

1 **SECTION 4.** Section 16 of chapter 6A of the General Laws, as appearing in the 2016 Official
2 Edition, is hereby amended by striking out, in lines 38 and 39, the words “and (7) the health
3 facilities appeals board” and inserting in place thereof the following words:- (7) the health
4 facilities appeals board; and (8) the office of health equity.

5 **SECTION 5.** Section 16O of said chapter 6A, as so appearing, is hereby amended by inserting
6 after the word “recommendations”, in lines 3 and 4, the following words:- to the director of the
7 office of health equity.

8 **SECTION 6.** Said section 16O of said chapter 6A, as so appearing, is hereby further amended
9 by inserting after the words “ex officio;”, in line 27, the following words:- the director of the
10 office of health equity or a designee, who shall serve ex officio;.

11 **SECTION 7.** Said chapter 6A is hereby further amended by inserting after section 16Z the
12 following section:-

13 Section 16AA. (a) As used in this section the following words shall, unless the context clearly
14 requires otherwise, have the following meanings:-

15 Disparities”, differences in the incidence, prevalence, mortality and burden of diseases
16 and other adverse health conditions that exist among specific racial and ethnic groups.

17 “Office”, the office of health equity, as established in this section.

18 (b) There shall be an office of health equity within the executive office of health and human
19 services. The office shall be under the supervision and control of a director who shall be
20 appointed by, with the approval of the governor, and report to the secretary of health and human
21 services. The health disparities council, established in section 16O, shall serve as an advisory
22 board to the office.

23 (c) The office shall coordinate all activities of the commonwealth to eliminate racial and ethnic
24 health and health care disparities. The office shall set goals for the reduction of disparities and
25 prepare an annual plan for the commonwealth to eliminate disparities.

26 (d) The office shall collaborate with executive offices and other state agencies of the
27 commonwealth on disparities reduction initiatives to address the social factors that influence
28 health inequality. The executive offices and other state agencies shall include, but shall not be
29 limited to, the executive office of health and human services, the executive office of housing and
30 economic development, the executive office of public safety and security, the executive office of
31 energy and environmental affairs, the Massachusetts Department of Transportation, the executive
32 office of labor and workforce development and the executive office of education. The office
33 shall facilitate communication and partnership between these executive offices and agencies to
34 develop greater understanding of the intersections between agency activities and health

35 outcomes. The office shall facilitate development of interagency initiatives to address the social
36 and economic determinants of health disparity issues including, but not limited to: (i) health care
37 access and quality; (ii) housing availability and quality; (iii) transportation availability, location
38 and cost; (iv) community policing and safe spaces; (v) air, water, land usage and quality; (vi)
39 employment and workforce development; and (vii) education access and quality.

40 (e) The office shall evaluate the effectiveness of programs and interventions to eliminate health
41 disparities, identifying best practices and model programs for the commonwealth.

42 (f) The office shall prepare an annual health disparities report. The report shall evaluate the
43 progress of the commonwealth toward eliminating racial and ethnic health disparities using,
44 where possible, quantifiable measures and comparative benchmarks and, where possible, shall
45 detail such progress on a regional basis. The office shall hold public hearings in several regions
46 of the commonwealth to gather public information on the topics of the report. The report shall be
47 filed with the governor, the clerks of the house of representatives and senate, the members of the
48 health disparities council and the health policy commission before July 1, 2019 and before July 1
49 of each subsequent year thereafter. The report shall be posted on the official website of the
50 commonwealth.

51 **SECTION 8.** Section 5 of chapter 6D of the General Laws, as appearing in the 2016 Official
52 Edition, is hereby amended by adding the following sentence:- The commission shall establish
53 goals that are intended to reduce health care disparities in racial, ethnic and disabled
54 communities and in doing so shall seek to incorporate the recommendations of the health
55 disparities council and the office of health equity.

56 **SECTION 9.** Section 4F3/4 of chapter 7 of the General Laws is hereby repealed.

57 **SECTION 10.** Section 35UU of chapter 10 of the General Laws is hereby repealed.

58 **SECTION 11.** Said chapter 10 of the General Laws is hereby amended by inserting after section
59 35DDD the following section:-

60 Section 35EEE. There shall be established and set up on the books of the commonwealth a
61 Commonwealth Facility Trust for Energy Efficiency, in this section referred to as the trust. There
62 shall be credited to the trust: (i) an initial \$500,000 transfer from the existing Energy Credit,
63 Efficiency and Sustainable Design Trust Fund previously established by a declaration by the
64 secretary of the executive office of administration and finance executed March 21, 2006 and
65 most recently amended and restated on March 1, 2011; (ii) amounts paid by agencies having
66 completed energy or water efficiency projects funded at least in part by monies disbursed from
67 the trust; (iii) any monies received by the commonwealth from persons or governmental, quasi-
68 governmental or non-governmental entities as rebates, credits, securities, grants or the like as a
69 result of enhancing energy efficiency and utilizing renewable energy applications in facility
70 projects funded at least in part by monies disbursed from the trust; and (iv) any appropriations,
71 bond proceeds or other monies authorized by the general court and specifically designated to be
72 credited thereto. The comptroller shall disburse amounts in the trust at the direction of the
73 secretary of administration and finance, in consultation with the commissioner of the division of

74 capital asset management and maintenance, without further appropriation, for the purpose of
75 funding certain small and medium energy and water efficiency projects at state facilities
76 identified by the division of capital asset management and maintenance. The secretary of
77 administration and finance or the commissioner of the division of capital asset management and
78 maintenance may require agencies to agree to repayment terms, including without limitation
79 payment of administrative fees, as a condition of receipt of monies from the trust. All monies
80 received from non-governmental parties by the division of capital asset management and
81 maintenance under this section shall be by check made payable to the commonwealth of
82 Massachusetts and deposited in the trust by the division of capital asset management and
83 maintenance. Amounts credited to the trust shall not be subject to further appropriation. Money
84 remaining in the trust at the close of a fiscal year shall not revert to the General Fund and shall be
85 available for expenditure in subsequent fiscal years.

86 **SECTION 12.** Subsection (C) of section 2 of chapter 21J of the General Laws, as appearing in
87 the 2016 Official Edition, is hereby amended by striking out the second sentence and inserting in
88 place thereof the following 2 sentences:- The department shall deposit the receipts from the
89 delivery fee imposed under the first paragraph of subsection (A) in the following manner: (i) the
90 first \$30,000,000 in receipts in a fiscal year into the Underground Storage Tank Petroleum
91 Product Cleanup Fund established in section 2AAAAA of chapter 29; and (ii) the remainder into
92 the Commonwealth Transportation Fund established in section 2ZZZ of chapter 29. The
93 department shall deposit the receipts from the annual storage tank fee imposed under the second
94 paragraph of said subsection (A) into the General Fund.

95 **SECTION 13.** Chapter 22C of the General Laws, as appearing in the 2016 Official Edition, is
96 hereby amended by inserting the following section:-

97 Section 72. (a) There shall be within the department, but not subject to the control of the
98 department, an internal special audit unit. The inspector general shall appoint a director of the
99 special audit unit, who shall serve as an assistant inspector general, under the supervision of the
100 inspector general, for a term of 4 years. The inspector general may remove the director for cause
101 and designate an interim director until a new director is appointed. The director shall devote full
102 time and attention to the duties of this office.

103 (b) The director may appoint and remove, subject to the approval of the inspector general, such
104 persons as are necessary to perform the functions of the unit; provided, however, that section 9A
105 of chapter 30 and chapter 31 shall not apply to any person holding any such appointment. The
106 director may appoint and remove, subject to the approval of the inspector general, such expert,
107 clerical and other assistants as the work of the unit may require. Employees shall devote their
108 full-time and attention to their duties while employed with the unit and shall be subject to the
109 rules and regulations established for employees of the office of the inspector general pursuant to
110 section 4 of chapter 12A.

111 (c) The internal special audit unit shall monitor the quality, efficiency and integrity of the
112 department's operations, organizational structure and management functions, and seek to prevent,
113 detect and correct fraud, waste and abuse in the expenditure of public funds. The director shall
114 have access to all records, reports, audits, reviews, papers, books, documents, recommendations,

115 and correspondence of the department or any employee of the department, including, without
116 limitation, information relative to all expenditures by the department for paid details and
117 overtime.

118 The department of the state police shall cooperate with the special audit unit in carrying out the
119 special audit unit's duties, including granting access to persons, documents, databases, electronic
120 data and other materials deemed necessary by the director to conduct an investigation, audit or
121 review.

122 Under the direction of the inspector general, the director of the internal special audit unit shall
123 have all the powers of the inspector general pursuant chapter 12A and any rule or regulation
124 promulgated pursuant thereto.

125 (d) The director shall report and refer instances of fraud, waste or abuse of public funds to the
126 inspector general for investigation pursuant to section 8 of chapter 12A and the results of such
127 investigation may be referred to the attorney general or state auditor for appropriate action.

128 (e) The director shall submit an annual report of the unit's activities for the preceding calendar
129 year, including, but not limited to, findings referred to the inspector general for investigation, to
130 the joint committee on public safety and homeland security and the house and senate committees
131 on ways and means on or before March 1 of each year. The department shall make the annual
132 report and all such reports from previous years available on the department's website.

133 **SECTION 14.** Chapter 29 of the General Laws is hereby amended by inserting after section
134 2YYYY the following 3 sections:-

135 Section 2ZZZZ. (a) There shall be a Debt and Long-Term Liability Reduction Trust Fund. The
136 fund shall be administered by the secretary of administration and finance, in consultation with
137 the treasurer and receiver-general.

138 (b) There shall be credited to the fund all monies received under subclause (i) of clause (2) of
139 section 59 of chapter 23K. Expenditures from the fund shall be made for the payment and
140 prepayment of commonwealth debt and other long-term liabilities including but not limited to:
141 (i) debt service payable by the commonwealth and the Massachusetts Department of
142 Transportation; (ii) contract assistance payments; (iii) payments pursuant to contracts established
143 under section 38C; (iv) funding escrow accounts for the payments described in clauses (i), (ii)
144 and (iii) hereof; (v) unfunded pension liabilities; (vi) other post-employment benefits; and (vii)
145 other long-term liabilities. The comptroller may certify amounts for payment in anticipation of
146 expected receipts; provided, however, that no expenditure shall be made from the fund which
147 shall cause the fund to be deficient at the close of a fiscal year. Amounts credited to the fund
148 shall not be subject to further appropriation. Money remaining in the fund at the close of a fiscal
149 year shall not revert to the General Fund and shall be available for expenditure in subsequent
150 fiscal years.

151 (c) An annual report to include expenditures made and income received by the fund shall be
152 submitted to the clerks of the house of representatives and the senate, to the house and senate

153 committees on ways and means and to the house and senate committees on bonding, capital
154 expenditures and state assets not later than December 1 of each year.

155 Section 2AAAAA. (a) There shall be an Underground Storage Tank Petroleum Product Cleanup
156 Fund. There shall be credited to such fund: the fees imposed pursuant to subsection (A) of
157 section 2 of chapter 21J in the manner set forth pursuant to clause (i) of subsection (C) of said
158 section 2; any appropriation, grant, gift or other contribution explicitly made to such fund; and
159 any interest earned on monies within the fund.

160 (b) Amounts credited to said fund shall be used, subject to appropriation, for the purposes set
161 forth in chapter 21J. Before the calculation of the consolidated net surplus under section 5C of
162 chapter 29, the comptroller shall transfer any remaining fund balance to the Commonwealth
163 Transportation Fund established in section 2ZZZ.

164 Section 2BBBBB. There shall be a Safety Net Provider Trust Fund, which shall be administered
165 by the secretary of health and human services. Monies from the trust fund may be expended for
166 payments to qualifying providers under an approved federal waiver. Amounts credited to the
167 trust fund shall not be subject to further appropriation.

168 **SECTION 15.** Section 42 of chapter 30 of the General Laws, as appearing in the 2016 Official
169 Edition, is hereby amended by inserting the words "public records", in line 3, the following
170 words:- the secretary of technology services and security.

171 **SECTION 16.** Section 6 of chapter 62 of the General Laws, as appearing in the 2016 Official
172 Edition, is hereby amended by striking out, in lines 245 and 250, the figure "23" and inserting in
173 place thereof, in each instance, the following figure:- 30.

174 **SECTION 17.** Section 3 of chapter 90C of the General Laws, as appearing in the 2016 Official
175 Edition, is hereby amended by striking out the first paragraph of clause (A) of subsection (4) and
176 inserting in place thereof the following paragraph:-

177 A violator may contest responsibility for the infraction by making a signed request for a
178 noncriminal hearing on the citation and mailing such citation, together with a \$25 court filing
179 fee, to the registrar at the address indicated on the citation within 20 days of the citation.
180 Notwithstanding any general or special law to the contrary, the registrar, in cooperation with the
181 state comptroller, upon receipt of the \$25 court filing fee, shall cause the court filing fee to be
182 transferred to the trial court department; provided, however, that the registrar may periodically
183 retain an amount necessary to pay refunds of said fees for dispositions that result in findings of
184 not responsible; and provided further that the registrar may retain an amount not greater than
185 \$200,000 annually for personnel costs associated with the processing of those filing fees.

186 **SECTION 18.** Said section 3 of said chapter 90C, as so appearing, is hereby further amended by
187 inserting after the word "responsible", in line 85, the following words:- , which shall be
188 communicated to the registrar.

189 **SECTION 19.** Chapter 111 of the General Laws is hereby amended by inserting after section 2I
190 the following section:-

191 Section 2J. There shall be established and set up on the books of the commonwealth a Public
192 Health Grant Trust Fund, in this section referred to as the fund. The commissioner shall
193 administer the fund for the purpose of collaborating with non-profit organizations to participate
194 in competitive grant opportunities in furtherance of the mission of the department.

195 There shall be credited to the fund monies received from public and private sources to support a
196 public health competitive grant opportunity, consistent with the mission of the department.
197 Amounts credited to the fund shall not be subject to further appropriation. Monies remaining in
198 the fund at the end of a fiscal year shall not revert to the General Fund and shall be available for
199 expenditure in the subsequent fiscal year.

200 The commissioner shall report annually on the activities of the fund to the clerks of the house
201 and senate and the house and senate committees on ways and means.

202 **SECTION 20.** Subsection (b) of section 63 of chapter 118E of the General Laws, as appearing
203 in the 2016 Official Edition, is hereby amended by striking out the second sentence and inserting
204 in place thereof the following sentence:- The assessment shall be sufficient in the aggregate to
205 generate in each fiscal year the lesser of \$240,000,000, or an amount equal to 6 per cent of the
206 revenues received by the taxpayer, as the term "revenues received by the taxpayer" is defined in
207 42 C.F.R. § 433.68(f)(3)(i)(A).

208 **SECTION 21.** Section 11 of chapter 211D of the General Laws, as appearing in the 2016
209 Official Edition, is hereby amended by striking out, in line 7, the figures "\$60" and inserting in
210 place thereof the following figures:- \$68.

211 **SECTION 22.** Said section 11 of said chapter 211D, as so appearing, is hereby further amended
212 by striking out, in line 12, the figures "\$50" and inserting in place thereof the following figures:-
213 \$53.

214 **SECTION 23.** Subsection (b) of section 110 of chapter 5 of the acts of 1995, as amended by
215 section 123 of chapter 133 of the acts of 2016, is hereby further amended by striking out the
216 words "Subject to federal approval of a waiver, a family shall be eligible for assistance provided
217 its maximum allowable countable resources do not exceed two thousand five hundred dollars"
218 and inserting in place thereof the following words:- A family shall be eligible for assistance
219 provided its maximum allowable countable resources do not exceed \$5,000.

220 **SECTION 24.** Section 226 of chapter 139 of the acts of 2012 is hereby amended by striking out
221 the figure "2019", inserted by section 129 of chapter 133 of the acts of 2016, and inserting in
222 place thereof the following figure:- 2021.

223 **SECTION 25.** Section 94 of chapter 47 of the acts of 2017 is hereby repealed.

224 **SECTION 26.** Said chapter 47 of the acts of 2017 is hereby amended by striking out section 95
225 and inserting in place thereof the following section:-

226 **SECTION 95.** Notwithstanding any general or special law to the contrary, the department of
227 revenue shall record as revenue in fiscal year 2018 sales tax revenue collected by vendors and
228 operators required to file a return under section 16 of chapter 62C on account of June 2018 sales
229 but remitted to and received by the department in July 2018. Notwithstanding any general or
230 special law, rule, regulation or accounts receivable policy to the contrary, the comptroller shall
231 record in fiscal year 2018 such revenue in the state accounting system and in the statutory basis
232 financial report required by section 12 of chapter 7A of the General Laws.

233 **SECTION 27.** Section 133 of said chapter 47, as amended by section 43 of chapter 110 of the
234 acts of 2017, is hereby further amended by striking out, in the first sentence, the words "an
235 annual MassParks pass and a senior MassParks pass to cover fees for parking for 1 calendar year
236 at state-owned" and inserting in place thereof the following words:- MassParks passes to cover
237 fees for parking at designated.

238 **SECTION 28.** Said section 133 of said chapter 47, as so amended, is hereby further amended by
239 striking out, in the third sentence, the words "annual MassParks and annual senior".

240 **SECTION 29.** Section 142 of said chapter 47, as so amended, is hereby repealed.

241 **SECTION 30.** There shall be a special commission established pursuant to section 2A of chapter
242 4 of the General Laws to study and report on the feasibility and cost-effectiveness of
243 implementing a monthly estimated sales tax payment structure. The commission shall consist of:
244 the house and senate chairs of the joint committee on financial services, who shall serve as co-
245 chairs; the house and senate chairs of the joint committee on revenue; the commissioner of
246 revenue or a designee; the secretary of technology services and security or a designee; 1 member
247 of the house who shall be appointed by the minority leader; 1 member of the senate who shall be
248 appointed by the minority leader; and 3 members appointed by the governor, 1 of whom shall be
249 a representative of the retailers or vendors subject to the tax under chapters 64G, 64H, 64I, or
250 64L of the General Laws that have an annual tax liability of \$1,000,000 or more, 1 of whom
251 shall be a representative of retailers or vendors subject to the tax under said chapters 64G, 64H,
252 64I, or 64L that have an annual tax liability of less than \$1,000,000, and 1 of whom shall be a
253 representative of third-party payment processors engaged in the business of remitting payments
254 to vendors or operators under said chapters 64G, 64H, 64I or 64L, in association with credit card,
255 debit card or similar payment arrangements that compensate the vendor or operator in
256 transactions subject to the excise under said chapters.

257 The commission shall: (i) identify the categories of retail establishments with the implementation
258 capacity; (ii) estimate any anticipated increase in both compliance and total tax revenue; (iii)
259 estimate potential technology and personnel costs; (iv) identify potential disruption to
260 businesses' activities, specifically with regards to small businesses; (v) identify any necessary
261 modifications to the existing payment processing systems; and (vi) conduct a review of other
262 states that have implemented an estimated sales tax payment structure. The commission shall

263 make recommendations, including any proposed legislation, with the clerks of the senate and
264 house of representatives not later than December 31, 2018.

265 **SECTION 31.** There shall be a special commission established pursuant to section 2A of chapter
266 4 of the General Laws to review the hiring and promotion policies and practices of the state
267 police. The commission shall consist of the house and senate chairs of the joint committee on
268 public service, who shall serve as co-chairs of the commission; the house and senate chairs of the
269 joint committee on public safety and homeland security; the chair, or a designee of the following
270 legislative caucuses: the Massachusetts Black and Latino Legislative Caucus, the Massachusetts
271 Caucus of Women Legislators and the Massachusetts Asian-American Legislative Caucus; the
272 colonel of state police or a designee; the secretary of veterans' services or a designee; the chair
273 of the Massachusetts commission against discrimination or a designee; 1 member of the State
274 Police Association of Massachusetts; and 1 representative of each of the following: the
275 Massachusetts Association of Minority Law Enforcement Officers, the Massachusetts
276 Association of Women in Law Enforcement, the Massachusetts Latino Police Officers
277 Association, Inc. and the Benevolent Asian Jade Society of New England.

278 The commission shall examine state police recruitment, hiring, retention and promotion,
279 including but not limited to: the relevancy of testing requirements to essential job functions;
280 preferential treatment on the competitive examinations for initial enlistment and promotion;
281 preferential treatment based on personal contacts; the impact of any criminal record on an
282 applicant's candidacy; the collection, analysis and sharing of data on race, gender, gender
283 identity and sexual orientation; and the role of the affirmative action office in hiring practices.

284 The commission shall recommend steps to increase transparency and accountability with respect
285 to recruitment, hiring, retention and promotion decisions. The commission shall hold its first
286 meeting not later than 30 days after the effective date of this act and shall meet not less
287 frequently than monthly thereafter. The commission shall file a report of its investigation and
288 study, together with legislation, if any, with the clerks of the house and senate no later than
289 December 31, 2018.

290 **SECTION 32.** There shall be an Early Education and Care Workforce Council, the members of
291 which shall make recommendations on improving and enhancing professional development and
292 higher education opportunities necessary for the growth and stability of a high quality early
293 education and care workforce in the Commonwealth.

294 The workforce council shall include, at minimum: 3 members to be appointed by the speaker of
295 the house; 1 member to be appointed by the minority leader of the house of representatives; 3
296 members to be appointed by the president of the senate; 1 member to be appointed by the
297 minority leader of the senate; the commissioner of higher education, or a designee; and 1 person
298 from each of the following organizations: Massachusetts Association of Early Education and
299 Care, the executive office of community colleges, the president of a community college or a
300 designee, the Massachusetts Head Start Association, Inc., the Massachusetts Association for the
301 Education of Young Children, Inc., the Massachusetts Association of Early Childhood Teacher
302 Educators, the Massachusetts Business Alliance for Education, Inc., Strategies for Children, Inc.,
303 the Alliance of Massachusetts YMCAs, Inc., the United Way of Massachusetts Bay, Inc., the

304 Massachusetts Business Roundtable, the Alliance for Business Leadership, Inc., a representative
305 of SEIU Local 509, and a representative of a family child care provider chosen by the
306 commissioner of early education and care.

307 Additional council members may be added to the workforce council upon the recommendation
308 of the commissioner of early education and care and approval by the board of early education
309 and care. All additional appointees shall have a special expertise or interest in early childhood
310 education and workforce training and professional development and shall include a mix of
311 representatives of the early childhood community, the civic, labor, and business communities,
312 academics, teachers, social service providers, and health care providers.

313 Members shall not, by virtue of their membership, be considered state employees under chapter
314 268A. The members of the council shall serve without compensation but may be reimbursed,
315 subject to appropriation, for expenses necessarily and reasonably incurred in the performance of
316 their responsibilities. Members shall be appointed for a term of 3 years. No member shall serve
317 for more than 2 consecutive terms. The council shall hold its first meeting not later than 60 days
318 after the effective date of this act and shall meet not fewer than 4 times annually.

319 The commissioner of early education and care shall consult with the council on the establishment
320 of professional development and higher education opportunities for early educators that focuses
321 on the unique needs and challenges of providing career advancement and support for the early
322 education and care workforce.

323 The council may review and offer comments on any rules or regulations before promulgation by
324 the board, and may, from time to time, make recommendations to the board that it considers
325 appropriate for changes and improvements in early education and care professional development,
326 training, and career support.

327 **SECTION 33.** Notwithstanding any general or special law to the contrary, the department of
328 revenue shall record as revenue in fiscal year 2019 sales tax revenue collected by vendors and
329 operators required to file a return under section 16 of chapter 62C of the General Laws on
330 account of June 2019 sales but remitted to and received by the department in July 2019, in an
331 amount not to exceed \$125,000,000. Notwithstanding any general or special law, rule, regulation
332 or accounts receivable policy to the contrary, the comptroller shall record in fiscal year 2019
333 such revenue in the state accounting system and in the statutory basis financial report required by
334 section 12 of chapter 7A of the General Laws.

335 **SECTION 34.** Notwithstanding clause (xiii) of the third paragraph of section 9A of chapter
336 211B of the General Laws or any other general or special law to the contrary, the court
337 administrator may, from the effective date of this act to April 30, 2019, inclusive, transfer funds
338 from any item of appropriation within the trial court; provided, however, that the court
339 administrator shall not transfer more than 5 per cent of funds from items 0339-1001 and 0339-
340 1003 to any other item of appropriation within the trial court. The transfers shall be made in
341 accordance with schedules submitted to the house and senate committees on ways and means.
342 The schedules shall include: (i) the amount of money transferred from any item of appropriation
343 to any other item of appropriation; (ii) the reason for the necessity of the transfer; and (iii) the

344 date on which the transfer shall be completed. A transfer under this section shall not occur until
345 10 days after the revised funding schedules have been submitted in writing to the house and
346 senate committees on ways and means.

347 **SECTION 35.** (a) Notwithstanding any general or special law to the contrary, the unexpended
348 balances in items 0699-0014, 0699-0015, 0699-2005 and 0699-9100 shall be deposited into the
349 State Retiree Benefits Trust Fund established in section 24 of chapter 32A of the General Laws
350 prior to determining the fiscal year 2019 consolidated net surplus under section 5C of chapter 29
351 of the General Laws. The amount deposited shall be an amount equal to 10 per cent of all
352 payments received by the commonwealth in fiscal year 2018 under the master settlement
353 agreement in Commonwealth of Massachusetts v. Philip Morris, Inc. et al., Middlesex Superior
354 Court, No. 95-7378; provided, however, that if in fiscal year 2019 the unexpended balances of
355 said items 0699-0014, 0699-0015, 0699-2005 and 0699-9100 are less than 10 per cent of all
356 payments received by the commonwealth in fiscal year 2019 under the master settlement
357 agreement payments, an amount equal to the difference shall be transferred to the State Retiree
358 Benefits Trust Fund from payments received by the commonwealth under the master settlement
359 agreement.

360 (b) Notwithstanding any general or special law to the contrary, the percentage increase set forth
361 in section 152 of chapter 68 of the acts of 2011 shall not apply in fiscal year 2019.

362 **SECTION 36.** Notwithstanding any general or special law to the contrary, for fiscal year 2019 ,
363 the comptroller shall transfer all capital gains tax collections over the certified capital gains tax
364 collections threshold of \$1,211,511,830 to the Commonwealth Stabilization Fund established in
365 section 2H of chapter 29 of the General Laws, in the manner described in section 5G of said
366 chapter 29; provided further, that 5 per cent of any amount so transferred shall then be
367 transferred from the Commonwealth Stabilization Fund to the State Retiree Benefits Trust Fund
368 established in section 24 of chapter 32A of the General Laws and 5 per cent of any amount so
369 transferred shall then be transferred from the Commonwealth Stabilization Fund to the
370 Commonwealth's Pension Liability Fund established in section 22 of chapter 32 of the General
371 Laws.

372 **SECTION 37.** Notwithstanding any general or special law to the contrary, in fiscal year 2019,
373 the amounts of category 1 gaming revenue specified in subclause (i) of clause (2) of section 59
374 of chapter 23K of the General Laws shall be transferred as follows: 10 per cent specified in said
375 subclause (i) shall be credited to the Debt and Long-Term Liability Reduction Trust Fund
376 established in section 2ZZZZ of chapter 29 of the General Laws.

377 **SECTION 38.** Notwithstanding any general or special law to the contrary, the amounts
378 transferred pursuant to subdivision (1) of section 22C of chapter 32 of the General Laws shall be
379 made available for the Commonwealth's Pension Liability Fund established in section 22 of said
380 chapter 32. The amounts transferred pursuant to said subdivision (1) of said section 22C of said
381 chapter 32 shall meet the commonwealth's obligations pursuant to said section 22C of said
382 chapter 32, including retirement benefits payable by the state employees' retirement system and
383 the state teachers' retirement system, for the costs associated with a 3 per cent cost-of-living
384 adjustment pursuant to section 102 of said chapter 32, for the reimbursement of local retirement

385 systems for previously authorized cost-of-living adjustments pursuant to said section 102 of said
386 chapter 32 and for the costs of increased survivor benefits pursuant to chapter 389 of the acts of
387 1984. The state board of retirement and each city, town, county and district shall verify these
388 costs, subject to rules that shall be adopted by the state treasurer. The state treasurer may make
389 payments upon a transfer of funds to reimburse certain cities and towns for pensions of retired
390 teachers, including any other obligation that the commonwealth has assumed on behalf of a
391 retirement system other than the state employees' retirement system or state teachers' retirement
392 system, including the commonwealth's share of the amounts to be transferred pursuant to section
393 22B of said chapter 32. The payments under this section shall be made only pursuant to
394 distribution of money from the Commonwealth's Pension Liability Fund and any distribution,
395 and the payments for which distributions are required, shall be detailed in a written report filed
396 quarterly by the secretary of administration and finance with the chairs of the senate and house
397 committees on ways and means and the chairs of the joint committee on public service in
398 advance of the distribution. Distributions shall not be made in advance of the date on which a
399 payment is actually to be made. If the amount transferred pursuant to said subdivision (1) of said
400 section 22C of said chapter 32 exceeds the amount necessary to adequately fund the annual
401 pension obligations, the excess amount shall be credited to the Pension Reserves Investment
402 Trust Fund established in subdivision (8) of said section 22 of said chapter 32 to reduce the
403 unfunded pension liability of the commonwealth.

404 **SECTION 39.** Notwithstanding any general or special law to the contrary, payments from the
405 Health Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws may
406 be made either as safety net care payments under the commonwealth's waiver pursuant to section
407 1115 of the federal Social Security Act, 42 U.S.C. 1315, or as an adjustment to service rate
408 payments under Title XIX and XXI of the Social Security Act or a combination of both. Other
409 federally permissible funding mechanisms available for certain hospitals, as defined by
410 regulations of the executive office of health and human services, may be used to reimburse up to
411 \$70,000,000 of uncompensated care pursuant to sections 66 and 69 of said chapter 118E using
412 sources distinct from the funding made available to the Health Safety Net Trust Fund.

413 **SECTION 40.** Notwithstanding any general or special law to the contrary, not later than October
414 1, 2018 and without further appropriation, the comptroller shall transfer from the General Fund
415 to the Health Safety Net Trust Fund established in section 66 of chapter 118E of the General
416 Laws the greater of \$45,000,000 or 1/12 of the total expenditures to hospitals and community
417 health centers required pursuant to this act, for the purposes of making initial gross payments to
418 qualifying acute care hospitals for the hospital fiscal year beginning October 1, 2018. These
419 payments shall be made to hospitals before, and in anticipation of, the payment by hospitals of
420 their gross liability to the Health Safety Net Trust Fund. The comptroller shall transfer from the
421 Health Safety Net Trust Fund to the General Fund, not later than June 30, 2019, the amount of
422 the transfer authorized by this section and any allocation of that amount as certified by the
423 director of the health safety net office.

424 **SECTION 41.** Notwithstanding any general or special law to the contrary, in hospital fiscal year
425 2019, the office of inspector general may expend a total of \$1,000,000 from the Health Safety
426 Net Trust Fund established in section 66 of chapter 118E of the General Laws for costs
427 associated with maintaining a health safety net audit unit within the office. The unit shall

428 continue to oversee and examine the practices in hospitals including, but not limited to, the care
429 of the uninsured and the resulting free charges. The unit shall also study and review the Medicaid
430 program under said chapter 118E including, but not limited to, a review of the program's
431 eligibility requirements, utilization, claims administration and compliance with federal mandates.
432 The inspector general shall submit a report to the chairs of the senate and house committees on
433 ways and means on the results of the audits and any other completed analyses not later than
434 March 1, 2019.

435 **SECTION 42.** Notwithstanding section 53 of chapter 118E of the General Laws, for fiscal year
436 2019, the executive office of health and human services may determine, subject to required
437 federal approvals, the extent to which to include within its covered services for adults the
438 federally-optional dental services that were included in its state plan or demonstration program in
439 effect on January 1, 2002; provided, however, that dental services for adults enrolled in
440 MassHealth shall be covered at least to the extent they were covered as of January 1, 2018, and
441 provided further, that notwithstanding any general or special law to the contrary, at least 45 days
442 before restructuring any MassHealth dental benefits, the executive office of health and human
443 services shall file a report with the executive office for administration and finance and the house
444 and senate committees on ways and means detailing the proposed changes and the anticipated
445 fiscal impact of the changes.

446 **SECTION 43.** Notwithstanding any general or special law to the contrary, nursing facility and
447 resident care facility rates effective October 1, 2018 under section 13D of chapter 118E of the
448 General Laws may be developed using the costs of calendar year 2007, or any subsequent year
449 that the secretary of health and human services may select in the secretary's discretion.

450 **SECTION 44.** Notwithstanding any general or special law to the contrary, the executive office
451 of administration and finance shall transfer up to \$15,000,000 from the Commonwealth Care
452 Trust Fund established in section 2000 of chapter 29 of the General Laws to the Health Safety
453 Net Trust Fund established in section 66 of chapter 118E of the General Laws.

454 **SECTION 45.** Notwithstanding any general or special law to the contrary, the bureau of
455 purchased services in the operational services division shall determine prices for programs under
456 chapter 71B of the General Laws in fiscal year 2019 by increasing the final fiscal year 2018 price
457 by the rate of inflation as determined by the division. The division shall adjust prices for
458 extraordinary relief pursuant to 808 CMR 1.06(4). The division shall accept applications for
459 program reconstruction and special circumstances in fiscal year 2019. The division shall
460 authorize the annual price for out-of-state purchasers requested by a program, not to exceed a
461 maximum price determined by the bureau, by identifying the most recent price calculated for the
462 program and applying the estimated rate of inflation for each year, as determined by the bureau
463 under section 22N of chapter 7 of the General Laws, in which the rate of inflation is frozen
464 beginning with fiscal year 2004, in a compounded manner for each fiscal year.