

SENATE No. 2194

Senate, Thursday, October 26, 2017 -- Text of the Senate amendment (Senator Spilka) to the House Bill making appropriations for the fiscal year 2017 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3979)

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

1 SECTION 1. To provide for supplementing certain items in the general appropriation act
2 and other appropriation acts for fiscal year 2017, 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, 2017. These sums shall be in addition to any amounts
7 previously appropriated and made available for the purposes of those items. These sums shall be
8 made available until June 30, 2018.

9 SECTION 2.

10 DISTRICT ATTORNEYS

11 *Hampden District Attorney*

12 0340-0500\$150,215

13 *Northwestern District Attorney*

14 0340-0600\$142,798

15 *Bristol District Attorney*

16 0340-0998\$19,393

17 *Cape and Islands District Attorney*

18 0340-1000\$257,578

19 INDEPENDENTS

20 *Secretary of the Commonwealth*

21 0521-0000\$341,393

22 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

23 *Reserves*

24 1599-8910\$20,408,910

25 *Human Resources Division*

26 1750-0100\$250,000

27 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

28 *Department of Fish and Game*

29 2330-0300\$1,000,000

30 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

31

Department of Transportation

32 1595-6368\$49,828,056

33 Commonwealth Transportation Fund100%

34 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

35 *Military Division*

36 8700-1150\$8,700,000

37 SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide
38 for an alteration of purpose for current appropriations and to meet certain requirements of law,
39 the sums set forth in this section are hereby appropriated from the General Fund unless
40 specifically designated otherwise in this section, for the several purposes and subject to the
41 conditions specified in this section, and subject to the laws regulating the disbursement of public
42 funds for the fiscal year ending June 30, 2017. These sums shall be in addition to any amounts
43 previously appropriated and made available for the purposes of those items. These sums shall be
44 made available until June 30, 2018.

45 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

46 *Reserves*

47 1599-3224 For a reserve for costs associated with taxes owed to the city of Boston for the
48 property at 100 Cambridge street.....\$1,429,179

49 SECTION 2B. To provide for supplementing certain intragovernmental chargeback
50 authorizations in the general appropriation act and other appropriation acts for fiscal year 2017,

51 to provide for certain unanticipated intragovernmental chargeback authorizations, to provide for
52 an alteration of purpose for current intragovernmental chargeback authorizations, and to meet
53 certain requirements of law, the sums set forth in this section are hereby authorized from the
54 Intragovernmental Service Fund for the several purposes specified in this section or in the
55 appropriation acts, and subject to the provisions of law regulating the disbursement of public
56 funds for the fiscal year ending June 30, 2017. These sums shall be in addition to any amounts
57 previously authorized and made available for the purposes of those items. These sums shall be
58 made available until June 30, 2018.

59 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

60 *Office of the Secretary*

61 4000-0102\$353,021

62 SECTION 2C.I. For the purpose of making available in fiscal year 2018 balances of
63 appropriations which otherwise would revert on June 30, 2017, the unexpended balances of the
64 appropriations listed below, not to exceed the amount specified below for each item, are hereby
65 re-appropriated for the purposes of and subject to the conditions stated for the corresponding
66 item in section 2 of chapter 133 of the acts of 2016. However, for items which do not appear in
67 section 2 of the general appropriation act, the amounts in this section are re-appropriated for the
68 purposes of and subject to the conditions stated for the corresponding item in section 2 or 2A of
69 this act or in prior appropriation acts. Amounts in this section are re-appropriated from the fund
70 or funds designated for the corresponding item in section 2 of said chapter 133; provided,
71 however, that for items which do not appear in section 2 of said chapter 133, the amounts in this
72 section are re-appropriated from the fund or funds designated for the corresponding item in

73 section 2 or 2A of this act or in prior appropriation acts. The unexpended balance of each
74 appropriation in the Massachusetts management accounting and reporting system with a
75 secretariat code of 01 or 17 is hereby re-appropriated for the purposes of and subject to the
76 conditions stated for the corresponding item in said section 2 of said chapter 133. The sums re-
77 appropriated in this section shall be in addition to any amounts available for said purposes.

78 INDEPENDENTS

79 *Office of the Treasurer and Receiver-General*

80 0610-0010\$350,000

81 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

82 *Reserves*

83 1599-0044\$80,000

84 1599-0054\$1,162,177

85 1599-0840\$300,000

86 1599-4445\$300,000

87 *Health Policy Commission*

88 1599-1450\$233,997

89 1599-2004\$83,326

90 *Center for Health Information and Analysis*

91 4100-0060\$1,772,625

92 MASSACHUSETTS OFFICE OF INFORMATION TECHNOLOGY

93 1790-0300\$2,653,323

94 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

95 *Department of Mental Health*

96 5046-0000\$900,000

97 *Department of Children and Families*

98 4800-0091\$160,000

99 *Department of Veteran Services*

100 1410-0018\$139,396

101 *Chelsea Soldiers Home*

102 4180-1100\$128,995

103 *Holyoke Soldiers Home*

104 4190-0300\$30,000

105 4190-1100\$587,579

106 COMMUNITY COLLEGES

107 *Northern Essex Community College*

108 7510-0200\$1,000,000

109 SECTION 3. Section 172 of chapter 6 of the General Laws, as appearing in the 2016 Official
110 Edition, is hereby amended by adding the following subsection:

111 (o) Notwithstanding any other provision of this section or any other general or special
112 law to the contrary, all gaming service employees shall be required to register with the
113 investigations and enforcement bureau established in section 6 of chapter 23K but the
114 Massachusetts gaming commission may, in its discretion, exempt certain gaming service
115 employees by job position from the registration requirement. The commission and the bureau
116 may require a gaming service employee to produce any information deemed necessary.

117 SECTION 4. Section 5 of chapter 18 of the General Laws, as so appearing, is hereby
118 amended by striking out, in lines 71 and 72, the words “and shall have a caseload of not more
119 than 60 recipients”.

120 SECTION 5. Section 2QQQ of chapter 29 of the General Laws is hereby amended by
121 striking out, in lines 4 and 5, as so appearing, the words “supplemental and incentive”.

122 SECTION 6. Subsection (b) of section 2RRRR of said chapter 29, as so appearing, is
123 hereby amended by adding the following sentence:- For the purpose of accommodating timing
124 discrepancies between the receipt of retained revenues and related expenditures, the department
125 may incur expenses and the comptroller may certify for payment amounts not to exceed the
126 lower of this authorization or the most recent revenue estimate as reported in the state accounting
127 system.

128 SECTION 7. Subsection (b) of section 2XXXX of said chapter 29, as appearing in
129 section 22 of chapter 47 of the acts of 2017, is hereby amended by inserting after the third
130 sentence the following sentence:- For the purpose of accommodating timing discrepancies
131 between the receipt of retained revenues and related expenditures, the department may incur
132 expenses and the comptroller may certify for payment amounts not to exceed the lower of this
133 authorization or the most recent revenue estimate as reported in the state accounting system.

134 SECTION 8. Said chapter 29 is hereby further amended by inserting after said section
135 2XXXX the following section:-

136 Section 2YYYY. In order to implement MassHealth's substance use disorder 1115
137 waiver demonstration project and to enhance and expand substance use disorder services, there
138 shall be a Substance Use Disorder Federal Reinvestment Trust Fund. There shall be credited to
139 the fund revenues equal to the amount of federal financial participation received by the General
140 Fund for expenditures for residential recovery services, transitional support services, family
141 recovery services, recovery support navigator services, recovery coach services and other new or
142 expanded substance use disorder treatment services and any other federal reimbursements,
143 grants, premiums, gifts, interest or other contributions from any source that are specifically
144 designated to be credited to the fund.

145 The secretary of health and human services shall be the trustee of the fund. The secretary may
146 expend from the fund, without further appropriation: (i) not more than \$21,000,000 annually to
147 expand the residential treatment system to treat individuals with a substance use disorder or co-
148 occurring mental health and substance use disorder; (ii) not more than \$14,000,000 annually to
149 expand access to medication-assisted treatment; (iii) not more than \$8,000,000 annually to

150 expand access to recovery treatment support services; and (iv) not more than \$4,000,000
151 annually to implement a standardized American Society of Addiction Medicine assessment and
152 care planning tool across substance use treatment providers. For the purpose of accommodating
153 timing discrepancies between the receipt of revenues and related expenditures, the fund may
154 incur expenses and the comptroller shall certify for payment amounts not to exceed the most
155 recent revenue estimate as certified by the director of MassHealth as reported in the state
156 accounting system. Amounts credited to the fund shall not be subject to further appropriation and
157 monies remaining in the fund at the end of a fiscal year shall not revert to the General Fund and
158 shall be available for expenditure in the subsequent fiscal year. Annually, not later than August
159 1, the secretary shall report to the house and senate committees on ways and means and the
160 senate and house chairs of the joint committee on mental health, substance use and recovery on
161 the revenue and expenditure activity within the fund.

162 SECTION 9. Section 2YYYY of chapter 29 of the General Laws is hereby repealed.

163 SECTION 10. Section 5H of said chapter 29, as appearing in the 2016 Official Edition,
164 is hereby amended by striking out the second sentence and inserting in place thereof the
165 following 2 sentences:- Not later than October 31, the state treasurer shall certify the amount of
166 actual receipts and distributions to claimants of abandoned property for the previous fiscal year
167 and, beginning in fiscal year 2013, the comptroller shall transfer 75 per cent of the growth in
168 abandoned property net revenue to the Commonwealth Stabilization Fund established in section
169 2H; provided, however, that such transfer shall be made prior to the certification of the
170 consolidated net surplus for the previous fiscal year as provided in section 5C. For the purposes
171 of this section, “abandoned property net revenue” shall mean the difference between abandoned

172 property receipts and distributions to claimants that exceeds the amount of net revenue collected
173 during the previous fiscal year.

174 SECTION 11. Section 184C of chapter 94 of the General Laws, as so appearing, is
175 hereby amended by striking out, in line 133, the words “, size and brand” and inserting in place
176 thereof the following words:- and brand, and may only vary in random weight.

177 SECTION 12. Chapter 118E of the General Laws is hereby amended by adding the
178 following section:-

179 Section 78. (a) The division shall develop an employer healthcare coverage form. Each
180 employer doing business in the commonwealth with 6 or more employees shall annually
181 complete and submit the form under oath. The form shall indicate whether the employer has
182 offered to pay or arrange for the purchase of health care insurance and information about such
183 health care insurance such as the premium cost, benefits offered, cost-sharing details, eligibility
184 criteria and other information deemed necessary by the division; provided, however, that the
185 information collected through the form shall not be used to deny or terminate MassHealth
186 eligibility for nondisabled persons who would otherwise qualify for a program of medical
187 benefits pursuant to this chapter who have access to employer sponsored health insurance.

188 The division may make arrangements with other agencies of the commonwealth,
189 including the department of unemployment assistance and the department of revenue, to assist
190 with the administration of this section. Employers shall provide supplemental information that is
191 necessary to implement section 189A of chapter 149 to the division or its designee upon request.
192 An employer receiving information that identifies or could be used to identify a MassHealth

193 member or recipient of subsidized health insurance shall not use or disclose such information
194 except as authorized by the division.

195 (b) Notwithstanding any general or special law to the contrary, information reported
196 under subsection (a) that identifies individual employees by name or health insurance status or is
197 protected health information shall not be a public record under clause Twenty-sixth of section 7
198 of chapter 4 or chapter 66. Reported information may be exchanged among the executive office
199 of health and human services, the commonwealth health insurance connector authority, the
200 department of unemployment assistance, the center for health information and analysis and the
201 department of revenue as necessary to implement section 189A of chapter 149. An employer
202 who knowingly falsifies or fails to file any information required by this section shall be subject
203 to a penalty of not less than \$1,000 or more than \$5,000 for each violation.

204 SECTION 13. The second sentence of the second paragraph of said section 78 of said
205 chapter 118E, as appearing in section 12, is hereby amended by striking out the fifth sentence
206 and inserting in place thereof the following sentence:- Employers shall provide supplemental
207 information that is deemed necessary by the division or its designee upon request by the division.

208 SECTION 14. Subsection (b) of said section 78 of said chapter 118E, as so appearing, is
209 hereby amended by striking out the second sentence.

210 SECTION 15. Section 23 of chapter 119 of the General Laws, as appearing in the 2016
211 Official Edition, is hereby amended by striking out, in line 93, the word "or" and inserting in
212 place thereof the following words:- , including the parents of siblings who have custody of the
213 siblings, or.

214 SECTION 16. Subsection (a) of section 29B of said chapter 119, as so appearing, is
215 hereby amended by striking out the last 2 sentences and inserting in place thereof the following 4
216 sentences:- No child under the age of 16 shall have a permanency plan for another permanent
217 planned living arrangement. The department shall file a permanency plan prior to a permanency
218 hearing that shall address the above placement alternatives. The court shall consult with the child
219 in an age-appropriate manner about the permanency plan developed for the child, including for
220 children and young adults whose permanency plan is another permanency planned living
221 arrangement, asking the child or young adult their desired permanency plan. At each hearing
222 where the court determines that a permanency plan for a child is another permanency planned
223 living arrangement, the court shall specify why this plan is in the child's best interest and the
224 compelling reasons why it is not in the child's best interest to: (i) return home; (ii) be placed for
225 adoption; (iii) be placed with a legal guardian; or (iv) be placed in a permanency planned living
226 arrangement with other relatives.

227 SECTION 17. Subsection (c) of said section 29B of said chapter 119, as so appearing, is
228 hereby amended by striking out the third sentence and inserting in place thereof the following 2
229 sentences: In the case of a child who has attained age 14 or any young adult, the permanency
230 plan shall also address the services needed to assist the child or young adult in making the
231 transition from foster care to a successful adulthood; provided, however, that the court shall
232 consult with the child or young adult in an age-appropriate manner about the permanency plan. If
233 the permanency plan for the child is another permanency planned living arrangement, the
234 permanency plan shall address the efforts the department has made to place the child or young
235 adult with a parent or relative or in a guardianship or adoption placement.

236 SECTION 18. Section 121 of chapter 140 of the General Laws, as so appearing, is hereby
237 amended by inserting after the word “gun”, in line 100, the following words:- ; provided,
238 however, that “machine gun” shall include bump stocks and trigger cranks.

239 SECTION 19. Said section 121 of said chapter 140, as so appearing, is hereby amended
240 by inserting after the definition of “Assault weapon” the following definition:-

241 “Bump stock”, any device for a semiautomatic firearm that increases the rate of fire
242 achievable with such firearm by using energy from the recoil of the firearm to generate a
243 reciprocating action that facilitates repeated activation of the trigger.

244 SECTION 20. Said section 121 of said chapter 140, as so appearing, is hereby amended
245 by inserting after the definition of “Shotgun” the following definition:-

246 “Trigger crank”, any device to be attached to a semiautomatic firearm that repeatedly
247 activates the trigger of the firearm through the use of a lever or other part that is turned in a
248 circular motion; provided, however, that “trigger crank” shall not include any firearm initially
249 designed and manufactured to fire through the use of a crank or lever.

250 SECTION 21. Paragraph (o) of section 131 of said chapter 140, as so appearing, is
251 hereby amended by adding the following sentence:- Clauses (i) and (ii) of this paragraph shall
252 not apply to bump stocks and trigger cranks as defined in section 121.

253 SECTION 22. Section 10 of chapter 183A of the General Laws, as so appearing, is
254 hereby amended by inserting, after the word “kept”, in line 73, the following:- which shall be
255 made available to the unit owners through electronic mail upon request.

256 SECTION 23. Chapter 224 of the acts of 2012 is hereby amended by inserting after
257 section 254 the following section:-

258 Section 254A. (a) For the purposes of this section, the following words shall have the
259 following meanings unless the context clearly requires otherwise:

260 “Behavior management monitoring”, monitoring of a child’s behavior, the
261 implementation of a behavior plan and reinforcing implementation of a behavior plan by the
262 child’s parent or other caregiver.

263 “Behavior management therapy”, therapy that addresses challenging behaviors that
264 interfere with a child’s successful functioning; provided, however, that “behavior management
265 therapy” shall include assessment, development of a behavior plan and supervision and
266 coordination of interventions to address specific behavioral objectives or performance, including
267 the development of a crisis-response strategy; and provided further, that “behavior management
268 therapy” may include short-term counseling and assistance.

269 “Child” a person under the age of 21.

270 “Family support and training”, a service provided to a parent or other caregiver of a child
271 to improve the capacity of the parent or caregiver to ameliorate or resolve the child’s emotional
272 or behavioral needs and to parent; provided, however, that such service shall be provided where
273 the child resides, including in the child’s home, a foster home, a therapeutic foster home or
274 another community setting.

275 “In-home behavioral services”, a combination of behavior management therapy and
276 behavior management monitoring; provided, however, that such services shall be provided where

277 the child resides, including in the child’s home, a foster home, a therapeutic foster home or
278 another community setting.

279 “In-home therapy”, therapeutic clinical intervention or ongoing training and therapeutic
280 support; provided however, that the intervention or support shall be provided where the child
281 resides, including in the child’s home, a foster home, a therapeutic foster home or another
282 community setting.

283 “Mobile crisis intervention”, a short-term, mobile, on-site, face-to-face therapeutic
284 response service that is available 24 hours a day, 7 days a week to a child experiencing a
285 behavioral health crisis to identify, assess, treat and stabilize a situation and reduce the
286 immediate risk of danger to the child or others; provided, however, that the intervention shall be
287 consistent with the child’s risk management or safety plan, if any.

288 “Ongoing therapeutic training and support”, services that support implementation of a
289 treatment plan pursuant to therapeutic clinical intervention that shall include, but not be limited
290 to, teaching the child to understand, direct, interpret, manage and control feelings and emotional
291 responses to situations and assisting the family in supporting the child and addressing the child’s
292 emotional and mental health needs.

293 “Therapeutic clinical intervention”, intervention that shall include: (i) a structured and
294 consistent therapeutic relationship between a licensed clinician and a child and the child’s family
295 to treat the child’s mental health needs, including improvement of the family’s ability to provide
296 effective support for the child and promotion of healthy functioning of the child within the
297 family; (ii) the development of a treatment plan; and (iii) using established psychotherapeutic

298 techniques, working with the family or a subset of the family to enhance problem solving, limit
299 setting, communication, emotional support or other family or individual functions.

300 “Therapeutic mentoring services”, services provided to a child designed to support age-
301 appropriate social functioning or to ameliorate deficits in the child’s age-appropriate social
302 functioning; provided, however, that such services may include supporting, coaching and
303 training the child in age-appropriate behaviors, interpersonal communication, problem solving,
304 conflict resolution and relating appropriately to other children and adolescents and to adults in
305 recreational and social activities; and provided further, that such services shall be provided where
306 the child resides, including in the child’s home, a foster home, a therapeutic foster home or
307 another community setting.

308 (b) The annual report submitted by carriers and contractor pursuant to section 254 shall
309 include a certification that their coverage includes the following mental health home-based and
310 community-based services for a child: (i) intensive care coordination for a child with a serious
311 emotional disturbance; (ii) mobile crisis intervention; (iii) family support and training; (iv) in-
312 home therapy; (v) therapeutic mentoring services; and (vi) in-home behavioral services. The
313 certification shall substantiate that networks for the provided services are active and adequate to
314 ensure access.

315 (c) The commissioner may promulgate regulations or guidelines to implement this
316 section.

317 SECTION 24. Item 1233-2350 of section 2 of chapter 133 of the acts of 2016 is hereby
318 amended by striking out the words “State Lottery and Gaming Fund” and inserting in place
319 thereof the following words:- Gaming Local Aid Fund.

320 SECTION 25. Item 9110-1630 of said section 2 of said chapter 133 is hereby amended
321 by inserting after the word “program”, in line 27, the following words:- ; provided further, that
322 the secretary of elder affairs may transfer funds appropriated in this item to item 9110-1500 for
323 the provision of enhanced home care services.

324 SECTION 26. Said item 9110-1630 of said section 2 of said chapter 133 is hereby
325 further amended by striking out the words

326 General Fund.....95%

327 Community First Trust Fund.....5%", inserted by section 29 of chapter 283 of the
328 acts of 2016, and inserting in place thereof the following words :-

329 General Fund.....86.32%

330 Community First Trust Fund.....13.68%

331 SECTION 27. The second paragraph of section 136 of chapter 219 of the acts of 2016 is
332 hereby amended by striking out, in line 3, the word “March” and inserting in place thereof the
333 following word:- December.

334 SECTION 28. Item 0940-0101 of section 2 of chapter 47 of the acts of 2017 is hereby
335 amended by striking out the figure “\$2,468,211” and inserting in place thereof the following
336 figure:- \$3,100,000.

337 SECTION 29. Item 1410-0012 of said section 2 of said chapter 47 is hereby amended by
338 adding after the words “Grace Veterans Program”, the following words:- ; provided further, that
339 not less than \$25,000 shall be expended for the Disabled American Veterans in the city of

340 Lawrence for the purpose of creating a shuttle service for disabled veterans.

341 SECTION 30. Said section 2 of said chapter 47 is hereby further amended by inserting
342 after item 1410-0018 the following item:-

343 1410-0022 For the operation of a comprehensive program to enhance employment
344 opportunities and outcomes among veterans by assisting businesses to attract, hire, train and
345 retain veterans under section 2C of chapter 115 of the General Laws \$100,000

346 SECTION 31. Said section 2 of said chapter 47 is hereby further amended by striking
347 out the item number 1599-1690 and inserting in place thereof the following item number:- 1599-
348 1691.

349 SECTION 32. Said item 1599-1690 of said section 2 of said chapter 47, as amended by
350 section 22, is hereby further amended by inserting after the words “said transfer”, the following
351 words:- ; provided further, that not more than \$13,511,090 from this item shall be expended for
352 payroll costs incurred in fiscal year 2017 by the 14 sheriffs’ offices; and.

353 SECTION 33. Said section 2 of said chapter 47 is hereby further amended by inserting
354 after item 1599-1977 the following 2 items:-

355 1599-2003 For the purpose of funding the Uniform Law Commission; provided, that
356 prior fiscal year payments may be payable from this item \$50,000

357 1599-3222 For a reserve to fund the administrative costs associated with the
358 implementation of an employer contribution including, but not limited to, costs of
359 commonwealth personnel, contracts and the purchase of new information technologies as
360 necessary; provided, that the secretary may transfer from this item to other items of appropriation

361 and allocations as are necessary to meet those costs where the amounts otherwise available are
362 insufficient for the purpose in accordance with a transfer plan which shall be filed in advance
363 with the house and senate committees on ways and means; provided further, that the executive
364 office for administration and finance shall report to the house and senate committees on ways
365 and means not later than January 1, 2018, and quarterly thereafter, on the implementation of the
366 contribution established in section 189A of chapter 149 of the General Laws and such report
367 shall include, but not be limited to: (i) a detailed summary of expenditures associated with the
368 implementation of the contribution; (ii) the number of employers subject to the contribution; (iii)
369 the number of employees who receive health insurance coverage through the division of medical
370 assistance; (iv) the number of appeals filed with the department of unemployment assistance,
371 including the status of those appeals; and (v) an estimate of total collections from the
372 contribution for fiscal year 2018; and provided further, that the secretary shall only transfer such
373 amounts to other items of appropriation and allocations within the executive office for
374 administration and finance, the executive office of health and human services, the executive
375 office of labor and workforce development, the department of revenue and the department of
376 unemployment assistance \$2,925,694.

377 SECTION 34. Item 2330-0100 of said section 2 of said chapter 47 is hereby amended by
378 inserting after the penultimate proviso the following proviso:- ; provided further, that not less
379 than \$450,000 shall be expended for a program of collaborative research by the division of
380 marine fisheries through the Massachusetts Marine Fisheries Institute, in collaboration with the
381 School for Marine Science and Technology at the University of Massachusetts at Dartmouth, that
382 applies innovative technology to assess the biomass of fish in the region managed by the New
383 England Fishery Management Council.

384 SECTION 35. Said section 2 of said chapter 47 is hereby further amended by inserting
385 after item 4000-0051 the following item:-

386 4000-0250 For the executive office of health and human Services which may expend for
387 the costs of the operations and maintenance of the health insurance exchange not more than
388 \$15,000,000 from monies received from the commonwealth health insurance connector
389 authority; provided, that for the purpose of accommodating timing discrepancies between the
390 receipt of retained revenues and related expenditures, the office may incur expenses and the
391 comptroller may certify for payment amounts not to exceed the lower of this authorization or the
392 most recent revenue estimate as reported in the state accounting system; and provided further,
393 that any unspent balance at the close of fiscal year 2018 shall remain in the account and may be
394 expended for this item in fiscal year 2019.....\$15,000,000.

395 SECTION 36. Item 4513-1000 of said section 2 of said chapter 47 is hereby amended by
396 inserting after the penultimate proviso the following proviso:- ; provided further, that not less
397 than \$100,000 shall be expended for the program's critical congenital heart defects screening
398 activities.

399 SECTION 37. Said section 2 of said chapter 47 is hereby further amended by striking
400 out item 7002-1075.

401 SECTION 38. Item 8324-0000 of said section 2 of said chapter 47 is hereby amended by
402 inserting after the word "option" the following words: - ; provided further, that notwithstanding
403 any general or special law to the contrary, 100 per cent of the amount appropriated in this item
404 for the administration of the department of fire services, the state fire marshal's office, the
405 Massachusetts firefighting academy, critical incident stress management programs, the On-Site

406 Academy, other fire training academies, the regional dispatch centers, the radio and dispatch
407 center improvements and the associated fringe benefits costs of personnel paid from this item for
408 these purposes shall be assessed upon insurance companies writing fire, homeowners' multiple
409 peril or commercial multiple peril policies on property situated in the commonwealth and paid
410 within 30 days after receiving notice of the assessment from the commissioner of insurance.

411 SECTION 39. Item 2000-1701 of section 2B of said chapter 47 is hereby amended by
412 striking out the figure "\$1,535,671", and inserting in place thereof the following figure:-
413 \$3,150,000.

414 SECTION 40. Item 4000-0102 of said section 2B of said chapter 47 is hereby amended
415 by striking out the figure "\$8,878,161", and inserting in place thereof the following figure:-
416 \$11,914,066

417 SECTION 41. Section 2E of said chapter 47 is hereby amended by striking out item
418 1595-1068 and inserting in place thereof the following item:-

419 1595-1068 For an operating transfer to the MassHealth provider payment account in the
420 Medical Assistance Trust Fund established in section 2QQQ of chapter 29 of the General Laws;
421 provided, that these funds shall be expended for services provided during state or federal fiscal
422 year 2016, 2017 or 2018 or for public hospital transformation and incentive initiative payments
423 for state fiscal year 2017 or 2018 or for Medicaid care organization payments under 42 CFR
424 438.6(c) for rate year 2018; provided further, that all payments from the Medical Assistance
425 Trust Fund shall be: (i) subject to the availability of federal financial participation; (ii) made only
426 under federally-approved payment methods; (iii) consistent with federal funding requirements
427 and all federal payment limits as determined by the secretary of health and human services; and

428 (iv) subject to the terms and conditions of an agreement with the executive office of health and
429 human services; provided further, that the secretary of health and human services shall notify, in
430 writing, the house and senate committees on ways and means and the joint committee on health
431 care financing of increases or decreases in any payments made within the term of the current
432 1115 waiver or other state plan amendments within 15 days; and provided further, that the
433 secretary of health and human services shall utilize funds from the Medical Assistance Trust
434 Fund to make payments of up to \$492,955,903 to the Cambridge public health commission or to
435 Medicaid care organizations for payment to the Cambridge public health commission if the
436 Cambridge public health commission, in anticipation of receiving such payments, first
437 voluntarily transfers an amount equal to the nonfederal share of such payments to the Medical
438 Assistance Trust Fund using a federally-permissible source of funds.....\$747,100,000.

439 SECTION 42. Said section 2E of said chapter 47 is hereby further amended by inserting
440 after item 1595-1069 the following item under the following caption:-

441 EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

442 Department of Career Services

443 1595-1075 For an operating transfer to the Workforce Competitiveness Trust Fund
444 established in section 2WWW of chapter 29 of the General Laws.....\$1,000,000

445 SECTION 43. Section 133 of said chapter 47 is hereby amended by striking out the first
446 sentence and inserting in place thereof the following sentence:- The registry of motor vehicles,
447 in cooperation with the department of conservation and recreation, shall offer for purchase an
448 annual MassParks pass and a senior MassParks pass to cover fees for parking for 1 calendar year

449 at state-owned facilities where parking fees are charged to applicants for the issuance or renewal
450 of a motor vehicle registration or license to operate a motor vehicle.

451 SECTION 44. Chapter 63 of the acts of 2017 is hereby amended by striking out section
452 15 and inserting in place thereof the following section:-

453 Section 15. Sections 1, 3, 5, 7 and 9 shall take effect on January 1, 2018.

454 SECTION 45. Notwithstanding section 10 of chapter 70B of the General Laws or any
455 other general or special law to the contrary, in determining the grant percentage for the fiscal
456 year 2018 approved school projects, the Massachusetts School Building Authority shall calculate
457 the community poverty factor by examining the proportion of economically disadvantaged
458 students from calendar year 2015 to the present and assigning whichever year's factor is the
459 highest as determined by the department of elementary and secondary education.

460 SECTION 46. Section 45 is hereby repealed.

461 SECTION 47. Notwithstanding any general or special law to the contrary, unexpended
462 balances from item 7004-9024 of section 2 of chapter 133 of the acts of 2016 shall revert to the
463 General Fund at the end of fiscal year 2017.

464 SECTION 48. Notwithstanding any general or special law to the contrary, before the
465 close of fiscal year 2017 and upon the recommendation of the secretary of administration and
466 finance and the secretary of health and human services or their designees, the comptroller shall
467 adjust any fiscal year 2017 appropriation fund split against or transferred out of the Community
468 First Trust Fund established in section 35AAA of chapter 10 of the General Laws to match final
469 department fiscal year 2017 Community First Trust Fund expenditures.

470 SECTION 49. Notwithstanding any general or special law to the contrary, the executive
471 office for administration and finance may transfer up to \$15,000,000 from the Commonwealth
472 Care Trust Fund established in section 2000 of chapter 29 of the General Laws to the Health
473 Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws.

474 SECTION 50. Notwithstanding any general or special law to the contrary, payments
475 from the Health Safety Net Trust Fund established in section 66 of chapter 118E of the General
476 Laws may be made either as safety net care payments under the commonwealth's waiver
477 pursuant to section 1115 of the federal Social Security Act or as an adjustment to Title XIX
478 service rate payments or a combination of both. Other federally-permissible funding mechanisms
479 available for public service hospitals as defined by the regulations of the executive office of
480 health and human services may be used to reimburse up to \$70,000,000 of uncompensated care
481 pursuant to said sections 66 and section 69 of said chapter 118E using sources distinct from the
482 funding made available to the Health Safety Net Trust Fund.

483 SECTION 51. Notwithstanding any general or special law to the contrary, any
484 unexpended balances, not exceeding a total of \$20,000,000, in items 4000-0600, 4000-0700 and
485 4000-1425 of section 2 of chapter 133 of the acts of 2016 shall not revert to the General Fund
486 until September 1, 2017 and may be expended by the executive office of health and human
487 services to pay for services enumerated in said items 4000-0600, 4000-0700 and 4000-1425
488 provided during fiscal year 2017.

489 SECTION 52. Notwithstanding any general or special law to the contrary, the secretary
490 of health and human services, with the written approval of the secretary of administration and
491 finance, may authorize transfers of surplus among items 4000-0320, 4000-0430, 4000-0500,

492 4000-0600, 4000-0640, 4000-0700, 4000-0875, 4000-0880, 4000-0885, 4000-0940, 4000-0950,
493 4000-0990, 4000-1400, 4000-1420 and 4000-1425 for the purpose of reducing any deficiency in
494 these items but any such transfer shall be made not later than September 30, 2017.

495 SECTION 53. The executive office of public safety and security shall notify individuals
496 licensed under chapter 140 of the General Laws of the changes to laws made in sections 18 to 21,
497 inclusive, of this act and the effective date of those changes. The executive office shall also
498 notify manufacturers of bump stocks and trigger cranks of the changes made under said sections
499 18 to 21, inclusive, and the effective date of those changes.

500 SECTION 54. Not later than December 31, 2019, the Massachusetts gaming commission
501 shall file a report with the house and senate committees on ways and means on any gaming
502 service employee job positions that were exempted from the requirements of subsection (o) of
503 section 172 of chapter 6 of the General Laws, as amended by section 3.

504 SECTION 55. Sections 18 to 21, inclusive, shall take effect 90 days after the effective
505 date of this act; provided, however, that no person shall purchase, sell or offer for sale a bump
506 stock or trigger crank in violation of chapter 140 of the General Laws after the effective date of
507 this act.

508 SECTION 56. Section 9 shall take effect on June 30, 2023.

509 SECTION 57. Sections 13 and 14 shall take effect on December 31, 2019.

510 SECTION 58. Section 46 shall take effect on June 30, 2018.