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 2020 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4354), reports, in part, recommending that the accompanying bill ought to pass (House, No. 4502) [Total Appropriation: $122,841,767.00].

For the committee,

AARON MICHEWITZ.
The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act making appropriations for fiscal year 2020 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 purposes, which are forthwith to make supplemental appropriations for fiscal year 2020 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:

SECTION 1. To provide for supplementing certain items in the general appropriation act and other appropriation acts for fiscal year 2020, 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, 2020. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of those items. These sums shall be made available until June 30, 2021, except as otherwise stated.

SECTION 2.
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<th>10</th>
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<tr>
<td>11</td>
<td>Committee for Public Counsel Services</td>
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<tr>
<td>12</td>
<td>0321-1510……………………………………………………………………$15,000,000</td>
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<td>15</td>
<td>0340-0900……………………………………………………………………$216,617</td>
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<td>17</td>
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<td>18</td>
<td>1070-0840……………………………………………………………………$300,000</td>
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<td>21</td>
<td>1102-3199……………………………………………………………………$654,639</td>
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<td>23</td>
<td>1108-5500……………………………………………………………………$450,000</td>
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<td>25</td>
<td>1599-0026……………………………………………………………………$1,000,000</td>
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<td>26</td>
<td>1599-4448……………………………………………………………………$16,300,000</td>
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<td>Department of Early Education and Care</td>
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<td>Department of Transitional Assistance</td>
<td>4400-1004</td>
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<td>4403-2000</td>
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Section 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an alteration of purpose for current appropriations and to meet certain requirements of law, the sums set forth in this section are hereby appropriated from the General Fund unless...
specifically designated otherwise in this section, for the several purposes and subject to the
conditions specified in this section, and subject to the laws regulating the disbursement of public
funds for the fiscal year ending June 30, 2020. These sums shall be made available until June 30,
2021, except as otherwise stated.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Reserves

1599-0717  For a reserve for the cleanup of disposal sites governed by chapter 21E of
the General Laws where the commonwealth is or may be a person liable under section 5 of said
chapter 21E; provided, that the secretary of administration and finance may transfer from this
item to other items amounts that are necessary to meet these costs where the amounts otherwise
available are insufficient for the purpose .................................................................$1,000,000

1599-1214  For a reserve for expansion, upgrades or enhancements to staffing,
operations or infrastructure for new and existing facilities that treat men with an alcohol or
substance use disorder under sections 1 and 35 of chapter 123 of the General Laws; provided,
that the secretary of administration and finance may transfer funds from this item to state
agencies as defined in section 1 of chapter 29 of the General Laws; provided further, that a plan
to expend these funds effectively shall be developed by the secretaries of administration and
finance, health and human services and public safety and security, and the commissioners of
public health, mental health and the department of correction, in consultation with the
Massachusetts Coalition for Addiction Services, Massachusetts Law Reform Institute, Inc.,
Prisoners Legal Services, Disability Law Center, Inc. and other groups with relevant expertise;
and provided further, that, not later than May 1, 2020, the secretary of administration and
finance, in coordination with the secretaries of health and human services and public safety and
security, shall submit to the house and senate committees on ways and means and the joint
commitee on mental health, substance use and recovery a report on current and anticipated
expenditures from this item, and on all steps taken to ensure: (1) that treatment is guided by
proper clinical treatment standards, and (2) that the facility is run as a public health facility rather
than a correctional institution .................................................................$5,400,000

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

Department of Environmental Protection

2250-2002 For the testing of potential Per- and Polyfluoroalkyl Substances (PFAS)
contamination of water supplies and for grants to support treatment and design of affected
drinking water systems; provided, that nothing in this item shall preclude PFAS-impacted
communities from seeking reimbursement for costs and expenses already incurred for testing
potentially contaminated water supplies and the treatment and design of affected drinking water
systems related to PFAS contamination .......................................................$4,200,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Office of the Secretary

4000-0011 For a public awareness campaign to promote the availability and use of
behavioral health services in the commonwealth; provided, that the public awareness campaign
shall partner with relevant advocacy organizations, employers, institutions of higher education
and community-based organizations to ensure that the campaign reaches the populations that are
most at risk of encountering existing barriers to behavioral health services...............$500,000
Behavioral Health Outreach, Access and Support Trust Fund…100%

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

Department of Housing and Community Development

7004-1000  For the federal Low Income Home Energy Assistance Program 42 U.S.C. section 8621 et seq. to assist eligible low-income elders, working families and other households with assistance paying a portion of winter heating bills; provided, that the department shall establish the maximum assistance for which a household shall be eligible ..................$15,000,000

7004-1966  For the loan program established pursuant to section 197E of chapter 111 of the General Laws for lead abatement throughout the commonwealth; provided, that the terms and conditions of such loans shall be based on income eligibility criteria and include terms and plans that allow low- and moderate-income individuals to defer loan repayment until transfer of the property; provided further, that funds made available herein shall be administered by the department of housing and community development in consultation with the department of public health; provided further, that funds shall be disbursed from this item on a quarterly basis subject to a disbursement plan which shall be filed in advance with the house and senate committees on ways and means; provided further, that such disbursements shall be made upon demonstration of need by the entity selected by the department to implement the program funded herein; and provided further, that funds received for the repayment of loans made under this item may be retained and expended without further appropriations for the loan program established pursuant to said section 197E of said chapter 111 ..................$5,000,000
SECTION 2B. To provide for supplementing certain intragovernmental chargeback authorizations in the general appropriation act and other appropriation acts for fiscal year 2020, to provide for certain unanticipated intragovernmental chargeback authorizations, to provide for an alteration 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 Intrigovernmental Service Fund for the several purposes specified in this section or in the appropriation acts, and subject to the provisions of law regulating the disbursement of public funds for the fiscal year ending June 30, 2020. This sums shall be in addition to any amounts previously authorized and made available for the purposes of this item.

OFFICE OF THE TREASURER AND RECEIVER GENERAL

0699-0018 .................................................................................................................. $721,382

EXECUTIVE OFFICE OF TECHNOLOGY SERVICES AND SECURITY

1790-0400 .................................................................................................................. $200,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Massachusetts Commission for the Deaf and Hard of Hearing

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

SECTION 2C.I. For the purpose of making available in fiscal year 2021 balances of appropriations which otherwise would revert on June 30, 2020, the unexpended balances of the appropriations listed below, not to exceed the amount specified below for each item, are hereby re-appropriated for the purposes of and subject to the conditions stated for the corresponding item in section 2 of chapter 41 of the acts of 2019. However, for items that do not appear in
section 2 of the general appropriation act, the amounts in this section are re-appropriated for the purposes of and subject to the conditions stated for the corresponding item in section 2 or 2A of this act or in prior appropriation acts. Amounts in this section are re-appropriated from the fund or funds designated for the corresponding item in section 2 of said chapter 41; provided, however, that for items which do not appear in section 2 of said chapter 41, the amounts in this section are re-appropriated from the fund or funds designated for the corresponding item in section 2 through 2E of this act or in prior appropriation acts. The sums re-appropriated in this section shall be in addition to any amounts available for said purposes.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Department of Revenue

1232-0100  ...........................................................................................................................................$11,300,000

SECTION 2C.II. For the purpose of making available in fiscal year 2021 balances of retained revenue and intragovernmental chargeback authorizations which otherwise would revert on June 30, 2020, the unexpended balances of the authorizations listed below, not to exceed the amount specified below for each item, are hereby re-authorized for the purposes of and subject to the conditions stated for the corresponding item in section 2 or 2B of chapter 41 of the acts of 2019. However, for items which do not appear in section 2 or 2B of said chapter 41, the amounts in this section are re-authorized for the purposes of and subject to the conditions stated for the corresponding item in section 2, 2A or 2B of this act or in prior appropriation acts. Amounts in this section are re-authorized from the fund or funds designated for the corresponding item in section 2 or 2B of the general appropriation act; however, for items which do not appear in section 2 or 2B of the general appropriation act, the amounts in this section are re-authorized
from the fund or funds designated for the corresponding item in section 2, 2A or 2B of this act or
in prior appropriation acts. The sums re-authorized in this section shall be in addition to any
amounts available for those purposes.

Department of Veterans Services

1410-0018 …………………………………………………………………….$250,000

SECTION 2E. The sums set forth in this section are hereby appropriated for transfer
from the General Fund to the trust funds named within each item unless specifically designated
otherwise in this section, for the purposes and subject to the conditions specified in this section
and subject to the laws regulating the disbursement of public funds for the fiscal year ending
under this section shall be made effective by the comptroller no later than June 30, 2020.

EXECUTIVE OFFICE OF EDUCATION

Office of the Secretary

1595-0035 For an operating transfer to the Twenty-First Century Education Trust
Fund established in section 35NNN of chapter 10 of the General Laws; provided, that funds shall
be used for the purpose of addressing persistent disparities in achievement among student
subgroups, improving educational opportunities for all students, sharing best practices for
improving classroom learning and supporting efficiencies within and across school districts; and
provided further, that competitive grants shall be made according to section 16 of chapter 70 of
the General Laws, and in consultation with the Twenty-First Century Education Advisory
Council established by said section 16 ……………………………………$10,000,000
SECTION 3. Subsection (a) of section 35NNN of chapter 10 of the General Laws, as appearing in section 1 of chapter 132 of the acts of 2019, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:- Revenues deposited in the fund shall not be subject to further appropriation and any revenues that are unexpended at the end of a fiscal year shall not revert to the General Fund and shall be available for expenditure in the following fiscal year.

SECTION 4. Subclause (a) of clause (2) of section 59 of chapter 23K of the General Laws, as amended by section 3 of chapter 142 of the acts of 2019, is hereby further amended by striking out the words “section 2IIII” and inserting in place thereof the following words:-
section 2HHHHH.

SECTION 5. Section 2YYYY of chapter 29 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

The secretary may expend, without further appropriation, not more than $27 million per year in fiscal year 2020 and not more than $53 million per year in fiscal years 2021 and 2022 from the fund to expand and support the residential treatment system to treat individuals with a substance use disorder or co-occurring mental health and substance use disorder; not more than $11 million per year in fiscal year 2020 and not more than $32 million per year in fiscal years 2021 and 2022 from the fund to expand and support access to medication assisted treatment; not more than $8 million per year in fiscal year 2020 and not more than $15 million per year in fiscal years 2021 and 2022 from the fund to expand and support access to recovery treatment support services; and not more than $4 million per year in fiscal year 2020 and not more than $10 million
per year in fiscal years 2021 and 2022 from the fund to implement and support American Society of Addiction Medicine assessment and care planning across substance use treatment providers. For the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the fund may incur expenses, and the comptroller shall certify for payment, amounts not to exceed the most recent revenue estimate as certified by the MassHealth director, as reported in the state accounting system. Amounts credited to the fund shall not be subject to further appropriation and monies remaining in the fund at the end of a fiscal year shall not revert to the General Fund and shall be available for expenditure in the subsequent fiscal year.

SECTION 6. Subsection (b) of section 7E of chapter 64C of the General Laws, as appearing in section 16 of chapter 133 of the acts of 2019, is hereby amended by adding the following sentence:-

Thirty per cent of revenues received pursuant to this section, together with any penalties, forfeitures, interest, costs of suits and fines collected in connection therewith, less all amounts refunded or abated in connection therewith, as certified by the commissioner, shall be credited to the Community Behavioral Health Promotion and Prevention Trust Fund established in section 35GGG of chapter 10.

SECTION 7. Section 51A of chapter 119 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking out subsection (g) and inserting in place thereof the following subsection:-

(g) No person shall be liable in any civil or criminal action for filing a report under this section, contacting local law enforcement authorities or the child advocate or providing information or assistance, including diagnosis, to the department regarding a report under this
section or for cooperating with or testifying in any proceeding involving child abuse or neglect,
if the report, contact, information, assistance, cooperation or testimony was made or provided in
good faith, was not frivolous and the person did not cause the abuse or neglect. Any person filing
a report, providing information or assistance, cooperating or testifying under this section may be
liable in a civil or criminal action if the department or a district attorney determines that the
person may have perpetrated or inflicted the abuse or caused the neglect.

SECTION 8. Item 4120-2000 of section 2 of chapter 41 of the acts of 2019 is hereby
amended by inserting after the words “state appropriations” the following words: - or account
4120-0029.

SECTION 9. Item 4516-1000 of said section 2 of said chapter 41 is hereby amended by
inserting after the words “Massachusetts state public health laboratory” the following words: - ;
provided, that up to $95,000 may be expended for the surveillance, treatment, containment or
prevention of the 2019 novel coronavirus; provided further, that, not later than June 1, 2020, the
commissioner shall report to the legislature on all expenditures made under this item, and on all
activities undertaken by the department to identify, treat, contain or prevent the virus, and shall
include in said report any additional recommendations about policies, statutory changes or
funding levels needed to achieve these goals; provided further, that said report shall be provided
to the chairs of the house and senate committees on ways and means, the house and senate chairs
of the joint committee on public health and the joint committee on health care financing.

SECTION 10. Item 7008-1116 of said section 2 of said chapter 41 is hereby amended by
inserting after the words “the town hall in the town of Hopkinton” the following words: - ;
provided further, that not less than $500,000 shall be provided to Boston Pride for the fiftieth
anniversary of the Boston Pride parade; provided further, that not less than $150,000 shall be allocated to the Community Foundation of Southeastern Massachusetts, Inc.

SECTION 11. Section 27 of chapter 133 of the acts of 2019 is hereby repealed.

SECTION 12. Section 94 of chapter 142 of the acts of 2019 is hereby amended by striking out the words “advisory committee for the lead poisoning prevention program established under section 190 of chapter 111 of the General Laws” and inserting in place thereof the following words:—department of public health.

SECTION 13. Notwithstanding any general or special law to the contrary, for fiscal year 2020, the secretary of health and human services, with the written approval of the secretary of administration and finance, may authorize transfers of surplus among items 4000-0320, 4000-0430, 4000-0500, 4000-0601, 4000-0641, 4000-0700, 4000-0875, 4000-0880, 4000-0885, 4000-0940, 4000-0950, 4000-0990, 4000-1400, 4000-1420 and 4000-1425.

SECTION 14. Notwithstanding any general or special law to the contrary, any unexpended balances, not exceeding a total of $40,000,000, in items 4000-0700 and 4000-1425 of section 2 of chapter 41 of the acts of 2019 shall not revert to the General Fund until September 1, 2020 and may be expended by the executive office of health and human services to pay for services enumerated in said items 4000-0700 and 4000-1425 provided during fiscal year 2020.

SECTION 15. Notwithstanding any special or general law to the contrary, the healthy incentive program established in item 4400-1004 of section 2 of chapter 41 of the acts of 2019 shall be operated as a year-round 12-month program by the department of transitional assistance. If, on the effective date of this act, the program has been temporarily suspended as a result of a projected funding deficit in fiscal year 2020, the commissioner of transitional assistance shall lift
the suspension and ensure access to the benefit on the same terms as those in effect prior to the
suspension. The commissioner shall certify to the legislature that the suspension has been lifted
not later than 20 days after the effective date of this act. The certification shall be provided in a
report to the chairs of the house and senate committees on ways and means, the chairs of the
joint committee on children, families and persons with disabilities, and the chairs of the joint
community on environment, natural resources and agriculture. The report shall contain a
description of any additional programmatic, administrative or fiscal challenges to the year-round
administration of the program, including any remaining projected shortfall in the fiscal year 2020
appropriation.

SECTION 16. The special commission established by chapter 3 of the resolves of 2018 is
hereby revived and continued to December 31, 2020. The special commission shall file its report
with the clerks of the house of representatives and the senate not later than December 31, 2020.

SECTION 17. The salary adjustments and other economic benefits authorized by the
following collective bargaining agreement shall be effective for the purposes of section 7 of
chapter 150E of the General Laws: between the commonwealth and the State Police Association
of Massachusetts, Unit 5A.

SECTION 18. Sections 6 and 11 shall take effect on June 1, 2020.