

# HOUSE . . . . . No. 4502

---

---

## The Commonwealth of Massachusetts

---

HOUSE OF REPRESENTATIVES, February 26, 2020.

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 MICHLEWITZ.

# HOUSE . . . . . No. 4502

---

## 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:*

1           SECTION 1. To provide for supplementing certain items in the general appropriation act  
2   and other appropriation acts for fiscal year 2020, 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, 2020. 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, 2021, except as otherwise stated.

9           SECTION 2.

10	JUDICIARY	
11	<i>Committee for Public Counsel Services</i>	
12	0321-1510.....	\$15,000,000
13	DISTRICT ATTORNEYS	
14	<i>Bristol District Attorney</i>	
15	0340-0900.....	\$216,617
16	INDEPENDENTS	
17	<i>Cannabis Control Commission</i>	
18	1070-0840.....	\$300,000
19	EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE	
20	<i>Division of Capital Asset Management and Maintenance</i>	
21	1102-3199.....	\$654,639
22	<i>Group Insurance Commission</i>	
23	1108-5500.....	\$450,000
24	<i>Reserves</i>	
25	1599-0026.....	\$1,000,000
26	1599-4448.....	\$16,300,000

27		<i>Human Resources Division</i>	
28	1750-0300.....		\$967,698
29		EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS	
30		<i>Office of the Secretary</i>	
31	2000-0100.....		\$169,805
32		<i>Department of Agricultural Resources</i>	
33	2511-0100.....		\$830,000
34		EXECUTIVE OFFICE OF EDUCATION	
35		<i>Department of Early Education and Care</i>	
36	3000-7040 .....		\$348,107
37		EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES	
38		<i>Office of the Secretary</i>	
39	1595-1070.....		\$12,300,000
40	4000-1700.....		\$10,400,000
41		<i>Department of Transitional Assistance</i>	
42	4400-1004 .....		\$2,000,000
43	4403-2000.....		\$9,600,000

44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61

*Department of Public Health*

4513-1020 .....	\$2,840,757
4516-1000 .....	\$1,871,829
4590-0300.....	\$2,000,000

*Department of Mental Health*

1595-4512 .....	\$350,000
-----------------	-----------

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

*Department of Housing and Community Development*

7004-0101 .....	\$1,838,450
7004-0108.....	\$2,023,686

*Massachusetts Marketing Partnership*

7008-1116.....	\$650,000
----------------	-----------

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

*Sex Offender Registry*

8000-0125 .....	\$130,179
-----------------	-----------

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

84 finance, in coordination with the secretaries of health and human services and public safety and  
85 security, shall submit to the house and senate committees on ways and means and the joint  
86 committee on mental health, substance use and recovery a report on current and anticipated  
87 expenditures from this item, and on all steps taken to ensure: (1) that treatment is guided by  
88 proper clinical treatment standards, and (2) that the facility is run as a public health facility rather  
89 than a correctional institution .....\$5,400,000

90 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

91 *Department of Environmental Protection*

92 2250-2002 For the testing of potential Per- and Polyfluoroalkyl Substances (PFAS)  
93 contamination of water supplies and for grants to support treatment and design of affected  
94 drinking water systems; provided, that nothing in this item shall preclude PFAS-impacted  
95 communities from seeking reimbursement for costs and expenses already incurred for testing  
96 potentially contaminated water supplies and the treatment and design of affected drinking water  
97 systems related to PFAS contamination .....\$4,200,000

98 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

99 *Office of the Secretary*

100 4000-0011 For a public awareness campaign to promote the availability and use of  
101 behavioral health services in the commonwealth; provided, that the public awareness campaign  
102 shall partner with relevant advocacy organizations, employers, institutions of higher education  
103 and community-based organizations to ensure that the campaign reaches the populations that are  
104 most at risk of encountering existing barriers to behavioral health services.....\$500,000

105 Behavioral Health Outreach, Access and Support Trust Fund...100%

106

107 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

108 *Department of Housing and Community Development*

109 7004-1000 For the federal Low Income Home Energy Assistance Program 42 U.S.C.  
110 section 8621 et seq. to assist eligible low-income elders, working families and other households  
111 with assistance paying a portion of winter heating bills; provided, that the department shall  
112 establish the maximum assistance for which a household shall be eligible .....\$15,000,000

113 7004-1966 For the loan program established pursuant to section 197E of chapter 111  
114 of the General Laws for lead abatement throughout the commonwealth; provided, that the terms  
115 and conditions of such loans shall be based on income eligibility criteria and include terms and  
116 plans that allow low- and moderate-income individuals to defer loan repayment until transfer of  
117 the property; provided further, that funds made available herein shall be administered by the  
118 department of housing and community development in consultation with the department of  
119 public health; provided further, that funds shall be disbursed from this item on a quarterly basis  
120 subject to a disbursement plan which shall be filed in advance with the house and senate  
121 committees on ways and means; provided further, that such disbursements shall be made upon  
122 demonstration of need by the entity selected by the department to implement the program funded  
123 herein; and provided further, that funds received for the repayment of loans made under this item  
124 may be retained and expended without further appropriations for the loan program established  
125 pursuant to said section 197E of said chapter 111 .....\$5,000,000



126 SECTION 2B. To provide for supplementing certain intragovernmental chargeback  
127 authorizations in the general appropriation act and other appropriation acts for fiscal year 2020,  
128 to provide for certain unanticipated intragovernmental chargeback authorizations, to provide for  
129 an alteration of purpose for current intragovernmental chargeback authorizations and to meet  
130 certain requirements of law, the sums set forth in this section are hereby authorized from the  
131 Intragovernmental Service Fund for the several purposes specified in this section or in the  
132 appropriation acts, and subject to the provisions of law regulating the disbursement of public  
133 funds for the fiscal year ending June 30, 2020. This sums shall be in addition to any amounts  
134 previously authorized and made available for the purposes of this item.

135 OFFICE OF THE TREASURER AND RECEIVER GENERAL

136 0699-0018.....\$721,382

137 EXECUTIVE OFFICE OF TECHNOLOGY SERVICES AND SECURITY

138 1790-0400 .....\$200,000

139 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

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

141 4125-0122 .....\$100,000

142 SECTION 2C.I. For the purpose of making available in fiscal year 2021 balances of  
143 appropriations which otherwise would revert on June 30, 2020, the unexpended balances of the  
144 appropriations listed below, not to exceed the amount specified below for each item, are hereby  
145 re-appropriated for the purposes of and subject to the conditions stated for the corresponding  
146 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

169 from the fund or funds designated for the corresponding item in section 2, 2A or 2B of this act or  
170 in prior appropriation acts. The sums re-authorized in this section shall be in addition to any  
171 amounts available for those purposes.

172 *Department of Veterans Services*

173 1410-0018 .....\$250,000

174 SECTION 2E. The sums set forth in this section are hereby appropriated for transfer  
175 from the General Fund to the trust funds named within each item unless specifically designated  
176 otherwise in this section, for the purposes and subject to the conditions specified in this section  
177 and subject to the laws regulating the disbursement of public funds for the fiscal year ending  
178 June 30, 2019. Notwithstanding section 19A of chapter 29 of the General Laws, any transfer  
179 under this section shall be made effective by the comptroller no later than June 30, 2020.

180 EXECUTIVE OFFICE OF EDUCATION

181 *Office of the Secretary*

182 1595-0035 For an operating transfer to the Twenty-First Century Education Trust  
183 Fund established in section 35NNN of chapter 10 of the General Laws; provided, that funds shall  
184 be used for the purpose of addressing persistent disparities in achievement among student  
185 subgroups, improving educational opportunities for all students, sharing best practices for  
186 improving classroom learning and supporting efficiencies within and across school districts; and  
187 provided further, that competitive grants shall be made according to section 16 of chapter 70 of  
188 the General Laws, and in consultation with the Twenty-First Century Education Advisory  
189 Council established by said section 16 .....\$10,000,000

190 SECTION 3. Subsection (a) of section 35NNN of chapter 10 of the General Laws, as  
191 appearing in section 1 of chapter 132 of the acts of 2019, is hereby amended by striking out the  
192 third sentence and inserting in place thereof the following sentence:- Revenues deposited in the  
193 fund shall not be subject to further appropriation and any revenues that are unexpended at the  
194 end of a fiscal year shall not revert to the General Fund and shall be available for expenditure in  
195 the following fiscal year.

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

200 SECTION 5. Section 2YYYYY of chapter 29 of the General Laws, as appearing in the  
201 2018 Official Edition, is hereby amended by striking out the second paragraph and inserting in  
202 place thereof the following paragraph:-

203 The secretary may expend, without further appropriation, not more than \$27 million per  
204 year in fiscal year 2020 and not more than \$53 million per year in fiscal years 2021 and 2022  
205 from the fund to expand and support the residential treatment system to treat individuals with a  
206 substance use disorder or co-occurring mental health and substance use disorder; not more than  
207 \$11 million per year in fiscal year 2020 and not more than \$32 million per year in fiscal years  
208 2021 and 2022 from the fund to expand and support access to medication assisted treatment; not  
209 more than \$8 million per year in fiscal year 2020 and not more than \$15 million per year in fiscal  
210 years 2021 and 2022 from the fund to expand and support access to recovery treatment support  
211 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 committee 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.