

HOUSE No. 3238

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, Feb. 6, 1978.

The committee on Ways and Means, to whom was referred the message from His Excellency the Governor recommending legislation relative to establishing the Massachusetts winter fuel assistance program (House, No. 1006); the message from His Excellency the Governor submitting recommendations for deficiency appropriations for the fiscal year ending June thirtieth, nineteen hundred and seventy-eight (House, No. 1322) and the message from His Excellency the Governor submitting recommendations for deficiency appropriations for the fiscal year ending June thirtieth, nineteen hundred and seventy-eight (House, No. 2886), report, in part, recommending that the accompanying bill (House, No. 3238) ought to pass.

For the Committee,

JOHN J. FINNEGAN

Mosquito and Greenhead Fly Control Fund	\$ 13,622
Highway Fund	6,919,726
General Fund	13,608,928
TOTAL	\$20,542,276

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Eight.

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THE THIRTIETH, NINETEEN HUNDRED AND SEVENTY-EIGHT TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS.

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
2 general appropriation act and for certain new activities and
3 projects, the sums set forth in section two for the several purposes
4 and subject to the conditions specified therein are hereby
5 appropriated from the General Fund unless specifically designated
6 otherwise in the item, subject to the provisions of law regulating
7 the disbursement of public funds and the conditions pertaining to
8 appropriations in chapter three hundred and sixty-three A of the
9 acts of nineteen hundred and seventy-seven, for the fiscal year
10 ending June the thirtieth, nineteen hundred and seventy-eight or
11 for such period as may be specified, the sums so appropriated to be
12 in addition to any amounts at present available for the purpose.

1 SECTION 2.

DEPARTMENT OF THE ATTORNEY GENERAL.

0810-0021 For the expenses of administering the medicaid fraud control unit 354,705

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Comptroller's Division.

1103-5010 For administration of the fraudulent claims commission, including not more than sixty-five permanent positions 154,282

Miscellaneous.

1599-0066 For a certain payment authorized by Chapter thirty-seven of the resolves of the current year 60,356

Unforeseen Emergencies.

1599-2025 For a reserve to meet unforeseen emergencies; provided, that the governor, upon recommendation of the commissioner of administration, is hereby authorized to transfer from the sum appropriated herein to other appropriation items

where the amounts otherwise available are insufficient, such amounts as are necessary to protect the public interest; provided further, that no transfer shall be made as authorized herein until the existence of the said unforeseen emergency shall have been certified by the agency and the secretary having jurisdiction over the requesting agency; and that the existence of the said unforeseen emergency shall have been verified by the house and senate committees on ways and means; and provided further, that the governor, upon recommendation of the commissioner of administration, is authorized to allocate the amount of said transfers to the several state or other funds to which such items of appropriation are charged

1,000,000

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.*State Reclamation Board.**Central Massachusetts.*

2520-1000 For prior year deficiencies 13,622
 Mosquito and Greenhead Fly
 Control Fund 100.0%

EXECUTIVE OFFICE OF COMMUNITIES AND DEVELOPMENT.

3743-2010 For emergency fuel assistance for low income persons,
 appropriation expires June thirtieth, nineteen hundred and
 seventy-eight 1,000,000

EXECUTIVE OFFICE OF HUMAN SERVICES.*Department of Correction.*

4348-0001 For a medium correctional security facility in north central
 Massachusetts 84,760

Department of Public Welfare.

4401-1000 For care and maintenance of children under the jurisdiction of
 the division of children and family services; provided, that
 notwithstanding the provisions of any law to the contrary,
 no increase in the rate paid to any institution or school shall
 be granted or paid unless such increase shall have been
 approved by the commissioner of administration after
 certification by the budget director that funds are available
 for such increase, subject to the approval of the house and
 senate committees on ways and means; and provided
 further, that no monies appropriated under this item shall
 be expended for tutoring or remedial reading of children by
 the department and attending public schools; and provided,
 further, that purchased social services shall not be
 authorized at a monthly level that will cause expenditures
 to exceed the appropriation 2,600,000

Department of Mental Health.

5011-9003 For the purchase of fireproof mattresses and box springs,
 appropriation expires June thirtieth, nineteen hundred and
 seventy-nine 340,000

Region One.

5121-0000 For mental health and retardation services, including not more
 than one hundred and twenty-one permanent positions 16,000

EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION.

Massachusetts Bay Transportation Authority.

6005-0012	For certain debt service contract assistance to the Massachusetts Bay Transportation Authority in accordance with the provisions of section twenty-eight of chapter one hundred and sixty-one A of the General Laws	2,405,000
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Department of Public Works.

6030-7201	For the expenses of snow and ice control, including the removal of sand, and including the cost of sand, salt and chemicals Highway Fund 100.0%	5,500,000
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EXECUTIVE OFFICE OF EDUCATIONAL AFFAIRS.

*Department of Education.**Division of Special Education.*

7028-0031	Item 7028-0031 of section two of chapter three hundred and sixty-three A of the acts of nineteen hundred and seventy-seven is hereby amended by adding at the end thereof the following:— provided that a certain prior year expense totalling seventy-eight thousand four hundred fifteen dollars and sixty-eight cents may be paid from this item.	
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EXECUTIVE OFFICE OF PUBLIC SAFETY.

Registry of Motor Vehicles.

8400-9930	For the payment of a claim authorized by chapter forty of the resolves of nineteen hundred and seventy-seven	23,051
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EXECUTIVE OFFICE OF MANPOWER AFFAIRS.

Division of Industrial Accidents.

9050-3000	For the compensation of certain public employees for injuries sustained in the course of their employment, including previous fiscal year	3,990,500
	Highway Fund 35.0%	
	General Fund 65.0%	

EXECUTIVE OFFICE OF ELDER AFFAIRS.

9110-1630	For a home care program for the elderly, of which no more than five per cent of the funds appropriated hereunder may be used as the commonwealth's assistance to grantees to meet the matching requirements of Title III of the Older Americans Act; provided, that to qualify for such assistance, the grantee shall meet matching requirements as established by departmental regulation; provided, that all other funds appropriated under this item shall be used for purpose of home care services for the elderly under a program operated pursuant to Title XX contract with the department of public welfare; prior appropriation continued	3,000,000
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1 SECTION 3. There is hereby established a program of
 2 emergency fuel assistance to be administered by the Division of
 3 Social and Economic Opportunity within the Department of
 4 Community Affairs, which shall coordinate its activities with the
 5 Department of Elder Affairs and the Department of Welfare.

6 Any household whose income is not higher than 125% of the
7 poverty guidelines as established by the Community Services
8 Administration or which is eligible for SSI and which is not eligible
9 for fuel assistance under the emergency assistance program
10 established pursuant to section 2 of chapter 118 of the General
11 Laws, shall be eligible for application to this program, provided,
12 however, that such household must be in imminent danger of
13 discontinuation of fuel supply or must be unable to purchase fuel
14 supplies, and must so prove by furnishing a notice of refusal to
15 deliver or such other evidence as the Division of Social and
16 Economic Opportunity may require.

17 The Division of Social and Economic Opportunity shall
18 distribute sixty percent of such funds as may from time to time
19 become available for this program to the community action
20 agencies referred to in section twenty four of Chapter 23B of the
21 General Laws, on a pro rata share to be determined by the ratio of
22 the number of low income and elderly individuals at or below the
23 poverty level in each area served by a community action agency to
24 the number of low income and elderly individuals at or below the
25 poverty level in the commonwealth as determined by the most
26 recent federal census. Any remaining or unused funds shall be
27 distributed to the community action agencies on the basis of need
28 as shall be determined by the Division of Social and Economic
29 Opportunity who shall consult with the various Home Care
30 Corporations and Councils on Aging. No more than six percent of
31 the total funds shall be sent on costs of administering this program.

32 Said community action agencies shall assist eligible applicants
33 by providing direct payment to fuel suppliers or by providing an
34 eligible applicant with a payment voucher for submission to a fuel
35 supplier. No such payment or voucher shall exceed \$250 per
36 eligible applicant with a payment voucher for submission to a fuel
37 voucher shall be used for the establishment of an escrow account.
38 No applicant shall be deemed eligible upon final expenditure of
39 such monies as are made available for this program. Payment
40 received under this act shall not be counted in determining
41 eligibility for assistance under any other assistance program.

42 The Division of Social and Economic Opportunity shall
43 promulgate rules and regulations for the implementation of this
44 program within ten days of the effective date of this act, and shall

45 also submit to the Secretary of Administration and Finance and
46 the Chairmen of the Senate and House Ways and Means
47 Committees twice each month in writing a report of the number of
48 individuals receiving aid from this program. Said division shall
49 also submit in writing a report evaluating the program together
50 with such recommendations as it deems necessary to the clerks of
51 the House and Senate and the Governor within ninety days after
52 the last payment is made to an eligible recipient.

1 SECTION 4. This act shall take effect upon its passage.

