

# SENATE . . . . . No. 2481

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## The Commonwealth of Massachusetts

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

SENATE, April 23, 2018

The committee on Ways and Means, to whom was referred the House Bill making appropriations for the fiscal year 2018 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4382),-- reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2481.

[Direct appropriation: \$143,700,000]

For the committee,  
Karen E. Spilka

# SENATE . . . . . No. 2481

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## The Commonwealth of Massachusetts

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

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

### SECTION 2.

#### JUDICIARY

##### *Board of Bar Examiners*

0321-0100 .....	\$25,000
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#### DISTRICT ATTORNEYS

##### *Northwestern District Attorney*

0340-0600 .....	\$468,000
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##### *Norfolk District Attorney*

0340-0700 .....	\$174,404
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#### OFFICE OF THE SECRETARY OF STATE

##### *Office of the Secretary of State*

0521-0000 .....	\$276,514
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21	OFFICE OF THE INSPECTOR GENERAL	
22	<i>Office of the Inspector General</i>	
23	0910-0210 .....	\$50,000
24	EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE	
25	<i>Reserves</i>	
26	1599-3384 .....	\$12,000,000
27	1599-3856 .....	\$400,000
28	EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS	
29	<i>Office of the Secretary of Energy and Environmental Affairs</i>	
30	2030-1004 .....	\$37,000
31	<i>Department of Conservation and Recreation</i>	
32	2820-0101 .....	\$157,396
33	EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES	
34	<i>Office of the Secretary</i>	
35	4000-0700 .....	\$1,000,000
36	<i>Department of Public Health</i>	
37	4513-1012 .....	\$600,000
38	4590-0912 .....	\$1,000,000
39	<i>Department of Transitional Assistance</i>	
40	4403-2000 .....	\$25,633,697
41	<i>Department of Children and Families</i>	
42	4800-0200 .....	\$2,000,000
43	<i>Department of Developmental Services</i>	
44	5911-1003 .....	\$2,000,000
45	<i>Department of Veterans' Services</i>	
46	1410-0400 .....	\$5,300,000
47	EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT	
48	<i>Department of Housing and Community Development</i>	
49	7004-0101 .....	\$19,263,955

50	EXECUTIVE OFFICE OF EDUCATION	
51	<i>Department of Elementary and Secondary Education</i>	
52	7061-0012 .....	\$8,500,000
53	EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY	
54	<i>Chief Medical Examiner</i>	
55	8000-0105 .....	\$233,566
56	<i>Military Division</i>	
57	8700-0001 .....	\$608,000
58	<i>Department of Correction</i>	
59	8900-0001 .....	\$4,450,000
60	8900-0010 .....	\$567,079
61	<i>Parole Board</i>	
62	8950-0001 .....	\$502,400

63       SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to  
64 provide for alterations of purpose for current appropriations and to meet certain requirements of  
65 law, the sums set forth in this section are hereby appropriated from the General Fund unless  
66 specifically designated otherwise in this section, for the several purposes and subject to the  
67 conditions specified in this section and subject to the laws regulating the disbursement of public  
68 funds for the fiscal year ending June 30, 2018.

69	CANNABIS CONTROL COMMISSION	
70	<i>Cannabis Control Commission</i>	
71	1070-0841 For the implementation of section 51 of chapter 55 of the acts of 2017 .....	\$2,000,000

72	EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE	
73	<i>Reserves</i>	
74	1599-0014 For a reserve to fund the costs associated with assisting the residents of Puerto Rico	
75	or the United States Virgin Islands who have arrived in the commonwealth due to the impact of	

76 hurricanes Maria and Irma including, but not limited to: (i) transportation costs, including travel  
77 from the commonwealth to Puerto Rico or to the United States Virgin Islands; (ii) immediate  
78 living and related expenses; and (iii) costs incurred by political subdivisions of the  
79 commonwealth; provided, that the secretary of administration and finance may transfer from this  
80 item to other items of appropriation and allocations thereof for fiscal years 2018 and 2019  
81 amounts necessary to meet these costs where the amounts otherwise available are insufficient for  
82 the purpose, in accordance with a transfer plan which shall be filed in advance with the chairs of  
83 the house and senate committees on ways and means; and provided further, that the funds  
84 appropriated in this item in fiscal year 2018 shall not revert but shall be made available for these  
85 purposes through June 30, 2019.....\$2,500,000

86 1599-4448 For a reserve to meet the costs of salary adjustments and other economic benefits  
87 authorized by: (i) the collective bargaining agreement between the commonwealth and the  
88 Service Employees International Union, Local 509, Units 8 and 10; (ii) the collective bargaining  
89 agreement between the commonwealth and the American Federation of State, County and  
90 Municipal Employees, Unit 2; and (iii) future collective bargaining agreements, subject to the  
91 requirements of section 7 of chapter 150E of the General Laws.....\$15,500,000

92 1599-5000 For a reserve to reimburse the town of Buckland for costs incurred during tropical  
93 storm Irene .....\$520,895

94 1599-8910 For a reserve to remediate identified and approved deficiencies incurred by the  
95 sheriffs of the commonwealth.....\$21,076,186

96 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

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

98 7002-1506 For the Working Cities Challenge Initiative administered by the Federal Reserve  
99 Bank of Boston, competitive technical assistance grants to be administered by the executive  
100 office of housing and economic development in coordination with the Federal Reserve Bank of

Boston, to provide multi-year support to initiatives that advance cross-sector collaboration among the public, private and nonprofit sectors; provided, that in order to qualify for funding, a project proposal shall catalyze and accelerate initiatives that create new or stronger working relationships between key institutions, agencies, organizations and businesses within municipalities with: (i) a population of more than 35,000 but not more than 250,000; (ii) a median family income that is below the median of similarly-sized municipalities; and (iii) a median poverty rate that is above the median for similarly-sized municipalities; provided further, that the Federal Reserve Bank of Boston shall identify additional program eligibility requirements; and provided further, that the state appropriation for this program office shall not be greater than the contribution from the private sector and other institutions.....\$500,000

SECTION 2B. To provide for supplementing certain intragovernmental chargeback authorizations in the general appropriation act and other appropriation acts for fiscal year 2018, to provide for certain unanticipated intragovernmental chargeback authorizations, to provide for alterations of purpose for current intragovernmental chargeback authorizations and to meet certain requirements of law, the sums set forth in this section are hereby authorized from the Intragovernmental Service Fund for the several purposes specified in this section or in the appropriation acts and subject to laws regulating the disbursement of public funds for the fiscal year ending June 30, 2018. These sums shall be in addition to any amounts previously authorized and made available for the purposes of those items purposes

#### EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

##### *Reserves*

1599-2040 .....\$30,000,000

#### EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

##### *Massachusetts Commission for the Deaf and Hard of Hearing*

4125-0122 .....\$100,000

SECTION 2E. The sums set forth in this section are hereby appropriated for transfer from the General Fund to the fund named within the corresponding item in section 2E of chapter 47 of the acts of 2017 unless specifically designated otherwise in said section 2E of said chapter 47, for the purposes and subject to the conditions specified in this act and said section 2E and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2018. This sum shall be in addition to any amounts previously appropriated and made available for the purposes of those items.

#### EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

##### *Office of the Secretary*

1595-1069 .....\$15,000,000

#### TRANSPORTATION

##### *Massachusetts Department of Transportation*

1595-6370 .....\$3,000,000

Commonwealth Transportation Fund.....100%

SECTION 3. Section 35AA of chapter 10 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out, in line 9, the word “(c)” and inserting in place thereof the following word:- (b).

SECTION 4. Section 12 of chapter 12C of the General Laws, as so appearing, is hereby amended by striking out, in lines 11 and 12, the words “the operation of the database or its functions” and inserting in place thereof the following words:- control of the database.

SECTION 5. Section 2SSSS of chapter 29 of the General Laws, as so appearing, is hereby amended by striking out, in line 6, the first time it appears, the word “and”.

SECTION 6. Said section 2SSSS of said chapter 29, as so appearing, is hereby further amended by inserting after the word “waiver”, in line 9, the following words:- “; and (iii) other federally-approved delivery system reform incentive program purposes”.

SECTION 7. Section 4 of chapter 30B of the General Laws, as so appearing is hereby amended by inserting after the figure “5”, in line 12, the following words:- or section 6.

SECTION 8. Section 1B of chapter 41 of the General Laws, as so appearing, is hereby amended by striking out, in line 1, the word “Any” and inserting in place thereof the following words:- (a) Any.

SECTION 9. The introductory paragraph of said section 1B of said chapter 41, as so appearing, is hereby further amended by striking out the second sentence.

SECTION 10. Said section 1B of said chapter 41, as so appearing, is hereby further amended by adding the following subsection:-

(b) For the purposes of this section, the positions of town treasurer and collector of taxes, elected pursuant to section 1, may be combined into a single position and become an appointed position in the manner provided in this section. Such acceptance by the voters shall be in the form of the following question, to be placed on the official ballot:

Shall the town vote to have its elected offices of town treasurer and collector of taxes become an appointed office of treasurer-collector? Yes \_\_\_\_\_ No \_\_\_\_\_

If a majority of votes cast in answer to the question is in the affirmative, the elected offices of town treasurer and collector of taxes shall be combined and become 1 appointed office of treasurer-collector in accordance with this section.



169 An incumbent in the office of town treasurer or collector of taxes serving at the time of  
170 acceptance by the voters or an individual elected to the office of collector of taxes or office of  
171 treasurer at the same election under this section shall hold that office and perform the duties  
172 thereof until the appointment to the office of treasurer-collector is otherwise made under this  
173 section.

174 SECTION 11. Section 20 of chapter 44 of the General Laws, as so appearing, is hereby  
175 amended by striking out the fifth sentence and inserting in place thereof the following 3  
176 sentences:- A premium received upon the sale of a note, less the cost of preparing, issuing and  
177 marketing the note, and any accrued interest received upon the delivery of the note, shall be  
178 applied to the first payment of interest on the note. A premium received upon the sale of a bond,  
179 less the cost of preparing, issuing and marketing the bond, and any accrued interest received  
180 upon the delivery of the bond shall: (i) in the case of a bond sold by a city or town that has been  
181 excluded under section 21C of chapter 59 or a bond sold by a regional school district for which a  
182 member city or town has excluded its share of the bond, be applied by the treasurer to pay costs  
183 of the project being financed by the bond and to reduce the amount authorized to be borrowed  
184 for the project by a like amount; or (ii) in the case of any other bond, be applied by the treasurer  
185 to pay costs of the project being financed by the bond and to reduce the amount authorized to be  
186 borrowed for the project by a like amount or, if not so applied, appropriated to pay costs of a  
187 project for which the city, town or district has authorized or may authorize a borrowing.  
188 Notwithstanding this section, any premium and accrued interest received on account of an issue  
189 of a bond, less the cost of preparing, issuing and marketing the bond, not in excess of \$50,000  
190 may be applied, with the approval of the chief executive officer, for the payment of indebtedness.

191 SECTION 12. Section 31 of said chapter 44, as so appearing, is hereby amended by  
192 striking out, in line 28, the word "council" and inserting in place thereof the following word:-  
193 counsel.

194 SECTION 13. Section 2A of chapter 61A of the General Laws, as so appearing, is hereby  
195 amended by striking out, in line 6, the figure "25" and inserting in place thereof the following  
196 figure:- 25A.

197           SECTION 14. Section 21 of chapter 62C of the General Laws, as so appearing, is hereby  
198 amended by striking out, in line 162, the words “and chapter 64L” and inserting in place thereof  
199 the following words:- , chapter 64L and section 3 of chapter 64N.

200           SECTION 15. Section 6 of chapter 64H of the General Laws, as so appearing, is hereby  
201 amended by inserting after the word “provided”, in line 98, the following words:- , marijuana  
202 products as defined in section 1 of chapter 94G.

203           SECTION 16. Sections 66 to 73, inclusive, of chapter 94 of the General Laws are hereby  
204 repealed.

205           SECTION 17. Sections 303A to 303E, inclusive, of said chapter 94 are hereby repealed.

206           SECTION 18. Section 13 chapter 94G of the General Laws is hereby amended by  
207 striking out, in lines 3 and 13, as appearing in the 2016 Official Edition, the figure “8” and  
208 inserting in place thereof, in each instance, the following figure:- 7.

209           SECTION 19. Section 2 of chapter 94I of the General Laws, inserted by section 44 of  
210 chapter 55 of the acts of 2017, is hereby amended by adding the following subsection:-

211           (f) An entity required to register with the secretary of the commonwealth pursuant to  
212 chapters 156C, 156D or 180 and organized for the purpose of operating as a registered marijuana  
213 treatment center in the commonwealth may specify as its lawful corporate purpose the conduct of  
214 all activities of a marijuana treatment center authorized by this chapter.

215           SECTION 20. Section 224 of chapter 111 of the General Laws, as appearing in the 2016  
216 Official Edition, is hereby amended by striking out the first paragraph and inserting in place  
217 thereof the following paragraph:-

218           There shall be a commission on falls preventions within the department. The commission  
219 shall consist of: the commissioner of public health or a designee, who shall serve as chair; the  
220 secretary of elder affairs or a designee; the director of MassHealth or a designee; and 13  
221 members to be appointed by the governor, 1 of whom shall be a member of the Home Care  
222 Alliance of Massachusetts, Inc., 1 of whom shall be a member of the AARP, 1 of whom shall be  
223 a member of the Massachusetts Senior Care Association, Inc., 1 of whom shall be a member of  
224 the Massachusetts Association of Councils on Aging, Inc., 1 of whom shall be a member of the  
225 Massachusetts Medical Society Alliance, Inc., 1 of whom shall be a member of the  
226 Massachusetts Assisted Living Facilities Association, Inc., 1 of whom shall be a member of  
227 Massachusetts Home Care, Inc., 1 of whom shall be a member of the American Physical Therapy  
228 Association of Massachusetts, Inc., 1 of whom shall be a member of the Massachusetts  
229 Association for Occupational Therapy, Inc., 1 of whom shall be a member of the Massachusetts  
230 Pharmacists Association Foundation, Inc., 1 of whom shall have expertise in vision, 1 of whom  
231 shall have expertise in healthcare coverage and payment and 1 of whom shall have expertise in  
232 the built environment.

233           SECTION 21. Said section 224 of said chapter 111, as so appearing, is hereby further  
234 amended by striking out, in line 48, the word “annually” and inserting in place thereof the  
235 following word:-biannually.

236           SECTION 22. Section 17 of chapter 268A of the General Laws, as so appearing, is  
237 hereby amended by adding the following paragraph:-

238           This section shall not prevent a municipal employee from acting as an agent for, or performing a  
239 service on behalf of, the employee’s municipality and any one or more other governmental units,  
240 as defined by section 4A of chapter 40, under an intermunicipal agreement pursuant to said  
241 section 4A of said chapter 40, or as otherwise provided by law; provided, however, that the  
242 employee is acting within the scope of the employee’s duties under the agreement or law.

243           SECTION 23. Item 4000-0700 of section 2 of chapter 47 of the acts of 2017 is hereby  
244 amended by adding the following words:- ; provided further, that not less than \$1,000,000 shall

be made available to establish a 1-year pilot program to increase efficiencies and align system-wide goals within a regional hospital system located in western Massachusetts to improve the overall sustainability of the system and to create a comprehensive approach to system-wide needs and a transition into the structure of the new 1115 Medicaid Waiver; provided further, that the pilot program shall include measurable milestones that shall demonstrate progress in at least 1 of the following areas: (i) care coordination, integration and delivery transformations; (ii) electronic health records and information exchange advancements; (iii) increasing alternative payment methods and accountable care organizations; (iv) enhancing patient safety; (v) increasing access to behavioral health services; (vi) increasing coordination between system hospitals and community-based providers and organizations; and (vii) preparing the system to undertake risk as a potentially designated accountable care organization.

SECTION 24. Item 0910-0210 of said section 2 of said chapter 47 is hereby amended by striking out the figure “\$850,000”, each time it appears, and inserting in place thereof, in each instance, the following figure:- \$900,000.

SECTION 25. Item 2030-1004 of said section 2 of said chapter 47 is hereby amended by striking out the figure “\$333,000”, each time it appears, and inserting in place thereof, in each instance, the following figure:- \$370,000.

SECTION 26. Item 4000-0641 of said section 2 of said chapter 47 is hereby amended by striking out words “that not later than March 1, 2018, MassHealth shall report to the house and senate committees on ways and means on the impact on wages for direct care workers at the nursing homes receiving funds” and inserting in place thereof the following words:- that MassHealth shall provide to the house and senate committee on ways and means an interim report not later than June 15, 2018 and a final report not later than December 31, 2018 on the impact of wages for direct care workers at the nursing homes receiving funds.

SECTION 27. Item 4513-1012 of said section 2 of said chapter 47 is hereby amended by striking out the figure “\$26,200,000”, each time it appears, and inserting in place thereof, in each instance, the following figure:- \$26,800,000.

SECTION 28. Item 4590-0912 of said section 2 of said chapter 47 is hereby amended by striking out the figure “\$21,650,862”, each time it appears, and inserting in place thereof, in each instance, the following figure:- \$22,650,862.

SECTION 29. Item 7004-0108 of said section 2 of said chapter 47 is hereby amended by adding the following words:- ; provided further, that the undersecretary of housing and community development may transfer surplus funds appropriated in this item to item 7004-0101 to address deficiencies in said item 7004-0101; and provided further, that not more than \$3,000,000 shall be transferred from this item in fiscal year 2018.

SECTION 30. Item 1595-6370 of section 2E of said chapter 47 is hereby amended by adding the following words:- ; provided, that not more than \$2,000,000 of the funds allocated herein shall be transferred to regional transit authorities with severe budget deficits to mitigate service reductions; provided further, that recipients of such funds shall agree to remediation plans with the department to eliminate unfunded deficits in fiscal years 2018 and 2019; and provided further, that the department shall submit a report to the senate and house chairs of the joint committee on transportation and the senate and house chairs of the joint committee on ways and means not later than March 15, 2019 on the fiscal health and remediation efforts of each regional transit authority that received such mitigation funds.

SECTION 31. Sections 94, 95 of said chapter 47 are hereby repealed.

SECTION 32. Said chapter 47 is hereby amended by striking out section 125 and inserting in place thereof the following section:-

Section 125. Not later than September 15, 2018, the commissioner of revenue shall issue a report on the use of the commissioner’s authority to add reporting requirements pursuant to section 8 of chapter 62C of the General Laws. The report shall detail and provide an explanation for any changes made to the reporting requirements that differ from those required by the federal government and shall state a projected fiscal impact resulting from any such changes. Not later

than March 15, 2019, the commissioner of revenue shall issue a report describing the financial impact to the commonwealth of such additional reporting requirements, if any. The reports under this section shall be filed with the clerks of the senate and house of representatives, the senate and house chairs of the joint committee on revenue and the chairs of the senate and house committees on ways and means.

SECTION 33. Section 142 of said chapter 47 is hereby repealed.

SECTION 34. The last sentence of section 72 of chapter 55 of the acts of 2017 is hereby amended by striking out the words “or resulting from the plan of entity conversion” and inserting in place thereof the following words:- and necessary to effect the plan of entity conversion.

SECTION 35. The salary adjustments and other economic benefits authorized by the following collective bargaining agreements shall be effective for the purposes of section 7 of chapter 150E of the General Laws: (i) the agreement between the commonwealth and Unit 2 of the American Federation of State, County and Municipal Employees; and (ii) the agreement between the commonwealth and Units 8 and 10 of the Service Employees International Union, Local 509.

SECTION 36. Upon the deposit of sufficient funds in the Marijuana Regulation Fund established pursuant to section 14 of chapter 94G of the General Laws, the Massachusetts cannabis control commission established pursuant to section 76 of chapter 10 of the General Laws, shall transfer the same amount as appropriated in item 1070-0841 in fiscal year 2018, to the General Fund of the commonwealth established pursuant to section 2 of chapter 29 of the General Laws

SECTION 37. The first biannual report required to be filed pursuant to section 224 of chapter 111 of the General Laws shall be file not later than September 22, 2018.