**HOUSE . . . . . . . . . . . . . . . . No. 4146** 

## The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court (2015-2016)

Mr. Dempsey of Haverhill moves to amend the bill by striking out all after the enacting clause and inserting in place thereof the following:-

1	SECTION 1. To provide for supplementing certain items in the general appropriation
2	act and other appropriation acts for fiscal year 2016, the sums set forth in sections 2 to 2C,
3	inclusive, are hereby appropriated from the General Fund unless specifically designated
4	otherwise in this act or in those appropriation acts, for the several purposes and subject to the
5	conditions specified in this act or in those appropriation acts, and subject to the laws regulating
6	the disbursement of public funds for the fiscal year ending June 30, 2016. These sums shall be in
7	addition to any amounts previously appropriated and made available for the purposes of those
8	items.
9	SECTION 2.
10	JUDICIARY
11	Committee for Public Counsel Services
12	0321-1510 \$25,000,000

13	0321-1520		\$1,100,000
14		DISTRICT ATTORNEY	
15		Suffolk District Attorney	
16	0340-0198 .		\$81,853
17		SECRETARY OF THE COMMONWEALTH	
18		Office of the Secretary	
19	0521-0000		\$443,308
20		OFFICE OF THE STATE TREASURER	
21		Office of the Treasurer	
22	0610-0050 .		\$70,000
23		OFFICE OF THE STATE COMPTROLLER	
24		Office of the State Comptroller	
25	1599-3384		\$12,506,260
26	EXECU	TIVE OFFICE OF ENERGY AND ENVIRONMENTAL A	FFAIRS
27		Department of Fish and Game	
28	2310-0200		\$870,000
29	EX	XECUTIVE OFFICE OF HEALTH AND HUMAN SERVIC	ES

30		Executive Office of Health and Human Services	
31	4000-0700		\$11,000,000
32		Department of Transitional Assistance	
33	4400-1100		\$3,488,689
34		Department of Public Health	
35	4590-0918		\$4,000,000
36		Department of Children and Families	
37	4800-0015		\$2,686,662
38	4800-0025		\$144,197
39	4800-0038		\$3,226,463
40	4800-0041		\$8,830,544
41	EXECU	TIVE OFFICE OF HOUSING AND ECONOMIC DEVELO	OPMENT
42		Department of Housing and Community Development	
43	7004-0101		\$41,000,000
44	7004-0108		\$2,500,000
45		EXECUTIVE OFFICE OF EDUCATION	
46		Department of Elementary and Secondary Education	

47	7061-9400\$1,800,000
48	STATE UNIVERSITIES
49	University of Massachusetts
50	7100-0200
51	EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY
52	Sex Offender Registry Board
53	8000-0125\$200,000
54	Department of Correction
55	8900-0001\$1,000,000
56	SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to
57	provide for an alteration of purpose for current appropriations, and to meet certain requirements
58	of law, the sums set forth in this section are hereby appropriated from the General Fund unless
59	specifically designated otherwise in this section, for the several purposes and subject to the
60	conditions specified in this section, and subject to the laws regulating the disbursement of public
61	funds for the fiscal year ending June 30, 2016. These sums shall be in addition to any amounts
62	previously appropriated and made available for the purposes of these items. These sums shall be
63	made available until June 30, 2016.
64	DISTRICT ATTORNEY
65	Plymouth District Attorney

66	0340-0802 For costs associated with the moving and relocation of the Plymouth district
67	attorney's office\$2,409,170
68	EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE
69	Office of the Secretary for Administration and Finance
70	For a reserve to meet the fiscal year 2016 costs of quarter point benefits
71	authorized by collective bargaining agreements with the executive branch and ratified by the
72	general court
73	For a reserve to meet the fiscal year 2016 costs of salary adjustments
74	authorized by collective bargaining agreements with the executive branch that have not yet beer
75	ratified by the general court; provided, that no funds shall be expended from this item prior to
76	ratification of the collective bargaining agreements by the general court\$11,373,102
77	1599-8910 For a reserve for identified current year deficiencies documented by the
78	sheriffs of the commonwealth
79	SECTION 2C.I. For the purpose of making available in fiscal year 2017 balances of
80	appropriations which otherwise would revert on June 30, 2016, the unexpended balances of the
81	appropriations listed below, not to exceed the amount specified below for each item, are hereby
82	re-appropriated for the purposes of and subject to the conditions stated for the corresponding
83	item in section 2 of chapter 46 of the acts of 2015. For items that do not appear in section 2 of
84	the general appropriation act, the amounts in this section are re-appropriated for the purposes of
85	and subject to the conditions stated for the corresponding item in section 2 or 2A in prior

appropriation acts. The sums re-appropriated in this section shall be in addition to any amountsavailable for said purposes.

## 88 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

- 89 Office of the Secretary of Health and Human Services Women's Preventive Health Reserve ......\$300,000 90 1599-0321 91 SECTION 3. Section 11 of chapter 61A of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in lines 10 and 11, the words ", prior to 92 93 January first of each year,". 94 SECTION 4. Said section 11 of said chapter 61A, as so appearing, is hereby further amended by striking out, in line 17, the words "February first" and inserting in place thereof the 95 96 following words:- April 1.
- 97 SECTION 5. Section 87CC of chapter 112 of the General Laws, as so appearing, is 98 hereby amended by striking out the last sentence.
- 99 SECTION 6. Chapter 120 of the General Laws is hereby amended by striking out section 100 16, as so appearing, and inserting in place thereof the following section:-
- Section 16. Every person committed to the department until the age of 18 as a delinquent child, if not already discharged, shall be discharged upon reaching the person's eighteenth birthday. Every person committed to the department until the age of 19 as a delinquent child, if not already discharged, shall be discharged upon reaching the person's nineteenth birthday.

  Every person committed to the department until the age of 20 as a delinquent child, if not already discharged, shall be discharged upon reaching the person's twentieth birthday. Every person

committed to the department until the age of 21 as a youthful offender, if not already discharged, 108 shall be discharged upon reaching the person's twenty-first birthday. The department may 109 continue to have responsibility for any person provided for in this chapter under 22 years of age for the purposes of specific educational or rehabilitative programs, under conditions agreed upon 110 by both the department and such persons and terminable by either. Such services must be offered 111 112 prior to the person's discharge date as provided herein; however, a person may request and the department shall consider any such request for the services described, for up to 90 days after the 113 114 person's effective date of discharge, even where the person has previously declined services or 115 services were terminated for non-compliance, and may reach an agreement with the person, terminable by either, to provide the services described herein until such person attains the age of 117 22.

- SECTION 7. Subsection (c) of section 46 of chapter 151A of the General Laws, as so appearing, is hereby amended by striking out clause (3) and inserting in place thereof the following 2 clauses:-
- (3) to the heads of the departments of career services, transitional assistance, revenue,
   veterans' services, office of Medicaid and industrial accidents, information necessary in the
   performance of their official duties;
- 124 (3 ½) to the heads of governmental agencies who are partners in the Workforce
  125 Innovation and Opportunity Act, information necessary for the purpose of complying with
  126 performance reporting requirements of the Workforce Innovation and Opportunity Act, Public
  127 Law 113-128;

128 SECTION 8. Item 4000-0321 of section 2 of chapter 46 of the acts of 2015 is hereby 129 amended by inserting after the words "accounting system" the following words:-; provided 130 further, that after providing payments due in accordance with the terms of the contingency contracts, the office may use available funds to support special MassHealth projects that will 131 receive enhanced federal revenue opportunities, including MassHealth eligibility operations and 132 133 systems enhancements that support reforms and improvements to the MassHealth programs; 134 provided further, that any enhanced federal financial participation received for these special 135 projects, including the Implementation Advanced Planning Document or other eligibility 136 operations and systems enhancement that support reforms and improvements to the MassHealth program shall be deposited into this account. 137

SECTION 9. Item 4000-0700 of said section 2 of said chapter 46 is hereby amended by inserting after the words "neonatal intensive care unit cases" the following words:-; provided further, that MassHealth shall expend not less than \$11,000,000 for payments in addition to its standard payment amount per discharge, or SPAD, above rate year 2013, or of reimbursement provided under any subsequent inpatient payment methodologies, and to provide additional payments above its standard outpatient payment amount per episode, or PAPE, above rate year 2013, or of reimbursement provided under any subsequent outpatient payment methodologies to any acute care hospital that has greater than 63 per cent of its gross patient service revenue from governmental payers and free care as determined by the executive office of health and human services.

138

139

140

141

142

143

145

146

147

SECTION 10. Item 4590-0918 of said section 2 of said chapter 46 is hereby amended by striking out, each time it appears, the figure "\$14,000,000" and inserting in place thereof the following figure:- \$18,000,000.

- SECTION 11. Said section 2 of said chapter 46 is hereby amended by striking out item 5046-0005 and inserting in place thereof the following item:
- 5046-0006 For adult mental health community-based placements; provided, that funds shall be used to expand community-based placements for discharge ready individuals currently in the department's continuing care facilities; and provided further, that the annualized cost of these placements in fiscal year 2017 shall not exceed the amount appropriated in this item \$4,000,000
- 158 Community First Trust Fund.... 100%
- SECTION 12. Item 7004-0101 of said section 2 of said chapter 46 is hereby amended by inserting after the words, "administrative costs" the following words:- except the department may expend not more than \$360,000 for the direct costs associated with the coordination and placement of homeless families in hotels and motels used as overflow shelter capacity and oversight of hotel and motel compliance with state requirements.
- SECTION 13. Item 7035-0002 of said section 2 of said chapter 46 is hereby amended by striking out the words "the Lawrence/Methuen Community Coalition" and inserting in place thereof the following words:- Family Services of the Merrimack Valley.
- SECTION 14. Item 8900-0011 of said section 2 of said chapter 46 is hereby amended by inserting after the word "system" the following words:-; provided further, that the commissioner of correction may allocate year-end net profits to the cost of drug, substance abuse and rehabilitative programming.

- SECTION 15. Item 8900-0021 of section 2B of said chapter 46 is hereby amended, by inserting after the words "inmates" the following words:-; provided, that the commissioner of correction may allocate year-end net profits to the cost of drug, substance abuse and rehabilitative programming.
- SECTION 16. Item 1595-6368 of section 2E of said chapter 46 is hereby amended by striking out the figure "\$365,025,340" and inserting in place thereof the following figure:177 \$337,468,038.
- SECTION 17. Subsection (a) of section 151 of said chapter 46 is hereby amended by
  striking out the fifth and sixth sentences and inserting in place thereof the following 3 sentences:

  The tax amnesty program shall apply to returns due on or before December 31, 2015. In the case
  of taxpayers otherwise coming into compliance with tax obligations pursuant to the amnesty,
  unless the commissioner determines that the taxpayer has acted with fraudulent intent, the
  commissioner may apply limited look-back periods for unfiled returns, not to exceed 4 years.

  The scope of the tax amnesty program, including the particular tax types, periods covered, and
  the applicability of the look-back periods, shall be determined by the commissioner.
- SECTION 18. Subsection (c) of said section 151 of said chapter 46 is hereby amended by striking out the words, "for any tax period beginning before January 1, 2014," and inserting in place thereof the following words:- on or before December 31, 2015.
- SECTION 19. Section 54 of chapter 119 of the acts of 2015 is hereby amended by striking out the word, "March" and inserting in place thereof the following word:- November.

- SECTION 20. The salary adjustments and other economic benefits authorized by the following collective bargaining agreements shall be effective for the purposes of section 7 of chapter 150E of the General Laws:
- (1) between the sheriff of Essex county and the Essex County Correctional OfficersAssociation;
- (2) between the commonwealth and the International Association of Fire Fighters LocalS-28 & S-29;
- (3) between the commonwealth and the Massachusetts Correction Officers FederatedUnion;
- (4) between the sheriff of Worcester county and the New England Police BenevolentAssociation, Local 550;
- (5) between the sheriff of Essex county and the National Correctional Employees Union,Local 123; and
- (6) between the sheriff of Essex county and the Essex County Regional EmergencyCommunication Dispatchers.