

SENATE No. 2193

Text of the Senate amendment (Senator Spilka) to the House Bill making appropriations for the fiscal year 2016 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4116).

The Commonwealth of Massachusetts

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

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

8 SECTION 2.

9 JUDICIARY

10 Committee for Public Counsel Services

11 0321-1510 \$25,000,000

12 0321-1520 \$1,100,000

13 SUFFOLK DISTRICT ATTORNEY

14	Suffolk District Attorney		
15	0340-0198	\$81,853	
16	SECRETARY OF THE COMMONWEALTH		
17	Office of the Secretary of the Commonwealth		
18	0521-0000	\$443,308	
19	TREASURER AND RECEIVER-GENERAL		
20	Office of the Treasurer and Receiver-General		
21	0610-0050	\$70,000	
22	EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS		
23	Department of Fish and Game		
24	2310-0200	\$870,000	
25	EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES		
26	Office of the Secretary of Health and Human Services		
27	4000-0700	\$11,000,000	
28	Department of Transitional Assistance		
29	4400-1100	\$3,488,689	
30	Department of Public Health		

31	4590-0918	\$4,000,000
32	Department of Children and Families	
33	4800-0015	\$2,686,662
34	4800-0025	\$144,197
35	4800-0038	\$3,226,463
36	4800-0041	\$8,830,544
37	EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT	
38	Department of Housing and Community Development	
39	7004-0101	\$41,000,000
40	7004-0108	\$2,500,000
41	EXECUTIVE OFFICE OF EDUCATION	
42	Department of Elementary and Secondary Education	
43	7061-9400	\$1,800,000
44	University of Massachusetts	
45	7100-0200	\$10,901,699
46	EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY	
47	Sex Offender Registry Board	

48 8000-0125 \$200,000

49 Department of Correction

50 8900-0001 \$1,000,000

51 OFFICE OF THE STATE COMPTROLLER

52 Office of the State Comptroller

53 1599-3384 \$12,506,260

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

62 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

63 Office of the Secretary of Administration and Finance

64 1599-4445 For a reserve to meet the fiscal year 2016 costs of quarter point benefits
65 authorized by collective bargaining agreements with the executive branch and ratified by the
66 general

67 court \$ 4,939,821

68 1599-4447 For a reserve to meet the fiscal year 2016 costs of salary adjustments
69 authorized by collective bargaining agreements with the executive branch that have not yet been
70 ratified by the general court; provided, that no funds shall be expended from this item prior to
71 ratification of the collective bargaining agreements by the general court \$11,373,102

72 1599-8910 For a reserve for identified current year deficiencies documented by the
73 sheriffs
74 \$18,000,000

75 PLYMOUTH DISTRICT ATTORNEY

76 Plymouth District Attorney

77 0340-0802 For costs associated with the moving and relocation of the Plymouth
78 district attorney's office
79\$2,409,170

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

89 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

90 Office of the Secretary of Health and Human Services

91 1599-0321 \$300,000

92 SECTION 3. Subsection (a) of section 2MMMM of chapter 29 of the General Laws, as
93 amended by section 45 of chapter 46 of the acts of 2015, is hereby further amended by adding
94 the following sentence:- Amounts credited to the fund shall not be subject to further
95 appropriation and monies remaining in the fund at the end of a fiscal year shall not revert to the
96 General Fund.

97 SECTION 4. Section 47C of chapter 51 of the General Laws, as appearing in the 2014
98 Official Edition, is hereby amended by adding the following 3 paragraphs:-

99 The registry of motor vehicles shall provide data, as requested by the state secretary, for
100 the purposes of maintaining accurate and complete voter lists. Not less than every 2 months, the
101 registry of motor vehicles shall electronically transmit to the state secretary all data requested by
102 the state secretary relative to voter registration including, if available: (i) the name, current
103 address, mailing address, date of birth, driver's license or identification card number and
104 telephone number; (ii) the date, time and nature of the last change to any such information; and
105 (iii) any additional information requested by the state secretary for voter registration purposes
106 and reasonably related to maintaining accurate and complete voter lists.

107 The state secretary shall enter into an agreement with the Electronic Registration
108 Information Center for the purpose of maintaining accurate and complete voting lists; provided,
109 however, that the agreement shall specify the terms and conditions of the commonwealth's

110 membership in the center. The state secretary shall provide to the center the names, addresses
111 and other data contained in the central registry and any information received from the registry of
112 motor vehicles relative to voter registration. Information sent to and received from the center
113 shall not be a public record under clause Twenty-sixth of section 7 of chapter 4.

114 The state secretary shall implement, if practicable, a centralized system to manage and
115 evaluate data received from the Electronic Registration Information Center to send required
116 mailings to voters and residents identified as eligible but not registered centrally. The secretary
117 shall provide information to the election registrars in electronic form.

118 SECTION 5. Section 11 of chapter 61A of the General Laws, as so appearing, is hereby
119 amended by striking out, in lines 10 and 11, the words “, prior to January first of each year,”.

120 SECTION 6. Said section 11 of said chapter 61A, as so appearing, is hereby further
121 amended by striking out, in line 17, the words “February first” and inserting in place thereof the
122 following words:- April 1.

123 SECTION 7. Section 87CC of chapter 112 of the General Laws, as so appearing, is
124 hereby amended by striking out the last sentence.

125 SECTION 8. Chapter 120 of the General Laws is hereby amended by striking out section
126 16, as so appearing, and inserting in place thereof the following section:-

127 Section 16. A person committed to the department until the age of 18 as a delinquent
128 child, if not already discharged, shall be discharged upon reaching the person’s eighteenth
129 birthday. A person committed to the department until the age of 19 as a delinquent child, if not
130 already discharged, shall be discharged upon reaching the person’s nineteenth birthday. A person

131 committed to the department until the age of 20 as a delinquent child, if not already discharged,
132 shall be discharged upon reaching the person's twentieth birthday. A person committed to the
133 department until the age of 21 as a youthful offender, if not already discharged, shall be
134 discharged when such person reaches the person's twenty-first birthday. The department may
135 continue to have responsibility for any person provided for in this chapter who is under 22 years
136 of age for specific educational or rehabilitative programs and under conditions agreed upon by
137 both the department and any such person, terminable by either. Such programs shall be offered
138 prior to the person's discharge date as provided herein; provided, however, that a person may
139 request and the department shall consider any such request for the programs described, for up to
140 90 days after person's effective date of discharge, even if the person has previously declined to
141 participate in any such program or the person's participation in any such program was terminated
142 for noncompliance; and provided further, that the department may reach agreement with the
143 person, terminable by either, to participate in the a program described herein until the person
144 attains the age of 22.

145 SECTION 9. Section 46 of chapter 151A of the General Laws, as so appearing, is hereby
146 amended by striking out subsection (c) and inserting in place thereof the following subsection:

147 (c) The department shall disclose, upon request, such information in the following
148 circumstances to:

149 (i) an employer, information concerning the employer's record;

150 (ii) a claimant or the claimant's authorized agent, information concerning the
151 claimant's own record;

152 (iii) the heads of the departments of career services, transitional assistance,
153 revenue, veterans' services, office of Medicaid and industrial accidents, information necessary in
154 the performance of their official duties;

155 (iv) the heads of governmental agencies who are partners in the Workforce
156 Innovation and Opportunity Act, information necessary to comply with performance reporting
157 requirements of the Workforce Innovation and Opportunity Act;

158 (v) probation or parole officers working for a governmental agency, information
159 necessary in the performance of their official duties;

160 (vi) the Internal Revenue Service of the United States Department of the
161 Treasury, information necessary to administer federal unemployment taxes;

162 (vii) the state police, including the state police violent fugitive apprehension
163 section, and local police departments, identifying and locating information, upon request for the
164 sole purpose of identifying and locating individuals wanted on default or arrest warrants. Only
165 identifying information including, but not limited to, name, date of birth, all pertinent addresses,
166 telephone number and social security number shall be made available to the state police and local
167 police departments pursuant to this section;

168 (viii) the commonwealth health insurance connector authority, information under
169 an interagency agreement for the administration and enforcement of chapter 176Q; and

170 (ix) the executive office of health and human services, information under an
171 interagency agreement for the administration and enforcement of paragraph (4) of subsection (a)
172 of section 69 of chapter 118E.

173 SECTION 10. Item 4000-0321 of section 2 of chapter 46 of the acts of 2015 is hereby
174 amended by inserting after the word “system”, in line 25, the following words:- ; provided
175 further, that after providing payments due in accordance with the terms of the contingency
176 contracts, the office may use available funds to support special MassHealth projects that will
177 receive enhanced federal revenue opportunities, including MassHealth eligibility operations and
178 systems enhancements that support reforms and improvements to the MassHealth programs;
179 provided further, that any enhanced federal financial participation received for these special
180 projects, including the Implementation Advanced Planning Document or other eligibility
181 operations and systems enhancement that support reforms and improvements to the MassHealth
182 program shall be deposited into this account.

183 SECTION 11. Item 4000-0700 of said section 2 of said chapter 46 is hereby amended by
184 inserting after the word “cases”, in line 33, the following words:- ; provided further, that
185 MassHealth shall expend not less than \$11,000,000 for payments in addition to its standard
186 payment amount per discharge, or SPAD, above rate year 2013, or of reimbursement provided
187 under any subsequent inpatient payment methodologies and for additional payments above its
188 standard outpatient payment amount per episode, or PAPE, above rate year 2013, or of
189 reimbursement provided under any subsequent outpatient payment methodologies to any acute
190 care hospital that has greater than 63 per cent of its gross patient service revenue from
191 governmental payers and free care as determined by the executive office of health and human
192 services.

193 SECTION 12. Item 4590-0918 of said section 2 of said chapter 46 is hereby amended by
194 striking out, in line 2, the figure “\$14,000,000” and inserting in place thereof the following
195 figure:- \$18,000,000.

196 SECTION 13. Said section 2 of said chapter 46 is hereby further amended by striking out
197 item number 5046-0005 and inserting in place thereof the following item number:- 5046-0006.

198 SECTION 14. Item 7004-0101 of said section 2 of said chapter 46 is hereby amended by
199 inserting after the word “costs”, in line 137, the following words:- except the department may
200 expend not more than \$360,000 for the direct costs associated with the coordination and
201 placement of homeless families in hotels and motels used as overflow shelter capacity and
202 oversight of hotel and motel compliance with state requirements.

203 SECTION 15. Item 7035-0002 of said section 2 of said chapter 46 is hereby amended by
204 striking out the words “Lawrence/Methuen Community Coalition” and inserting in place thereof
205 the following words:- Family Services of the Merrimack Valley, Inc.

206 SECTION 16. Item 8900-0011 of said section 2 of said chapter 46 is hereby amended by
207 adding the following words:- ; and provided further, that the commissioner of correction may
208 allocate year-end net profits to the cost of the drug, substance abuse and rehabilitative
209 programming.

210 SECTION 17. Item 8900-0021 of section 2B of said chapter 46 is hereby amended by
211 adding the following words:- ; provided, that the commissioner of correction may allocate year-
212 end net profits to the cost of the drug, substance abuse and rehabilitative programming.

213 SECTION 18. Item 0330-0612 of section 2A of chapter 119 of the acts of 2015 is hereby
214 amended by striking out, in line 7, the figure “2017” and inserting in place thereof the following
215 figure:- 2016.

216 SECTION 19. Said item 0330-0612 of said section 2A of said chapter 119 is hereby
217 further amended by striking out, in line 17, the figure “ 2016” and inserting in place thereof the
218 following figure:- 2017.

219 SECTION 20. Section 54 of said chapter 119 of the acts of 2015 is hereby amended by
220 striking out, in line 5, the word “March” and inserting in place thereof the following word:-
221 November.

222 SECTION 21. Notwithstanding any general or special law to the contrary, the secretary
223 of health and human services, with the written approval of the secretary of administration and
224 finance, may authorize transfers of surplus among items 4000-0320, 4000-0430, 4000-0500,
225 4000-0600, 4000-0640, 4000-0700, 4000-0875, 4000-0880, 4000-0885, 4000-0940, 4000-0950,
226 4000-0990, 4000-1400, 4000-1420 and 4000-1425 of chapter 46 of the acts of 2015 for the
227 purpose of reducing any deficiency in those items but any such transfer shall be made not later
228 than September 1, 2016.

229 SECTION 22. The salary adjustments and other economic benefits authorized by the
230 following collective bargaining agreements shall be effective for the purposes of section 7 of
231 chapter 150E of the General Laws:

232 (i) between the Sheriff of Essex County and the Essex County Correctional Officers
233 Association;

234 (ii) between the Commonwealth of Massachusetts and the International Association of
235 Fire Fighters Local S-28 and S-29;

236 (iii) between the Commonwealth of Massachusetts and the Massachusetts Correction
237 Officers Federated Union;

238 (iv) between the Sheriff of Worcester County and the New England Police Benevolent
239 Association, Local 550;

240 (v) between the Sheriff of Essex County and the National Correctional Employees Union,
241 Local 123; and

242 (vi) between the Sheriff of Essex County and the Essex County Regional Emergency
243 Communication Dispatchers.