

HOUSE No. 4146

The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**
—————

Mr. Dempsey of Haverhill moves to amend the bill by striking out all after the enacting clause and inserting in place thereof the following:-

1 SECTION 1. To provide for supplementing certain items in the general appropriation
2 act and other appropriation acts for fiscal year 2016, the sums set forth in sections 2 to 2C,
3 inclusive, are hereby appropriated from the General Fund unless specifically designated
4 otherwise in this act or in those appropriation acts, for the several purposes and subject to the
5 conditions specified in this act or in those appropriation acts, and subject to the laws regulating
6 the disbursement of public funds for the fiscal year ending June 30, 2016. These sums shall be in
7 addition to any amounts previously appropriated and made available for the purposes of those
8 items.

9 SECTION 2.

10 JUDICIARY

11 Committee for Public Counsel Services

12 0321-1510 \$25,000,000

13 0321-1520 \$1,100,000
 14 DISTRICT ATTORNEY
 15 Suffolk District Attorney
 16 0340-0198\$81,853
 17 SECRETARY OF THE COMMONWEALTH
 18 Office of the Secretary
 19 0521-0000\$443,308
 20 OFFICE OF THE STATE TREASURER
 21 Office of the Treasurer
 22 0610-0050\$70,000
 23 OFFICE OF THE STATE COMPTROLLER
 24 Office of the State Comptroller
 25 1599-3384\$12,506,260
 26 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS
 27 Department of Fish and Game
 28 2310-0200\$870,000
 29 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

30 Executive Office of Health and Human Services
31 4000-0700\$11,000,000

32 Department of Transitional Assistance

33 4400-1100\$3,488,689

34 Department of Public Health

35 4590-0918\$4,000,000

36 Department of Children and Families

37 4800-0015\$2,686,662

38 4800-0025\$144,197

39 4800-0038\$3,226,463

40 4800-0041\$8,830,544

41 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

42 Department of Housing and Community Development

43 7004-0101\$41,000,000

44 7004-0108\$2,500,000

45 EXECUTIVE OFFICE OF EDUCATION

46 Department of Elementary and Secondary Education

47 7061-9400\$1,800,000

48 STATE UNIVERSITIES

49 University of Massachusetts

50 7100-0200\$10,901,699

51 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

52 Sex Offender Registry Board

53 8000-0125\$200,000

54 Department of Correction

55 8900-0001\$1,000,000

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

64 DISTRICT ATTORNEY

65 Plymouth District Attorney

66 0340-0802 For costs associated with the moving and relocation of the Plymouth district
67 attorney's office\$2,409,170

68 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

69 Office of the Secretary for Administration and Finance

70 1599-4445 For a reserve to meet the fiscal year 2016 costs of quarter point benefits
71 authorized by collective bargaining agreements with the executive branch and ratified by the
72 general court..... \$4,939,821

73 1599-4447 For a reserve to meet the fiscal year 2016 costs of salary adjustments
74 authorized by collective bargaining agreements with the executive branch that have not yet been
75 ratified by the general court; provided, that no funds shall be expended from this item prior to
76 ratification of the collective bargaining agreements by the general court..... \$11,373,102

77 1599-8910 For a reserve for identified current year deficiencies documented by the
78 sheriffs of the commonwealth..... \$18,000,000

79 SECTION 2C.I. For the purpose of making available in fiscal year 2017 balances of
80 appropriations which otherwise would revert on June 30, 2016, the unexpended balances of the
81 appropriations listed below, not to exceed the amount specified below for each item, are hereby
82 re-appropriated for the purposes of and subject to the conditions stated for the corresponding
83 item in section 2 of chapter 46 of the acts of 2015. For items that do not appear in section 2 of
84 the general appropriation act, the amounts in this section are re-appropriated for the purposes of
85 and subject to the conditions stated for the corresponding item in section 2 or 2A in prior

86 appropriation acts. The sums re-appropriated in this section shall be in addition to any amounts
87 available for said purposes.

88 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

89 Office of the Secretary of Health and Human Services

90 1599-0321 Women’s Preventive Health Reserve\$300,000

91 SECTION 3. Section 11 of chapter 61A of the General Laws, as appearing in the 2014
92 Official Edition, is hereby amended by striking out, in lines 10 and 11, the words “, prior to
93 January first of each year,”.

94 SECTION 4. Said section 11 of said chapter 61A, as so appearing, is hereby further
95 amended by striking out, in line 17, the words “February first” and inserting in place thereof the
96 following words:- April 1.

97 SECTION 5. Section 87CC of chapter 112 of the General Laws, as so appearing, is
98 hereby amended by striking out the last sentence.

99 SECTION 6. Chapter 120 of the General Laws is hereby amended by striking out section
100 16, as so appearing, and inserting in place thereof the following section:-

101 Section 16. Every person committed to the department until the age of 18 as a delinquent
102 child, if not already discharged, shall be discharged upon reaching the person’s eighteenth
103 birthday. Every person committed to the department until the age of 19 as a delinquent child, if
104 not already discharged, shall be discharged upon reaching the person’s nineteenth birthday.
105 Every person committed to the department until the age of 20 as a delinquent child, if not already
106 discharged, shall be discharged upon reaching the person’s twentieth birthday. Every person

107 committed to the department until the age of 21 as a youthful offender, if not already discharged,
108 shall be discharged upon reaching the person's twenty-first birthday. The department may
109 continue to have responsibility for any person provided for in this chapter under 22 years of age
110 for the purposes of specific educational or rehabilitative programs, under conditions agreed upon
111 by both the department and such persons and terminable by either. Such services must be offered
112 prior to the person's discharge date as provided herein; however, a person may request and the
113 department shall consider any such request for the services described, for up to 90 days after the
114 person's effective date of discharge, even where the person has previously declined services or
115 services were terminated for non-compliance, and may reach an agreement with the person,
116 terminable by either, to provide the services described herein until such person attains the age of
117 22.

118 SECTION 7. Subsection (c) of section 46 of chapter 151A of the General Laws, as so
119 appearing, is hereby amended by striking out clause (3) and inserting in place thereof the
120 following 2 clauses:-

121 (3) to the heads of the departments of career services, transitional assistance, revenue,
122 veterans' services, office of Medicaid and industrial accidents, information necessary in the
123 performance of their official duties;

124 (3 ½) to the heads of governmental agencies who are partners in the Workforce
125 Innovation and Opportunity Act, information necessary for the purpose of complying with
126 performance reporting requirements of the Workforce Innovation and Opportunity Act, Public
127 Law 113-128;

128 SECTION 8. Item 4000-0321 of section 2 of chapter 46 of the acts of 2015 is hereby
129 amended by inserting after the words “accounting system” the following words:- ; provided
130 further, that after providing payments due in accordance with the terms of the contingency
131 contracts, the office may use available funds to support special MassHealth projects that will
132 receive enhanced federal revenue opportunities, including MassHealth eligibility operations and
133 systems enhancements that support reforms and improvements to the MassHealth programs;
134 provided further, that any enhanced federal financial participation received for these special
135 projects, including the Implementation Advanced Planning Document or other eligibility
136 operations and systems enhancement that support reforms and improvements to the MassHealth
137 program shall be deposited into this account.

138 SECTION 9. Item 4000-0700 of said section 2 of said chapter 46 is hereby amended by
139 inserting after the words “neonatal intensive care unit cases” the following words:- ; provided
140 further, that MassHealth shall expend not less than \$11,000,000 for payments in addition to its
141 standard payment amount per discharge, or SPAD, above rate year 2013, or of reimbursement
142 provided under any subsequent inpatient payment methodologies, and to provide additional
143 payments above its standard outpatient payment amount per episode, or PAPE, above rate year
144 2013, or of reimbursement provided under any subsequent outpatient payment methodologies to
145 any acute care hospital that has greater than 63 per cent of its gross patient service revenue from
146 governmental payers and free care as determined by the executive office of health and human
147 services.

148 SECTION 10. Item 4590-0918 of said section 2 of said chapter 46 is hereby amended by
149 striking out, each time it appears, the figure “\$14,000,000” and inserting in place thereof the
150 following figure:- \$18,000,000.

151 SECTION 11. Said section 2 of said chapter 46 is hereby amended by striking out item
152 5046-0005 and inserting in place thereof the following item:

153 5046-0006 For adult mental health community-based placements; provided, that funds
154 shall be used to expand community-based placements for discharge ready individuals currently
155 in the department's continuing care facilities; and provided further, that the annualized cost of
156 these placements in fiscal year 2017 shall not exceed the amount appropriated in this item

157 \$4,000,000

158 Community First Trust Fund.... 100%

159 SECTION 12. Item 7004-0101 of said section 2 of said chapter 46 is hereby amended by
160 inserting after the words, "administrative costs" the following words:- except the department
161 may expend not more than \$360,000 for the direct costs associated with the coordination and
162 placement of homeless families in hotels and motels used as overflow shelter capacity and
163 oversight of hotel and motel compliance with state requirements.

164 SECTION 13. Item 7035-0002 of said section 2 of said chapter 46 is hereby amended by
165 striking out the words "the Lawrence/Methuen Community Coalition" and inserting in place
166 thereof the following words:- Family Services of the Merrimack Valley.

167 SECTION 14. Item 8900-0011 of said section 2 of said chapter 46 is hereby amended by
168 inserting after the word "system" the following words:- ; provided further, that the commissioner
169 of correction may allocate year-end net profits to the cost of drug, substance abuse and
170 rehabilitative programming.

171 SECTION 15. Item 8900-0021 of section 2B of said chapter 46 is hereby amended, by
172 inserting after the words “inmates” the following words:- ; provided, that the commissioner of
173 correction may allocate year-end net profits to the cost of drug, substance abuse and
174 rehabilitative programming.

175 SECTION 16. Item 1595-6368 of section 2E of said chapter 46 is hereby amended by
176 striking out the figure “\$365,025,340” and inserting in place thereof the following figure:-
177 \$337,468,038.

178 SECTION 17. Subsection (a) of section 151 of said chapter 46 is hereby amended by
179 striking out the fifth and sixth sentences and inserting in place thereof the following 3 sentences:-
180 The tax amnesty program shall apply to returns due on or before December 31, 2015. In the case
181 of taxpayers otherwise coming into compliance with tax obligations pursuant to the amnesty,
182 unless the commissioner determines that the taxpayer has acted with fraudulent intent, the
183 commissioner may apply limited look-back periods for unfiled returns, not to exceed 4 years.
184 The scope of the tax amnesty program, including the particular tax types, periods covered, and
185 the applicability of the look-back periods, shall be determined by the commissioner.

186 SECTION 18. Subsection (c) of said section 151 of said chapter 46 is hereby amended by
187 striking out the words, “for any tax period beginning before January 1, 2014,” and inserting in
188 place thereof the following words:- on or before December 31, 2015.

189 SECTION 19. Section 54 of chapter 119 of the acts of 2015 is hereby amended by
190 striking out the word, “March” and inserting in place thereof the following word:- November.

191 SECTION 20. The salary adjustments and other economic benefits authorized by the
192 following collective bargaining agreements shall be effective for the purposes of section 7 of
193 chapter 150E of the General Laws:

194 (1) between the sheriff of Essex county and the Essex County Correctional Officers
195 Association;

196 (2) between the commonwealth and the International Association of Fire Fighters Local
197 S-28 & S-29;

198 (3) between the commonwealth and the Massachusetts Correction Officers Federated
199 Union;

200 (4) between the sheriff of Worcester county and the New England Police Benevolent
201 Association, Local 550;

202 (5) between the sheriff of Essex county and the National Correctional Employees Union,
203 Local 123; and

204 (6) between the sheriff of Essex county and the Essex County Regional Emergency
205 Communication Dispatchers.