

## The Commonwealth of Massachusetts

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THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE DEPARTMENT

STATE HOUSE • BOSTON 02133

WILLIAM F. WELD  
GOVERNOR

MARCO PAUL CELLUCCI  
LIEUTENANT GOVERNOR

April 18, 1996

To the Honorable Senate and House of Representatives:

We are filing herewith for your consideration a bill recommending supplemental appropriations for Fiscal Year 1996. Our recommendations include reductions in certain existing appropriations to partially offset the cost of the new funding, so that the net total appropriation amount recommended herein is \$85,085,704.

The bill would provide funding required to maintain services for the balance of the fiscal year in a variety of programs, as well as resources for certain important initiatives. Included among the recommended appropriations are:

- \$5 million at the Massachusetts Office of Business Development to expand the Tactical Training Initiative, a program that targets funds to employer-sponsored training, which can be used as incentives to businesses considering expanding or moving to Massachusetts;
- \$60,000 at the Department of Public Health to help establish and implement the Sexual Assault Nurse Examiners (SANE) program, designed to provide rape victims with prompt, compassionate medical treatment, and prosecutors with accurate forensic evidence;
- \$3.2 million at the Department of Social Services for foster parents, including training and specialized foster care services, and to enhance recruitment efforts for foster parents;
- \$2.4 million at the Department of Youth Services for increased caseloads, including a unit for female youth offenders;
- \$20.6 million at the Massachusetts Highway Department for payments related to the severe storms this winter;

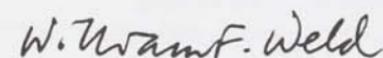
- \$5.1 million at the Department of Education for payments to cities and towns for special education services; and
- \$4.7 million for PRIT local public retirement systems incentive payments.

Included among the bill's other sections are provisions which would:

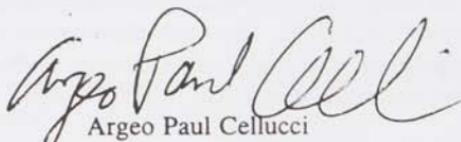
- transfer spending authority from one line item to another at the Group Insurance Commission (\$4.2 million) and the Division of Medical Assistance (\$40 million), allowing these agencies to use surplus health insurance funds from prior year accounts to fund current year obligations; and
- authorize the Commonwealth to enter into agreements with private parties for the use of space on state-owned communications towers and high-ground facilities, needed to enable us to proceed with one of our revenue maximization initiatives.

Sufficient revenues are estimated to be available to finance the appropriations recommended herein. We urge your prompt and favorable consideration of this bill.

Respectfully submitted,



William F. Weld  
Governor



Argeo Paul Cellucci  
Lieutenant Governor

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Six.

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND NINETY-SIX TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN OTHER 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 other appropriation acts for fiscal  
3 year nineteen hundred and ninety-six and for certain other activi-  
4 ties and projects in said fiscal year, the sums set forth in section  
5 two are hereby appropriated from the General Fund and the sum  
6 set forth in section two B is hereby appropriated from the  
7 Intragovernmental Service Fund unless specifically designated  
8 otherwise herein or in said appropriation acts, for the several pur-  
9 poses and subject to the conditions specified herein or in said  
10 appropriation acts, and subject to the provisions of law regulating  
11 the disbursement of public funds for the fiscal year ending June  
12 thirtieth, nineteen hundred and ninety-six. Unless otherwise speci-  
13 fied, the sums appropriated herein shall be in addition to any  
14 amounts previously appropriated and made available for the pur-  
15 poses of said items.

1 SECTION 2.

### JUDICIARY.

#### *Supreme Judicial Court.*

0320-0003 For the salaries and expenses of the supreme judicial court;  
provided, that the supreme judicial court shall appoint a  
standing committee on substance abuse; and provided fur-  
ther, that fifty thousand dollars shall be made available  
for the Franklin county futures lab project .....

155,693

0321-1600	For the Massachusetts legal assistance corporation to provide legal representation for indigent or otherwise disadvantaged residents of the commonwealth, including the disability benefits project, the Medicare advocacy project, and the battered women's legal assistance project; provided, that not less than one hundred twenty-five thousand dollars shall be expended for basic family law legal assistance for victims of domestic violence; provided further, that the first paragraph of section nine of chapter two hundred twenty-one A of the General Laws shall not apply to these programs; and provided further, that said corporation may contract with any organization for the purpose of providing said representation .....	1,25,000
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*Trial Court.*

0330-0400	.....	1,390,925
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**DISTRICT ATTORNEYS.***Berkshire District Attorney.*

0340-1100	.....	75,000
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*District Attorneys Association.*

0340-2100	.....	215,000
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**TREASURER AND RECEIVER-GENERAL.***Office of the Treasurer and Receiver-General.*

0611-5000	.....	450,000
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0612-1506	For a reserve to meet the commonwealth's obligation for the fiscal year ending June thirtieth, nineteen hundred and ninety-six, pursuant to section twenty-two B of chapter thirty-two of the General Laws, to reduce the unfunded pension liability of public retirement systems, other than state employees' and state teachers' systems; provided, that the distribution from this reserve shall be based upon a determination by the secretary of administration and finance of actual payroll costs for the fiscal year ending June thirtieth, nineteen hundred and ninety-six .....	4,669,038
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*Lottery Commission.*

0640-0010	.....	750,000
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**ATTORNEY GENERAL.***Victim and Witness Assistance Board.*

0840-0101	For the salaries and expenses of domestic violence advocates and regional legal advocacy coordinators, as well as program coordination and supervision within the Massachusetts office of victim assistance .....	249,530
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**EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.***Department of Procurement and General Services.*

1104-6607	The department of procurement and general services is hereby authorized to expend revenues collected up to a maximum of eight hundred thousand dollars from the disposal of	
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surplus motor vehicles including, but not limited to, state police vehicles, from vehicle accident and damage claims, and from manufacturer warranties, rebates and settlements, for the purchase of motor vehicles; provided, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system including the costs of personnel .....

295,227

*Group Insurance Commission.*

1108-5200 ..... 4,164,925

1108-5500 ..... 133,790

*Reserves.*

1599-2200 For a reserve to fund grants to county sheriffs to provide for the continued operation of county jails and houses of correction; provided, however, that funds appropriated herein shall be distributed in accordance with schedules prepared by the county government finance review board; provided further, that, notwithstanding the provisions of any general or special law to the contrary, funds distributed shall be paid to the county treasurer who shall place said funds within the county treasury in the manner prescribed by said county government finance review board; provided further, that any payments made pursuant to this item shall be deemed to offset insufficient state appropriations to the respective counties for other purposes; provided further, that notwithstanding the provisions of any general or special law to the contrary, funds distributed to the counties from this appropriation shall be expended in such amounts, in such manner and for such purposes as said county government finance review board shall prescribe; provided further, that each county sheriff is hereby directed to procure all necessary commodities through the commonwealth's blanket contracts overseen by the department of procurement and general services, except in cases where a sheriff has demonstrated to the county government finance review board and the executive office of public safety that a necessary commodity either is unavailable through said blanket contracts or can be procured otherwise at a lower price and said board and said executive office have approved an alternative procurement; and provided further, that no funds appropriated herein shall be expended on commodities for the county sheriffs except in conformance with the foregoing provision .....

5,000,000

**EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.***Department of Environmental Management.*

2100-2030 ..... 114,039

*Department of Fisheries, Wildlife and Environmental Law Enforcement.*

2330-0100 ..... 89,100

*Metropolitan District Commission.*

2440-2000	.....	802,828
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**EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.***Office of the Secretary*

4000-0240	For the establishment of visitation centers to provide domestic violence perpetrators with an opportunity to exercise their visitation rights without compromising the safety of the victim or children.....	75,000
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*Division of Medical Assistance.*

4000-0440	For the payment of prior fiscal years' expenses for a program of medical services for disabled children and adults .....	1,200,000
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4000-0700	.....	40,000,000
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4000-0820	For the intergovernmental transfer component of the medicaid payments to municipal and county hospitals established in accordance with Title XIX, federal regulations promulgated thereunder, the medicaid state plan and the terms and conditions of agreements reached with the division for such transfer payments; provided, that such funds may be expended from this item only for such payments owed during the current fiscal year; provided further, that an accounting of such payments shall be reported quarterly to the house and senate committees on ways and means; and provided further, that all revenues generated by said program shall be credited to the General Fund .....	24,400,000
	Local Aid Fund.....100.0%	

*Office for Children.*

4130-0005	.....	372,883
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*Department of Youth Services.*

4200-0010	.....	134,000
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4200-9999	.....	292,295
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4202-0003	.....	870,000
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4237-1010	.....	393,000
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4238-1000	.....	749,000
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*Department of Transitional Assistance.*

4400-1001	The department of transitional assistance may expend an amount not to exceed nine hundred fifty-three thousand three hundred sixty-five dollars received from the United States Department of Agriculture for the cost of expanding the priority reporting integrated system match project, so called, from the food stamp program to the aid to families with dependent children program.....	953,365
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4405-2010	For the payment of prior fiscal year expenses for special grants to recipients of the state supplement to the supplemental security income program who reside in rest homes; provided, that all expenditures made from this item shall be subject to the provisions of item 4405-2000 of section	
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	two of chapter sixty of the acts of nineteen hundred and ninety-four .....	400,000
4406-3000	.....	643,000
4408-1010	For the payment of prior fiscal year expenses of health services provided to recipients of emergency aid to the elderly, disabled, and children; provided, that all expenditures made from this item shall be subject to the provisions of item 4408-1000 of section two of chapter sixty of the acts of nineteen hundred and ninety-four .....	1,500,000

*Department of Public Health.*

4510-0810	For the Sexual Assault Nurse Examiner (SANE) program; provided, that funds from this item shall be used for the establishment of training programs for nurse examiners, the implementation of an on-call communication system for forensic examinations, and the reimbursement of forensic exams needed in the Boston and North Shore areas .....	60,000
4513-1001	For a treatment program for indigent batterers .....	75,000

*Department of Social Services.*

4800-0015	.....	58,913
4800-0016	.....	33,040
4800-0020	.....	369,931
4800-0030	.....	2,424,273
4800-0041	.....	33,086
4800-1100	.....	298,229
4800-1500	.....	12,500

*Department of Mental Health.*

5042-5000	.....	189,000
5046-0000	.....	2,200,000

**EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION.**

*Department of Highways.*

6010-0001	.....	1,198,007
6030-7201	.....	15,285,041
6030-7221	.....	4,126,498

**EXECUTIVE OFFICE OF EDUCATION.**

*Department of Education.*

7061-0012	.....	5,081,949
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**EXECUTIVE OFFICE OF PUBLIC SAFETY.**

*Office of the Secretary.*

8000-0040	.....	2,352,524
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*Department of Police.*

8100-0201	.....	950,000
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*Military Division.*

8700-0001	.....	250,000
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8700-1140	<p>The state quartermaster is hereby authorized to expend for the costs of utilities and maintenance an amount not to exceed seventy-five thousand dollars in revenues accrued from fees for the non-military rental or use of armories; provided, that said quartermaster is hereby authorized to expend for the office of management information systems telecommunications chargeback an amount not to exceed one hundred ten thousand dollars received from assessments made to the federal government for the use of telephones; and provided further, that said quartermaster is hereby authorized to expend for salaries, subsistence and quarters and associated costs for National Guard soldiers ordered to perform state missions pursuant to the provisions of chapter thirty-three of the General Laws an amount not to exceed fifty thousand dollars accrued from the acceptance from any person, governmental entity or non-governmental entity of funds to defray such expenses .</p>	50,000
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*Department of Correction.*

8900-0010	.....	700,000
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**EXECUTIVE OFFICE OF ECONOMIC AFFAIRS.***Department of Employment and Training.*

9081-7013	.....	5,000,000
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**1 SECTION 2B.****EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.***Department of Fisheries, Wildlife and Environmental Law Enforcement.*

2350-0102	.....	40,000
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1 SECTION 3. Chapter 10 of the General Laws, as appearing in  
 2 the 1994 Official Edition, is hereby amended by inserting after  
 3 section 28A the following new section:—

4 Section 28B. The commission shall on a monthly basis transmit  
 5 to the department of transitional assistance a current list of all per-  
 6 sons who were the holders of any winning ticket in excess of six  
 7 hundred dollars for the prior month. The information shall be pro-  
 8 vided in a format that is compatible with the department of transi-  
 9 tional assistance's file layout of its automated data processing  
 10 system to ensure the immediate identification of persons who may  
 11 be receiving public assistance benefits. The information provided  
 12 shall include the name, address, and social security number of the

13 holder of the winning ticket. The department of transitional assis-  
14 tance shall examine said information and shall identify any case in  
15 which a person is receiving benefits from said public assistance  
16 programs for which that person, a family member or dependent is  
17 not eligible, and shall take appropriate action which shall include,  
18 but not be limited to, closing that case or reducing the amount of  
19 assistance received.

1 SECTION 4. Item 0330-3000 of section two of chapter thirty-  
2 eight of the acts of nineteen hundred and ninety-five is hereby  
3 amended by striking out the words “; and provided further, that  
4 not less than three hundred eleven thousand dollars shall be  
5 expended for jury room furniture”.

1 SECTION 5. Item 0612-1010 of said section two of said  
2 chapter thirty-eight is hereby amended by inserting after the word  
3 “fund;” in line seventy-six the following wording:—provided fur-  
4 ther, that the state retirement board shall expend an amount not to  
5 exceed nine hundred thousand dollars for the purposes of the  
6 higher education coordinating council’s optional retirement pro-  
7 gram pursuant to section forty of chapter fifteen A of the General  
8 Laws;

1 SECTION 6. Item 1108-5230 of said section two of said  
2 chapter thirty-eight is hereby amended by striking out the figure  
3 “59,553,970” and inserting in place thereof the following  
4 figure:— 55,389,045.

1 SECTION 7. Item 4000-0800 of said section two of said  
2 chapter thirty-eight is hereby amended by striking out the figure  
3 “671,820,000” and inserting in place thereof the following  
4 figure:— 631,820,000.

1 SECTION 8. Item 5046-9999 of said section two of said  
2 chapter thirty-eight is hereby amended by striking out the figure  
3 “10,354,776” and inserting in place thereof the following  
4 figure:— 8,154,776.

1 SECTION 9. Item 4000-0821 of section two of chapter one  
2 hundred twenty of the acts of nineteen hundred and ninety-five is

3 hereby amended by striking in the last clause the words “shall  
4 revert to the General Fund” and inserting in place thereof the fol-  
5 lowing words:—shall be used by the division for payments  
6 defined in item 4000-0823 below.

1 SECTION 10. Notwithstanding the provisions of sections  
2 forty E to forty J, inclusive, of chapter seven of the General Laws,  
3 the commissioner of administration is hereby authorized to  
4 approve lease agreements between state agencies or departments  
5 and private parties for use of space on commonwealth communi-  
6 cations towers or high-ground facilities upon such terms and con-  
7 ditions as said commissioner may prescribe in consultation with  
8 said agencies or departments. Solicitations of private parties for  
9 said lease agreements shall be conducted using good business  
10 practices as approved by said commissioner. Said lease agree-  
11 ments may include, without limitation, provisions for access to  
12 communications towers and high-ground facilities and for place-  
13 ment and use of ancillary equipment, facilities, and fixtures. Said  
14 lease agreements shall have a maximum duration of five years and  
15 may be extended for no more than two one-year terms upon such  
16 terms and conditions as shall be approved by said commissioner.  
17 At the expiration of any original term and any extensions, rights of  
18 use shall be subject to another public solicitation. Lease payments  
19 made pursuant to this section shall be eligible for inclusion in the  
20 revenue optimization initiative authorized by section three hun-  
21 dred nine of chapter thirty-eight of the acts of nineteen hundred  
22 and ninety-five.

1 SECTION 11. This act shall take effect upon its passage.



