

HOUSE No. 2033

The Commonwealth of Massachusetts



EXECUTIVE DEPARTMENT
STATE HOUSE • BOSTON 02133
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DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

February 6, 2007.

To the Honorable Senate and House of Representatives:

I am filing for your consideration a bill recommending Fiscal Year 2007 supplemental appropriations totaling \$19 million, which are fully offset by \$22.4 million in combined new revenue and spending reductions tied to surplus funding. This legislation is necessary to address \$13.3 million in immediate deficiencies, and \$5.7 million in new collective bargaining agreement obligations.

The supplemental items to fund existing obligations include:

- \$4.1 million to fund higher caseloads at the EAEDC program at the Department of Transitional Assistance (DTA);
- \$2.7 million to maintain capacity at DTA shelters;
- \$1.1 million to fund National Guard patrols at the Pilgrim Power plant, and cover armory utility costs;
- \$900,000 to increase the retained revenue ceiling for the Early Intervention program at the Department of Public Health; and
- \$4.5 million to increase the retained revenue ceiling for State Police private details.

Pursuant to Section 7 of Chapter 150E of the General Laws, I submit for your consideration appropriation recommendations to fund the Fiscal Year 2007 incremental costs contained in collective bargaining agreements between the:

- Board of Higher Education and the Massachusetts Community College Council;
- Board of Higher Education and the Association of Professional Administrators, MTA/NEA;
- The Commonwealth and the
 - Service Employees International Union, Local 888, at the North, Middle and South Berkshire Registry of Deeds,
 - American Federation of State, County and Municipal Employees, Council 93, Local 653, at the Essex North and South Registry of Deeds,
 - American Federation of State, County and Municipal Employees, Council 93, Local 414, at the Middlesex South Registry of Deeds,

- Office and Professional Employees International Union, Local 6, at the Middlesex South Registry of Deeds,
- Office and Professional Employees International Union, Local 6, at the Middlesex North Registry of Deeds,
- Office and Professional Employees International Union, Local 6, at the Hampden Registry of Deeds,
- Service Employees International Union, Local 888, at the Suffolk Registry of Deeds, and
- Service Employees International Union, Local 888, at the Worcester North Registry of Deeds;
- Franklin sheriff's department and the International Brotherhood of Teamsters, Local 404;
- Middlesex sheriff's department and the Middlesex Sheriff's Superior Officers Association;
- Middlesex sheriff's department and the Teamsters Local 122; and
- Hampshire sheriff's department and the
 - Sheriff's Office Treatment Association,
 - Non-Uniform Correctional Association,
 - Hampshire Sheriff's Office Jail and House of Correction Supervisory Correctional Officers Association, and
 - Law Enforcement and Security Union, United Food and Commercial Workers Union.

In addition, pursuant to Section 7 of Chapter 150E of the General Laws, I submit for your consideration appropriation recommendations to fund the Fiscal Year 2006 and 2007 incremental costs contained in collective bargaining agreements between the:

- Plymouth county sheriff and the International Brotherhood of Correctional Officers R1-227;
- Dukes county sheriff and the Massachusetts Correction Officers Federated Union, Units A and B; and
- Norfolk county sheriff and the County Correctional Officer Association, Supervisory and Non-Supervisory Units.

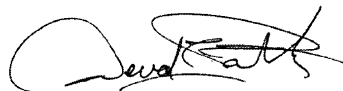
This legislation places a total of \$5,706,622 in 13 reserves from which funds may be transferred to departments' operating accounts to meet the Fiscal Year 2006 and 2007 costs of the salary adjustments and other economic benefits which are required by the agreements. Copies of the agreements, and estimates of the costs thereof for Fiscal Years 2006 and 2007 are being submitted separately to the Committees on Ways and Means.

Because a new Development Cabinet chaired by the Governor himself is now performing its functions, this bill also abolishes the Commonwealth Development Coordinating Council and transfers the balance of its funds for the present fiscal year to the Governor's office.

Finally, this bill includes language to clarify the purposes for which Central Artery/Tunnel audit program funds may be expended, and to facilitate administration of the fair-share employer contribution by the Division of Unemployment Assistance.

Revenue offsets have been identified to finance these appropriations. I urge your prompt and favorable consideration of this bill.

Respectfully submitted,



Governor.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2007 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 2007, the sums set forth in section 2 are hereby appropriated
4 from the General Fund unless specifically designated otherwise in
5 this act or in those appropriation acts, for the several purposes and
6 subject to the conditions specified in this act or in those appropri-
7 ation acts, and subject to the laws regulating the disbursement of
8 public funds for the fiscal year ending June 30, 2007. These sums
9 shall be in addition to any amounts previously appropriated and
10 made available for the purposes of those items.

1 SECTION 2.

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

Department of Transitional Assistance.

4403-2120	2,742,949
4408-1000	4,075,294

EXECUTIVE OFFICE OF PUBLIC SAFETY.

Military Division.

8700-0001	1,095,240
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1 SECTION 2A. To provide for certain unanticipated obligations
2 of the commonwealth, to provide for an alteration of purpose for
3 current appropriations, and to meet certain requirements of law,
4 the sums set forth in this section are hereby appropriated from the
5 General Fund unless specifically designated otherwise in this

6 section, for the several purposes and subject to the conditions
 7 specified in this section, and subject to the laws regulating the dis-
 8 bursement of public funds for the fiscal year ending June 30,
 9 2007. These sums shall be in addition to any amounts previously
 10 appropriated and made available for the purposes of those items.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Office of the Secretary.

- 1599-4216 For a reserve to meet the fiscal year 2007 costs of salary
 adjustments and other economic benefits authorized by
 the collective bargaining agreement between the board of
 higher education and the Massachusetts Community Col-
 lege Council, and to meet the fiscal year 2007 costs of
 salary adjustments and other economic benefits necessary
 to provide equal adjustments and benefits to employees
 employed in confidential positions which otherwise would
 be covered by this agreement; provided, that the personnel
 administrator, with the approval of the secretary of admin-
 istration and finance, shall determine such adjustments
 and benefits for such confidential employees in accord-
 ance with the collective bargaining agreement then in
 effect which otherwise would cover these positions; and
 provided further, that the secretary may transfer from the
 sum appropriated in this item to other items of appropria-
 tion and allocations thereof for fiscal year 2007 amounts
 that are necessary to meet these costs where the amounts
 otherwise available are insufficient for the purpose, in
 accordance with a transfer plan which shall be filed in
 advance with the house and senate committees on ways
 and means 3,228,802
- 1599-4217 For a reserve to meet the fiscal year 2007 costs of salary
 adjustments and other economic benefits authorized by
 the collective bargaining agreement between the board of
 higher education and the Association of Professional
 Administrators, MTA/NEA, and to meet the fiscal year
 2007 costs of salary adjustments and other economic ben-
 efits necessary to provide equal adjustments and benefits
 to employees employed in confidential positions which
 otherwise would be covered by this agreement; provided,
 that the personnel administrator, with the approval of the
 secretary of administration and finance, shall determine
 such adjustments and benefits for such confidential
 employees in accordance with the collective bargaining
 agreement then in effect which otherwise would cover
 these positions; and provided further, that the secretary
 may transfer from the sum appropriated in this item to
 other items of appropriation and allocations thereof for
 fiscal year 2007 amounts that are necessary to meet these
 costs where the amounts otherwise available are insuffi-
 cient for the purpose, in accordance with a transfer plan
 which shall be filed in advance with the house and senate
 committees on ways and means..... 682,270

- 1599-4218 For a reserve to meet the fiscal year 2007 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the commonwealth and the Service Employees International Union, Local 888, at the North, Middle and South Berkshire Registry of Deeds, the American Federation of State, County and Municipal Employees, Council 93, Local 653, at the Essex North and South Registry of Deeds, the American Federation of State, County and Municipal Employees, Council 93, Local 414, at the Middlesex South Registry of Deeds, the Office and Professional Employees International Union, Local 6, at the Middlesex South Registry of Deeds, the Office and Professional Employees International Union, Local 6, at the Middlesex North Registry of Deeds, the Office and Professional Employees International Union, Local 6, at the Hampden Registry of Deeds, the Service Employees International Union, Local 888, at the Suffolk Registry of Deeds, the Service Employees International Union, Local 888, at the Worcester North Registry of Deeds, and to meet the fiscal year 2007 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine such adjustments and benefits for such confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2007 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means 238,809
- 1599-4219 For a reserve to meet the fiscal year 2007 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Franklin sheriff's department and the International Brotherhood of Teamsters, Local 404, and to meet the fiscal year 2007 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine such adjustments and benefits for such confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2007 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the pur-

	pose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means	85,447
1599-4220	For a reserve to meet the fiscal year 2007 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Middlesex sheriff's department and the Middlesex Sheriff's Superior Officers Association, and to meet the fiscal year 2007 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine such adjustments and benefits for such confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2007 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means.....	147,116
1599-4221	For a reserve to meet the fiscal year 2007 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Middlesex sheriff's department and the Teamsters Local 122, and to meet the fiscal year 2007 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine such adjustments and benefits for such confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2007 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means	13,671
1599-4222	For a reserve to meet the fiscal year 2007 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Hampshire sheriff's department and the Sheriff's Office Treatment Association, and to meet the fiscal year 2007 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that	

the personnel administrator, with the approval of the secretary of administration and finance, shall determine such adjustments and benefits for such confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2007 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means

28,495

1599-4223 For a reserve to meet the fiscal year 2007 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Hampshire sheriff's department and the Non-Uniform Correctional Association, and to meet the fiscal year 2007 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine such adjustments and benefits for such confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2007 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means

56,632

1599-4224 For a reserve to meet the fiscal year 2007 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Hampshire sheriff's department and the Hampshire Sheriff's Office Jail and House of Correction Supervisory Correctional Officers Association, and to meet the fiscal year 2007 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine such adjustments and benefits for such confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2007 amounts that are necessary to meet these costs where the amounts otherwise available are insuffi-

	cient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means.....	38,977
1599-4225	For a reserve to meet the fiscal year 2007 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Hampshire sheriff's department and the Law Enforcement and Security Union, United Food and Commercial Workers Union, and to meet the fiscal year 2007 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine such adjustments and benefits for such confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2007 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means	116,495
1599-4226	For a reserve to meet the fiscal year 2006 and 2007 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Plymouth county sheriff and the International Brotherhood of Correctional Officers R1-227, and to meet the fiscal year 2006 and 2007 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine such adjustments and benefits for such confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2007 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means	146,892
1599-4227	For a reserve to meet the fiscal year 2006 and 2007 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Dukes county sheriff and the Massachusetts Correction Officers Federated Union, Units A and B, and to meet the fiscal year 2006 and 2007 costs of salary adjustments and other economic benefits necessary to provide equal adjustments	

and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine such adjustments and benefits for such confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2007 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means

53,167

1599-4228

For a reserve to meet the fiscal year 2006 and 2007 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Norfolk county sheriff and the County Correctional Officer Association, Supervisory and Non-Supervisory Units, and to meet the fiscal year 2006 and 2007 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine such adjustments and benefits for such confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2007 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means

869,849

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

Department of Public Health.

4513-1010

The department of public health may expend not more than \$4,400,000 in revenue received from the collection of federal financial participation for early intervention services delivered to Medicaid-eligible children by developmental educators and professionals in related disciplines; provided, that nothing in this item shall give rise to or shall be construed as giving rise to enforceable legal rights to any such services or an enforceable entitlement to the services funded in this item; and provided further, that the revenue may be used to pay for current and prior year claims.....

900,000

EXECUTIVE OFFICE OF PUBLIC SAFETY.

Department of State Police.

8100-0006	For private police details; provided, that the department may expend up to \$20,000,000 in revenues collected from fees charged for private police details and for the costs of administering such details; and provided further, that notwithstanding any general or special law to the contrary, the department may incur, and the comptroller may certify for payment, expenses and liabilities during fiscal year 2007 to be charged to this item in an amount not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system for the purposes stated in this item to accommodate the delayed receipt of revenues authorized to be retained in this item during fiscal year 2007	4,500,000
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1 SECTION 3. Section 8B of chapter 6A of the General Laws is
 2 hereby repealed.

1 SECTION 4. Item 1108-5200 of section 2 of chapter 139 of the
 2 acts of 2006 is hereby amended by striking out the figure
 3 “\$976,037,643” and inserting in place thereof the following
 4 figure:— \$966,037,643.

1 SECTION 5. Item 4403-2000 of said section 2 of said
 2 chapter 139 is hereby amended by striking out the figure
 3 “\$296,555,455” and inserting in place thereof the following
 4 figure:— \$289,555,455.

1 SECTION 6. Item 7007-0900 of said section 2 of said
 2 chapter 139 is hereby amended by striking out the words “; pro-
 3 vided further, that said office shall grant not less than \$5,000,000
 4 to the Massachusetts International Marketing Partnership Incorpo-
 5 rated, the business entity awarded the contract pursuant to section
 6 60 of chapter 141 of the acts of 2003 for the express purpose of
 7 implementing the strategic marketing and promotional program to
 8 recover the commonwealth’s lost international market share”.

1 SECTION 7. Section 1 of chapter 153 of the acts of 2006 is
 2 hereby amended by striking out the second sentence and inserting
 3 in place thereof the following sentence:— This retention shall not
 4 be subject to chapter 7 or chapter 30 of the General Laws.

1 SECTION 8. Said chapter 153 is hereby further amended by
2 striking out section 3 and inserting in place thereof the following
3 section:—

4 Section 3. There shall be appropriated \$20 million from the
5 General Fund for the following purposes: (a) to complete a com-
6 prehensive critical infrastructure safety audit of the metropolitan
7 highway system; (b) to review and assess the design, construction,
8 safety, inspection, maintenance, management, and finances of the
9 metropolitan highway system; and (c) to review and assess pro-
10 posals to recover costs associated with the central artery/third
11 harbor tunnel project. The executive office of transportation may
12 allocate the funds for each purpose, subject to the approval of the
13 governor. The executive office of transportation shall retain the
14 services of an independent inspection firm or consultant to com-
15 plete the safety audit. This retention shall not be subject to
16 chapter 7 or chapter 30 of the General Laws. The governor, after
17 consulting the executive office of transportation, may order the
18 closure of any tunnel that he finds unsafe for travel.

1 SECTION 9. Notwithstanding subsection (k) of section 14G of
2 chapter 151A of the General Laws or any other general or special
3 law to the contrary, between February 2, 2007 and June 30, 2008,
4 inclusive, the division of unemployment assistance may expend
5 up to \$5,541,478 from the Medical Security Trust Fund to support
6 development, implementation and first-year operating costs asso-
7 ciated with carrying out the division's responsibilities under
8 section 188 of chapter 149 of the General Laws.

1 SECTION 10. Notwithstanding any general or special law to
2 the contrary, the comptroller shall transfer any remaining appro-
3 priated funds for fiscal year 2007 in item 7004-0000 to item 0411-
4 1000, as of the effective date of this act.

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