

# **HOUSE . . . . . No. 4127**

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, October 15, 2019.

The committee on Ways and Means, to whom was referred the message from His Excellency the Governor recommending legislation relative to making appropriations for the fiscal year 2019 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4067), reports, in part, recommending that the accompanying bill ought to pass (House, No. 4127) [Total Appropriation: \$714,919,278.00].

For the committee,

AARON MICHLEWITZ.

**HOUSE . . . . . No. 4127**

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
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An Act making appropriations for the fiscal year 2019 to provide for supplementing certain existing appropriations and for certain other activities and projects.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which are forthwith to make supplemental appropriations for fiscal year 2019 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.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. To provide for supplementing certain items in the general appropriation act  
2 and other appropriation acts for fiscal year 2019, 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, 2019. 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, 2020.

9           SECTION 2.

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JUDICIARY

*Committee for Public Counsel Services*

0321-1510.....\$1,985,825

SECRETARY OF THE COMMONWEALTH

0540-1200.....\$400,000

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

*Reserves*

1599-0026.....\$4,000,000

1599-6903.....\$20,500,000

1599-8910.....\$7,800,000

*Group Insurance Commission*

1108-5500.....\$100,000

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

*Department of Agricultural Resources*

2511-0100 ..... \$5,000,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

*Office of the Secretary*

27 1595-1070.....\$16,300,000

28 4000-0641.....\$9,858,217

29 4000-0700.....\$296,500,000

30 *Department of Public Health*

31 4512-0205.....\$1,000,000

32 4590-1504.....\$10,000,000

33 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

34 *Department of Transportation*

35 1595-6368.....\$7,116,098

36 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

37 *Department of Housing and Community Development*

38 7004-0100.....\$71,800

39 7004-9007.....\$325,000

40 7004-9316.....\$2,274,232

41 *Division of Professional Licensure*

42 7006-0040.....\$350,000

43 *Division of Telecommunications and Cable*

44 7006-0071.....\$150,000

45 *Massachusetts Marketing Partnership*

46 7008-1116.....\$75,000

47 EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

48 *Office of the Secretary*

49 1595-1075.....\$3,372,500

50 Gaming Economic Development Fund.....100%

51 *Department of Career Services*

52 7003-0101.....\$1,948,449

53 7003-0800.....\$4,495,579

54 7003-0803.....\$1,600,000

55 EXECUTIVE OFFICE OF EDUCATION

56 *Office of the Secretary*

57 1595-7066.....\$1,500,000

58 Department of Elementary and Secondary Education

59 7035-0006.....\$2,571,960

60 7035-0008.....\$2,000,000

61	7061-0012	\$1,998,540
62	7061-9010	\$17,500,000
63	7061-9408	\$10,000,000

64 Department of Higher Education

65	7066-0009	\$310,000
66	7066-0015	\$1,500,000
67	7066-0021	\$1,221,418
68	7070-0065	\$17,500,000
69	7070-0066	\$500,000

70 Cape Cod Community College

71	7504-0100	\$100,000
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72 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

73 Military Division

74	8700-1150	\$8,702,548
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75 SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to  
76 provide for an alteration of purpose for current appropriations, and to meet certain requirements  
77 of law, the sums set forth in this section are hereby appropriated from the General Fund unless  
78 specifically designated otherwise in this section, for the several purposes and subject to the

79 conditions specified in this section, and subject to the laws regulating the disbursement of public  
80 funds for the fiscal year ending June 30, 2019. Except as otherwise stated, these sums shall be  
81 made available until June 30, 2020.

82 SECRETARY OF THE COMMONWEALTH

83 0521-0002 To implement early voting in the commonwealth for the presidential  
84 primaries as required by section 46 of this act.....\$750,000

85 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

86 *Reserves*

87 1599-1214 For a reserve for expansion, upgrades, or enhancements to staffing,  
88 operations, or infrastructure for new and existing facilities that treat men with an alcohol or  
89 substance use disorder under section 35 of chapter 123 of the General Laws; provided, that the  
90 secretary of administration and finance may transfer funds from this item to state agencies as  
91 defined in section 1 of chapter 29 of the General Laws.....\$16,363,882

92 1599-2019 For a reserve to provide extraordinary relief from the impacts of the July 23,  
93 2019 tornado in municipalities on Cape Cod, including but not limited to, the towns of Harwich,  
94 Chatham, Yarmouth, Barnstable and other affected municipalities with qualifying expenses  
95 otherwise insufficient to receive federal disaster relief; provided, that the secretary of  
96 administration and finance shall file a distribution plan along with a detailed description of the  
97 qualifying expenses for which municipalities will be reimbursed, 15 days in advance of the  
98 distribution, with the chairs of house and senate committees on ways and means.....\$2,500,000

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100 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

101 *Office of the Secretary*

102 1599-0718 For a reserve to fund the costs associated with efforts to enhance safety  
103 and mitigate harms stemming from the increased presence of great white sharks in the Cape Cod  
104 region, including but not limited to shark tagging, monitoring and surveillance activities and staff  
105 costs associated therewith.....\$195,000

106 *Department of Environmental Protection*

107 2250-2002 For the testing of potential per- and polyfluoroalkyl substances (PFAS)  
108 contamination of water supplies and for grants to support treatment and design of affected  
109 drinking water systems; provided, that any unexpended funds in this item shall not revert but  
110 shall be made available for the purpose of this item until June 30, 2021.....\$8,400,000

111 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

112 *Department of Elder Affairs*

113 9110-1635 For adjustments to rates and capitations for home and community based  
114 services provided through line items 9110-1630, 9110-0600, and 4000-0601; provided further  
115 that \$4,141,830 shall be provided for an adjustment to approved program rates issued under line  
116 items 9110-1630 and 9110-0600 to provide a rate add-on for wages, compensation and salary  
117 related costs for personnel providing homemaker and personal care homemaker services;  
118 provided further that \$5,941,400 shall be provided for adjusting rates for home health aide  
119 services funded through line item 4000-0601 for the purpose of providing Title XIX services;  
120 provided further, that said increases shall be distributed in consultation with the members and



121 leadership of the “Enough Pay to Stay” coalition, so-called; provided further, that the secretary  
122 of elder affairs, with the approval of the secretary of health and human services, and the secretary  
123 of administration and finance, may transfer funds from this item to line items 9110-1630, 9110-  
124 0600, and 4000-0601, or any other item necessary in order to ensure that all home health aides  
125 and personnel providing homemaker and personal care homemaker services receive an  
126 appropriate rate adjustment.....\$10,083,230

127 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

128 *Department of Housing and Community Development*

129 7004-1010 For the down payment assistance program administered by the  
130 Massachusetts Housing Finance Agency.....\$10,000,000

131 EXECUTIVE OFFICE OF EDUCATION

132 *Office of the Secretary*

133 7009-6800 For an infrastructure grant program to assist public schools in enhancing  
134 safety and security measures; provided, that grants shall be administered by the executive office  
135 of education in coordination with the executive office of public safety and security, the executive  
136 office of health and human services and the Massachusetts school building authority; provided  
137 further, that the grants shall be used for retrofitting and upgrading school buildings with safety  
138 and security enhancements including, but not limited to, classroom door locks, security cameras  
139 or active shooter detection systems; provided further, that the department shall make efforts to  
140 notify all public school districts of said program; provided further, that criteria shall be  
141 established to prioritize those schools most in need of infrastructure improvements related to

142 safety and security and most in need of financial assistance for implementing said improvements;  
143 and provided further, that the executive office of education shall submit a report, not later than  
144 March 1, 2020 to the executive office for administration and finance and the house and senate  
145 committees on ways and means detailing the awarding of grants and the expected use of said  
146 grant.....\$5,000,000

147 *Department of Elementary and Secondary Education*

148 7061-0010 For a grant program to assist public school districts in contracting with  
149 licensed community-based mental and behavioral health service providers for services in public  
150 schools; provided, that said program shall be administered by the department of elementary and  
151 secondary education in coordination with the executive office of health and human services;  
152 provided further, that the department shall make efforts to notify all public school districts of  
153 said program; provided further, that the department shall prioritize grant applications submitted  
154 by school districts with limited access to mental and behavioral health services and limited  
155 existing financial resources; provided further, that the department shall prioritize grant  
156 applications submitted by school districts that have created action plans based on the safe and  
157 supportive school framework, or whose applications are consistent with infrastructure and  
158 coordination efforts linking schools to community-based resources in accordance with item  
159 7061-9612; provided further, that grants may be expended to assist school districts in connecting  
160 students with community-based services to maximize coordination with service providers and  
161 establish more comprehensive continuums of care; provided further, that grants may be  
162 expended to support increased professional development opportunities for public school  
163 employees to identify students in need of mental and behavioral health support; and provided  
164 further, that the department shall submit a report to the executive office for administration and

165 finance and the house and senate committees on ways and means not later than March 1, 2020 on  
166 the awarding of grants and details of anticipated contracts, by school districts.....\$5,000,000

167 *Department of Higher Education*

168 7066-0115 For the purposes of continuing the implementation of section 15E of  
169 chapter 15A of the General Laws to encourage private fundraising by the commonwealth's  
170 public institutions of higher education for the endowments and capital outlay programs of those  
171 institutions, including but not limited to, endowed scholarship funds, endowed professorships,  
172 endowed STEM programming, endowed research positions, endowed programming in the arts  
173 and humanities, endowed funds to increase diversity and inclusion on public higher education  
174 campuses, endowed funds which increase persistence and completion rates, endowed funds  
175 which encourage innovative financial aid strategies, including income share arrangements,  
176 endowed early college programs, and such other purposes as the board shall determine to be  
177 consistent with system-wide and campus mission statements, and with measurable goals and  
178 metrics tied to those missions; provided further, that the board of higher education shall  
179 implement this program in a manner which ensures that each institution shall have an equal  
180 opportunity to secure matching funds from this item; provided further, that \$10,000,000 shall be  
181 allocated to the university of Massachusetts; provided further, that \$5,000,000 shall be allocated  
182 to state universities; provided further, that \$5,000,000 shall be allocated to community colleges;  
183 provided further, that if any funds allocated herein for disbursement to state and community  
184 college campuses shall be unused, the remaining funds shall be made available to University of  
185 Massachusetts' campuses; provided further, that the board shall issue a preliminary report on the  
186 initial allocation of matching dollars and any guidelines adopted for distribution and use of the  
187 funding not later than December 15, 2019, and a final report on the efficacy of the program in

188 securing additional donations for public higher education, along with a description of all  
189 programmatic improvements made possible by the funds, not later than June 15, 2020; and  
190 provided further, that the interim report and the final report shall be provided to the house and  
191 senate chairs of the joint committee on higher education, and the chairs of the house and senate  
192 committees on ways and means.....\$20,000,000

193           General Fund.....91.30%

194           Education Fund.....8.70%

195                                   EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

196   *Office of the Secretary*

197           8000-1127     For a nonprofit security grant program to provide support for target  
198 hardening and other security enhancements to nonprofit organizations that are at high risk of  
199 terrorist attack and are ineligible for the United States Department of Homeland Security’s  
200 Nonprofit Security Grant Program based on their location.....\$1,000,000

201           SECTION 2B. To provide for supplementing certain intragovernmental chargeback  
202 authorizations in the general appropriation act and other appropriation acts for fiscal year 2019,  
203 to provide for certain unanticipated intragovernmental chargeback authorizations, to provide for  
204 an alteration of purpose for current intragovernmental chargeback authorizations and to meet  
205 certain requirements of law, the sums set forth in this section are hereby authorized from the  
206 Intragovernmental Service Fund for the several purposes specified in this section or in the  
207 appropriation acts and subject to the laws regulating the disbursement of public funds for the  
208 fiscal year ending June 30, 2019. These sums shall be in addition to any amounts previously

209 authorized and made available for the purposes of those items. These sums shall be made  
210 available until June 30, 2020.

211 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

212 *Reserves*

213 1599-3100.....\$4,133,802

214 SECTION 2C.I. For the purpose of making available in fiscal year 2020 balances of  
215 appropriations which otherwise would revert on June 30, 2019, the unexpended balances of the  
216 appropriations listed below, not to exceed the amount specified below for each item, are hereby  
217 re-appropriated for the purposes of and subject to the conditions stated for the corresponding  
218 item in section 2 of chapter 154 of the acts of 2018. However, for items which do not appear in  
219 section 2 of the general appropriation act, the amounts in this section are re-appropriated for the  
220 purposes of and subject to the conditions stated for the corresponding item in section 2 or 2A of  
221 this act or in prior appropriation acts. Amounts in this section are re-appropriated from the fund  
222 or funds designated for the corresponding item in section 2 of said chapter 154; provided,  
223 however, that for items which do not appear in section 2 of said chapter 154, the amounts in this  
224 section are re-appropriated from the fund or funds designated for the corresponding item in  
225 section 2 through 2E of this act or in prior appropriation acts. The unexpended balance of each  
226 appropriation in the Massachusetts management accounting and reporting system with a  
227 secretariat code of 01 or 17 is hereby re-appropriated for the purposes of and subject to the  
228 conditions stated for the corresponding item in said section 2 of said chapter 154. The sums  
229 reappropriated in this section shall be in addition to any amounts available for said purposes.

230 DISTRICT ATTORNEYS

231	Northwestern District Attorney	
232	0340-0600.....	\$605,000
233	SECRETARY OF THE COMMONWEALTH	
234	<i>Middlesex Registry of Deeds – Northern District</i>	
235	0540-1400.....	\$100,000
236	OFFICE OF THE STATE AUDITOR	
237	0710-0000.....	\$300,000
238	OFFICE OF THE CHILD ADVOCATE	
239	0930-0100.....	\$300,000
240	MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION	
241	0940-0100.....	\$150,000
242	CANNABIS CONTROL COMMISSION	
243	1070-0840.....	\$500,000
244	HEALTH POLICY COMMISSION	
245	1450-1200.....	\$550,000
246	1450-1266.....	\$110,000
247	EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE	

248	<i>Reserves</i>	
249	1599-0054.....	\$2,218,220
250	1599-2018.....	\$5,000,000
251	1599-3222.....	\$750,000
252	1599-4417.....	\$12,900
253	1599-4448.....	\$12,162,481

254 *Division of Administrative Law Appeals*

255	1110-1000.....	\$14,400
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256 *Human Resources Division*

257	1750-0928.....	\$349,000
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258 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

259 *Department of Fish and Game*

260	2330-0300.....	\$750,000
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261 *Department of Agricultural Resources*

262	2511-0103.....	\$625,000
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263 *Department of Conservation and Recreation*

264	2810-0122.....	\$100,000
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265	EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES	
266	<i>Department of Transitional Assistance</i>	
267	4401-1000.....	\$400,000
268	<i>Department of Public Health</i>	
269	4510-0810.....	\$1,000,000
270	<i>Department of Children and Families</i>	
271	4800-0041.....	\$4,500,000
272	<i>Department of Mental Health</i>	
273	5046-0000.....	\$5,800,000
274	<i>Department of Veterans Services</i>	
275	1410-0022.....	\$100,000
276	1410-1616.....	\$150,000
277	EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT	
278	<i>Office of the Secretary</i>	
279	7002-0017.....	\$130,000
280	<i>Division of Banks</i>	
281	7006-0010.....	\$200,000



282 *Department of Telecommunications and Cable*  
283 7006-0071.....\$113,074

284 *Massachusetts Marketing Partnership*

285 7008-1116.....\$400,000

286 EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

287 *Office of the Secretary*

288 7002-1080.....\$65,000

289 *Department of Family and Medical Leave*

290 7003-0300.....\$350,000

291 EXECUTIVE OFFICE OF EDUCATION

292 *Department of Early Education and Care*

293 3000-3060.....\$7,624,683

294 3000-4060.....\$18,815,708

295 *Department of Higher Education*

296 7066-1129.....\$50,000

297 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

298 *Office of the Secretary*

299            8000-0600            \$768,420

300            Office of the Chief Medical Examiner

301            8000-0105            \$150,000

302            Department of Criminal Justice Information Services

303            8000-0110            \$763,874

304            Department of State Police

305            8100-1001            \$4,000,000

306            8100-1004            \$1,560,000

307            Department of Fire Services

308            8324-0000            \$913,000

309            Department of Correction

310            8900-0001            \$9,110,978

311            8900-0003            \$1,013,185

312            SECTION 2C.II. For the purpose of making available in fiscal year 2020 balances of  
313 retained revenue and intragovernmental chargeback authorizations which otherwise would revert  
314 on June 30, 2019, the unexpended balances of the authorizations listed below, not to exceed the  
315 amount specified below for each item, are hereby re-authorized for the purposes of and subject to  
316 the conditions stated for the corresponding item in section 2 or 2B of chapter 154 of the acts of  
317 2018. However, for items which do not appear in section 2 or 2B of said chapter 154, the

318 amounts in this section are re-authorized for the purposes of and subject to the conditions stated  
319 for the corresponding item in section 2, 2A, or 2B of this act or in prior appropriation acts.

320 Amounts in this section are re-authorized from the fund or funds designated for the  
321 corresponding item in section 2 or 2B of the general appropriation act; however, for items which  
322 do not appear in section 2 or 2B of the general appropriation act, the amounts in this section are  
323 re-authorized from the fund or funds designated for the corresponding item in section 2, 2A, or  
324 2B of this act or in prior appropriation acts. The sums re-authorized in this section shall be in  
325 addition to any amounts available for those purposes.

326 OFFICE OF THE STATE COMPTROLLER

327 1000-0601.....\$300,000

328 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

329 *Human Resources Division*

330 1750-0600.....\$250,000

331 *Operational Services Division*

332 1775-0800.....\$350,000

333 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

334 *Office of the Secretary*

335 4000-0250.....\$8,285,479

336 *Department of Veterans Services*

337           1410-0018           \$250,000

338           EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

339           Department of Correction

340           8900-0021           \$400,000

341           SECTION 2E. The sums set forth in this section are hereby appropriated for transfer  
342 from the General Fund to the trust funds named within each item unless specifically designated  
343 otherwise in this section, for the purposes and subject to the conditions specified in this section  
344 and subject to the laws regulating the disbursement of public funds for the fiscal year ending  
345 June 30, 2019. Notwithstanding section 19A of chapter 29 of the General Laws, any transfer  
346 under this section shall be made by the comptroller, effective June 30, 2019.

347           TREASURER AND RECEIVER GENERAL

348           1595-1200 For an operating transfer to the Massachusetts Clean Water Trust to support  
349 drinking water programs to remediate PFAS contamination of public water supplies, including  
350 but not limited to zero percent-interest loans \$20,000,000

351           1595-1205 For an operating transfer to the Massachusetts Clean Water Trust to  
352 support its purposes as set forth in chapter 29C of the General Laws, including to increase  
353 project

354           capacity..... \$35,000,000

355           MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

356           Department of Transportation

357 1595-6386 For an operating transfer to the Massachusetts Transportation Trust Fund,  
358 established pursuant to section 4 of chapter 6C of the General Laws for grants to municipalities  
359 for the construction, reconstruction, maintenance, or improvement of municipal  
360 ways.....\$60,000,000

361 Commonwealth Transportation Fund.....100%

362 1595-6389 For an operating transfer to the Massachusetts Bay Transportation Authority,  
363 or any fund controlled by the authority, for additional staffing and contract costs to support  
364 capital project delivery, inspection and maintenance activities, and service diversions necessary  
365 to accelerate capital projects.....\$50,000,000

366 Commonwealth Transportation Fund.....100%

367 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

368 *Department of Housing and Community Development*

369 1595-0508 For an operating transfer to the Affordable Housing Trust Fund established in  
370 section 2 of chapter 121D of the General Laws, to support the creation of units for extremely  
371 low-income households.....\$10,000,000

372 General Fund.....84.03%

373 Local Capital Projects Fund.....15.97%

374 SECTION 3. Clause (2) of section 59 of chapter 23K of the General Laws, as appearing  
375 in the 2018 Official Edition, is hereby amended by striking out subclause (a) and inserting in  
376 place thereof the following subclause:-

377 (a) 2 per cent to the Massachusetts Cultural and Performing Arts Mitigation Trust  
378 Fund established in section 2IIIII of chapter 29;

379 SECTION 4. Chapter 29 of the General Laws is hereby amended by inserting after  
380 section 2GGGGG, inserted by section 24 of chapter 41 of the acts of 2019, the following 2  
381 sections:-

382 Section 2HHHHH. (a) There shall be an Emergency Relief and Immediate  
383 Commonwealth Assistance Trust Fund, which shall be administered by the Massachusetts  
384 emergency management agency.

385 (b) There shall be credited to the trust fund: an amount not more than \$500,000 annually  
386 in unexpended funds from item 8800-0001, which shall not revert to the General Fund but  
387 instead shall be deposited in the trust fund at the end of each fiscal year; other funds appropriated  
388 or transferred to the trust fund by the general court; and all interest earned on monies in the trust  
389 fund.

390 (c) Expenditures from the fund shall not be subject to appropriation and balances  
391 remaining at the end of a fiscal year shall not revert to the General Fund; provided, that  
392 expenditures from the fund shall be made for state or local response efforts to natural disasters or  
393 emergency incidents determined at the discretion of the director of the agency; provided further,  
394 that expenditures shall not be used to supplant recurring operational costs of the agency funded  
395 through the general appropriations act; and provided further, that no expenditure shall be made  
396 from the fund which shall cause the fund to be deficient at the end of the fiscal year.

397 (d) Not later than June 1 of each fiscal year, the agency shall submit a report to the  
398 secretary of administration and finance and the house and senate committees on ways and means,

399 which shall include the fund balance at the start of the current fiscal year, any transfers of funds  
400 to and from the trust fund during the fiscal year, any revenue deposited into the trust fund, an  
401 itemized description of expenditures by disaster or incident during the fiscal year, a projected  
402 fund balance for the end of the fiscal year and any request for supplemental appropriations.

403           Section 2IHHH. (a) There shall be a Massachusetts Cultural and Performing Arts  
404 Mitigation Trust Fund. All amounts credited to the fund shall be held in trust and shall be  
405 available for expenditure, without further appropriation, by the Massachusetts cultural council.  
406 The fund shall consist of: (i) monies transferred to the fund from the Gaming Revenue Fund  
407 pursuant to subclause (a) of clause (2) of section 59 of chapter 23K; (ii) income derived from the  
408 investment of amounts credited to the fund; and (iii) all other monies credited to or transferred to  
409 the fund from any other fund or source. The comptroller may certify amounts for payment in  
410 anticipation of expected receipts; provided, however, that no expenditure shall be made from the  
411 fund that shall cause the fund to be deficient at the close of a fiscal year. Money remaining in the  
412 fund at the close of a fiscal year shall not revert to the General Fund and shall be available for  
413 expenditure in subsequent fiscal years.

414           (b) Expenditures from the fund shall be made in the following manner; provided,  
415 however, that administrative and operational expenses shall not exceed 7 per cent of the total  
416 assets of the fund in any 1 fiscal year: (i) one-quarter of all monies deposited into the fund  
417 pursuant to subsection (a) shall be dedicated to the organizational support program of the  
418 Massachusetts cultural council; and (ii) three-quarters of all monies deposited into the fund  
419 pursuant to said subsection (a) shall be dedicated to support not-for-profit and municipally-  
420 owned performing arts centers impacted as a result of the operation of gaming facilities;  
421 provided, however, that funds dedicated to such performing arts centers shall be to subsidize fees

422 paid to touring shows or artists. Funding dedicated to such performing arts centers shall be  
423 allocated through a competitive grant process to be developed and administered by the  
424 Massachusetts cultural council.

425 (c) The Massachusetts cultural council shall report annually not later than March 1 to the  
426 house and senate committees on ways and means on the fund. The report shall include, but not  
427 be limited to, revenue received by the fund, revenue and expenditure projections for the  
428 forthcoming fiscal year and details of all expenditures from the fund.

429 SECTION 5. The first paragraph of section 5G of said chapter 29, as so appearing, is  
430 hereby amended by striking out the second sentence and inserting in place thereof the following  
431 sentence:- If the department of revenue certifies that the amount of tax revenues estimated to  
432 have been collected from capital gains income exceeds \$1,000,000,000 in a fiscal year, the  
433 comptroller shall transfer quarterly any such amount that exceeds \$1,000,000,000 collected  
434 during that fiscal year as follows: (i) 90 per cent shall be transferred to the Commonwealth  
435 Stabilization Fund established in section 2H; (ii) 5 per cent shall be transferred to the State  
436 Retiree Benefits Trust Fund established in section 24 of chapter 32A; and (iii) 5 per cent shall be  
437 transferred to the Commonwealth's Pension Liability Fund established in subsection (e) of  
438 subdivision 8 of section 22 of chapter 32.

439 SECTION 6. The second paragraph of said section 5G of said chapter 29, as so  
440 appearing, is hereby amended by striking out the first sentence and inserting in place thereof the  
441 following sentence:- These transfers shall be made before the certification of the consolidated net  
442 surplus for the previous fiscal year under section 5C.



443 SECTION 7. Said section 5G of said chapter 29, as so appearing, is hereby further  
444 amended by striking out the third paragraph.

445 SECTION 8. Section 25B of chapter 54 of the General Laws, as so appearing, is hereby  
446 amended by striking subsection (g) and inserting in place thereof the following subsection:-

447 (g) The designation of an early voting site shall be made not less than 14 days prior to  
448 the beginning of the voting period established in subsection (b). Not less than 7 days prior to the  
449 beginning of the early voting period the registrars for each city or town shall post the location of  
450 the early voting sites as well as the applicable dates and hours. Notice shall be conspicuously  
451 posted in the office of the city or town clerk or on the principal official bulletin board of each  
452 city or town, on any other public building considered necessary, on the city or town's website, if  
453 any, and on the website of the state secretary.

454 SECTION 9. Section 1 of chapter 62 of the General Laws, as so appearing, is hereby  
455 amended by striking out subsection (c) and inserting in place thereof the following subsection:-

456

457 (c) "Code", the Internal Revenue Code of the United States, as amended on January 1,  
458 2005 and in effect for the taxable year; but Code shall mean the Code as amended and in effect  
459 for the taxable year for sections 62(a)(1), 72, 105, 106, 108(f)(5), 139C, 223, 274(m), 274(n),  
460 401 through 420, inclusive, 457, 529, 529A, 530, 951, 951A, 959, 961, 3401 and 3405 but  
461 excluding sections 402A and 408(q); and provided further, that for purposes of determining the  
462 amount of business interest deductible under this chapter, the provisions of section 163(j) of the  
463 Code shall not apply.

464 SECTION 10. Section 1 of chapter 63 of the General Laws, as so appearing, is hereby  
465 amended by inserting in line 173, after the word “year” the following words:- ; provided,  
466 however, that for sections 163(j), 381(c)(20), 382(d)(3) and 382(k)(1), Code shall mean the Code  
467 as amended and in effect for tax years beginning before January 1, 2018.

468

469 SECTION 11. Paragraph 4 of section 30 of said chapter 63, as so appearing, is hereby  
470 amended by striking out the first sentence and inserting in place thereof the following sentence:-

471

472 “Net income”, gross income less the deductions, but not credits, allowable under the  
473 provisions of the Code, as amended and in effect for the taxable year; provided, however, that for  
474 sections 163(j), 381(c)(20), 382(d)(3) and 382(k)(1), Code shall mean the Code as amended and  
475 in effect for tax years beginning before January 1, 2018; and provided further, that any deduction  
476 otherwise allowable which is allocable, in whole or in part, to 1 or more classes of income not  
477 included in a corporation’s taxable net income, as determined under subsection (a) of section 38,  
478 shall not be allowed.

479 SECTION 12. Section 40 of chapter 82 of the General Laws, as so appearing, is hereby  
480 amended by striking out, in lines 24 to 26, inclusive, the words “, excluding excavation by tools  
481 manipulated only by human power for gardening purposes and use of blasting for quarrying  
482 purposes”.

483 SECTION 13. Subsection (a) of section 63 of chapter 118E of the General Laws, as so  
484 appearing, is hereby amended by inserting after the definition of “Assessment” the following  
485 definition:-

486 “Licensee”, any person holding a license to operate a nursing home. In the case of a  
487 licensee that is not a natural person, licensee shall also mean any shareholder owning 5 per cent  
488 or more, any officer and any director of any corporate licensee; any limited partner owning 5 per  
489 cent or more and any general partner of a partnership licensee; any trustee of any trust licensee;  
490 any sole proprietor of any licensee which is a sole proprietorship; any mortgagee in possession  
491 and any executor or administrator of any licensee which is an estate.

492 SECTION 14. Subsection (f) of said section 63 of said chapter 118E, as so appearing, is  
493 hereby amended by adding the following words:- , or impose a limitation on new admissions for  
494 any nursing home that fails to remit delinquent fees, as directed by the executive office. The  
495 secretary of the executive office may also enforce this section: (i) by offsetting payments from  
496 the office of Medicaid on the claims of the nursing home, those of a nursing home with a  
497 common licensee, or those of any successor in interest to the nursing home, in the amount of the  
498 delinquent fees owed, including any interest and penalties, and transferring such funds into the  
499 General Fund; (ii) by imposing, after demand, a lien in an amount not to exceed the amount of  
500 the delinquent fees owed, including any interest and penalties, in favor of the commonwealth  
501 upon any and all property of the nursing home or its licensee; or (iii) by such other appropriate  
502 mechanism as the executive office may establish by regulation under subsection (g).

503 SECTION 15. Section 226 of chapter 139 of the acts of 2012, as most recently amended  
504 by section 1 of chapter 363 of the acts of 2018, is hereby amended by striking out the words  
505 “January 1, 2020”, and inserting in place thereof the following words:- July 31, 2021.

506 SECTION 16. Item 1000-0008 of section 2 of chapter 154 of the acts of 2018 is hereby  
507 amended by striking out the words “5 per cent” and inserting in place thereof the following  
508 words:- 16 per cent.

509 SECTION 17. Item 1599-0026 of said section 2 of said chapter 154 is hereby amended  
510 by inserting after the words “provided further, that not less than \$50,000 shall be expended for  
511 the costs of the restoration and repair of Holyoke City Hall;” the following words:- provided  
512 further, that the funds for the repair of Holyoke City Hall shall be made available until June 30,  
513 2020;.

514 SECTION 18. Said item 1599-0026 of said section 2 of said chapter 154 is hereby further  
515 amended by inserting after the words “provided further, that not less than \$50,000 shall be  
516 expended for the town of Worthington to conduct a comprehensive capital needs study for town-  
517 owned buildings;” the following words:- provided further, that the funds for the Worthington  
518 capital needs study shall be made available until June 30, 2020;.

519 SECTION 19. Item 7008-1116 of said section 2 of said chapter 154 is hereby amended  
520 by inserting after the words “provided further, that not less than \$125,000 shall be expended for  
521 improvements to the Americal civic center in Wakefield;” the following words:- provided  
522 further, that the funds for improvements to the Americal civic center shall be made available  
523 until June 30, 2020;.

524 SECTION 20. Said item 7008-1116 of said section 2 of said chapter 154 is hereby further  
525 amended by inserting after the words “provided further, that not less than \$150,000 shall be  
526 expended for the construction of bathroom facilities at Frasca field in Tewksbury;” the following  
527 words:- provided further, that funds for the Frasca Field facilities construction shall be made  
528 available until June 30, 2020;.

529 SECTION 21. Said item 7008-1116 of said section 2 of said chapter 154 is hereby further  
530 amended by inserting after the words “provided further, that not less than \$200,000 shall be  
531 expended for site improvements at the Mildred C. Hailey Apartments in Boston;” the following  
532 words:- provided further, that the funds for improvements at the Mildred C. Hailey Apartments  
533 shall be made available until June 30, 2020;.

534 SECTION 22. Said item 7008-1116 of said section 2 of said chapter 154 is hereby further  
535 amended by inserting after the words “provided further, that not less than \$100,000 shall be  
536 expended for the restoration of Memorial Hall in the city of Melrose;” the following words:-  
537 provided further, that said restoration funds shall be made available until June 30, 2020;.

538 SECTION 23. Item 8324-0000 of said section 2 of said chapter 154 is hereby amended  
539 by inserting after the words “provided further, that not less than \$50,000 shall be expended for a  
540 fire safety grant in the city of Attleboro;” the following words:- provided further, that said fire  
541 safety grant funds shall be made available until June 30, 2020;.

542 SECTION 24. Said item 8324-0000 of said section 2 of said chapter 154 is hereby further  
543 amended by inserting after the words “provided further, that \$100,000 shall be allocated to the  
544 fire department in the town of Scituate for structural improvements to the Scituate Fire Station 4  
545 in the Humarock section of the town of Scituate;” the following words:- provided further, that

546 the funds for said fire station structural improvements shall be made available until June 30,  
547 2020;.

548 SECTION 25. Section 98 of said chapter 154 is hereby further amended by striking out  
549 subsection (a) and inserting in place thereof the following subsection:-

550 (a) Notwithstanding any general or special law to the contrary, the unexpended balances  
551 in items 0699-0015 and 0699-9100 shall be deposited into the State Retiree Benefits Trust Fund  
552 established pursuant to section 24 of chapter 32A of the General Laws before the certification of  
553 the fiscal year 2019 consolidated net surplus pursuant to section 5C of chapter 29 of the General  
554 Laws. The amount deposited shall be an amount equal to 30 per cent of all payments received by  
555 the commonwealth in fiscal year 2019 under the master settlement agreement in Commonwealth  
556 of Massachusetts v. Philip Morris, Inc. et al., Middlesex Superior Court, No. 95-7378; provided,  
557 however, that if in fiscal year 2019 the unexpended balances of said items 0699-0015 and 0699-  
558 9100 are less than 30 per cent of all payments received by the commonwealth in fiscal year 2019  
559 under the master settlement agreement payments, an amount equal to the difference shall be  
560 transferred to the State Retiree Benefits Trust Fund from payments received by the  
561 commonwealth under the master settlement agreement.

562 SECTION 26. Item 4590-1504 of section 2A of chapter 273 of the acts of 2018 is hereby  
563 amended by inserting after the words “funded through items 4000-0005, 7061-0010 and 7061-  
564 9612;” the following words:- provided further, that preference in funding shall be given to  
565 applications serving municipalities with a population of more than 50,000 with a violent crime  
566 rate of more than 500 incidents per 100,000 residents in 2018; provided further, that each eligible  
567 organization serving said municipalities, whose application is approved by the department, shall

568 receive not less than \$500,000; provided further, that the department shall ensure a  
569 geographically equitable distribution of these funds;

570 SECTION 27. Item 8100-1014 of section 2A of chapter 5 of the acts of 2019 is hereby  
571 amended by inserting after the figure “2018” the following words:- , or the collection, testing or  
572 tracking of sexual assault evidence kits.

573 SECTION 28. Item 1599-0010 of section 2A of chapter 6 of the acts of 2019 is hereby  
574 amended by inserting after the words “current level of funding” the following words:- and  
575 services.

576 SECTION 29. Section 2 of chapter 41 of the acts of 2019 is hereby amended by striking  
577 out item 1595-1068 and inserting in place thereof the following item:-

578 1595-1068 For an operating transfer to the MassHealth provider payment account in  
579 the Medical Assistance Trust Fund established under section 2QQQ of chapter 29 of the General  
580 Laws; provided, that these funds shall be expended for services provided during state or federal  
581 fiscal year 2019 or 2020 or for public hospital transformation and incentive initiative payments  
582 for state fiscal year 2019 or 2020 or for Medicaid care organization payments under 42 CFR  
583 438.6(c) for rate year 2018, 2019 or 2020; provided further, that all payments from the Medical  
584 Assistance Trust Fund shall be: (i) subject to the availability of federal financial participation; (ii)  
585 made only under federally-approved payment methods; (iii) consistent with federal funding  
586 requirements and all federal payment limits as determined by the secretary of health and human  
587 services; and (iv) subject to the terms and conditions of an agreement with the executive office of  
588 health and human services; provided further, that the secretary of health and human services  
589 shall notify, in writing, the house and senate committees on ways and means and the joint

590 committee on health care financing of increases or decreases in any payments made within the  
591 term of the current 1115 waiver or other state plan amendments within 15 days; and provided  
592 further, that the secretary of health and human services shall utilize funds from the Medical  
593 Assistance Trust Fund to make payments of up to \$413,550,000 to the Cambridge public health  
594 commission or to Medicaid care organizations for payment to the Cambridge public health  
595 commission if the Cambridge public health commission, in anticipation of receiving such  
596 payments, first voluntarily transfers an amount equal to the nonfederal share of the payments to  
597 the Medical Assistance Trust Fund using a federally-permissible source of funds...\$505,785,000

598 SECTION 30. Item 4512-0205 of said section 2 of said chapter 41 is hereby amended by  
599 inserting after the words “town of Hopkinton;” the following words:- provided further, that not  
600 less than \$1,000,000 shall be expended to the city of Boston for public health and homelessness  
601 initiatives; provided further, that such funds shall include, but not be limited to: (a) the use of  
602 street teams to increase mobile services to people on the street and provide rapid response to  
603 newly homeless individuals in order to connect them with community providers; (b) expanding  
604 the existing STEP Pilot to provide a seamless treatment path, intensive case management and  
605 economic supports such as job training and subsidized employment that address the complex  
606 issues of participating individuals; (c) the exploration of sober shelter capacity to meet the  
607 increased need for shelter for individuals in early recovery when they are in between levels of  
608 treatment; and (d) the expansion of women’s drop-in centers to reduce sexual exploitation and  
609 victimization among opioid users and the lack of low-threshold programming that addresses the  
610 unique needs of women;.



611 SECTION 31. Item 7000-9501 of said section 2 of said chapter 41 is hereby amended by  
612 striking the following words:- ; provided further, that not less than \$25,000 be expended to the  
613 Friends of the South End Library, Incorporated.

614 SECTION 32. Item 7004-9316 of said section 2 of said chapter 41 is hereby amended by  
615 inserting after the words “established under section 60 of chapter 121B of the General Laws shall  
616 be made available to this item” the following words:- ; provided further, that not less than  
617 \$7,000,000 shall be expended from this Trust Fund and other sources to fund a rental and  
618 mortgage arrearage assistance pilot program for households whose incomes are at or below 50  
619 per cent of the area median income and who are at risk of eviction or foreclosure within the next  
620 12 months; provided further, that for the purposes of this program, to receive cash benefits or  
621 other services, it is not necessary for a household to be subject to summary process under chapter  
622 239, and risk of eviction or foreclosure may be determined by certified statements from the  
623 landlord or mortgage holder, and the applicant household verifying outstanding rent or mortgage  
624 and the household’s current inability to pay said fees; provided further, that the department shall  
625 ensure that not less than 50 per cent of the funds be provided to households with incomes not  
626 greater than 30 per cent of area median income; provided further, that eligible households shall  
627 include, but not be limited to, families with children under the age of 21, elders, persons with  
628 disabilities and unaccompanied youth; provided further, that services and cash benefits under the  
629 arrearage program shall be made available to households for the prevention of the loss of  
630 subsidized or unsubsidized housing; provided further, that cash benefits shall not exceed the  
631 actual liability or four times the monthly rental or mortgage liability, whichever is less; provided  
632 further, that such benefits shall be paid directly to the landlord or mortgage holder; provided  
633 further, that in administering the program, the department shall coordinate with the department

634 of transitional assistance, member agencies and offices of the Massachusetts interagency council  
635 on housing and homelessness and the agencies contracted to administer the residential assistance  
636 for families in transition program on behalf of eligible households served by those agencies and  
637 offices so as streamline the application process, provide additional support services and better  
638 promote upstream homelessness prevention and housing stability; provided further, that the  
639 department shall by June 15, 2020 issue a report on the rental and mortgage arrearage assistance  
640 pilot program funded by this item; provided further, that the report shall be submitted to the  
641 chairs of the house and senate committees on ways and means, the house and senate chairs of the  
642 joint committee on housing and the house and senate clerks; provided further, that the report  
643 shall include but not be limited to the following information: (i) the referral source for each  
644 household and number of households referred by said source; (ii) the number of applications  
645 requested, the number of applications completed, the number of applications approved; (iii) the  
646 number of applications rejected and the reasons for denial; (iv) the household income and  
647 demographic information for each qualifying household and its members; provided further, that  
648 this information shall be provided by zip code and cumulatively; (v) the monthly rent or  
649 mortgage liability for each qualifying household and the amount of each arrearage payment; and  
650 (vi) the housing status of each qualifying household at 6, 12, and 24 months after receipt of  
651 services or cash benefits.

652

653 SECTION 33. Item 7006-0142 of said section 2 of said chapter 41 is hereby amended by  
654 striking out, in both places it appears, the figure “\$15,034,593” and inserting in place thereof the  
655 following figure:- \$16,034,593.

656 SECTION 34. Item 7008-1116 of said section 2 of said chapter 41 is hereby amended by  
657 inserting after the words “the town of Hatfield” the following words:- provided further, that not  
658 less than \$25,000 be expended to the Friends of the South End Library, Incorporated; provided  
659 further, that not less than \$50,000 shall be expended for the Hispanic American Library in  
660 Springfield.

661 SECTION 35. Item 7070-0065 of said section 2 of said chapter 41 is hereby amended by  
662 striking out the words “provided further, that funds from this item shall be made available for  
663 early educator scholarships, paraprofessional grants and One Family, Inc. in amounts not less  
664 than the amounts made available in fiscal year 2019”, and inserting in place thereof the following  
665 words:- provided further, that funds from this item shall be made available for paraprofessional  
666 grants in amounts not less than the amounts made available in fiscal year 2019; provided further,  
667 that not less than \$3,000,000 more than fiscal year 2019 shall be expended on early educator  
668 scholarships; provided further, that not less than \$500,000 more than fiscal year 2019 shall be  
669 expended on One Family, Inc.

670 SECTION 36. Item 8700-1140 of said section 2 of said chapter 41 is hereby amended by  
671 striking out, in both places it appears, the figure “\$400,000” and inserting in place thereof the  
672 following figure:- \$1,900,000.

673 SECTION 37. Item 1595-6368 of section 2E of said chapter 41 is hereby amended by  
674 inserting after the words “Lawrence Municipal Airport” the following words:- ; provided further,  
675 that not less than \$200,000 shall be expended for the purpose of performing all necessary and  
676 immediate repairs required to rehabilitate the portion of Briarwood road in the town of Bourne  
677 which traverses the Commonwealth’s Rail & Transit Division Right of Way; provided further,

678 that no permit shall be required from any state or local agency or body for such necessary and  
679 immediate repairs.

680 SECTION 38. Section 71 of said chapter 41 is hereby amended by striking out the figure  
681 “2019” and inserting in place thereof the following figure:- 2020.

682 SECTION 39. (a) Notwithstanding the provisions of chapter 31 of the General Laws, any  
683 pre-employment medical examination administered by a federal agency or contractor to any  
684 person serving in the title of firefighter or crash crew member of the Joint Base Cape Cod,  
685 formerly known as Massachusetts Military Reservation Fire Department, or the 104th Fighter  
686 Wing Fire Department, who transferred from federal employee or other non-state employment  
687 status, shall be deemed sufficient to fulfill any pre-employment medical examination  
688 requirement for firefighters in state or municipal service in the commonwealth under chapters 48  
689 and 31 of the General Laws. Any pre-employment medical examination referenced in this  
690 section or any physical examination taken subsequent to employment must meet the criteria  
691 provided in sections 94, 94A and 94B of chapter 32 of the General Laws.

692 (b) The provisions of this section shall only apply to Joint Base Cape Cod, formerly  
693 Massachusetts Military Reservation, firefighters who are employed as of the effective date of this  
694 act as a firefighter or crash crew member of the Joint Base Cape Cod Fire Department or as a  
695 firefighter with the 104th Fighter Wing Fire Department, and who entered state service pursuant  
696 to chapter 308 of the acts of 2008 and 104th Fighter Wing Firefighters who entered state service  
697 by an executive action of October 2010.

698 SECTION 40. Notwithstanding section 28 of chapter 53 of the General Laws or any other  
699 general or special law to the contrary, the state primary in 2020 shall be held on Tuesday,  
700 September 1, 2020.

701 SECTION 41. Notwithstanding section 3 of chapter 53 of the General Laws or any other  
702 general or special law to the contrary, a person whose name is not printed on the September 1,  
703 2020 state primary ballot as a candidate for an office, but who receives sufficient votes to  
704 nominate the person for the office, shall file in the office of the state secretary a written  
705 acceptance of the nomination and a receipt from the state ethics commission verifying that a  
706 statement of financial interest has been filed pursuant to chapter 268B of the General Laws not  
707 later than 5:00 P.M. on Thursday, September 3, 2020.

708 SECTION 42. Notwithstanding sections 11, 13 and 53A of chapter 53 of the General  
709 Laws and section 5 of chapter 55B of the General Laws or any other general or special law to the  
710 contrary, objections to and withdrawals from nominations made at the September 1, 2020 state  
711 primary shall be filed with the state secretary not later than 12:00 P.M. on Friday, September 4,  
712 2020.

713 SECTION 43. Notwithstanding section 14 of chapter 53 of the General Laws or any other  
714 general or special law to the contrary, any vacancies from the September 1, 2020 state primary  
715 caused by death, withdrawal or ineligibility under section 42 shall be filled by an executive  
716 committee, determined by the state party committee of the same political party who made the  
717 original nomination.

718 SECTION 44. Notwithstanding section 15 of chapter 53 of the General Laws or any other  
719 general or special law to the contrary, when a nomination is made to fill a vacancy caused by the

720 death, withdrawal or ineligibility of a candidate from the September 1, 2020 state primary, the  
721 certificate of nomination shall be on a form prescribed by the state secretary, signed by the  
722 executive committee appointed by the state committee of the same political party as provided for  
723 in section 43 and filed with the state secretary not later than 5:00 P.M. on Tuesday, September 8,  
724 2020.

725 SECTION 45. Notwithstanding section 135 of chapter 54 of the General Laws or any  
726 other general or special law to the contrary, a petition for a recount of the September 1, 2020  
727 state primary shall be filed with the appropriate local election officials not later than 5:00 P.M.  
728 on Thursday, September 3, 2020 and all recounts shall be completed and notice of the results  
729 shall be sent to the state secretary not later than 5:00 P.M. on Tuesday, September 8, 2020.

730 Petitions for districtwide and statewide recounts of the September 1, 2020 state primary  
731 shall be submitted to the appropriate local election officials for certification not later than 12:00  
732 P.M. on Thursday, September 3, 2020 and local election officials shall complete certification not  
733 later than 12:00 P.M. on Friday, September 4, 2020. Thereafter, certified petitions shall be filed  
734 with the secretary of state not later than 5:00 P.M. on Friday, September 4, 2020. If the state  
735 secretary determines that the contest is eligible for a statewide or districtwide recount, the state  
736 secretary shall notify the local election officials who shall complete the recount and shall notify  
737 the state secretary of the results of the recount not later than 4:00 P.M. on Wednesday,  
738 September 9, 2020.

739 SECTION 46. (a) Notwithstanding the provisions of section 25B of chapter 54 of the  
740 General Laws or any general or special law to the contrary, there shall be early voting for the  
741 2020 presidential primary. The election officers and registrars of every city or town shall allow

742 any qualified voter, as defined in section 1 of chapter 51 of the General Laws, to cast a ballot for  
743 the 2020 presidential primary during the early voting period, which shall begin on Monday,  
744 February 24, 2020 and end on Friday, February 28, 2020. Early voting shall also apply to any  
745 city or town election held at the same time as the presidential primary.

746 (b) Any qualified voter wanting to early vote by mail may file with his or her local  
747 election official an application for an early voting ballot for the 2020 presidential primary. Any  
748 form of written communication evidencing a desire to have an early voting ballot be sent for use  
749 for voting at an election shall be given the same effect as an application made in the form  
750 prescribed by the state secretary. No application for an early voting ballot for the 2020  
751 presidential primary shall be deemed to be seasonably filed unless it is received in the office of  
752 the city or town clerk or registrars of voters before 12:00PM on February 28, 2020. If the voter is  
753 registered as unenrolled or in a political designation, the applicant must include the name of the  
754 party whose primary ballot the voter is requesting.

755 (c) Early voting for the 2020 presidential primary shall be conducted during the usual  
756 business hours of each city or town clerk. A city or town may, in its discretion, provide for  
757 additional early voting hours beyond the hours required by this subsection during the early  
758 voting period.

759 (d) All early voting ballots voted by mail for the 2020 presidential primary shall be  
760 received by the city or town clerk before the hour fixed for closing the polls.

761 (e) Each city and town shall establish an early voting site for the 2020 presidential  
762 primary that shall include the election office for the city or town; provided, however, that if the  
763 city or town determines that the office is unavailable or unsuitable for early voting, the registrars

764 of each such city or town shall identify and provide for an alternative centrally-located, suitable  
765 and convenient public building within each such city or town as an early voting site. A city or  
766 town may also provide for additional early voting sites at the discretion of the registrars for that  
767 city or town. Each early voting site shall be accessible to persons with disabilities.

768 (f) The designation of an early voting site for the 2020 presidential primary shall be made  
769 no later than February 10, 2020. No later than February 12, 2020, the registrars for each city or  
770 town shall post the location of the early voting sites as well as the applicable dates and hours.  
771 Notice shall be conspicuously posted in the office of the city clerk or on the principal official  
772 bulletin board of each city or town, on any other public building considered necessary, on the  
773 city or town's website, if any, and on the website of the state secretary.

774 (g) No later than February 10, 2020, the state secretary shall deliver to each city or town,  
775 in quantities as the state secretary determines necessary, the following papers: (1) official early  
776 voting ballots for the 2020 presidential primaries, similar to the official ballot to be used at the  
777 primaries; and (2) envelopes of sufficient size to contain the ballots specified in clause (1)  
778 bearing on their reverse the voter's affidavit in compliance with the requirements of subsection  
779 (i).

780 (h) An early voting ballot along with an envelope shall be provided to each qualified  
781 voter who participates in early voting for the 2020 presidential primary.

782 (i) A qualified voter casting a ballot at an early voting site shall complete an affidavit  
783 under the regulations promulgated pursuant to chapter 54 of the General Laws, which shall  
784 include a notice of penalties under section 26 of chapter 56 of the General Laws.



785 (j) Prior to the beginning of early voting for the 2020 presidential primary, the registrars  
786 for each city or town shall prepare a list for the early voting sites, containing the names and  
787 residences of all persons qualified to vote at each voting site, as the names and residences appear  
788 upon the annual register, and shall reasonably transmit the applicable list to the election officers  
789 at each early voting site designated by the registrars.

790 (k) The registrar or presiding official at the early voting site shall cause to be placed on  
791 the voting lists opposite the name of a qualified voter who participates in early voting the letters  
792 “EV” designating an early voter.

793 (l) The registrars shall prepare lists of all voters casting ballots during the early voting  
794 period and update the voter list in a manner prescribed by the state secretary.

795 (m) The provisions of sections 37 and 38 of chapter 53 of the General Laws shall apply to  
796 unenrolled voters and voters enrolled in political designations. The registrar or presiding official  
797 at the early voting site shall cause the name of the party of the ballot being voted to be recorded  
798 on the voting list.

799 (n) The counting of early voting ballots including, but not limited to, informing election  
800 officers and any challengers present under section 85A shall be set by 950 C.M.R. § 47.00 so far  
801 as applicable. All envelopes referred to in this section shall be retained with the ballots cast at the  
802 2020 presidential primary and shall be preserved and destroyed in the manner provided by law  
803 for the retention, preservation or destruction of official ballots.

804 (o) The provisions of 950 C.M.R. § 47.00 shall apply to early voting at the 2020  
805 presidential primary to the extent feasible, but the secretary shall update the rules to  
806 accommodate the dates set forth herein.

807 (p) A city or town may opt to detail a sufficient number of police officers or constables  
808 for each early voting site for the 2020 presidential primary at the expense of the city or town to  
809 preserve order, protect the election officers and supervisors from any interference with their  
810 duties and aid in enforcing the laws relating to elections.

811 (q) No early voting ballot cast under this section shall be counted if the officer charged  
812 with the duty of counting the ballot is cognizant of the fact that the voter has died prior to the  
813 opening of the polls on the day of the 2020 presidential primary.

814 SECTION 47. Notwithstanding sections 8 to 10, inclusive, of chapter 55B of the General  
815 Laws or any other general or special law to the contrary, the state ballot law commission shall  
816 notify candidates of any objections filed to nominations at the September 1, 2020 state primary  
817 not later than 5:00 P.M. on Friday, September 4, 2020. Notice of the commission hearings shall  
818 be given by telephone and electronic mail. Hearings on objections shall be held on Tuesday,  
819 September 8, 2020 and decisions shall be rendered not later than 5:00 P.M. on Wednesday,  
820 September 9, 2020.

821 SECTION 48. Notwithstanding any general or special law to the contrary, local election  
822 officials shall transmit absentee ballots to voters covered under the federal Uniformed and  
823 Overseas Citizens Absentee Voting Act, 52 U.S.C. section 20302 et seq., whose applications  
824 were received at least 45 days before the November 3, 2020 state election, not later than  
825 Saturday, September 19, 2020.

826 SECTION 49. Notwithstanding any general or special law to the contrary, the state  
827 secretary may add or change any dates relating to the nominations made at the September 1,  
828 2020 state primary that the state secretary considers necessary for the orderly administration of

829 the November 3, 2020 state election by providing notice of the change to the state parties and  
830 any affected person, by filing notice with the rules and regulations division, by posting on the  
831 state secretary's website and by whatever other means the state secretary considers appropriate.

832 SECTION 50. Notwithstanding any general or special law to the contrary, prior to  
833 calculating the fiscal year 2019 consolidated net surplus in accordance with section 5C of chapter  
834 29 of the General Laws, and upon the recommendation of the secretary of administration and  
835 finance or his designee, the comptroller shall adjust any fiscal year 2019 appropriation fund split  
836 against the following funds to expend available revenue and to prevent deficiencies in those  
837 funds; provided that, changes to fund splits under this section shall not result in any of the  
838 following funds ending fiscal year 2019 in deficit:

839 (a) Gaming Local Aid Fund established in section 63 of chapter 23K of the General  
840 Laws;

841 (b) the Education Fund established in section 64 of said chapter 23K;

842 (c) the Local Capital Projects Fund established in section 2EEEE of chapter 29 of the  
843 General Laws;

844 (d) the Public Safety Training Fund established in section 2JJJJ of said chapter 29.

845 SECTION 51. Notwithstanding any general or special law to the contrary, not more than  
846 \$5,000,000 of funds deposited pursuant to chapter 273 of the acts of 2018 into the Water  
847 Pollution Abatement Revolving Fund, established in section 2L of chapter 29 of the General  
848 Laws, may be used for deleading projects, including grants, at early education facilities,  
849 childcare centers and public schools, prioritizing elementary schools.

850 SECTION 52. Notwithstanding any general or special law to the contrary, the board and  
851 department of early education and care shall ensure that, in fiscal year 2020, the following  
852 initiatives are fully funded: (a) not less than \$20,000,000 shall be expended on an across-the-  
853 board rate increase for center-based programs, including family child care system administrative  
854 rates, (b) the daily add-on rate that is paid on supportive, homeless and teen parent contracts is  
855 increased by \$0.78 from \$18.22 to \$19 per day for supportive, teen parent and homeless add-on  
856 rates only and (c) all center-based rates shall be increased to the 30th percentile in those regions  
857 and program types where the reimbursement rates are below the 30th percentile of the market  
858 rate as determined by the 2018 Market Rate Survey that was prepared on behalf of the  
859 Commonwealth of Massachusetts by Public Consulting Group, Inc. and presented to the Board  
860 on June 12, 2018. In funding these initiatives, the department is authorized to transfer funds  
861 between items 3000-1042, 3000-3060 and 3000-4060, as necessary, under an allocation plan  
862 which shall detail by object class the distribution of the funds to be transferred. This plan shall be  
863 included in a report which shall also update the legislature on the progress made in implementing  
864 the department of children and families short term child care program implemented by the  
865 department beginning in March 2019, and the department of transitional assistance relative  
866 caregiver program implemented by the department in May 2019, along with any updated budgets  
867 for these 2 initiatives. The report shall further detail all steps taken by the board and department  
868 to ensure that funds provided through items 3000-3060 and 3000-4060 are fully utilized for the  
869 benefit of children in need, without cost overruns, and that any fiscal year 2020 surplus is not  
870 greater than 5 per cent of the items' total appropriation. This report shall be delivered to the  
871 house and senate chairs of the joint committee on education, and the chairs of the house and  
872 senate ways and means committees not later than December 1, 2019. Further, the board of early

873 education and care shall give notice of the commencement of public comment on any new or  
874 revised proposal or motion seeking to distribute funds in a manner that is inconsistent with or a  
875 departure from prior distribution of funds not less than 30 days before the board's adoption of the  
876 motion, except in cases of special emergency; provided further the public may review and  
877 provide comment on any new or revised proposal or motion during that time period; provided  
878 further the department shall provide said notice with the joint committee on education and the  
879 house and senate committees on ways and means.

880 SECTION 53. (a) Notwithstanding any general or special law, rule or regulation to the  
881 contrary, in setting standard payments to nursing facilities for the period of October 1, 2019  
882 through September 30, 2020, capital standard payments made to said nursing facilities pursuant  
883 to 101 C.M.R. § 206 shall provide: (i) that a facility's upward adjustment to its capital payment  
884 shall be calculated as the difference between the standard capital payment listed in 101 C.M.R. §  
885 206.05(1) and its rebased capital payment that it would have received based on the capital  
886 standard payment calculation methodology in effect prior to October 1, 2019; and (ii) that a  
887 nursing facility that becomes operational on or after November 1, 2019, an existing nursing  
888 facility that completely renovates or reconstructs its current building on or after November 1,  
889 2019 or an existing nursing facility that fully relocates to a newly constructed location on or after  
890 November 1, 2019, shall be eligible for a capital standard payment in the amount of no less than  
891 \$37.60.

892 (b) A nursing facility shall be eligible for an adjustment to its capital standard payment  
893 pursuant to 101 C.M.R. § 206.05(2) after October 1, 2019, if, prior to March 31, 2020, the  
894 facility provides the executive office of health and human services with documentation of 1 of  
895 the following: (i) department of public health plan review approval pursuant to an approved

896 determination of need dated prior to January 1, 2020; (ii) detailed architectural or engineering  
897 plans developed in response to an approved determination of need and submitted to the  
898 department of public of health prior to January 1, 2020; (iii) evidence of funding received, or a  
899 firm commitment to fund, from an outside lender dated prior to January 1, 2020, in an amount  
900 equal to or in excess of 50 per cent of the maximum capital expenditure as specified in an  
901 approved determination of need; (iv) evidence of applications made on or before January 1,  
902 2020, to local government agencies for planning, zoning or building permits or other regulatory  
903 approvals required in connection with the implementation of an approved determination of need;  
904 or (v) evidence of the acquisition of land required for development of the project authorized by  
905 the an approved determination of need.

906 SECTION 54. Notwithstanding any general or special law to the contrary, the department  
907 of energy resources shall expend amounts from the RGGI Auction Trust Fund established in  
908 section 35II of chapter 10 of the General Laws to fund the electric vehicle incentive program  
909 through December 31, 2021; provided, however, that the department of energy resources shall  
910 offer rebates of not less than \$2,500 and not more than \$5,000 for the purchase or lease of battery  
911 electric vehicles, fuel cell electric vehicles and zero-emissions vehicles for sale or lease with a  
912 retail price of not more than \$40,000. All payments made from the fund before December 31,  
913 2021 shall be prioritized so that the initial payments from the fund shall be made to the electric  
914 vehicle incentive program and shall not exceed \$32,000,000 per fiscal year; provided, that the  
915 department of energy resources shall examine said program, including but not limited to the cost-  
916 effectiveness of said programs in greenhouse gas emissions reductions, and report its findings to  
917 the chairs of the joint committee on telecommunications, utilities and energy on or before  
918 January 1, 2022.

919 SECTION 55. There shall be an interagency task force to review and investigate water  
920 and ground contamination of per- and polyfluoroalkyl substances across the commonwealth. The  
921 task force shall consist of 19 members: 2 members who shall be appointed by the senate  
922 president, 1 of whom shall serve as co-chair; 1 member who shall be appointed by the minority  
923 leader of the senate; 2 members who shall be appointed by the speaker of the house of  
924 representatives, 1 of whom shall serve as co-chair; 1 member who shall be appointed by the  
925 minority leader of the house of representatives; the attorney general or their designee; the  
926 secretary of the executive office of energy and environmental affairs or their designee; the  
927 secretary of the executive office of public safety and security or their designee; the commissioner  
928 of the department of environmental protection or their designee; the commissioner of the  
929 department of public health or their designee; the commissioner of the department of agricultural  
930 resources or their designee; the director of the Massachusetts emergency management agency or  
931 their designee; the fire marshal of the department of fire services or their designee; the executive  
932 director of the Massachusetts municipal association or their designee; the executive director of  
933 the Massachusetts water resources authority or their designee; the executive director of the  
934 Massachusetts water works association or their designee; and 2 members to be appointed by the  
935 governor, 1 of whom shall be a scientist with expertise in per- and polyfluoroalkyl substance-  
936 contaminated water and 1 of whom shall be a physician trained in environmental medicine.

937

938 The task force shall: (i) gather and review information regarding known locations of per-  
939 and polyfluoroalkyl substances detection and create response plan strategies; (ii) identify  
940 significant data gaps in the knowledge of per- and polyfluoroalkyl substances and develop  
941 recommendations to address the gaps; (iii) identify opportunities for public education regarding

942 per- and polyfluoroalkyl substances contamination and the effects of its exposure on public  
943 health and the environment; (iv) identify the sources of per- and polyfluoroalkyl substances  
944 contamination and exposure pathways that pose the greatest risk to public health and the  
945 environment; (v) examine the benefits and burdens of various treatment and disposal options for  
946 per- and polyfluoroalkyl substances contaminated media; (vi) assess how state agencies can most  
947 effectively use their existing authority and resources to reduce or eliminate priority risks from  
948 per- and polyfluoroalkyl substances contamination; (vii) determine the inventory and use of  
949 fluorinated aqueous forming form in firefighting and fire training activities and evaluate effective  
950 non-fluorinated alternatives; (viii) examine data regarding per- and polyfluoroalkyl substances  
951 contamination in freshwater fish and marine organisms and determine whether further  
952 examination is warranted; and (ix) examine and estimate the cost to mitigate per- and  
953 polyfluoroalkyl substances contamination in known locations across the commonwealth.

954           The task force shall file a report of its findings and recommendations, together with drafts  
955 of legislation necessary to carry those recommendations into effect, by filing the same with the  
956 clerks of the senate and the house of representatives, the chairs of the senate and house  
957 committees on ways and means, the senate and house chairs of the joint committee on  
958 environment, natural resources and agriculture, the senate and house chairs of the joint  
959 committee on public health, the senate and house chairs of the joint committee on the judiciary,  
960 the senate and house chairs of the joint committee on public safety and homeland security not  
961 later than December 31, 2020.

962           SECTION 56. The salary adjustments and other economic benefits authorized by the  
963 following collective bargaining agreements shall be effective for the purposes of section 7 of  
964 chapter 150E of the General Laws:



965 (1) between the Middlesex Sheriff's Office and the Teamsters, Local 122, Unit SM2;

966 (2) between the Essex North registries of deeds and American Federation of State,  
967 County, and Municipal Employees, Local 653;

968 (3) between the Essex South registry of deeds and American Federation of State, County,  
969 and Municipal Employees, Local 653;

970 (4) between the Board of Higher Education and the Massachusetts Community College  
971 Council;

972 (5) between the Massachusetts department of transportation and DOT Unit C, National  
973 Association of Government Employees, International Brotherhood of Electrical Workers Local  
974 103, Teamsters Local 127, and Teamsters Local 25;

975 (6) between the Massachusetts Department of Transportation and DOT Unit D, National  
976 Association of Government Employees, International Brotherhood of Electrical Workers Local  
977 103, Teamsters Local 127, Clerical, Audit and Support Employees and United Steelworkers  
978 Local 5696;

979 (7) between the treasurer and receiver-general and the Coalition of Public Safety, Unit 5;  
980 and

981 (8) between the Middlesex Sheriff's Office and New England Police Benevolent  
982 Association, Inc., Local 525, Unit SM1.

983 SECTION 57. Sections 9, 10 and 11 shall be effective for taxable years beginning after  
984 December 31, 2017.

SECTION 58. Except as otherwise specified, this act shall take effect upon enactment.