

HOUSE No. 4090



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE · BOSTON, MA 02133
(617) 725-4000

MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

September 13, 2023

To the Honorable Senate and House of Representatives,

I am filing for your consideration a bill entitled “An Act Making Appropriations for Fiscal Year 2023 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects.”

The proposal filed today would allocate \$2.15 billion gross / \$833.3 million net toward priorities and expenses incurred in Fiscal Year 2023 and enable the Commonwealth to close the books on the fiscal year that ended on July 1.

This bill would also use \$250 million from the Transitional Escrow Fund to continue to address the emergency shelter crisis in Massachusetts, and appropriate \$200 million for a reserve to pay for new collective bargaining agreements that would be ratified through an outside section. The CBA reserve was accounted for in the Fiscal Year 2024 budget signed last month.

The bulk of the new spending proposed in this supplemental budget would be directed toward MassHealth and enable our administration to proceed with a strategy designed to smooth across fiscal years the impact of the loss of enhanced federal Medicaid reimbursements available during the COVID-19 public health emergency. In total, \$2.12 billion gross / \$798.8 million net would be directed to MassHealth to implement this planned approach.

This supplemental budget also allocates:

- \$16 million for a reserve to cover costs accrued by sheriffs
- \$15 million to support Section 35 substance abuse treatment

- \$11 million for shared services at the Department of Unemployment Assistance
- \$8.8 million for the Department of Elementary and Secondary Education to enter into a new contract for the administration of the MCAS exam
- \$500,000 for Commission on Lesbian, Gay, Bisexual, Transgender, Queer and Questioning Youth operations.
- \$185,000 for military death benefits and early fiscal year National Guard activations
- \$27,564 for Group Insurance Commission dental and vision benefits for a unit within the Trial Court

An additional \$401.6 million in prior authorizations from Fiscal Year 2023 would be carried over into Fiscal Year 2024.

As you know, the demand for emergency shelter by families experiencing homelessness in Massachusetts continues to increase in part as a result of migrant families arriving in Massachusetts and lack of federal action. This situation is not unique to Massachusetts, but it is one that we must grapple with as our ability to continue to expand capacity, provide services for families in need, and support the communities that are sheltering them demands ongoing attention. We are working with our federal partners to impress upon Washington, D.C. the need for relief and other solutions, including expediting the issuance of work permits.

This \$250 million would enable our administration to continue to provide shelter and support services to the more than 6,000 families currently in our emergency shelter system for this fiscal year as we work toward longer-term solutions. It will also ensure that communities hosting these families, including the school districts welcoming new children to their classrooms for this school year, receive the support they need to accommodate this new enrollment.

Furthermore, I am filing a number of outside sections that will allow for the successful implementation of new statutes, including some that became law last month with the enactment and signing of the Fiscal Year 2024 budget. Importantly, this includes technical clarifications to the universal school lunch policy to make sure the law has the desired impact of providing both free breakfast and lunch to all students at public schools.

Other technical changes would afford relief to municipalities impacted in July by natural disasters like flooding by allowing them to amortize the cost of those emergencies over multiple years; simplify the implementation of a tax credit for small businesses who hire members of the National Guard; facilitate the elimination of copays for MassHealth members; update the quorum requirements for the MBTA board of directors to reflect the addition of new members; correct the transfer mechanism for the Cannabis Social Equity Trust Fund; expand eligibility for CHIPS

matching funds; and sunset the daily COVID-19 reporting requirements put in place for the Department of Public Health during the pandemic.

Finally, I want to reiterate my support for the spending and policy changes previously submitted by our administration earlier in the year that are still pending before your bodies. These provisions provide meaningful assistance to municipalities, offer needed technical corrections, and provide critical flexibilities to assist in closing the books on FY 23. A list of these priorities is attached to this letter as Appendix A.

Tax relief for families and businesses remains at the top of that list. It is more important now than ever for Massachusetts to enact meaningful and lasting tax reform for our families and businesses to make Massachusetts more affordable, equitable and competitive. I know that you share my desire to finalize a tax relief package that meets those goals, and I look forward to continuing to work with you to get that done as soon as possible this year. Appendix A to this letter will detail the various proposals submitted over the prior eight months still awaiting action, and I encourage you to consider these critically important proposals.

Sufficient revenues are available to finance the appropriations and other measures proposed in this bill. I urge you to enact this legislation promptly to facilitate the closing of the books for Fiscal Year 2023 and address the other urgent and time sensitive matters described above.

Respectfully submitted,

Maura T. Healey,
Governor

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act making appropriations for the fiscal year 2023 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 2023 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 2023, 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, 2023. 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 through the fiscal year ending June 30, 2024.

9 SECTION 2.

10 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

11 *Commission on Lesbian, Gay, Bisexual, Transgender, Queer and Questioning Youth*

12 0950-0050 GLBT Commission.....\$500,000

13 *Group Insurance Commission*

14 1108-5500 Group Insurance Dental and Vision \$27,564

15 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

16 *Office of the Secretary of Health and Human Services*

17 4000-0700 MassHealth Fee for Service Payments ... \$2,116,827,526

18 EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

19 *Office of the Secretary of Labor and Workforce Development*

20 7003-0101 Labor and Workforce Development Shared Services ... \$11,000,000

21 EXECUTIVE OFFICE OF EDUCATION

22 *Department of Elementary and Secondary Education*

23 7061-9400 Student and School Assessment..... \$8,833,222

24 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

25 *Military Division*

26 8700-0001 Military Division \$185,000

27 DEPARTMENT OF VETERANS' SERVICES

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Soldiers' Home in Holyoke

4190-0400 Consolidated Appropriations Act \$708,240

Transitional Escrow Fund.....100%

4190-0401 American Rescue Plan Act \$1,714,016

Transitional Escrow Fund.....100%

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, 2023. Except as otherwise stated, these sums shall be made available through the fiscal year ending June 30, 2024.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Reserves

1599-0514 For a reserve to support the commonwealth's response to the ongoing humanitarian crisis and influx of families seeking shelter; provided, that not less than \$130,000,000 shall be expended for the costs associated with sheltering eligible families including, but not limited to, housing, food, and onsite staffing; provided further, that not less than \$33,000,000 shall be expended for temporary emergency shelter sites; provided further, that not less than \$87,000,000 shall be expended for additional non-housing specific services at shelter sites and community supports, including but not limited to, medical services, health assessments, legal assistance, and

49 supplemental school district costs associated with additional student enrollments; provided
50 further, that the secretary of administration and finance may transfer funds from this item to state
51 agencies as defined in section 1 of chapter 29 of the General Laws; provided further, that if the
52 secretary of administration and finance, in consultation with the secretary of health and human
53 services and the secretary of housing and livable communities, determines that the actual need
54 for a particular purpose is less than is authorized to be spent in this item for that purpose, the
55 secretary of administration and finance may reduce spending accordingly; and provided further,
56 that the secretary of administration and finance shall notify the house and senate committees on
57 ways and means not less than 7 days prior to reducing or increasing spending for a particular
58 purpose authorized in this item\$250,000,000

59 Transitional Escrow Fund.....100%

60 1599-1214 For a reserve for expansion, upgrades or enhancements to staffing, operations or
61 infrastructure for new and existing facilities that treat men with an alcohol or substance use
62 disorder under sections 1 and 35 of chapter 123 of the General Laws; provided, that the secretary
63 of administration and finance may transfer funds from this item to state agencies as defined in
64 section 1 of chapter 29 of the General Laws\$14,000,000

65 1599-8910 For a reserve to support costs associated with the 14 county sheriffs' offices;
66 provided, that the secretary of administration and finance may transfer funds from this item to
67 state agencies as defined in section 1 of chapter 29 of the General Laws \$16,000,000

68 Transitional Escrow Fund.....100%

69 SECTION 2C.I. For the purpose of making available in fiscal year 2024 balances of
70 appropriations which otherwise would revert on June 30, 2023, the unexpended balances of the

71 appropriations listed below, not to exceed the amount specified below for each item, are hereby
 72 re-appropriated for the purposes of and subject to the conditions stated for the corresponding
 73 item in section 2 of chapter 126 of the acts of 2022. However, for items which do not appear in
 74 section 2 of the general appropriation act, the amounts in this section are re-appropriated for the
 75 purposes of and subject to the conditions stated for the corresponding item in section 2 or 2A of
 76 this act or in prior appropriation acts. Amounts in this section are re-appropriated from the fund
 77 or funds designated for the corresponding item in section 2 of said chapter 126; provided,
 78 however, that for items which do not appear in section 2 of said chapter 126, the amounts in this
 79 section are re-appropriated from the fund or funds designated for the corresponding item in
 80 section 2 through 2E of this act or in prior appropriation acts. The sums reappropriated in this
 81 section shall be in addition to any amounts available for said purposes.

82 JUDICIARY

83 *Mental Health Legal Advisors Committee*

84 0321-2000 Mental Health Legal Advisors Committee\$45,000

85 TREASURER AND RECIEVER GENERAL

86 0610-2000 Welcome Home Bill Bonus Payments\$1,000,000

87 STATE LOTTERY COMMISSION

88 0640-0000 State Lottery Commission\$207,500

89 COMMISSION ON THE STATUS OF PERSONS WITH DISABILITIES

90 0800-0003 Commission on the Status of Persons with Disabilities \$99,840

91 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

92 *Reserves*

93 1599-4448 Collective Bargaining Contract Costs\$40,000,000

94 1599-0080 Tests Vaccine Outreach Reserve \$5,000,000

95 1599-0054 Hinton Lab Reserve \$368,347

96 *Bureau of the State House*

97 1102-3400 Security Operations at the State House \$150,000

98 1102-3331 Office of the State House Superintendent \$100,000

99 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

100 *Department of Environmental Protection*

101 2260-8870 Hazardous Waste Cleanup..... \$1,000,000

102 *Department of Fish and Game*

103 2300-0101 Riverways Protection and Access \$400,000

104 *Office of the Secretary of Energy and Environmental Affairs*

105 2000-0102 Environmental Justice\$300,000

106 *Department of Agricultural Resources*

107 2511-0103 Cannabis and Hemp Agricultural Oversight \$159,150

108	2511-0100	Agricultural Resources Administration	\$24,000
109		EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES	
110		<i>Office of the Secretary of Health and Human Services</i>	
111	4000-0051	Family Resource Centers	\$450,000
112		<i>Department of Public Health</i>	
113	4512-2022	Grants to Local Boards of Health	\$973,700
114	4510-0721	Boards of Registration for HPL	\$864,000
115	4513-2020	Behavioral <i>Health Supports</i>	\$500,000
116		<i>Department of Mental Health</i>	
117	5095-0017	DMH Loan Forgiveness Program	\$10,000,000
118	5011-0100	DMH Administration and Operations	\$145,000
119		<i>Department of Youth Services</i>	
120	4200-0300	Residential Services for Committed Population	\$5,000,000
121		<i>Massachusetts Commission for the Deaf</i>	
122	4125-0100	Massachusetts Commission for the Deaf and Hard of Hearing...	\$399,000
123		DEPARTMENT OF VETERANS' SERVICES	
124		<i>Soldiers' Home in Massachusetts</i>	

125 4180-0100 Soldiers' Home in Massachusetts Administration and Operations.....\$4,661,119

126 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

127 *Massachusetts Bay Transportation Authority*

128 1599-1971 MBTA Workforce Safety Reserve\$229,290,000

129 EXECUTIVE OFFICE OF ECONOMIC DEVELOPMENT

130 *Office of the Secretary of Economic Development*

131 7002-0017 Economic Development IT Costs \$505,000

132 *Massachusetts Marketing Partnership*

133 7008-0900 Massachusetts Office of Travel and \$2,207,028

134 EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

135 *Executive Office of Housing and Livable Communities*

136 7004-0102 Homeless Individual Shelters \$6,000,000

137 EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

138 *Office of the Secretary of Labor and Workforce Development*

139 7003-0150 Demonstration Workforce Development.....\$2,293,876

140 7003-0607 Employment Program for Young Adults with Disabilities\$166,667

141 EXECUTIVE OFFICE OF EDUCATION

142		<i>Department of Early Education and Childcare</i>	
143	3000-1020	Quality Improvement	\$1,000,000
144	3000-1046	EEC Infrastructure Policy Reforms	\$8,127,000
145	3000-2050	Children’s Trust Fund	\$350,000
146		<i>Department of Elementary and Secondary Education</i>	
147	7061-9805	Teacher Diversity Initiative	\$14,800,000
148		<i>Department of Higher Education</i>	
149	7066-0115	Endowment Incentive Program	\$9,775,000
150		<i>University of Massachusetts</i>	
151	7100-0700	Office of Dispute Resolution	\$93,000
152		<i>EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY</i>	
153		<i>Office of the Secretary of Public Safety and Security</i>	
154	8000-1700	Public Safety Information Technology Costs	700,000
155		<i>Office of the Chief Medical Examiner</i>	
156	8000-0105	Office of the Chief Medical Examiner	\$70,000
157		<i>Massachusetts State Police</i>	
158	8100-0515	New State Police Class	\$5,367,000

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Department of Fire Services

8324-0000	Department of Fire Services Administration	\$647,159
8324-0050	Local Fire Department Projects and Grants	\$200,000

Department of Correction

8900-0001	Department of Correction Facility Operations	\$8,000,000
8900-1100	Re-Entry Programs	\$2,997,166

SECTION 2C.II. For the purpose of making available in fiscal year 2024 balances of retained revenue and intragovernmental chargeback authorizations which otherwise would revert on June 30, 2023, 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 24 of the acts of 2021. However, for items which do not appear in section 2 or 2B of said chapter 24, 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.

MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION

180 0940-0103 Equal Employment Opportunity Commission Fair Employment Programs
181\$1,200,000

182 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

183 *Operational Services Division*

184 1775-0800 Chargeback for Purchase of Operation and Repair of State Vehicles....\$225,000

185 EXECUTIVE OFFICE OF EDUCATION

186 *Roxbury Community College*

187 7515-0121 Reggie Lewis Track – Retained Revenue \$100,000

188 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

189 *Office of the Chief Medical Examiner*

190 8000-0122 Chief Medical Examiner Fee Retained Revenue\$230,000

191 *Department of Corrections*

192 8900-0021 Chargeback for Prison Industries and Farm Program.....\$2,000,000

193 8900-0011 Prison Industries Retained Revenue \$400,000

194 SECTION 3. The sixth paragraph of section 22N of chapter 7 of the General Laws, as
195 appearing in the 2022 Official Edition, is hereby amended by adding the following sentence:-
196 Notwithstanding any general or special law to the contrary, child care and school age programs,
197 except for special education and residential programs, contracting with the department of early

198 education and care or their agents shall be exempt from the price limitations set forth by the
199 bureau.

200 SECTION 4. Section 39M of chapter 30 of the General Laws, as so appearing, is hereby
201 amended by striking out, in line 63, the word “and”.

202 SECTION 5. Said section 39M of said chapter 30, as so appearing, is hereby further
203 amended by inserting after the figure “\$150,000”, in line 67, the following words:- , and, at the
204 option of the commissioner of capital asset management and maintenance, a maintenance service
205 contract, as defined in paragraph (D ½) of section 44A of chapter 149, by the division of capital
206 asset management and maintenance.

207 SECTION 6. The fourth paragraph of subsection (a) of said section 39M of said chapter
208 30, as so appearing, is hereby amended by inserting after the first sentence the following
209 sentence:- The division of capital asset management and maintenance shall evaluate the
210 performance of the contractor of a maintenance service contract, as defined in said paragraph (D
211 ½) of said section 44A of said chapter 149, procured pursuant to this section at the end of each
212 maintenance service contract and keep said maintenance service contract performance
213 evaluations on file.

214 SECTION 7. Section 3 of chapter 62 of the General Laws, as so appearing, is hereby
215 amended by striking out, in lines 146 to 149, the words “wagering transactions, that were
216 incurred at a gaming establishment licensed in accordance with chapter 23K or at any racing
217 meeting licensee or simulcasting licensee, only to the extent of the gains from such transactions”
218 and inserting in place thereof the following words:- sports wagers, that were incurred through a
219 sports wagering operator licensed under chapter 23N, or from wagering transactions, that were

220 incurred at a gaming establishment licensed under chapter 23K or at any racing meeting licensee
221 or simulcasting licensee; provided, however, that the amount of losses deducted shall not exceed
222 the amount of gains from such sports wagers and wagering transactions.

223 SECTION 8. Section 5A of said chapter 62, as so appearing, is hereby amended by
224 inserting after the word “23K”, in line 27, the following words:- or sports wagering winnings
225 acquired through a sports wagering operator licensed under chapter 23N.

226 SECTION 9. Subsection (aa) of section 6 of chapter 62 of the General Laws, as so
227 appearing, is hereby amended by striking out, in line 1385, the words “the day” and inserting in
228 place thereof the following words:- six months after.

229 SECTION 10. Section 2 of chapter 62B of the General Laws, as so appearing, is hereby
230 amended by inserting after the word “establishment”, in lines 94 to 95, the following words:- ,
231 from sports wagering under chapter 23N.

232 SECTION 11. Said section 2 of said chapter 62B, as so appearing, is hereby further
233 amended by inserting after the word “licensee”, in line 105, the following words:- or sports
234 wagering operator.

235 SECTION 12. Section 38KK of chapter 63 of the General Laws, as so appearing, is
236 hereby amended by striking out, in line 15, the words “the day” and inserting in place thereof the
237 following words:- six months after.

238 SECTION 13. Paragraph (1) of subsection (a) of section 1C of chapter 69 of the General
239 Laws, as inserted by section 34 of chapter 28 of the acts of 2023, is hereby amended by striking
240 out the first sentence and inserting in place thereof the following 2 sentences:- The board shall

241 require all public schools to make lunches available to children. The board shall require all
242 schools providing school lunch as provided in the National School Lunch Act, as amended, to
243 also provide school breakfast as provided in the National Child Nutrition Act, as amended, and
244 make both breakfast and lunch available at no charge to each attending student regardless of
245 household income.

246 SECTION 14. Chapter 90 of the General Laws is hereby amended by inserting after
247 section 2I the following section:-

248 Section 2J. The registrar shall refuse to register, and shall suspend or revoke if already
249 registered, a commercial motor vehicle if the registrar has received notice, in any form which the
250 registrar deems appropriate, including electronic transmissions, that the commercial motor
251 carrier attempting to register a commercial motor vehicle has been prohibited from operating in
252 interstate commerce by a federal agency with authority to do so under federal law.

253 SECTION 15. Section 14 of chapter 94G of the General Laws, as appearing in the 2022
254 Official Edition, is hereby amended by striking out, in line 16, the words “15 per cent of the
255 fund” and inserting in place thereof the following words:- not later than January 1, an amount
256 equal to 15 per cent of the revenue deposited in the fund in the prior fiscal year.

257 SECTION 16. The first paragraph of section 23 of chapter 118E of the General Laws, as
258 so appearing, is hereby amended by inserting after the words “pharmacy benefit manager,” the
259 following words:- , dental benefit manager, accountable care organization, managed care entity,
260 casualty insurer, workers’ compensation insurer, malpractice insurer, short-term limited duration
261 insurance, association health plan.

262 SECTION 17. The third paragraph of said section 23 of said chapter 118E, as so
263 appearing, is hereby amended by striking out the second sentence and inserting in place thereof
264 the following sentence:- A health care insurer shall respond to an inquiry by the division about a
265 claim for payment for health care benefits not later than 60 days after receiving any inquiry and
266 shall not deny a claim for payment for health care benefits solely on the basis of the date of
267 submission of the claim, the type of format for the claim form or a failure to present proper
268 documentation at the point of sale that is the basis of the claim if the claim is submitted by the
269 division within a 3-year period beginning on the date on which the service was furnished and if
270 any action by the division to enforce its rights with respect to a claim is filed within 6 years after
271 the submission of the claim to the health insurer.

272 SECTION 18. Said section 23 of said chapter 118E, as so appearing, is hereby amended
273 by inserting after the third paragraph the following 2 paragraphs:-

274 A health care insurer shall: (a) accept the division's authorization that the item or service
275 is covered under the state plan or waiver of such plan, as if the authorization were the prior
276 authorization made by the health care insurer for the item or service; and (b) not deny a claim
277 submitted by the division for failure to obtain prior authorization for an item or service.

278 Prior authorization made by the health care insurer or any other entity on behalf of the
279 health insurer, including, but not limited to, a third-party administrator, means any review to
280 determine coverage of an item or service before the item or service is provided and before a
281 claim is submitted for payment, including, but not limited to, prior approvals, pre-certifications
282 or medical necessity determinations.

283 SECTION 19. The eighth paragraph of said section 23 of said chapter 118E, as so
284 appearing, is hereby amended by inserting after the word “commonwealth”, in line 68, the
285 following words:- or providing coverage to residents of the commonwealth.

286 SECTION 20. Said eighth paragraph of said section 23 of said chapter 118E, as so
287 appearing, is hereby further amended by inserting after the word “division”, in line 71, the
288 following words:- or its designee,.

289 SECTION 21. The fourteenth paragraph of section 25 of chapter 118E of the General
290 Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out the second
291 sentence and inserting in place thereof the following sentence:- In the absence of managed care
292 plans, the division may require, to the extent permitted by federal law, that recipients, if eligible
293 for such benefits, be liable for a copayment of up to \$5 toward the purchase of each
294 pharmaceutical product, including prescription drugs and over-the-counter drugs.

295 SECTION 22. Subsection 1 of section 44A of chapter 149 of the General Laws, as so
296 appearing, is hereby amended by inserting after the definition of “Eligible” the following
297 definition:-

298 “Maintenance service contract”, a multi-year contract exclusively for the ongoing,
299 periodic maintenance, including maintaining, servicing, testing and incidental repairs, of 1 or
300 more of the following building systems: (i) electrical; (ii) elevator; (iii) fire protection sprinkler
301 system, as defined in section 81 of chapter 146, and fire alarm system; (iv) heating, ventilating
302 and air-conditioning and any associated mechanical system; or (v) plumbing.

303 SECTION 23. Subsection 2 of said section 44A of said chapter 149, as so appearing, is
304 hereby amended by inserting after paragraph (D) the following paragraph:-

305 (D ½) Every maintenance service contract for any building by the division of capital
306 asset management and maintenance estimated to cost more than \$150,000 shall be awarded to
307 the lowest responsible and eligible general bidder on the basis of competitive bids in accordance
308 with the procedure set forth in section 44A to 44H, inclusive; provided, however, that this
309 paragraph shall not apply if a maintenance service contract is bid, at the option of the
310 commissioner, pursuant to section 39M of chapter 30.

311 SECTION 24. Section 7 of said chapter 161A of the General Laws, as so appearing, is
312 hereby amended by striking out subsection (d) and inserting in place thereof the following
313 subsection:-

314 (d) Five members of the board shall constitute a quorum and the affirmative vote of a
315 majority of members present at a duly called meeting, if a quorum is present, shall be necessary
316 for any action taken by the board. Any action required or permitted to be taken at a meeting of
317 the board may be taken without a meeting if all of the members consent in writing to such action
318 and such written consent is filed with the records of the minutes of the board. Such consent shall
319 be treated for all purposes as a vote at a meeting.

320 SECTION 25. Sections 1 and 3 to 7, inclusive, of chapter 93 of the acts of 2020 are
321 hereby repealed.

322 SECTION 26. Subsection (e) of section 117 of chapter 253 of the acts of 2020 is hereby
323 amended by striking out the figure “2023” and inserting in place thereof the following figure:-
324 2024.

325 SECTION 27. Section 70 of chapter 260 of the acts of 2020 is hereby amended by
326 inserting after the words “at both in-network and out-of-network providers” the following

327 words:- “; provided, however, that cost-sharing shall be required if the applicable plan is
328 governed by the Federal Internal Revenue Code and would lose its tax-exempt status as a result
329 of the prohibition on cost-sharing for this service.”

330 SECTION 28. Item 4000-0300 of section 2 of chapter 24 of the acts of 2021, as most
331 recently amended by section 178 of chapter 268 of the acts of 2022, is hereby amended by
332 striking out the words “July 1,” and inserting in place thereof the following words:- October 1.

333 SECTION 29. Section 81 of chapter 102 of the acts of 2021, as most recently amended
334 by section 227 of chapter 268 of the acts of 2022, is hereby amended by striking out the words
335 “up to \$2,563,676,478 from”.

336 SECTION 30. Said section 81 of said chapter 102, as most recently amended by said
337 section 227 of said chapter 268, is hereby further amended by striking out the words “up to
338 \$1,460,323,522 from”.

339 SECTION 31. The first paragraph of section 2A of chapter 268 of the acts of 2022 is
340 hereby amended by inserting after the words “General Fund,” the following words:- or the
341 Transitional Escrow Fund established in section 16 of chapter 76 of the acts of 2021, as amended
342 by section 4 of chapter 98 of the acts of 2022,.

343 SECTION 32. Item 1599-6063 of section 2A of chapter 268 of the acts of 2022 is hereby
344 amended by adding the following words:- “; and provided further, that not less than \$4,000,000
345 shall be expended for capital improvements at the Zeiterion Performing Arts Center located in
346 New Bedford;”

347 SECTION 33. Said item 1599-6063 of said section 2A of said chapter 268 is hereby
348 further amended by striking out the figure “\$85,854,000” and inserting in place thereof the
349 following figure:- “\$89,854,000”.

350 SECTION 34. Item 7002-8041 of section 2A of chapter 2 of the acts of 2023 is hereby
351 amended by inserting, after the words “technology-based economic development organizations”,
352 the following words:- or qualifying private businesses; provided, however, that a private
353 university or business entity shall not be eligible for assistance unless the Massachusetts
354 Technology Park Corporation has made a finding that a grant to such university or entity will
355 result in a significant public benefit and the private benefit is incidental to a legitimate public
356 purpose,.

357 SECTION 35. Section 76 of said chapter 2 of the acts of 2023 is hereby amended by
358 adding the following words:- to be held by the Massachusetts marketing partnership
359 notwithstanding subsection (d) of said section 13T of said chapter 32A.

360 SECTION 36. Section 2 of chapter 28 of the acts of 2023 is hereby amended by inserting
361 after item 1599-7114 the following item:-

362 1599-4448 For a reserve to meet the costs of salary adjustments and other economic
363 benefits authorized by the ratified collective bargaining
364 agreements.....\$247,269,985

365 SECTION 37. Item 0610-2000 of said section 2 of said chapter 28 is hereby amended by
366 striking out the figure “\$300,000” and inserting in place thereof the following figure:-
367 “\$1,300,000”.

368 SECTION 38. (a) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the
369 General Laws or any other general or special law to the contrary, the commissioner of capital
370 asset management and maintenance, in consultation with the director of the Massachusetts
371 emergency management agency and the director of the office of law enforcement of the
372 executive office of energy and environmental affairs, may transfer the care and control of a
373 certain parcel of land and the real property attached thereto in the town of Westborough
374 identified in Section 2 from the Massachusetts emergency management agency to the office of
375 law enforcement of the executive office of energy and environmental affairs for conservation law
376 enforcement purposes, including, but not limited to, training, education, evidence storage and
377 administration purposes, and for use as an armory. The commissioner of capital asset
378 management and maintenance, in consultation with the director of the office of law enforcement
379 of the executive office of energy and environmental affairs, shall determine the exact boundaries
380 of the parcels, which may require the completion of a survey.

381 (b) The parcel of land to be transferred pursuant to subsection (a) was acquired for use as
382 the Lyman school for boys and is shown as “Civil Defense Radio Tower” on a plan of land
383 entitled, “Subdivision Plan of Land in Westborough, MA (Worcester County)” prepared by
384 Beals and Thomas, Inc., revised October 16, 1985 and recorded in Worcester registry of deeds in
385 plan book 548, plan 68.

386 (c) Notwithstanding any general or special law to the contrary, the office of law
387 enforcement of the executive office of energy and environmental affairs shall be responsible for
388 all costs and expenses of the transaction authorized in subsections (a) and (b) as determined by
389 the commissioner of capital asset management and maintenance, in consultation with the director
390 of the office of law enforcement of the executive office of energy and environmental affairs,

391 which shall include, but not be limited to, the costs of any engineering, surveys, appraisals,
392 recording fees and deed preparation related to the conveyance of the parcels pursuant to this
393 section.

394 SECTION 39. Notwithstanding section 23 of chapter 59 of the General Laws, section 31
395 of chapter 44 of the General Laws or any other general or special law to the contrary, a city or
396 town may amortize over fiscal years 2025 to 2027, inclusive, in equal installments or more
397 rapidly, the amount of its fiscal year 2024 major disaster related deficit. The local appropriating
398 authority as defined in section 21C of said chapter 59 shall adopt a deficit amortization schedule
399 in accordance with the preceding sentence before setting the municipality's fiscal year 2025 tax
400 rate. The commissioner of revenue may issue guidelines or instructions for reporting the
401 amortization of deficits authorized by this section.

402 SECTION 40. Notwithstanding any general or special law to the contrary, prior to
403 transferring the consolidated net surplus in the budgetary funds for fiscal year 2023 to the
404 Commonwealth Stabilization Fund pursuant to section 5C of chapter 29 of the General Laws, the
405 comptroller shall transfer \$10,000,000 from the General Fund to the Massachusetts Life Sciences
406 Investment Fund established in section 6 of chapter 23I of the General Laws.

407 SECTION 41. Notwithstanding any general or special law to the contrary, no later than
408 10 days after the effective date of this act, the commissioner of revenue shall certify to the
409 comptroller the amount of tax revenues estimated to have been collected during fiscal year 2023
410 in connection with the additional 4 per cent income tax levied pursuant Article XLIV of the
411 Articles of amendment of the Constitution, as added by CXXI of the Articles of Amendment.
412 Following such certification, the comptroller shall transfer all such certified revenue from the

413 General Fund to the Education and Transportation Fund established in section 2BBBBBB of
414 chapter 29 of the General Laws. Such transfer shall be credited as a fiscal year 2023 transfer and
415 shall precede the calculation of fiscal year 2023 consolidated net surplus pursuant to section 5C
416 of chapter 29 of the General Laws.

417 SECTION 42. Notwithstanding any general or special law to the contrary, for fiscal year
418 2024, the registrar of motor vehicles shall provide quarterly reports to the commissioner of
419 correction detailing the number of identity cards processed pursuant to the enhanced state
420 identity card program for citizens released from department of correction facilities. The report
421 shall also provide the summary and detail of the registry of motor vehicles fees associated with
422 the transactions. Upon receipt and verification by the department of correction of the accuracy of
423 the transactions reported in the quarterly report, the commissioner of correction shall submit a
424 request to the comptroller of the commonwealth for an operating transfer of the full amount of
425 those registry of motor vehicles fees to the Commonwealth Transportation Fund established by
426 Section 2ZZZ of Chapter 29 of the General Laws. The transfer request shall include the
427 department of correction account from which the transfer shall be made and the quarterly report
428 from the registrar of motor vehicles as supporting documentation.

429 SECTION 43. Notwithstanding any general or special law to the contrary, the secretary
430 of administration and finance shall direct the comptroller to transfer \$192,650,000 from the
431 Transitional Escrow Fund established in section 16 of chapter 76 of the acts of 2021, as amended
432 by section 4 of chapter 98 of the acts of 2022, to the Behavioral Health Trust Fund established in
433 section 1 of chapter 77 of the acts of 2022. Notwithstanding any general or special law to the
434 contrary, the Behavioral Health Trust Fund established in said section 1 of said chapter 77 shall
435 not be subject to section 5C of chapter 29 of the General Laws.

436 SECTION 44. The salary adjustments and other economic benefits authorized by the
437 following collective bargaining agreements shall be effective for the purposes of section 7 of
438 chapter 150E of the General Laws:

439 (1) the agreement between the Commonwealth of Massachusetts and the State Police
440 Association of Massachusetts, Unit 5A and C22;

441 (2) the agreement between the Commonwealth of Massachusetts and the Alliance,
442 American Federation of State, County and Municipal Employees – SEIU Local 888, Unit 2;

443 (3) the agreement between the Commonwealth of Massachusetts and the Service
444 Employees International Union, Local 509, Units 8 and 10;

445 (4) the agreement between the Commonwealth of Massachusetts and the Massachusetts
446 Organization of State Engineers and Scientists, Unit 9;

447 (5) the agreement between the Commonwealth of Massachusetts and the National
448 Association of Government Employees, Units 1, 3 and 6;

449 (6) the agreement between the Sheriff of Berkshire County and the Berkshire County
450 Sheriff's Office Employee Association, Unit SB3;

451 (7) the agreement between the Sheriff of Berkshire County and the Berkshire Correction
452 Officers/IBCO Local R1-297, Unit SB1;

453 (8) the agreement between the Sheriff of Berkshire County and the Berkshire IUE -CWA,
454 Unit SB2;

455 (9) the agreement between the Sheriff of Hampshire County and the Hampshire Sheriff's
456 Office Non-Uniform Correctional Association, Unit SH7;

457 (10) the agreement between the Sheriff of Hampshire County and the Hampshire Sheriff's
458 Office Treatment Association (SOTA), Unit SH6;

459 (11) the agreement between the Sheriff of Plymouth County and the Plymouth Superiors
460 NCEU 104, Unit SP1;

461 (12) the agreement between the Massachusetts State Lottery Commission and the Service
462 Employees International Union, Local 888, Unit LT1;

463 (13) the agreement between the University of Massachusetts and the Massachusetts
464 Society of Professors MTA/NEA, Amherst Campus, Unit A50;

465 (14) the agreement between the University of Massachusetts and the Boston Public
466 Safety Officers NEPBA L90, Unit B33;

467 (15) the agreement between the University of Massachusetts and the International
468 Brotherhood of Teamsters, L25, Public Safety Lieutenants, Unit B3L;

469 (16) the agreement between the University of Massachusetts and the International
470 Brotherhood of Teamsters, L25, Officers, Unit B3S;

471 (17) the agreement between the University of Massachusetts and the Head Coaches
472 MTA/NEA Professional Staff Union Unit C, Unit B45;

473 (18) the agreement between the University of Massachusetts and the Boston Department
474 Chairs Union/MTA/NEA, Unit B50;

475 (19) the agreement between the University of Massachusetts and the Non-Faculty -
476 Maintenance & Trades MTA, Lowell Campus, Unit L93;

477 (20) the agreement between the University of Massachusetts and the Non-Faculty - Police
478 Officers Teamsters L25, Lowell Campus, Unit L94;

479 (21) the agreement between the Essex North and South registry of deeds and the
480 American Federation of State, County, and Municipal Employees, Local 653, Unit SC3;

481 (22) the agreement between the Sheriff of Suffolk County and the National Association
482 of Government Employees, Local 298, Unit SS2;

483 (23) the agreement between the Sheriff of Suffolk County and the American Federation
484 of State, County and Municipal Employees/AFL-CIO, Council 93, Local RN, Unit SS3;

485 (24) the agreement between the Sheriff of Suffolk County and the American Federation
486 of State, County and Municipal Employees/AFL-CIO, Council 93, Local 3643, Unit SS5;

487 (25) the agreement between the Sheriff of Franklin County and the National Correctional
488 Employees Union, Local 106, Unit SF1;

489 (26) the agreement between the Sheriff of Franklin County and the Franklin Sheriff's
490 Office Non-Unit Employer's Association, Unit SF3;

491 (27) the agreement between the Sheriff of Worcester County and the New England Police
492 Benevolent Association, Local 275, Unit SW2;

493 (28) the agreement between the Sheriff of Worcester County and the New England Police
494 Benevolent Association, Local 515, Unit SW5;

495 (29) the agreement between the Sheriff of Hampshire County and the Hampshire
496 Sheriff's Office Jail and House of Correction Supervisory Correctional Officers' Association,
497 Unit SH8;

498 (30) the agreement between the Sheriff of Worcester County and the National
499 Association of Government Employees, Local R1-255, Unit SW4;

500 (31) the agreement between the Massachusetts Board of Higher Education and the
501 Massachusetts Community College Council;

502 (32) the agreement between the trial court and the National Association of Government
503 Employees/Service Employees International Union Local 5000, Units J2C and J2P;

504 (33) the agreement between the trial court and Office and Professional Employees
505 International Union, Local 6, Units J6C and J6P;

506 (34) the agreement between the University of Massachusetts and the International
507 Brotherhood of Police Officers (IBPO) Local 432, Amherst Campus, Unit A06;

508 (35) the agreement between the University of Massachusetts and the Massachusetts
509 Teachers Association/NEA Classified (CSU), Boston Campus, Unit B31 & Unit B32;

510 (36) the agreement between the University of Massachusetts and the Faculty Staff Union,
511 Boston Campus, Unit B40;

512 (37) the agreement between the University of Massachusetts and the American
513 Federation of Teachers Local 6350, Dartmouth Campus, Unit D82;

514 (38) the agreement between the University of Massachusetts and the American
515 Federation of State, County and Municipal Employees (AFSCME) Local 507, Dartmouth
516 Campus, Unit D83;

517 (39) the agreement between the University of Massachusetts and the International
518 Brotherhood of Police Officers (IBPO) Local 399, Dartmouth Campus, Unit D84;

519 (40) the agreement between the University of Massachusetts and the Massachusetts
520 Society of Professors (MSP), Lowell Campus, Unit L90;

521 (41) the agreement between the University of Massachusetts and the Service Employees
522 International Union (SEIU) Local 888, Lowell Campus, Unit L95;

523 (42) the agreement between the Sheriff of Hampden County and the Non-Uniform
524 Correctional Association, Unit SH2;

525 (43) the agreement between the Sheriff of Hampden County and the Superior
526 Correctional Officer Association, Unit SH3;

527 (44) the agreement between the Sheriff of Norfolk County and NAGE, Local 202, Unit
528 SN1;

529 (45) the agreement between the University of Massachusetts and the New England Police
530 Benevolent Protection Organization, Amherst Campus, Local 190, Unit A07;

531 (46) the agreement between the University of Massachusetts and the American
532 Federation of Teachers, Local 1895, AFL-CIO, Faculty Federation, Dartmouth Campus, units
533 D80 & D81;

534 (47) the agreement between the University of Massachusetts and the Classified and
535 Technical Union, Lowell Campus, Unit L92;

536 (48) the agreement between the Sheriff of Essex County and National Correctional
537 Employees Union, Local 121, Unit SE7;

538 (49) the agreement between the Sheriff of Middlesex and the New England Police
539 Benevolent Association, Local 500, Unit SM5;

540 (50) the agreement between the Middlesex South registry of deeds and OPEIU, Local 6;

541 (51) the agreement between the Worcester South registry of deeds and OPEIU, Local 6;

542 (52) the agreement between the Hampden registry of deeds and OPEIU, Local 6;

543 (53) the agreement between the Middlesex North registry of deeds and OPEIU, Local 6;

544 (54) the agreement between the Berkshire Middle, North and South registry of deeds and
545 the Service Employees International Union, Local 888;

546 (55) the agreement between the Massachusetts Department of Transportation and the
547 National Association of Government Employees, Local R1-292, Unit A, Unit D01;

548 (56) the agreement between the Massachusetts Department of Transportation and the
549 Coalition of MassDOT Unions, Unit D, Unit D06;

550 (57) the agreement between the Sheriff of Plymouth County and Association of County
551 Employees, Unit SP4;

552 (58) the agreement between the Sheriff of Franklin County and the National Correctional
553 Employees Union, Local 141, Unit SF2;

554 (59) the agreement between the Sheriff of Hampden County and the National
555 Correctional Employees Union, Local 105, Unit SH4;

556 (60) the agreement between the Sheriff of Suffolk County and the American Federation
557 of State, County and Municipal Employees, Local 3967, Unit SS6;

558 (61) the agreement between the Sheriff of Suffolk County and the Jail Officers and
559 Employees Association of Suffolk County, Unit SS4;

560 (62) the agreement between the University of Massachusetts and the American
561 Federation of Teachers, Local 1895, Unit D85;

562 (63) the agreement between the Massachusetts Board of Higher Education and the
563 American Federation of State and County and Municipal Employees, Council 93, Local 1067,
564 AFL-CIO;

565 (64) the agreement between the Sheriff of Plymouth County and the National
566 Correctional Employees Union, Local 301, Unit SP7;

567 (65) the agreement between the University of Massachusetts and the American
568 Federation of State, County, and Municipal Employees, Local 1776, Unit A01;

569 (66) the agreement between the Worcester North registry of deeds and the Service
570 Employees International Union, Local 888;

571 (67) the agreement between the Massachusetts Department of Transportation and the
572 Coalition of MassDOT Unions, Unit E, Unit D09;

573 (68) the agreement between the Sheriff of Middlesex County and the Middlesex Sheriff's
574 Superior Officers Association, Unit SM4;

575 (69) the agreement between the Sheriff of Plymouth County and the New England Police
576 Benevolent Association (NEPBA) Local 193, Unit SP5;

577 (70) the agreement between the Massachusetts Department of Transportation and the
578 Coalition of MassDOT Unions, Unit B, Unit D02;

579 (71) the agreement between the Massachusetts Department of Transportation and the
580 Coalition of MassDOR Unions, Unit C, Unit D03;

581 (72) the agreement between the Suffolk registry of deeds and the Service Employees
582 International Union, Local 888;

583 (73) the agreement between the Middlesex South registry of deeds and the American
584 Federation of State, County, and Municipal Employees, Local 414;

585 (74) the agreement between the Sheriff of Hampden County and the National
586 Correctional Employees Union, Local 131, Unit SH1;

587 (75) the agreement between the University of Massachusetts and the University Staff
588 Association/MTA/NEA, Amherst Campus, Unit A08;

589 (76) the agreement between the University of Massachusetts and the Professional Staff
590 Union/MTA/NEA, Unit A15;

591 (77) the agreement between the Sheriff of Norfolk County and the New England Police
592 Benevolent Association, Inc., Local 570, Unit SN3;

593 (78) the agreement between the Sheriff of Barnstable County and the Barnstable County
594 Correctional Officers Union, Unit S1B;

595 (79) the agreement between the Sheriff of Barnstable County and the Barnstable County
596 Correctional Officers Captains Union, Unit S2B;

597 (80) the agreement between the Sheriff of Barnstable County and NAGE, Local 220, Unit
598 S5B;

599 (81) the agreement between the Sheriff of Barnstable County and NAGE, Local 217, Unit
600 S3B; and

601 (82) the agreement between the Sheriff of Barnstable County and NAGE, Local 122, Unit
602 S9B.

603 SECTION 45. Section 15 shall take effect December 15, 2023.