

HOUSE No.**The Commonwealth of Massachusetts**

CHARLES D. BAKER
GOVERNOR

OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE · BOSTON, MA 02133

KARYN POLITO
LIEUTENANT GOVERNOR

July 8, 2016

To the Honorable Senate and House of Representatives,

I am filing for your consideration a bill entitled “An Act Making Appropriations for the Fiscal Year 2017 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects.”

This bill consists of \$279 million supplemental appropriations, at a net state cost of \$177 million, for identified deficiencies in the FY17 budget I am signing today:

- \$112.7 million for MassHealth, including caseload, Hepatitis C, and other exposures, offset by \$101.6 million in MassHealth revenue, mostly connected to Hepatitis C drugs;
- \$42 million for representation of indigent defendants;
- \$30 million for a reserve for snow and ice costs at the Department of Transportation;
- \$29 million in emergency assistance and shelter-diversion costs;
- \$28 million for a reserve for sheriffs deficiencies;
- \$15 million for payments to direct care workers mandated by chapter 257;

- \$8 million for legal settlements and judgments;
- \$5.1 million for caseload exposures at the Department of Transitional Assistance;
- \$5 million for the treatment and prevention of opiate misuse;
- \$4 million for costs related to alleged misconduct at former state drug laboratories;
- \$280,000 for the human resources division, consisting of \$780,000 of training costs offset by \$500,000 in administrative savings; and
- \$65,000 for municipal OPEB audits PERAC will conduct.

In addition, this bill proposes to freeze rates paid to private counsel for the representation of indigent defendants at FY16 levels, and makes other spending related technical changes.

In light of the actions I am taking today with respect to the fiscal 2017 General Appropriations Act, sufficient revenues are estimated to be available to finance these appropriations. Because these appropriations address urgent matters, I urge you to enact this legislation promptly.

Respectfully submitted,

Charles D. Baker,
Governor

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

Whereas, The deferred operation of this act would tend to defeat its purposes, which are forthwith to make supplemental appropriations for fiscal year 2017 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

SECTION 1. To provide for supplementing certain items in the general appropriation act and other appropriation acts for fiscal year 2017, the sums set forth in sections 2 and 2E are hereby appropriated from the General Fund unless specifically designated otherwise in this act or in those appropriation acts, for the several purposes and subject to the conditions specified in this act or in those appropriation acts, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2017. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of those items.

9 JUDICIARY

10	<i>Committee for Public Counsel Services</i>		
11	0321-1510	.....	\$42,000,000
12	EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE		
13	<i>Reserves</i>		
14	1599-6903	.....	\$14,962,481
15	1599-3384	.....	\$8,000,000
16	<i>Human Resources Division</i>		
17	1750-0100	.....	\$280,000
18	EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT		
19	<i>Department of Housing and Community Development</i>		
20	7004-0101	.....	\$ 26,039,565
21	7004-0108	.....	\$2,500,000
22	EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES		
23	<i>Office of the Secretary</i>		
24	4000-0700	.....	\$112,700,000
25	<i>Department of Transitional Assistance</i>		
26	4405-2000	\$ 3,222,002

27	4408-1000	\$ 1,925,309
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28 *Department of Public Health*

29	4512-0200	\$ 1,000,000
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SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an alteration of purpose for current appropriations, and to meet certain requirements of law, the sums set forth in this section are hereby appropriated from the General Fund unless specifically designated otherwise in this section, for the several purposes and subject to the conditions specified in this section, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2017.

36 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

37 *Reserves*

38 1599-0054 For a reserve for costs of the investigation and response related to the
39 allegations of misconduct at the former state drug laboratories located in Amherst and Jamaica
40 Plain, Massachusetts, the Dr. William A. Hinton Laboratory at the State Laboratory Institute;
41 provided, that the secretary of administration and finance may transfer funds from this item to
42 state agencies, as defined in section 1 of chapter 29 of the General Laws, and to municipalities
43 for this purpose \$4,000,000

44	1599-8910	For a reserve to remediate identified and approved deficiencies incurred	
45	by the Sheriffs of the Commonwealth		\$28,047,282

46	1599-1973	For the cost of hired and leased equipment, vehicle repair and sand, salt	
47		and other control chemicals used for snow and ice control	\$30,000,000

48 Commonwealth Transportation Fund 100 %

49 1599-6732 For a reserve for the public employee retirement administration
50 commission for a period of 3 fiscal years for the following purposes: (i) to audit other
51 postemployment benefits trust funds or other similar funds of certain cities and towns as
52 otherwise provided by law; and (ii) to evaluate the retiree health care cost valuation of cities and
53 towns; provided, that funds from this item shall be used by the commission in accordance with
54 section 21 of chapter 32 of the General Laws and section 20 of chapter 32B of the General Laws,
55 respectively; and provided further, the funds appropriated in this item shall not revert but shall be
56 made available for these purposes through June 30, 2019 \$65,000

57 SECTION 2E.

58 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

59 *Department of Public Health*

60 1595-4510 \$4,000,000

61 SECTION 3. Item 9110-1630 of section 2 of chapter 133 of the acts of 2016 is hereby
62 amended by inserting, after the words, “case management services and the administration of the
63 home care program,” the following words:- ; provided further, that the secretary of elder affairs
64 may transfer funds appropriated in this item to item 9110-1500 for the provision of enhanced
65 home care services.

66 SECTION 4. Said 9110-1630 of said section 2 is hereby further amended by striking out
67 the words,

68 “General Fund.....98.5%

69 Community First Trust Fund 1.5%”

70 and inserting in place thereof the following words:-

71 General Fund.....94.6%

72 Community First Trust Fund 5.4%

73 SECTION 5. Item 1050-0140 of said section 2 is hereby amended by adding the
74 following words:- ; provided, that the Massachusetts gaming commission shall reimburse the
75 General Fund for payments made under this item.

76 SECTION 6. Notwithstanding section 11 of chapter 211D, as amended by section 119 of
77 chapter 46 of the acts of 2015, or any other general or special law to the contrary, for district
78 court cases, children in need of services cases, children and family law cases and care and
79 protection cases the rate of compensation in fiscal year 2017 shall be \$50 per hour for fiscal year
80 2017.

81 SECTION 7. Notwithstanding any general or special law to the contrary, the secretary of
82 health and human services, with the written approval of the secretary of administration and
83 finance, may authorize transfers of surplus among items 4000-0320, 4000-0430, 4000-0500,
84 4000-0600, 4000-0640, 4000-0700, 4000-0875, 4000-0880, 4000-0885, 4000-0940, 4000-0950,
85 4000-0990, 4000-1400, 4000-1420 and 4000-1425 of the General Appropriations Act for the
86 fiscal year 2017, for the purpose of reducing any deficiency in these items, but any such transfer
87 shall be made not later than September 1, 2017.