

**HOUSE . . . . . No. 4067**

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**The Commonwealth of Massachusetts**



CHARLES D. BAKER  
GOVERNOR

OFFICE OF THE GOVERNOR  
**COMMONWEALTH OF MASSACHUSETTS**  
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KARYN POLITO  
LIEUTENANT GOVERNOR

*September 6, 2019*

To the Honorable Senate and House of Representatives,

I am filing for your consideration a bill entitled “An Act Making Appropriations for Fiscal Year 2019 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects.”

Tax revenue collections in fiscal year 2019 (FY19) exceed budgeted estimates by \$1.1 billion. These above-benchmark collections are attributable to an unexpected increase in certain historically volatile revenue sources, most notably corporate taxes and capital gains taxes. In recognition of that volatility, by law, only capital gains taxes below a certain threshold (\$1.212 billion in fiscal year 2019) are available for spending, while the remainder must be transferred to the Stabilization Fund and other reserves for long-term liabilities.

I am pleased to report that through the statutory capital gains mechanism we have already transferred \$848 million to these long-term reserves. Of this amount, \$764 million stays in the Stabilization Fund, while the reserves for pension and future retiree health insurance each receive \$42 million. In this bill, I recommend further transfers as needed, estimated to total \$168 million, to bring the Stabilization Fund balance to \$3 billion at the close of FY19. A \$3 billion balance is a substantial safeguard against a future rainy day, and a major improvement from the \$1 billion anticipated year-end Stabilization Fund balance for fiscal year 2015 when I took office. This landmark balance is a testament to many years of concerted effort in partnership with the Legislature.

This bill recommends two tax cuts to benefit working families. First, I recommend that the Part B income tax rate be reduced from 5.05% to 5.0% on January 1, 2020, without depending on a series of revenue tests later this fall. This change is already anticipated in the enacted budget. Further, I recommend that the income tax exemption for dependents be doubled, from \$1,000 per dependent to \$2,000, benefiting approximately one million tax filers and reducing individual income taxes by an additional \$50 per dependent in the typical case. A taxpayer with two children and a dependent elderly parent would be eligible for a \$6,000 exemption under this proposal, up from \$3,000, with tax savings rising from \$150 to \$300 at the 5.0% rate. This change is expected to reduce tax collections by \$87 million per year; I recommend reserving \$175 million to cover approximately two years at the higher exemption rate, which will give budget writers sufficient time to adjust to the revision in collections.

This bill proposes \$648 million in supplemental appropriations, at a net state cost of \$429 million. After accounting for the dependent tax cut and a proposed additional transfer to pay down unfunded liability for future retiree health insurance, the total net fiscal impact of the bill is \$651 million.

A \$35.5 million payment of penalty funds by Wynn Resorts this spring means \$22.4 million more is now available in various on-budget funds, with specific directions as to usage, but still subject to appropriation. (The remaining \$13.1 million was directed to the Stabilization Fund and non-budgeted funds that may be spent without appropriation.) Where money is required to go to local aid formulas that are already fully distributed to cities and towns, I recommend that any General Fund money made available as a result be reallocated to local needs. Recommendations include \$10.5 million for Complete Streets and small bridges from funds meant to support local capital needs and \$3.4 million for the Workforce Competitiveness Trust Fund from the Gaming Economic Development Fund. Money in the Education Fund would support \$2.0 million for Special Education circuit breaker reimbursements, \$1.7 million for Early College costs in FY20, and \$1.2 million for regional transportation reimbursement. Lastly, \$3.5 million would pay for a share of PFAS testing costs, a topic addressed in more detail below.

I support the use of \$100 million from the FY19 tax surplus for investments in education. Critically, this bill recommends \$50 million for targeted assistance for school improvement. This recommendation builds on our recommendation in House 1, and aligns closely with efforts in the Legislature to guarantee access for all children to well-resourced, well-run public schools. I further recommend that we use part of the FY19 surplus to support multiyear supplemental money including \$15 million for the Commonwealth Commitment program and other higher education scholarships, \$15 million for scholarship assistance for high school students enrolled in Early College programs, \$15 million for school safety infrastructure investments, and \$5 million for Science, Technology, Engineering, and Mathematics (STEM) curriculum, internships and work-based learning opportunities.

Another \$104 million should go to infrastructure for transportation and clean drinking water. As I did last year, I recommend that \$40 million of the surplus support repairs and improvements of local roads and bridges. I also recommend that \$4.1 million collected from transportation network company fees be made available to support a new initiative providing grants for employers, Transit Management Associations, Regional Transit Authorities and others that provide innovative workforce transit options to employees, especially options focusing on “last mile” links between public transportation locations and important destinations. I recommend that \$4.9 million in tax funds, or \$8.4 million total with Wynn penalty money, be used to determine the scale of per- and polyfluoroalkyl substances (PFAS) contamination in drinking water supplies. This testing will support state and local efforts to determine the scope of the problem and to identify best solutions. To signal our commitment to finding solutions, I recommend a \$20 million transfer to the Clean Water Trust for PFAS-related investments such as 0% loans, and another \$35 million to expand capacity more generally in the Clean Water Trust.

These capital investments will improve the Commonwealth’s infrastructure and reduce our reliance on borrowed funds, without creating permanent spending in the operating budget, making them a fiscally prudent use of one-time revenues.

I recommend \$16.4 million for facility and service improvements for men who are civilly committed for substance use treatment under Section 35 of Chapter 123 of the General Laws.

I further recommend \$5 million to address trafficking of the synthetic opioid fentanyl, which according to recent public health data was present in nearly all opioid-related overdose deaths in Massachusetts in the first quarter of 2019 in which there was a toxicology screen.

Other proposed uses of the tax surplus, largely one-time, include: \$16.3 million for Safety Net Provider Hospitals; \$10 million for the creation of housing for extremely low income renters; another \$10 million for down payment assistance, a program that empowers first time homebuyers whose incomes can support a mortgage, but who lack sufficient savings to access the traditional mortgage market; \$4 million for Community Compact; \$3.5 million for spraying to reduce the risk of Eastern equine encephalitis (EEE) transmitted by mosquitos; \$1 million for non-profit security grants to add to the \$500,000 in the FY20 budget; and \$1 million for smaller needs.

Other recommendations address deficiencies that have been pending throughout fiscal 2019. These deficiencies have been carried on the books for some months, and would be affordable even without a tax surplus, but still require sufficient appropriation authority. The largest is \$304 million gross (\$108 million net) for MassHealth. This appropriation is the final step in an effort to rebalance costs between FY20 and FY19. Improvements in caseload during the spring opened up the additional opportunity to make certain MassHealth payments on time, rather than stretching them into the next fiscal year, as has been the practice. Other deficiencies

include \$20.5 million for chapter 257 human service provider rates, \$10.3 million for sheriff expenses, \$8.7 million for National Guard tuition and fee waivers, \$6.9 million for snow and ice, and \$3.4 million for other costs.

I further recommend continuing \$90.9 million in existing fiscal year 2019 authorizations into fiscal year 2020, including \$25 million in Early Education caseload funding. Many of these recommendations simply account for the timing of payments for costs that were anticipated in the development of the FY19 budget.

Further, I am recommending several policy changes, in addition to the tax changes described earlier. These include a new trust fund for the Massachusetts Emergency Management Agency (“MEMA”), funded through natural reversions, that would bolster MEMA’s ability to respond swiftly to natural disasters. This bill also includes sections designed to advance the Commonwealth’s efforts to fight climate change by authorizing the use of Regional Greenhouse Gas Initiative funds to promote the purchase and lease of electric vehicles.

This legislation also proposes statutory changes in reaction to recent federal tax changes. These provisions would shield permanently disabled veterans and other individuals with disabilities whose federal student loans have been forgiven on the basis of disability from facing state tax liability, and decouple Massachusetts from the newly imposed limitation on the deductibility of interest that was adopted as part of the federal Tax Cuts and Jobs Acts of 2017, allowing businesses in the Commonwealth to continue to deduct 100 percent of eligible expenses for state tax purposes.

Drawing from my budget proposal for fiscal year 2020, I am re-filing sections that would authorize up to \$5 million to be dedicated to the de-leading of water fountains in schools, which requires urgent action, and establish an intermediate-level disciplinary step for nursing homes that fail to pay delinquent MassHealth fees by permitting the Department of Public Health to place limitations on new admissions.

I am also re-filing corrections to the premium pay statute to include three holidays that were omitted when premium pay was reduced last year in the Grand Bargain legislation. Further, in response to a decision issued by the Supreme Judicial Court, I am recommending legislation to clarify the responsibilities of employers related to overtime for inside sales employees who are paid entirely on commission.

Additional sections support appropriation changes and address year-end closing and other state finance matters. I am also filing a section that ratifies certain collective bargaining agreements.

I also take this opportunity to ask that you act on a number of previously-filed matters that remain pending before the Legislature, including:

- Appropriating \$50 million for MBTA accelerated improvements;
- Proposed changes to the Massachusetts Bay Transportation Authority’s budget approval date and corrections to a section that allows limited use of capital funds for employee costs that became law last year;
- Changes to the Commonwealth’s pension and workers’ compensation statutes to prevent an employee from receiving a windfall from the combination of worker’s compensation and retirement benefits;
- A proposed requirement that school multi-hazard evacuation plans be reported to the Department of Elementary and Secondary Education to ensure that the plan has been formulated;
- Amendments to the Substance Use Disorder Trust Fund;
- Sections related to the Commonwealth’s marijuana statute, including a section to clarify the statutory definition of “horticultural use” to include hemp in order for it to be grown on land that includes an agricultural preservation restriction, as well as a section prohibiting the use of EBT cards for marijuana products; and
- Corrections to the current law governing stun guns.

Finally, I note that sufficient revenues are estimated to be available to finance the appropriations and other measures proposed in this legislation. Since fiscal year 2019 has already ended, I urge you to enact this legislation promptly.

Respectfully submitted,

Charles D. Baker,  
*Governor*

The Commonwealth of Massachusetts

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

An Act making appropriations for fiscal year 2019 to provide for supplementing certain existing appropriations and for certain other activities and projects.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to make supplemental appropriations for fiscal year 2019 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1           SECTION 1. To provide for supplementing certain items in the general appropriation act  
2 and other appropriation acts for fiscal year 2019, the sums set forth in section 2 are hereby  
3 appropriated from the General Fund unless specifically designated otherwise in this act or in  
4 those appropriation acts, for the several purposes and subject to the conditions specified in this  
5 act or in those appropriation acts, and subject to the laws regulating the disbursement of public  
6 funds for the fiscal year ending June 30, 2019. These sums shall be in addition to any amounts  
7 previously appropriated and made available for the purposes of those items. These sums shall be  
8 made available until June 30, 2020.

9           SECTION 2.

10          JUDICIARY

11 Committee for Public Counsel Services

12 0321-1510 Private Counsel Compensation \$1,985,825

13 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

14 Reserves

15 1599-6903 Chapter 257 Reserve \$20,500,000

16 1599-0026 Municipal Regionalization Reserve \$4,000,000

17 1599-8910 Sheriffs Reserve \$10,300,000

18 Group Insurance Commission

19 1108-5500 Group Insurance Dental and Vision Benefits \$100,000

20 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

21 Department of Agricultural Resources

22 2511-0100 Agricultural Resources Administration.....

23 \$3,500,000

24 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

25 Office of the Secretary

26 1595-1070 Safety Net Provider Trust Fund \$16,300,000

27 4000-0700 MassHealth Fee for Service Payments \$304,200,000

28 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

29 Department of Transportation

30 1595-6368 Massachusetts Transportation Trust Fund \$10,981,731

31 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

32 Department of Housing and Community Development

33 7004-0100 Operation of Homeless Programs \$71,800

34 7004-9007 Public Housing Reform \$325,000

35 Division of Professional Licensure

36 7006-0040 Division of Professional Licensure \$350,000

37 Division of Telecommunications and Cable

38 7006-0071 Department of Telecommunications and Cable \$150,000

39 EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

40 Office of the Secretary

41 1595-1075 Workforce Competitiveness Trust Fund \$3,372,500

42 Gaming Economic Development Fund.....100%

43 EXECUTIVE OFFICE OF EDUCATION

44 Office of the Secretary

45 1595-7066 STEM Internships \$5,000,000



46           7009-6600     Early College \$1,739,500

47           Education Fund.....100%

48           Department of Elementary and Secondary Education

49           7035-0006     Regional School Transportation     \$1,231,960

50           7061-0012     Special Education Circuit Breaker Reimbursement \$1,998,540

51           Department of Higher Education

52           7066-0021     Foster Care and Adopted Fee Waiver \$1,221,418

53           Cape Cod Community College

54           7504-0100     Cape Cod Community College     \$100,000

55           EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

56           Military Division

57           8700-1150     National Guard Tuition and Fee Waivers     \$8,702,548

58           SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to

59 provide for an alteration of purpose for current appropriations, and to meet certain requirements

60 of law, the sums set forth in this section are hereby appropriated from the General Fund unless

61 specifically designated otherwise in this section, for the several purposes and subject to the

62 conditions specified in this section, and subject to the laws regulating the disbursement of public

63 funds for the fiscal year ending June 30, 2019. Except as otherwise stated, these sums shall be

64 made available until June 30, 2020.

65 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

66 Reserves

67 1599-1214 For a reserve for expansion, upgrades, or enhancements to staffing,  
68 operations, or infrastructure for new and existing facilities that treat men with an alcohol or  
69 substance use disorder under sections 1 and 35 of chapter 123 of the General Laws; provided,  
70 that the secretary of administration and finance may transfer funds from this item to state  
71 agencies as defined in section 1 of chapter 29 of the General Laws \$16,363,882

72 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

73 Office of the Secretary

74 1599-0718 For a reserve to fund the costs associated with efforts to enhance safety  
75 and mitigate harms stemming from the increased presence of great white sharks in the Cape Cod  
76 region, including but not limited to shark tagging, monitoring and surveillance activities and staff  
77 costs associated therewith \$195,000

78 Department of Environmental Protection

79 2250-2002 For the testing of potential Per- and Polyfluoroalkyl Substances (PFAS)  
80 contamination of water supplies and for grants to support treatment and design of affected  
81 drinking water systems; provided, that any unexpended funds in this item shall not revert but  
82 shall be made available for the purpose of this item until June 30, 2021 \$8,400,000

83 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

84 Department of Housing and Community Development

85           7004-1010    For the down payment assistance program administered by the  
86 Massachusetts Housing Finance Agency    \$10,000,000

87           EXECUTIVE OFFICE OF EDUCATION

88           Office of the Secretary

89           7009-6800    For an infrastructure grant program to assist public schools in enhancing  
90 safety and security measures; provided, that grants shall be administered by the executive office  
91 of education in coordination with the executive office of public safety and security, the executive  
92 office of health and human services and the Massachusetts school building authority; provided  
93 further, that the grants shall be used for retrofitting and upgrading school buildings with safety  
94 and security enhancements including, but not limited to, classroom door locks, security cameras  
95 or active shooter detection systems; provided further, that the department shall make efforts to  
96 notify all public school districts of said program; provided further, that criteria shall be  
97 established to prioritize those schools most in need of infrastructure improvements related to  
98 safety and security and most in need of financial assistance for implementing said improvements;  
99 and provided further, that the executive office of education shall submit a report, not later than  
100 March 1, 2020 to the executive office for administration and finance and the house and senate  
101 committees on ways and means detailing the awarding of grants and the expected use of said  
102 grants \$15,000,000

103           EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

104           Office of the Secretary

105           8000-0140 For a grant program administered by the executive office of public safety and  
106 security to establish or support existing regional fentanyl interdiction programs investigating  
107 major criminal enterprise and criminal activities related to intra- and inter-state trafficking of  
108 fentanyl; provided, that administrative costs for approved grants shall not exceed 2 per cent of  
109 the funds appropriated in this  
110 item.....\$5,000,000

111           8000-1127     For a nonprofit security grant program to provide support for target  
112 hardening and other security enhancements to nonprofit organizations that are at high risk of  
113 terrorist attack and are ineligible for the United States Department of Homeland Security’s  
114 Nonprofit Security Grant Program based on their location     \$1,000,000

115           SECTION 2C.I. For the purpose of making available in fiscal year 2020 balances of  
116 appropriations which otherwise would revert on June 30, 2019, the unexpended balances of the  
117 appropriations listed below, not to exceed the amount specified below for each item, are hereby  
118 re-appropriated for the purposes of and subject to the conditions stated for the corresponding  
119 item in section 2 of chapter 154 of the acts of 2018. However, for items which do not appear in  
120 section 2 of the general appropriation act, the amounts in this section are re-appropriated for the  
121 purposes of and subject to the conditions stated for the corresponding item in section 2 or 2A of  
122 this act or in prior appropriation acts. Amounts in this section are re-appropriated from the fund  
123 or funds designated for the corresponding item in section 2 of said chapter 154; provided,  
124 however, that for items which do not appear in section 2 of said chapter 154, the amounts in this  
125 section are re-appropriated from the fund or funds designated for the corresponding item in  
126 section 2 through 2E of this act or in prior appropriation acts. The unexpended balance of each  
127 appropriation in the Massachusetts management accounting and reporting system with a

128 secretariat code of 01 or 17 is hereby re-appropriated for the purposes of and subject to the  
129 conditions stated for the corresponding item in said section 2 of said chapter 154. The sums  
130 reappropriated in this section shall be in addition to any amounts available for said purposes.

131 DISTRICT ATTORNEYS

132 Northwestern District Attorney

133 0340-0600 Northwestern District Attorney \$605,000

134 SECRETARY OF THE COMMONWEALTH

135 Middlesex Registry of Deeds – Northern District

136 0540-1400 Middlesex Registry of Deeds-Northern District \$100,000

137 OFFICE OF THE STATE AUDITOR

138 0710-0000 Office of the State Auditor Administration \$300,000

139 OFFICE OF THE CHILD ADVOCATE

140 0930-0100 Office of the Child Advocate \$300,000

141 MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION

142 0940-0100 Massachusetts Commission Against Discrimination \$150,000

143 CANNABIS CONTROL COMMISSION

144 1070-0840 Cannabis Control Commission \$500,000

145 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

146	Reserves		
147	1599-0054	Hinton Lab Response Reserve	\$ 2,218,222
148	1599-2018	Merrimack Valley Natural Gas Explosion Reserve	\$5,000,000
149	1599-3222	EOL Revenue Administration Reserve	\$750,000
150	1599-4417	E.J. Collins Center	\$12,900
151	1599-4448	Collective Bargaining Reserve	\$12,162,481
152	Division of Administrative Law Appeals		
153	1110-1000	Administrative Law Appeals	\$14,400
154	Human Resources Division		
155	1750-0928	Civil Service and Physical Abilities Exam Space	\$349,000
156	EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS		
157	Department of Fish and Game		
158	2330-0300	Saltwater Sportfish Licensing	\$750,000
159	Department of Agricultural Resources		
160	2511-0103	Cannabis and Hemp Oversight	\$625,000
161	Department of Conservation and Recreation		
162	2810-0122	Special Projects in Parks and Recreational Areas	\$100,000

163 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

164 Department of Transitional Assistance

165 4401-1000 Employment Services Program \$400,000

166 Department of Public Health

167 4510-0810 Sexual Assault Nurse Examiner (SANE) and PediatricSANE Program

168 \$1,000,000

169 Department of Children and Family

170 4800-0041 Congregate Care Services \$4,500,000

171 Department of Mental Health

172 5046-0000 Adult Mental Health and Support Services \$5,800,000

173 Department of Veterans Services

174 1410-0022 Veterans' Workforce Program \$100,000

175 1410-1616 War Memorials \$150,000

176 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

177 Office of the Secretary

178 7002-0017 Housing and Economic Development IT Costs \$130,000

179 Division of Banks

180 7006-0010 Division of Banks \$200,000

181 Department of Telecommunications and Cable

182 7006-0071 Department of Telecommunications and Cable \$113,074

183 Massachusetts Marketing Partnership

184 7008-1116 Local Economic Development Projects Earmarks \$400,000

185 EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

186 Office of the Secretary

187 7002-1080 Learn to Earn \$65,000

188 Department of Family and Medical Leave

189 7003-0300 Department of Family and Medical Leave \$350,000

190 EXECUTIVE OFFICE OF EDUCATION

191 Department of Early Education and Care

192 3000-3060 Supportive and TANF Child Care \$8,000,000

193 3000-4060 Child Care Access \$17,000,000

194 Department of Higher Education

195 7066-1129 State Authorization Reciprocity Agreement (SARA) Implementation

196 \$50,000

197 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

198 Office of the Secretary



199	8000-0600	Executive Office of Public Safety	\$768,420
200		Office of the Chief Medical Examiner	
201	8000-0105	Office of the Chief Medical Examiner	\$150,000
202		Department of Criminal Justice Information Services	
203	8000-0110	Criminal Justice Information Services	\$ 763,874
204		Department of State Police	
205	8100-1001	Department of State Police	\$4,000,000
206	8100-1004	State Police Crime Laboratory	\$1,560,000
207		Department of Fire Services	
208	8324-0000	Department of Fire Services	\$913,000
209		Department of Correction	
210	8900-0001	DOC Facility Operations	\$9,110,978
211	8900-0003	Behavioral Health and Residential Treatment	\$1,013,185

212 SECTION 2C.II. For the purpose of making available in fiscal year 2020 balances of  
213 retained revenue and intragovernmental chargeback authorizations which otherwise would revert  
214 on June 30, 2019, the unexpended balances of the authorizations listed below, not to exceed the  
215 amount specified below for each item, are hereby re-authorized for the purposes of and subject to  
216 the conditions stated for the corresponding item in section 2 or 2B of chapter 154 of the acts of  
217 2018. However, for items which do not appear in section 2 or 2B of said chapter 154, the

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

220 Amounts in this section are re-authorized from the fund or funds designated for the  
221 corresponding item in section 2 or 2B of the general appropriation act; however, for items which  
222 do not appear in section 2 or 2B of the general appropriation act, the amounts in this section are  
223 re-authorized from the fund or funds designated for the corresponding item in section 2, 2A, or  
224 2B of this act or in prior appropriation acts. The sums re-authorized in this section shall be in  
225 addition to any amounts available for those purposes.

226 OFFICE OF THE STATE COMPTROLLER

227 1000-0601 Chargeback for HRCMS Functionality \$300,000

228 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

229 Human Resources Division

230 1750-0600 Chargeback for Human Resources Modernization \$250,000

231 Operational Services Division

232 1775-0800 Chargeback for Purchase Operation and Repair of State Vehicles

233 \$350,000

234 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

235 Office of the Secretary

236 4000-0250 HIX Retained Revenue \$8,285,479

237 Department of Veterans Services  
238 1410-0018 Agawam and Winchendon Cemeteries Retained Revenue \$250,000

239 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

240 Department of Correction

241 8900-0021 Chargeback for Prison Industries and Farm Services Program  
242 \$400,000

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

249 TREASURER AND RECEIVER GENERAL

250 1595-1200 For an operating transfer to the Massachusetts Clean Water Trust to support  
251 drinking water programs to remediate PFAS contamination of public water supplies, including  
252 but not limited to zero percent-interest loans \$20,000,000

253 1595-1205 For an operating transfer to the Massachusetts Clean Water Trust to  
254 support its purposes as set forth in Chapter 29C of the General Laws, including to increase  
255 project

256 capacity \$35,000,000

257 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

258 Department of Transportation

259 1595-6386 For an operating transfer to the Massachusetts Transportation Trust Fund,

260 established pursuant to section 4 of chapter 6C of the General Laws for grants to municipalities

261 for the construction, reconstruction, maintenance, or improvement of municipal ways

262 \$40,000,000

263 Commonwealth Transportation Fund.....100%

264 1595-6387 For an operating transfer to the Massachusetts Transportation Trust Fund ,

265 established pursuant to section 4 of chapter 6C of the General Laws, for grants under the

266 municipal small bridge and complete streets programs \$10,522,500

267 Commonwealth Transportation Fund.....50.6%

268 General Fund.....34.2%

269 Local Capital Projects Fund.....15.2%

270 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

271 Department of Housing and Community Development

272 1595-0508 For an operating transfer to the affordable housing trust fund established

273 under section 2 of chapter 121D of the General Laws, to support the creation of units for

274 Extremely Low-Income households \$10,000,000

275 EXECUTIVE OFFICE OF EDUCATION

276 Office of the Secretary

277 1595-7000 For an operating transfer to the College Affordability and Success Trust  
278 Fund established by section 33 of this act, for the development and implementation of early  
279 college programs \$15,000,000

280 1595-7010 For an operating transfer to the College Affordability and Success Trust Fund  
281 established by section 33 of this act, for the commonwealth commitment program and for pilot  
282 programs that demonstrate innovative financial aid strategies for improving higher education  
283 affordability and success \$15,000,000

284 1595-7020 For an operating transfer to the Public School Improvement Fund, established  
285 by section 34 of this act, for effective and sustainable improvement initiatives in public schools  
286 designated as in need of assistance pursuant to the school accountability system established by  
287 the board of elementary and secondary education \$50,000,000

288 SECTION 3. Chapter 29 of the General Laws is hereby amended by inserting after  
289 section 2GGGGG, inserted by section 24 of chapter 41 of the acts of 2019, the following  
290 section:-

291 Section 2HHHHH. (a) There shall be an Emergency Relief and Immediate  
292 Commonwealth Assistance Trust Fund, which shall be administered by the Massachusetts  
293 emergency management agency. Monies in the trust fund shall be deposited with the state  
294 treasurer in a manner that will secure the highest interest rate available consistent with the safety  
295 of the trust fund and with the requirement that all amounts on deposit be available for immediate  
296 use.

297 (b) There shall be credited to the trust fund: any unexpended funds from item 8800-0001,  
298 which shall not revert to the General Fund but instead shall be deposited in the trust fund; other  
299 funds appropriated or transferred to the trust fund by the general court; and all interest earned on  
300 monies in the trust fund.

301 (c) Expenditures from the fund shall not be subject to appropriation and balances  
302 remaining at the end of a fiscal year shall not revert to the General Fund; provided, that  
303 expenditures from the fund shall be made for state or local response efforts to natural disasters or  
304 emergency incidents determined at the discretion of the director of the agency; and provided  
305 further, that expenditures shall not be used to supplant recurring operational costs of the agency  
306 funded through the general appropriations act.

307 (d) Subject to the approval of the secretary of public safety and security in consultation  
308 with the secretary of administration and finance, the agency may incur liabilities and make  
309 expenditures in excess of funds available and the state comptroller may certify for payment  
310 invoices in excess of funds available to the agency; provided, that the agency must cite a state of  
311 emergency declaration upon its request to incur liabilities and make expenditures in excess of  
312 funds available; and provided further, that the negative balance of funds available shall not  
313 exceed \$5,000,000 at any time during the fiscal year.

314 (e) Not later than June 1 of each fiscal year, the agency shall submit a report to the  
315 secretary of administration and finance and the house and senate committees on ways and means,  
316 which shall include the fund balance at the start of the current fiscal year, any transfers of funds  
317 to and from the trust fund during the fiscal year, any revenue deposited into the trust fund, an  
318 itemized description of expenditures by disaster or incident during the fiscal year, a projected

319 fund balance for the end of the fiscal year, and any request for supplemental appropriations to  
320 eliminate any negative balance projected for the fund at the end of the fiscal year.

321 SECTION 4. The first paragraph of section 5G of said chapter 29, as appearing in the  
322 2018 Official Edition, is hereby amended by striking out the second sentence and inserting in  
323 place thereof the following sentence:- If the department of revenue certifies that the amount of  
324 tax revenues estimated to have been collected from capital gains income exceeds \$1,000,000,000  
325 in a fiscal year, the comptroller shall transfer quarterly any such amount that exceeds  
326 \$1,000,000,000 collected during that fiscal year as follows: 90 per cent shall be transferred to  
327 the Commonwealth Stabilization Fund established in section 2H; 5 per cent shall be transferred  
328 to the State Retiree Benefits Trust Fund established in section 24 of chapter 32A; and 5 per cent  
329 shall be transferred to the Commonwealth's Pension Liability Fund established in section 22 of  
330 chapter 32.

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

335 SECTION 6. Said section 5G of said chapter 29, as so appearing, is hereby further  
336 amended by striking out the third paragraph.

337 SECTION 7. Section 1 of chapter 62 of the General Laws, as so appearing, is hereby  
338 amended by striking out subsection (c) and inserting in place thereof the following subsection:-

339 (c) "Code", the Internal Revenue Code of the United States, as amended on January 1,  
340 2005 and in effect for the taxable year; but Code shall mean the Code as amended and in effect

341 for the taxable year for sections 62(a)(1), 72, 105, 106, 108(f)(5), 139C, 223, 274(m), 274(n),  
342 401 through 420, inclusive, 457, 529, 529A, 530, 951, 951A, 959, 961, 3401 and 3405 but  
343 excluding sections 402A and 408(q); and provided further, that for purposes of determining the  
344 amount of business interest deductible under this chapter, the provisions of section 163(j) of the  
345 Code shall not apply.

346 SECTION 8. Paragraph (b) of Part B of section 3 of said chapter 62 of the General Laws,  
347 as so appearing, is hereby amended by striking out subparagraph (3) and inserting in place  
348 thereof the following subparagraph:-

349 (3) For tax years beginning on or before December 31, 2019, an exemption of \$1,000 for  
350 each individual who qualifies for exemption as a dependent under section 151 (c) of the Code.  
351 For tax years beginning on or after January 1, 2020, an exemption of \$2,000 for each individual  
352 who qualifies for exemption as a dependent under section 151 (c) of the Code.

353 SECTION 9. Subsection (b) of section 4 of said chapter 62 of the General Laws, as so  
354 appearing, is hereby amended by striking out the last paragraph and inserting in place thereof the  
355 following paragraph:-

356 Notwithstanding the preceding paragraph, Part B taxable income shall be taxed at the rate  
357 of 5.0 per cent for tax years beginning on or after January 1, 2020.

358 SECTION 10. Section 1 of chapter 63 of the General Laws, as so appearing, is hereby  
359 amended by inserting in line 173, after the word “year,” the following words:-

360 ; provided, however, that for sections 163(j), 381(c)(20), 382(d)(3) and 382(k)(1), Code  
361 shall mean the Code as amended and in effect for tax years beginning before January 1, 2018.



362 SECTION 11. Section 30 of said chapter 63, as so appearing, is hereby amended by  
363 striking out the first sentence of paragraph 4 and inserting in place thereof the following  
364 sentence:-

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

372 SECTION 12. Section 40 of chapter 82 of the General Laws, as so appearing, is hereby  
373 amended by striking out, in the definition of “Excavation,” the words, “excluding excavation by  
374 tools manipulated only by human power for gardening purposes and use of blasting for quarrying  
375 purposes”.

376 SECTION 13. Subsection (a) of section 63 of chapter 118E of the General Laws, as so  
377 appearing, is hereby amended by adding after the definition of “assessment” the following  
378 definition:-

379 “Licensee”, any person holding a license to operate a nursing home. In the case of a  
380 licensee which is not a natural person, licensee shall also mean any shareholder owning 5 per  
381 cent or more, any officer and any director of any corporate licensee; any limited partner owning  
382 5 per cent or more and any general partner of a partnership licensee; any trustee of any trust

383 licensee; any sole proprietor of any licensee which is a sole proprietorship; any mortgagee in  
384 possession and any executor or administrator of any licensee which is an estate.

385 SECTION 14. Subsection (f) of said section 63 of said chapter 118E, as so appearing, is  
386 hereby amended by adding the following words:- , or impose a limitation on new admissions for  
387 any nursing home that fails to remit delinquent fees, as directed by the executive office. The  
388 secretary of the executive office may also enforce this section by offsetting payments from the  
389 office of Medicaid on the claims of the nursing home, those of a nursing home with a common  
390 licensee, or those of any successor in interest to the nursing home, in the amount of the  
391 delinquent fees owed, including any interest and penalties, and to transfer such funds into the  
392 General Fund; by imposing, after demand, a lien in an amount not to exceed the amount of the  
393 delinquent fees owed, including any interest and penalties, in favor of the commonwealth upon  
394 any and all property of the nursing home or its licensee; or by such other appropriate mechanism  
395 as the executive office may establish by regulation under subsection (g).

396 SECTION 15. The second paragraph of clause (50) of section 6 of chapter 136 of the  
397 General Laws, as so appearing, is hereby amended by inserting in lines 164, 181, 198 and 215,  
398 after the word “week,” each time it appears, the following words:- or a commissioned employee  
399 who satisfies either the requirements of sections 207(i) or 213(b)(10)(A) of the federal Fair  
400 Labor Standards Act, 29 USC §§ 201-219.

401 SECTION 16. The second paragraph of section 13 of said chapter 136, as so appearing,  
402 is hereby amended by inserting in line 13, after the word “contract,” the following words:-  
403 excepting a commissioned employee who satisfies either the requirements of sections 207(i) or  
404 213(b)(10)(A) of the federal Fair Labor Standards Act, 29 USC §§ 201-219.

405 SECTION 17. Said section 13 of said chapter 136, as amended by section 16, is hereby  
406 further amended by striking out the first sentence of the second paragraph and inserting in place  
407 thereof the following sentence:- Any retail establishment which operates on January first, the  
408 second Monday in October, or November eleventh, under the exemption granted by this section,  
409 shall compensate those employees working on any of said days at a rate specified under clause  
410 (50) of section 6 or such larger sum as may be determined by contract, excepting a  
411 commissioned employee who satisfies either the requirements of sections 207(i) or  
412 213(b)(10)(A) of the federal Fair Labor Standards Act, 29 USC §§ 201-219; such work shall be  
413 voluntary and refusal to work for any retail establishment on such legal holidays shall not be  
414 grounds for discrimination, dismissal, discharge, reduction in hours, or any other penalty.

415 SECTION 18. Said section 13 of said chapter 136 of the General Laws, as amended by  
416 section 17, is hereby further amended by striking out the first sentence of the second paragraph  
417 and inserting in place thereof the following sentence:- Any retail establishment which operates  
418 on January first, the second Monday in October, or November eleventh, under the exemption  
419 granted by this section, shall not require any employee to perform such work, and an employee's  
420 refusal to work for any retail establishment on such legal holidays shall not be grounds for  
421 discrimination, dismissal, discharge, reduction in hours, or any other penalty.

422 SECTION 19. The second paragraph of section 16 of said chapter 136, as appearing in  
423 the 2018 Official Edition, is hereby amended by inserting in line 16, after the word "week," the  
424 following words:- or a commissioned employee who satisfies either the requirements of sections  
425 207(i) or 213(b)(10)(A) of the federal Fair Labor Standards Act, 29 USC §§ 201-219.

426 SECTION 20. Section 150 of chapter 149 of the General Laws, as so appearing, is hereby  
427 amended by adding the following paragraph:- An employer shall not be subject to any liability or  
428 punishment for or on account of its failure to pay for work on a Sunday or a recognized holiday  
429 under sections 6, 13 or 16 of chapter 136, if the employer pleads and proves by a preponderance  
430 of the evidence that it acted in good faith in conformity with and in reasonable reliance on any  
431 written administrative interpretation of the department or of an agency of the commonwealth  
432 which has or had at the time the authority to interpret, regulate, or enforce said law. Such a  
433 defense, if established, shall be a bar to the action if the administrative interpretation was in  
434 effect at the time of the violation, even if it is later modified, rescinded, or determined by judicial  
435 authority to be invalid or of no legal effect. For purposes of this paragraph, the term “employer”  
436 shall extend to the persons described in the sixth paragraph of section 148.

437 SECTION 21. Subparagraph (4) of section 1A of chapter 151 of the General Laws, as so  
438 appearing, is hereby amended by adding the following words:- or as an inside salesperson who is  
439 a commissioned employee who satisfies either the requirements of sections 207(i) or  
440 213(b)(10)(A) of the federal Fair Labor Standards Act, 29 USC §§ 201-219.

441 SECTION 22. The first paragraph of section 1B of said chapter 151, as so appearing, is  
442 hereby amended by inserting after the second sentence the following two sentences:- An  
443 employer or the officer or agent of any corporation shall not be subject to any liability or  
444 punishment for or on account of its failure to pay overtime compensation in violation of this  
445 section if the employer or the officer or agent of any corporation pleads and proves by a  
446 preponderance of the evidence that it acted in good faith in conformity with and in reasonable  
447 reliance on any written administrative interpretation of the department or of an agency of the  
448 commonwealth which has or had at the time the authority to interpret, regulate, or enforce said

449 law. Such a defense, if established, shall be a bar to the action if the administrative interpretation  
450 was in effect at the time of the violation, even if it is later modified, rescinded, or determined by  
451 judicial authority to be invalid or of no legal effect.

452 SECTION 23. Item 1000-0008 of section 2 of chapter 154 of the acts of 2018 is hereby  
453 amended by striking out the words " 5 per cent" and inserting in place thereof the following  
454 words:- 16 per cent.

455 SECTION 24. Item 1595-7066 of section 2 of said chapter 154 of the acts of 2018 is  
456 hereby amended by inserting after the word "Laws" the following words:- ; and provided further,  
457 that not less than \$5,000,000 shall be expended on research-based applied learning curriculum  
458 with integrated professional development, planning and start-up grants for STEM-focused  
459 Innovation Pathways and Early College programs, stipends for STEM teacher externships and  
460 STEM@Work.

461 SECTION 25. Section 93 of said chapter 154 is hereby further amended by striking out  
462 subsection (a) and inserting in place thereof the following subsection:-

463 (a) Notwithstanding any general or special law to the contrary, the unexpended balances  
464 in items 0699-0015 and 0699-9100 shall be deposited into the State Retiree Benefits Trust Fund  
465 established pursuant to section 24 of chapter 32A of the General Laws before the certification of  
466 the fiscal year 2019 consolidated net surplus pursuant to section 5C of chapter 29 of the General  
467 Laws. The amount deposited shall be an amount equal to 30 per cent of all payments received by  
468 the commonwealth in fiscal year 2019 under the master settlement agreement in Commonwealth  
469 of Massachusetts v. Philip Morris, Inc. et al., Middlesex Superior Court, No. 95-7378; provided,  
470 however, that if in fiscal year 2019 the unexpended balances of said items 0699-0015 and 0699-

471 9100 are less than 30 per cent of all payments received by the commonwealth in fiscal year 2019  
472 under the master settlement agreement payments, an amount equal to the difference shall be  
473 transferred to the State Retiree Benefits Trust Fund from payments received by the  
474 commonwealth under the master settlement agreement.

475 SECTION 26. Item 8100-1014 of section 2A of chapter 5 of the acts of 2019 is hereby  
476 amended by inserting after the figure “2018” the following words:- , or the collection, testing, or  
477 tracking of sexual assault evidence kits.

478 SECTION 27. Section 2 of chapter 41 of the acts of 2019 is hereby amended by striking  
479 out item 1595-1068 and inserting in place thereof the following item:-

480 1595-1068 For an operating transfer to the MassHealth provider payment account  
481 in the Medical Assistance Trust Fund established under section 2QQQ of chapter 29 of the  
482 General Laws; provided, that these funds shall be expended for services provided during state or  
483 federal fiscal year 2019 or 2020 or for public hospital transformation and incentive initiative  
484 payments for state fiscal year 2019 or 2020 or for Medicaid care organization payments under 42  
485 CFR 438.6(c) for rate year 2018 or 2019 or 2020; provided further, that all payments from the  
486 Medical Assistance Trust Fund shall be: (i) subject to the availability of federal financial  
487 participation; (ii) made only under federally-approved payment methods; (iii) consistent with  
488 federal funding requirements and all federal payment limits as determined by the secretary of  
489 health and human services; and (iv) subject to the terms and conditions of an agreement with the  
490 executive office of health and human services; provided further, that the secretary of health and  
491 human services shall notify, in writing, the house and senate committees on ways and means and  
492 the joint committee on health care financing of increases or decreases in any payments made

493 within the term of the current 1115 waiver or other state plan amendments within 15 days; and  
494 provided further, that the secretary of health and human services shall utilize funds from the  
495 Medical Assistance Trust Fund to make payments of up to \$413,550,000 to the Cambridge  
496 public health commission or to Medicaid care organizations for payment to the Cambridge  
497 public health commission if the Cambridge public health commission, in anticipation of  
498 receiving such payments, first voluntarily transfers an amount equal to the nonfederal share of  
499 the payments to the Medical Assistance Trust Fund using a federally-permissible source of funds  
500 \$505,785,000

501 SECTION 28. Item 7006-0142 of said section 2 of said chapter 41 is hereby amended by  
502 striking out, in both places it appears, the figure “\$15,034,593” and inserting in place thereof the  
503 following figure:- \$16,034,593.

504 SECTION 29. Item 8700-1140 of said section 2 of said chapter 41 is hereby amended by  
505 striking out, in both places it appears, the figure “\$400,000” and inserting in place thereof the  
506 following figure:- \$1,900,000.

507 SECTION 30. Section 71 of said chapter 41 is hereby amended by striking out the figure  
508 “2019” and inserting in place thereof the following figure:- 2020.

509 SECTION 31. Said chapter 41 is hereby amended by striking out section 81 and  
510 inserting in place thereof the following section:-

511 SECTION 81. (a) Notwithstanding any general or special law to the contrary, prior to  
512 transferring the consolidated net surplus in the budgetary funds to the Commonwealth  
513 Stabilization Fund pursuant to section 5C of chapter 29 of the General Laws, the comptroller  
514 shall dispose of the consolidated net surplus in the budgetary funds for fiscal year 2019 as

515 follows, and in the following order of precedence: (i) transfer funds as necessary to bring the  
516 balance of the Commonwealth Stabilization Fund, established in section 2H of chapter 29 of the  
517 General Laws, at the close of fiscal year 2019 to \$3,000,000,000; (ii) transfer \$10,000,000, to the  
518 Massachusetts Life Sciences Investment Fund, established in section 6 of chapter 23I of the  
519 General Laws; (iii) transfer \$20,000,000, to the Massachusetts Community Preservation Trust  
520 Fund, established in section 9 of chapter 44B of the General Laws; (iv) transfer the remaining  
521 surplus, but not more than \$175,000,000, to the Tax Reduction Fund, established in section 2I of  
522 chapter 29 of the General Laws.

523 (b) In fiscal years 2020 and 2021, at the direction of the secretary of administration and  
524 finance, the comptroller shall transfer funds from the Tax Reduction Fund to the General Fund to  
525 offset reduced tax collections caused by the increase in the dependent exemption to \$2,000  
526 pursuant to subparagraph (3) of paragraph (b) of Part B of section 3 of chapter 62 of the General  
527 Laws, as estimated by the commissioner of revenue. In calculating any permitted uses of money  
528 in the Tax Reduction Fund pursuant to section 2I of chapter 29 of the General Laws, the  
529 commissioner of revenue shall first account for transfers necessary under this section.

530 SECTION 32. Notwithstanding any general or special law to the contrary, prior to  
531 calculating the fiscal year 2019 consolidated net surplus in accordance with section 5C of chapter  
532 29 of the General Laws, and upon the recommendation of the secretary of administration and  
533 finance or his designee, the comptroller shall adjust any fiscal year 2019 appropriation fund split  
534 against the following funds to expend available revenue and to prevent deficiencies in those  
535 funds; provided that, changes to fund splits under this section shall not result in any of the  
536 following funds ending fiscal year 2019 in deficit:



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

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

540 (c) the Local Capital Projects Fund established in section 2EEEE of chapter 29 of the  
541 General Laws.

542 SECTION 33. Notwithstanding any general or special law to the contrary, there shall be  
543 established and set up on the books of the commonwealth a College Affordability and Success  
544 Trust Fund. The fund shall consist of all monies credited or transferred to the fund from any  
545 other fund or source. Amounts credited to the fund shall be substantially committed over a 3 year  
546 period by the secretary of the executive office of education, without further appropriation, for the  
547 commonwealth commitment program administered by the department of higher education, for  
548 pilot programs that demonstrate innovative financial aid strategies for improving higher  
549 education affordability and success, including, but not limited to, income share agreements,  
550 initiatives focused on disconnected youth and adult learners, and competency-based programs  
551 developed in partnership with employers, and for the development and implementation of early  
552 college programs administered by the department of higher education and the department of  
553 elementary and secondary education. In committing funds from the College Affordability and  
554 Success Trust Fund, the secretary of the executive office of education shall prioritize public  
555 colleges and universities in the commonwealth that develop long-term plans for reducing student  
556 charges and ensuring financial sustainability for their institutions, aligned with their approved  
557 strategic plans. The secretary of the executive office of education shall submit an annual report  
558 detailing expenditures from the trust and related activities to the secretary of administration and

559 finance, the chairs of the house and senate committees on ways and means, the chairs of the joint  
560 committee on higher education and the chairs of the joint committee on education. Up to 1 per  
561 cent of the funding transferred to this trust may be used to support the costs of administering the  
562 programs identified above. This fund shall expire as of June 30, 2028. Any balance remaining in  
563 these funds as of that date shall be transferred to the General Fund.

564 SECTION 34. Notwithstanding any general or special law to the contrary, there shall be  
565 established and set up on the books of the commonwealth a Public School Improvement Trust  
566 Fund. The fund shall consist of all monies credited or transferred to the fund from any other  
567 fund or source. Amounts credited to the fund shall be expended, without further appropriation,  
568 by the secretary of the executive office of education to support effective and sustainable  
569 improvement initiatives in public schools designated as in need of assistance pursuant to the  
570 school accountability system established by the board of elementary and secondary education.  
571 The fund shall be administered by the department of elementary and secondary education. The  
572 secretary of the executive office of education shall submit an annual report detailing  
573 expenditures from the trust and related activities to the secretary of administration and finance,  
574 the chairs of the house and senate committees on ways and means and the chairs of the joint  
575 committee on education. Up to 1 per cent of the funding transferred to this trust may be used to  
576 support the costs of administering the trust to support improvement initiatives. This fund shall  
577 expire as of June 30, 2028. Any balance remaining in these funds as of that date shall be  
578 transferred to the General Fund.

579 SECTION 35. Notwithstanding any general or special law to the contrary, monies  
580 deposited pursuant to chapter 273 of the acts of 2018 into the Water Pollution Abatement

581 Revolving Fund, established in section 2L of chapter 29 of the General Laws, may be used for  
582 public school deleading projects, including grants.

583 SECTION 36. Notwithstanding any general or special law to the contrary, the  
584 department of energy resources shall expend amounts from the RGGI Auction Trust Fund  
585 established in section 35II of chapter 10 of the General Laws to fund the green communities  
586 program established in section 10 of chapter 25A and to fund electric vehicle incentive programs  
587 through December 31, 2021. All payments made from the fund before December 31, 2021 shall  
588 be prioritized so that the initial payments from the fund shall be made to the green communities  
589 and electric vehicle incentive programs and shall not exceed \$32,000,000 per fiscal year;  
590 provided, that the department of energy resources shall examine said programs, including but not  
591 limited to the cost-effectiveness of said programs in greenhouse gas emissions reductions, and  
592 report its findings to the chairs of the joint committee on telecommunications, utilities and  
593 energy on or before January 1, 2022.

594 SECTION 37. (a) Notwithstanding the provisions of chapter 31 of the General Laws, any  
595 pre-employment medical examination administered by a federal agency or contractor to any  
596 person serving in the title of firefighter or crash crew member of the Joint Base Cape Cod  
597 formerly known as Massachusetts Military Reservation Fire Department or the 104th Fighter  
598 Wing Fire Department, who transferred from federal employee or other non-state employment  
599 status, shall be deemed sufficient to fulfill any pre-employment medical examination  
600 requirement for firefighters in state or municipal service in the commonwealth under chapters 48  
601 and 31 of the General Laws. Any pre-employment medical examination referenced in this  
602 section or any physical taken subsequent to employment must meet the criteria provided in  
603 sections 94, 94A and 94B of chapter 32 of the General Laws.

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

610 SECTION 38. The salary adjustments and other economic benefits authorized by the  
611 following collective bargaining agreements shall be effective for the purposes of section 7 of  
612 chapter 150E of the General Laws:

613 (1) Between the sheriff of Middlesex county and the Teamsters, Local 122, Unit SM2;

614 (2) between the between the Essex North and South registries of deeds and AFSCME,  
615 Local 653;

616 (3) between the Board of Higher Education and the Massachusetts Community College  
617 Council;

618 (4) between the Massachusetts Department of Transportation and DOT Unit C, National  
619 Association of Government Employees, IBEW Local 103, Teamsters Local 127, and Teamsters  
620 Local 25;

621 (5) between the Massachusetts Department of Transportation and DOT Unit D, National  
622 Association of Government Employees, IBEW Local 103, Teamsters Local 127, clerical, audit  
623 and support Employees and United Steelworkers Local 5696;

624 (6) between the treasurer and receiver-general and the Coalition of Public Safety, Unit 5;  
625 and

626 (7) between the sheriff of Middlesex County and NEPBA, Local 525, Unit SM1.

627 SECTION 39. Sections 15, 16, 19 and 21 shall take effect on May 8, 2016.

628 SECTION 40. Sections 20 and 22 shall be effective for all causes of action accruing  
629 before, on, or after the date of its enactment, including any cause of action now pending.

630 SECTION 41. Sections 7, 10 and 11 shall be effective for taxable years beginning after  
631 December 31, 2017.

632 SECTION 42. Section 18 shall take effect January 1, 2023.

633 SECTION 43. Except as otherwise specified, this act shall take effect upon enactment.