paragraph (h) of section 6 of chapter 62 of the General Laws, as so appearing, is
244 hereby amended by adding the following words:-

245 The Commissioner may adopt filing procedures that require any credit under this paragraph to be
246 claimed on a return filed electronically by the taxpayer on a designated system maintained by the
247 commissioner or on a return filed electronically on the taxpayer's behalf by a third party preparer,
248 which preparer (1) shall previously have registered in a manner prescribed by the commissioner;
249 and (2) shall be identified on the return in a manner prescribed by the commissioner. Claims for
250 credit under this paragraph that do not comply with any such filing procedures shall be denied.

251 In the case of a return filed by a preparer and claiming a credit under this paragraph, section 35C

252 of chapter 62C shall apply to an understatement of tax liability or improper claim for refund on
253 the return.

254 SECTION 17. Section 3 of chapter 111E of the General Laws is hereby repealed.

255 SECTION 18. Section 24B of chapter 112 of the General Laws, as appearing in the 2014 Official
256 Edition, is hereby amended by striking out, in line 1, the words “and the commissioner of
257 education”.

258 SECTION 19. Said section 24B of said chapter 112, as so appearing, is hereby further amended
259 by striking out, in lines 3 and 4, the words “and the commissioner”.

260 SECTION 20. Said section 24B of said chapter 112, as so appearing, is hereby further amended
261 by striking out, in lines 8, 9, 10, 11 and 15, each time they appear, the words “and said
262 commissioner”.

263 SECTION 21. Section 39 of chapter 207 of the General Laws, as so appearing, is hereby
264 amended by striking out, in lines 43 and 44, the words, “of twenty-five dollars by said other
265 person,” and inserting in place thereof the following words:-

266 of \$25 for applications delivered by mail, facsimile or by hand, or \$20 for applications submitted
267 electronically,.

268 SECTION 22. Subsection (e) of section 49 of chapter 9 of the acts of 2011 is hereby amended by
269 striking out the date, “January 1, 2016,” and inserting in place thereof the following date:-
270 January 1, 2017.

271 SECTION 23. Subsection (f) of said section 49 of said chapter 9 is hereby amended by striking
272 out the date, “June 1, 2016,” and inserting in place thereof the following date:- June 1, 2017.

273 SECTION 24. Section 102 of chapter 35 of the acts of 2013 is hereby amended by striking out,
274 each time it appears, the figure “2015” and inserting in place thereof the following figure:- 2017.

275 SECTION 25. Item 7002-0021 of section 2 of chapter 38 of the acts of 2013 is hereby amended
276 by striking out the date, “December 31, 2015,” and inserting in place thereof the following date:-
277 June 30, 2016.

278 SECTION 26. Section 43 of chapter 258 of the acts of 2014 is hereby repealed.

279 SECTION 27. Item 5920-2000 of section 2 of chapter 46 of the acts of 2015 is hereby amended
280 by striking out the words,

281 “General Fund.....98.43%
282 Community First Trust Fund1.57%”

283 and inserting in place thereof the following words:-

284 General Fund97.84%
285 Community First Trust Fund2.16%.

286 SECTION 28. Item 7004-0101 of said section 2 of said chapter 46 is hereby amended by adding the
287 following words:- ; provided further, that clauses (iii) and (iv) of 760 CMR 67.06(1)(f)(6)(d) shall not
288 apply in fiscal year 2016; and provided further, that the eligibility changes described in the preceding
289 clause shall only be applicable through June 30, 2016.

290 SECTION 29. Item 9110-1500 of said section 2 of said chapter 46 is hereby amended by striking
291 out the words,

292 “General Fund.....98.62%
293 Community First Trust Fund1.38%”

294 and inserting in place thereof the following words:-

295 General Fund93.64%

318 reducing any deficiency in these items, but any such transfer shall be made not later than August
319 31, 2015.

320 SECTION 35. Notwithstanding any general or special law to the contrary, the secretary of health
321 and human services, with the written approval of the secretary of administration and finance,
322 may authorize transfers of surplus among items 4000-0320, 4000-0430, 4000-0500, 4000-0600,
323 4000-0700, 4000-0875, 4000-0880, 4000-0885, 4000-0940, 4000-0950, 4000-0990, 4000-1400
324 and 4000-1420 of section 2 of chapter 165 of the acts of 2014 for the purpose of reducing any
325 deficiency in these items, but any such transfer shall be made not later than August 31, 2015.

326 SECTION 36. Notwithstanding any general or special law to the contrary, any unexpended
327 balances, not exceeding a total of \$20,000,000, in items 4000-0600, 4000-0700 and 4000-1425
328 of section 2 of chapter 165 of the acts of 2014 shall not revert to the General Fund until August
329 31, 2015 and may be expended by the executive office of health and human services to pay for
330 services enumerated in said items 4000-0600, 4000-0700 and 4000-1425 of said section 2 of said
331 chapter 165 provided during fiscal year 2015.

332 SECTION 37. There is hereby established on the books of the commonwealth a Debt Defeasance
333 Trust Fund, to be used, without further appropriation, in the manner and for the purposes
334 specified in section 39. The comptroller shall transfer, effective June 30, 2015, the sum of
335 \$140,000,000 to said Trust Fund from the General Fund. The Trust Fund shall not be subject to
336 appropriation and the balance remaining at the end of fiscal year 2015 shall not revert to the
337 General Fund.

338 SECTION 38. Notwithstanding any general or special law to the contrary, except section 38, the
339 state treasurer shall expend on or before March 31, 2016, from the Debt Defeasance Trust Fund

340 established in said section 38 an amount not to exceed \$140,000,000 for the purpose of
341 purchasing securities to be held for the credit of or cash deposit into a sinking fund to be
342 established in accordance with section 49 of chapter 29 of the General Laws. The monies in such
343 sinking fund shall be applied to pay, at maturity or upon redemption, bonds of the
344 commonwealth to be identified by the state treasurer at the time the sinking fund is established,
345 including the payment of any redemption premium thereon and any interest accrued or to accrue
346 to the date of maturity or earlier redemption of such bonds. In selecting the bonds to be paid
347 from the sinking fund, the state treasurer shall attempt to maximize the financial benefits to the
348 commonwealth produced thereby. The state treasurer may enter into an agreement with a trustee
349 for the purpose of establishing the sinking fund for the benefit of the holders of the bonds to be
350 paid pursuant to this section. The provisions of said section 49 of said chapter 29 applicable to
351 sinking funds established with trustees shall apply to the deposit of funds pursuant to this section,
352 to the extent such provisions are not otherwise inconsistent with this section.

353 SECTION 39. Notwithstanding the provisions of sections 38 and 39, if any monies remain in the
354 Debt Defeasance Trust Fund established in section 38 on or after April 1, 2016, the comptroller
355 shall, with the consent of the state treasurer and the secretary of administration and finance,
356 transfer such monies from the Debt Defeasance Trust Fund established in section 38 to the
357 General Fund, to be made available exclusively for item 0699-0015 without further
358 appropriation.

359 SECTION 40. Section 38 is hereby repealed.

360 SECTION 41. Notwithstanding any general or special law to the contrary, for the fiscal year
361 ending June 30, 2016, the amounts specified in items 1595-6368, 1595-6369 and 1595-6370 of

362 Section 2E of chapter 46 of the acts of 2015 may be distributed among the Massachusetts
363 Department of Transportation, Massachusetts Bay Transportation Authority, or regional transit
364 authorities in amounts determined by a schedule submitted to the comptroller by the secretary of
365 transportation, at his or her sole discretion, to facilitate needed investment in preventive
366 maintenance and asset preservation. Any such transfer shall be made not later than August 30,
367 2016.

368 SECTION 42. Notwithstanding section 5C of chapter 29 of the General Laws or any other
369 general or special law to the contrary, the comptroller shall dispose of the consolidated net
370 surplus in the budgetary funds at the close of fiscal year 2015 as follows:

- 371 1. First, to the extent available, transfer the first \$50,000,000 of the consolidated net surplus to the
372 Commonwealth Stabilization Fund established in section 2H of said chapter 29;
- 373 2. Second, to the extent that any consolidated net surplus remains after the transfer in 1., comply
374 with section 194 of chapter 46 of the acts of 2015;
- 375 3. Third, transfer any remaining consolidated net surplus to said Commonwealth Stabilization Fund.

376 The comptroller shall make all transfers called for under this section from the undesignated fund
377 balances in the budgetary funds proportionally from those undesignated fund balances; provided,
378 however, that no such transfer shall cause a deficit in any of those funds. Before certifying the
379 consolidated net surplus under this section, the comptroller shall, to the extent possible, eliminate
380 deficits in any fund contributing to the surplus by transferring positive fund balances from any
381 other fund contributing to the surplus.

382 SECTION 43. (a) There shall be a Massachusetts Council on Substance Use Disorder Prevention
383 and Treatment. The council shall: (i) support the efforts of the department of public health and
384 the department of mental health to supervise, coordinate and establish standards for the operation

385 of substance use prevention and treatment services; (ii) oversee implementation of initiatives and
386 programs that effectively direct the existing resources and minimize the impact of substance use
387 and misuse; (iii) develop and recommend formal policies and procedures for the coordination
388 and efficient utilization of programs and resources across state agencies and secretariats; (iv)
389 provide recommendations on methods and programs to increase the collection and safe disposal
390 of federally scheduled prescription medications; and (v) develop an annual report and submit
391 said report to the governor, on or before November 30 of each year, detailing all activities of the
392 council and recommending further efforts and resource needs.

393 (b) The council shall consist of the following members or their designees: the secretary of
394 health and human services, who shall serve as chair; the secretary of public safety; the secretary
395 of education; the commissioner of public health; the commissioner of mental health; the chief
396 justice of the trial court; 1 member appointed by the president of the senate; 1 member appointed
397 by the speaker of the house; 1 member appointed by the senate minority leader; 1 member
398 appointed by the house minority leader; 11 members appointed by the governor, 2 of whom shall
399 be medical professionals specializing in the treatment of substance use disorders, 1 of whom
400 shall be a medical professional with expertise in the assessment and management of neonatal
401 abstinence syndrome, 1 of whom shall be an individual recovering from a substance use disorder,
402 1 of whom shall be a family member of an individual with a substance use disorder, 1 of whom
403 shall represent the interests of individuals with chronic pain, 1 of whom shall be a mayor or
404 selectman in a city or town in the commonwealth, 1 of whom shall be a representative of the
405 Massachusetts Sheriffs' Association, 1 of whom shall be a representative from the Massachusetts
406 Chiefs of Police Association, 1 of whom shall be a representative of District Attorney's
407 Association, 1 of whom shall represent pharmacists; and other appropriate representatives as

408 determined by the governor. All members shall serve without compensation in an advisory
409 capacity and at the pleasure of the governor.

410 (c) The council shall meet at least 4 times annually and shall establish task groups, meetings,
411 forums and any other activity deemed necessary to carry out its mandate.

412 (d) All affected agencies, departments and boards of the commonwealth shall fully cooperate
413 with the council. The council may call and rely upon the expertise and services of individuals
414 and entities outside of its membership for research, advice, support or other functions necessary
415 and appropriate to further accomplish its mission.

416 SECTION 44. The salary adjustments and other economic benefits authorized by the following
417 collective bargaining agreements shall be effective for the purposes of section 7 of chapter 150E
418 of the General Laws:

- 419 1) Between the University of Massachusetts and the American Federation of State, County, and
420 Municipal Employees, Local 1776, Unit A01;
- 421 2) Between the University of Massachusetts and the Professional Staff Union/MTA/NEA, Units
422 A52 & B42;
- 423 3) Between the University of Massachusetts and the Professional Staff Union/MTA/NEA, Unit A15;
- 424 4) Between the University of Massachusetts and the American Federation of Teachers, Local 1895,
425 Unit D85;
- 426 5) Between the Barnstable Sheriffs Office and the National Correctional Employees Union, Local
427 122;
- 428 6) Between the Commonwealth of Massachusetts and the State Police Association of Massachusetts,
429 Unit 5A;

430 SECTION 45. Section 6 shall take effect on July 1, 2015.

431 SECTION 46. Section 18 shall take effect for the tax year beginning on January 1, 2016.

432 SECTION 47. Section 41 shall take effect on April 1, 2016.