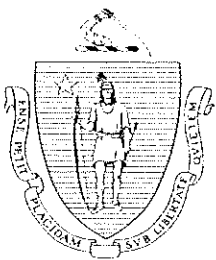


HD4572

9/13/23
4:03 PM



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS

STATE HOUSE • BOSTON, MA 02133

(617) 725-4000

MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

September 13, 2023

To the Honorable Senate and House of Representatives:

I am filing for your consideration a bill entitled "An Act Making Appropriations for Fiscal Year 2023 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects."

The proposal filed today would allocate \$2.15 billion gross / \$833.3 million net toward priorities and expenses incurred in Fiscal Year 2023 and enable the Commonwealth to close the books on the fiscal year that ended on July 1.

This bill would also use \$250 million from the Transitional Escrow Fund to continue to address the emergency shelter crisis in Massachusetts, and appropriate \$200 million for a reserve to pay for new collective bargaining agreements that would be ratified through an outside section. The CBA reserve was accounted for in the Fiscal Year 2024 budget signed last month.

The bulk of the new spending proposed in this supplemental budget would be directed toward MassHealth and enable our administration to proceed with a strategy designed to smooth across fiscal years the impact of the loss of enhanced federal Medicaid reimbursements available during the COVID-19 public health emergency. In total, \$2.12 billion gross / \$798.8 million net would be directed to MassHealth to implement this planned approach.

This supplemental budget also allocates:

- \$16 million for a reserve to cover costs accrued by sheriffs
- \$15 million to support Section 35 substance abuse treatment
- \$11 million for shared services at the Department of Unemployment Assistance
- \$8.8 million for the Department of Elementary and Secondary Education to enter into a new contract for the administration of the MCAS exam
- \$500,000 for Commission on Lesbian, Gay, Bisexual, Transgender, Queer and Questioning Youth operations.
- \$185,000 for military death benefits and early fiscal year National Guard activations
- \$27,564 for Group Insurance Commission dental and vision benefits for a unit within the Trial Court

An additional \$401.6 million in prior authorizations from Fiscal Year 2023 would be carried over into Fiscal Year 2024.

As you know, the demand for emergency shelter by families experiencing homelessness in Massachusetts continues to increase in part as a result of migrant families arriving in Massachusetts and lack of federal action. This situation is not unique to Massachusetts, but it is one that we must grapple with as our ability to continue to expand capacity, provide services for families in need, and support the communities that are sheltering them demands ongoing attention. We are working with our federal partners to impress upon Washington, D.C. the need for relief and other solutions, including expediting the issuance of work permits.

This \$250 million would enable our administration to continue to provide shelter and support services to the more than 6,000 families currently in our emergency shelter system for this fiscal year as we work toward longer-term solutions. It will also ensure that communities hosting these families, including the school districts welcoming new children to their classrooms for this school year, receive the support they need to accommodate this new enrollment.

Furthermore, I am filing a number of outside sections that will allow for the successful implementation of new statutes, including some that became law last month with the enactment and signing of the Fiscal Year 2024 budget. Importantly, this includes technical clarifications to the universal school lunch policy to make sure the law has the desired impact of providing both free breakfast and lunch to all students at public schools.

Other technical changes would afford relief to municipalities impacted in July by natural disasters like flooding by allowing them to amortize the cost of those emergencies over multiple years; simplify the implementation of a tax credit for small businesses who hire members of the National Guard; facilitate the

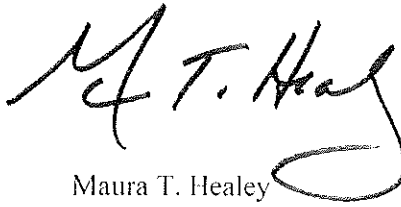
elimination of copays for MassHealth members; update the quorum requirements for the MBTA board of directors to reflect the addition of new members; correct the transfer mechanism for the Cannabis Social Equity Trust Fund; expand eligibility for CHIPS matching funds; and sunset the daily COVID-19 reporting requirements put in place for the Department of Public Health during the pandemic.

Finally, I want to reiterate my support for the spending and policy changes previously submitted by our administration earlier in the year that are still pending before your bodies. These provisions provide meaningful assistance to municipalities, offer needed technical corrections, and provide critical flexibilities to assist in closing the books on FY 23. A list of these priorities is attached to this letter as Appendix A.

Tax relief for families and businesses remains at the top of that list. It is more important now than ever for Massachusetts to enact meaningful and lasting tax reform for our families and businesses to make Massachusetts more affordable, equitable and competitive. I know that you share my desire to finalize a tax relief package that meets those goals, and I look forward to continuing to work with you to get that done as soon as possible this year. Appendix A to this letter will detail the various proposals submitted over the prior eight months still awaiting action, and I encourage you to consider these critically important proposals.

Sufficient revenues are available to finance the appropriations and other measures proposed in this bill. I urge you to enact this legislation promptly to facilitate the closing of the books for Fiscal Year 2023 and address the other urgent and time sensitive matters described above.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "M. T. Healey". The signature is fluid and cursive, with a large loop at the end of the last name.

Maura T. Healey
Governor

APPENDIX A

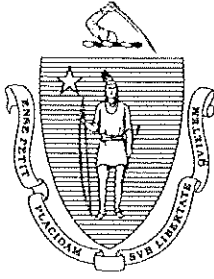
H3545	Title	Summary
Section 4	Advancing Careers Trust Fund	Establishes an Advancing Careers Fund administered by the Secretary of Health and Human Services.
Section 5	DOER Large Buildings Report Correction	Technical internal reference correction.
Section 6	OPEB Trust Fund Tech Correction	Corrects an incorrect reference to the term "Governing boards" to "governing body" which is correctly used elsewhere in the statute.
Section 7	Sheriff Salaries	Increases most sheriff salaries to \$191,000; with proportionate increases to Nantucket and Dukes.
Section 8	Municipal Stabilization Funds Appropriation Vote Threshold	Permits the establishment of municipal stabilization funds and regulates their administration, by amending the voting threshold to appropriate funds from special stabilization funds from a 2/3 requirement to a simple majority vote.
Section 9	Appointed and Combined Treasurer-Collector	Permits municipalities to combine the appointed positions of collector of taxes and treasurer into a single appointed position.
Section 10	DLS Technical Corrections; Municipal General Fund Revenue Exceptions and Insurance Proceeds Exception 1	Establishes two exceptions to the general rule that requires all money received or collected from any source by a city, town, or district to be deposited in its general fund and only spent through a specific appropriation unless there is an exception established in statute.
Section 11	Departmental Revolving Fund Spending Cap	Allows for the initial vote that a community takes to establish the amount of annual spending that will occur from a departmental revolving fund, which are created for certain self-supporting department programs, to be in effect until the municipality votes to change the cap and not require the cap to be set annually.
Section 12	Mitigation and Exaction Payments Fund	Permits municipalities to separately account for payments received from host or mitigation agreements with developers or other entities to address impacts of a project or the location of a facility.
Section 13	Safe and Supportive Schools Commission Membership Update	Updates the composition of the Safe and Supportive Schools Commission to make it easier to identify qualified members to serve on this commission.
Section 14	Temporary Registration Plates Correction 1	Restores accidental deletion of RMV authority to provide temporary tags to instate purchasers and other small technical edits

Section 15	Temporary Registration Plates Correction 2	Technical correction exempting the new out of state temporary tags from the excise tax
Section 17	DFML Administrative Funding Allocation	Adjusts the amount the Department of Family and Medical Leave can retain for administrative costs to change the cap on DFML's administrative funding to 5% of the balance in the Trust Fund.
Section 18	Municipal Shared Employees	Amends the state conflict of interest law to address potential violations of the law that arise when cities and towns enter into inter-municipal agreements or are members of regional governmental units. The conflict of interest law categorizes employees for purposes of the law as state, county or municipal and does not address regional governmental entities or regional or shared initiatives
Section 19	Salem Offshore Wind 1	Designates the Massachusetts Clean Energy Center as the state entity authorized to establish the Salem Offshore Wind Terminal and authorizes the Salem Port Authority to acquire portions of the Salem port site under the cooperation agreement between Salem Wind Terminal, LLC and the City.
Section 20	Charging Infrastructure Fund Appropriations	Amends the Charging Infrastructure Deployment Fund to clarify funds are not subject to appropriation and clarifies that money in the fund will be made available in the following fiscal year.
Section 21	Election Reserve Purposes	Gives greater flexibility to election funds to be used for in-person early voting and mail voting.
Section 22	Martin Richard Fieldhouse Earmark Increase	Provides \$5M for the Martin Richard Fieldhouse.
Section 23	DLS Technical Corrections; Municipal General Fund Revenue Exceptions and Insurance Proceeds Exception 2	Permits municipalities that have already established a special purpose stabilization fund to receive the opioid settlement money to vote to revoke acceptance of the creation of the stabilization fund at any time. After doing so, they would be able to spend the amounts without appropriation under the same language proposed previously.
Section 24	Chapter 70 Net School Spending	Authorizes districts to deposit up to 10% of a district's state net school spending requirement in a local reserve fund through FY24 without penalty. Subsequent expenditures from the fund would be authorized through FY27, the expected end of Student Opportunity Act expansions of Chapter 70 aid.
Section 27	MassHealth Transferability	Allows MassHealth to transfer surplus funding among various line items for the remainder of FY23.

Section 28	MassHealth Accounts Payable	Allows MassHealth to pay certain FY23 obligations after the end of the fiscal year.
Section 29	Flexibility between Transitional Escrow, General Fund, and CSFRF for Chapter 268, Section 2A	Technical amendment to clarify funding source flexibility from transitional escrow, General Fund or the federal COVID-19 response fund.
31	Salem Offshore Wind 2	Designates the Massachusetts Clean Energy Center as the state entity authorized to establish the Salem Offshore Wind Terminal and authorizes the Salem Port Authority to acquire portions of the Salem port site under the cooperation agreement between Salem Wind Terminal, LLC and the City.

Bill	Line Item	Account Name	Gross Amount
H.3545	1599-0793	Workforce Reserve	107,000,000
H.3545	1595-4514	Supplemental Pension Transfer	100,000,000
H.3545	1599-0012	Chapter 766 Bridge	75,000,000
H.3994 and S.2426	1599-1101	Caseworkers Reserve	60,300,000
H.3994 and S.2426	1599-1750	Tatum Reserve	40,000,000
H.3545	1595-6232	MassCEC	35,000,000
H.3545	1599-1972	MBTA Workforce Reserve	20,000,000
H.3545	1599-6073	VOCA Bridge	20,000,000
H.3545	4590-0915	Public Health Hospitals	10,710,000
H.3545	1595-1080	Advancing Careers Fund	10,000,000
H.3545	1599-0640	Cultural Facilities Fund	10,000,000
H.3545	1599-6063	Local Community Development Projects	5,000,000
H.3545	1599-1210	Peace Officer Standards and Training Commission Reserve	1,941,576

H.3994 and S.2426	2000-0120	Flood Control Compact Reserve	506,140
H.3994 and S.2426	3000-7040	EEC Contingency Contract Retained Revenue	200,000
H.3994 and S.2426	1599-9817	ARPA HCBS Reserve (PAC)	171,967,037
H.3545	1599-0793	Workforce Reserve (PAC)	81,322,743
H.3545	1599-8909	Election Costs Reserve (PAC)	8,000,000
H.3545	4180-0100	Soldiers' Home in Massachusetts Administration and Operations (PAC)	1,748,697



The Commonwealth of Massachusetts

IN THE YEAR TWO THOUSAND AND TWENTY-THREE

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2023 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 purposes, which are forthwith to make supplemental appropriations for fiscal year 2023 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:

SECTION 1. To provide for supplementing certain items in the general appropriation act and other appropriation acts for fiscal year 2023, the sums set forth in section 2 are hereby appropriated from the General Fund unless specifically designated otherwise in this act or in those appropriation acts, for the several purposes and subject to the conditions specified in this act or in those appropriation acts, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2023. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of those items. These sums shall be made available through the fiscal year ending June 30, 2024.

SECTION 2.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Commission on Lesbian, Gay, Bisexual, Transgender, Queer and Questioning Youth

0950-0050 GLBT Commission.....\$500,000

Group Insurance Commission

1108-5500 Group Insurance Dental and Vision\$27,564

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Office of the Secretary of Health and Human Services

4000-0700 MassHealth Fee for Service Payments..... \$2,116,827,526

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

Office of the Secretary of Labor and Workforce Development

7003-0101 Labor and Workforce Development Shared Services \$11,000,000

EXECUTIVE OFFICE OF EDUCATION

Department of Elementary and Secondary Education

7061-9400 Student and School Assessment \$8,833,222

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

Military Division

8700-0001 Military Division.....\$185,000

DEPARTMENT OF VETERANS' SERVICES

Soldiers' Home in Holyoke

4190-0400 Consolidated Appropriations Act\$708,240

Transitional Escrow Fund..... 100%

4190-0401 American Rescue Plan Act..... \$1,714,016

Transitional Escrow Fund..... 100%

SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an alteration of purpose for current appropriations, and to meet certain requirements of law, the sums set forth in this section are hereby appropriated from the General Fund unless specifically designated otherwise in this section, for the several purposes and subject to the conditions specified in this section, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2023. Except as otherwise stated, these sums shall be made available through the fiscal year ending June 30, 2024.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Reserves

1599-0514 For a reserve to support the commonwealth’s response to the ongoing humanitarian crisis and influx of families seeking shelter; provided, that not less than \$130,000,000 shall be expended for the costs associated with sheltering eligible families including, but not limited to, housing, food, and onsite staffing; provided further, that not less than \$33,000,000 shall be expended for temporary emergency shelter sites; provided further, that not less than \$87,000,000 shall be expended for additional non-housing specific services at shelter sites and community supports, including but not limited to, medical services, health assessments, legal assistance, and supplemental school district costs associated with additional student enrollments; provided further, that the secretary of administration and finance may transfer funds from this item to state agencies as defined in section 1 of chapter 29 of the General Laws; provided further, that if the secretary of administration and finance, in consultation with the secretary of health and human services and the secretary of housing and livable communities, determines that the actual need for a particular purpose is less than is authorized to be spent in this item for that purpose, the secretary of administration and finance may reduce spending accordingly; and provided further, that the secretary of administration and finance shall notify the house and senate committees on ways and means not less than 7 days prior to reducing or increasing spending for a particular purpose authorized in this item..... \$250,000,000

Transitional Escrow Fund..... 100%

1599-1214 For a reserve for expansion, upgrades or enhancements to staffing, operations or infrastructure for new and existing facilities that treat men with an alcohol or substance use disorder under sections 1 and 35 of chapter 123 of the General Laws; provided, that the secretary of administration and finance may transfer funds from this item to state agencies as defined in section 1 of chapter 29 of the General Laws..... \$14,000,000

1599-8910 For a reserve to support costs associated with the 14 county sheriffs’ offices; provided, that the secretary of administration and finance may transfer funds from this item to state agencies as defined in section 1 of chapter 29 of the General Laws \$16,000,000

Transitional Escrow Fund..... 100%

SECTION 2C.I. For the purpose of making available in fiscal year 2024 balances of appropriations which otherwise would revert on June 30, 2023, the unexpended balances of the appropriations listed below, not to exceed the amount specified below for each item, are hereby re-appropriated for the purposes of and subject to the conditions stated for the corresponding item in section 2 of chapter 126 of the acts of 2022. However, for items which do not appear in section 2 of the general appropriation act, the amounts in this section are re-appropriated for the purposes of and subject to the conditions stated for the corresponding item in section 2 or 2A of this act or in prior appropriation acts. Amounts in this section are re-appropriated from the fund or funds designated for the corresponding item in section 2 of said chapter 126; provided, however, that for items which do not appear in section 2 of said chapter 126, the amounts in this section are re-appropriated from the fund or funds designated for the corresponding item in section 2 through 2E

of this act or in prior appropriation acts. The sums reappropriated in this section shall be in addition to any amounts available for said purposes.

JUDICIARY

Mental Health Legal Advisors Committee

0321-2000 Mental Health Legal Advisors Committee.....\$45,000

TREASURER AND RECIEVER GENERAL

0610-2000 Welcome Home Bill Bonus Payments..... \$1,000,000

STATE LOTTERY COMMISSION

0640-0000 State Lottery Commission\$207,500

COMMISSION ON THE STATUS OF PERSONS WITH DISABILITIES

0800-0003 Commission on the Status of Persons with Disabilities\$99,840

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Reserves

1599-4448 Collective Bargaining Contract Costs..... \$40,000,000

1599-0080 Tests Vaccine Outreach Reserve \$5,000,000

1599-0054 Hinton Lab Reserve\$368,347

Bureau of the State House

1102-3400 Security Operations at the State House.....\$150,000

1102-3331 Office of the State House Superintendent\$100,000

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

Department of Environmental Protection

2260-8870 Hazardous Waste Cleanup..... \$1,000,000

Department of Fish and Game

2300-0101 Riverways Protection and Access.....\$400,000

Office of the Secretary of Energy and Environmental Affairs

2000-0102 Environmental Justice\$300,000

Department of Agricultural Resources

2511-0103 Cannabis and Hemp Agricultural Oversight.....\$159,150

2511-0100 Agricultural Resources Administration\$24,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Office of the Secretary of Health and Human Services

4000-0051 Family Resource Centers.....\$450,000

Department of Public Health

4512-2022 Grants to Local Boards of Health.....\$973,700

4510-0721 Boards of Registration for HPL\$864,000

4513-2020 Behavioral Health Supports.....\$500,000

Department of Mental Health

5095-0017 DMH Loan Forgiveness Program..... \$10,000,000

5011-0100 DMH Administration and Operations.....\$145,000

Department of Youth Services

4200-0300 Residential Services for Committed Population..... \$5,000,000

Massachusetts Commission for the Deaf

4125-0100 Massachusetts Commission for the Deaf and Hard of Hearing.....\$399,000

DEPARTMENT OF VETERANS' SERVICES

Soldiers' Home in Massachusetts

4180-0100 Soldiers' Home in Massachusetts Administration and Operations..... \$4,661,119

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

Massachusetts Bay Transportation Authority

1599-1971 MBTA Workforce Safety Reserve\$229,290,000

EXECUTIVE OFFICE OF ECONOMIC DEVELOPMENT

Office of the Secretary of Economic Development

7002-0017 Economic Development IT Costs.....\$505,000

Massachusetts Marketing Partnership

7008-0900 Massachusetts Office of Travel and Tourism \$2,207,028

EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

Executive Office of Housing and Livable Communities

7004-0102 Homeless Individual Shelters..... \$6,000,000

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

Office of the Secretary of Labor and Workforce Development

7003-0150 Demonstration Workforce Development..... \$2,293,876

7003-0607 Employment Program for Young Adults with Disabilities.....\$166,667

EXECUTIVE OFFICE OF EDUCATION

Department of Early Education and Childcare

3000-1020 Quality Improvement \$1,000,000

3000-1046 EEC Infrastructure Policy Reforms..... \$8,127,000

3000-2050 Children's Trust Fund\$350,000

Department of Elementary and Secondary Education

7061-9805 Teacher Diversity Initiative..... \$14,800,000

Department of Higher Education

7066-0115 Endowment Incentive Program..... \$9,775,000

University of Massachusetts

7100-0700 Office of Dispute Resolution\$93,000

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

Office of the Secretary of Public Safety and Security

8000-1700 Public Safety Information Technology Costs\$700,000

Office of the Chief Medical Examiner

8000-0105 Office of the Chief Medical Examiner.....\$70,000

Massachusetts State Police

8100-0515 New State Police Class \$5,367,000

Department of Fire Services

8324-0000 Department of Fire Services Administration\$647,159

8324-0050 Local Fire Department Projects and Grants\$200,000

Department of Correction

8900-0001 Department of Correction Facility Operations \$8,000,000

8900-1100 Re-Entry Programs \$2,997,166

SECTION 2C.II. For the purpose of making available in fiscal year 2024 balances of retained revenue and intragovernmental chargeback authorizations which otherwise would revert on June 30, 2023, the unexpended balances of the authorizations listed below, not to exceed the amount specified below for each item, are hereby re-authorized for the purposes of and subject to the conditions stated for the corresponding item in section 2 or 2B of chapter 24 of the acts of 2021. However, for items which do not appear in section 2 or 2B of said chapter 24, the amounts in this section are re-authorized for the purposes of and subject to the conditions stated for the corresponding item in section 2, 2A, or 2B of this act or in prior appropriation acts. Amounts in this section are re-authorized from the fund or funds designated for the corresponding item in section 2 or 2B of the general appropriation act; however, for items which do not appear in section 2 or 2B of the general appropriation act, the amounts in this section are re-authorized from the fund or funds designated for the corresponding item in section 2, 2A, or 2B of this act or in prior appropriation acts. The sums re-authorized in this section shall be in addition to any amounts available for those purposes.

MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION

0940-0103 Equal Employment Opportunity Commission Fair Employment Programs \$1,200,000

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Operational Services Division

1775-0800 Chargeback for Purchase of Operation and Repair of State Vehicles\$225,000

EXECUTIVE OFFICE OF EDUCATION

Roxbury Community College

7515-0121 Reggie Lewis Track – Retained Revenue.....\$100,000

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

Office of the Chief Medical Examiner

8000-0122 Chief Medical Examiner Fee Retained Revenue.....\$230,000

Department of Correction

8900-0021 Chargeback for Prison Industries and Farm Program..... \$2,000,000

8900-0011 Prison Industries Retained Revenue.....\$400,000

SECTION 3. The sixth paragraph of section 22N of chapter 7 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by adding the following sentence:- Notwithstanding any general or special law to the contrary, child care and school age programs, except for special education and residential programs, contracting with the department of early education and care or their agents shall be exempt from the price limitations set forth by the bureau.

SECTION 4. Section 39M of chapter 30 of the General Laws, as so appearing, is hereby amended by striking out, in line 63, the word “and”.

SECTION 5. Said section 39M of said chapter 30, as so appearing, is hereby further amended by inserting after the figure “\$150,000”, in line 67, the following words:- , and, at the option of the commissioner of capital asset management and maintenance, a maintenance service contract, as defined in paragraph (D ½) of section 44A of chapter 149, by the division of capital asset management and maintenance.

SECTION 6. The fourth paragraph of subsection (a) of said section 39M of said chapter 30, as so appearing, is hereby amended by inserting after the first sentence the following sentence:- The division of capital asset management and maintenance shall evaluate the performance of the contractor of a maintenance service contract, as defined in said paragraph (D ½) of said section 44A of said chapter 149, procured pursuant to this section at the end of each maintenance service contract and keep said maintenance service contract performance evaluations on file.

SECTION 7. Section 3 of chapter 62 of the General Laws, as so appearing, is hereby amended by striking out, in lines 146 to 149, the words “wagering transactions, that were incurred at a gaming establishment licensed in accordance with chapter 23K or at any racing meeting licensee or simulcasting licensee, only to the extent of the gains from such transactions” and inserting in place thereof the following words:- sports wagers, that were incurred through a sports wagering operator licensed under chapter 23N, or from wagering transactions, that were incurred at a gaming establishment licensed under chapter 23K or at any racing meeting licensee or simulcasting licensee; provided, however, that the amount of losses deducted shall not exceed the amount of gains from such sports wagers and wagering transactions.

SECTION 8. Section 5A of said chapter 62, as so appearing, is hereby amended by inserting after the word “23K”, in line 27, the following words:- or sports wagering winnings acquired through a sports wagering operator licensed under chapter 23N.

SECTION 9. Subsection (aa) of section 6 of chapter 62 of the General Laws, as so appearing, is hereby amended by striking out, in line 1385, the words “the day” and inserting in place thereof the following words:- six months after.

SECTION 10. Section 2 of chapter 62B of the General Laws, as so appearing, is hereby amended by inserting after the word “establishment”, in lines 94 to 95, the following words:- , from sports wagering under chapter 23N.

SECTION 11. Said section 2 of said chapter 62B, as so appearing, is hereby further amended by inserting after the word “licensee”, in line 105, the following words:- or sports wagering operator.

SECTION 12. Section 38KK of chapter 63 of the General Laws, as so appearing, is hereby amended by striking out, in line 15, the words “the day” and inserting in place thereof the following words:- six months after.

SECTION 13. Paragraph (1) of subsection (a) of section 1C of chapter 69 of the General Laws, as inserted by section 34 of chapter 28 of the acts of 2023, is hereby amended by striking out the first sentence and inserting in place thereof the following 2 sentences:- The board shall require all public schools to make lunches available to children. The board shall require all schools providing school lunch as provided in the National School Lunch Act, as amended, to also provide school breakfast as provided in the National Child Nutrition Act, as amended, and make both breakfast and lunch available at no charge to each attending student regardless of household income.

SECTION 14. Chapter 90 of the General Laws is hereby amended by inserting after section 2I the following section:-

Section 2J. The registrar shall refuse to register, and shall suspend or revoke if already registered, a commercial motor vehicle if the registrar has received notice, in any form which the registrar deems appropriate, including electronic transmissions, that the commercial motor carrier attempting to register a commercial motor vehicle has been prohibited from operating in interstate commerce by a federal agency with authority to do so under federal law.

SECTION 15. Section 14 of chapter 94G of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in line 16, the words "15 per cent of the fund" and inserting in place thereof the following words:- not later than January 1, an amount equal to 15 per cent of the revenue deposited in the fund in the prior fiscal year.

SECTION 16. The first paragraph of section 23 of chapter 118E of the General Laws, as so appearing, is hereby amended by inserting after the words "pharmacy benefit manager," the following words:- , dental benefit manager, accountable care organization, managed care entity, casualty insurer, workers' compensation insurer, malpractice insurer, short-term limited duration insurance, association health plan.

SECTION 17. The third paragraph of said section 23 of said chapter 118E, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- A health care insurer shall respond to an inquiry by the division about a claim for payment for health care benefits not later than 60 days after receiving any inquiry and shall not deny a claim for payment for health care benefits solely on the basis of the date of submission of the claim, the type of format for the claim form or a failure to present proper documentation at the point of sale that is the basis of the claim if the claim is submitted by the division within a 3-year period beginning on the date on which the service was furnished and if any action by the division to enforce its rights with respect to a claim is filed within 6 years after the submission of the claim to the health insurer.

SECTION 18. Said section 23 of said chapter 118E, as so appearing, is hereby amended by inserting after the third paragraph the following 2 paragraphs:-

A health care insurer shall: (a) accept the division's authorization that the item or service is covered under the state plan or waiver of such plan, as if the authorization were the prior authorization made by the health care insurer for the item or service; and (b) not deny a claim submitted by the division for failure to obtain prior authorization for an item or service.

Prior authorization made by the health care insurer or any other entity on behalf of the health insurer, including, but not limited to, a third-party administrator, means any review to determine coverage of an item or service before the item or service is provided and before a claim is submitted for payment, including, but not limited to, prior approvals, pre-certifications or medical necessity determinations.

SECTION 19. The eighth paragraph of said section 23 of said chapter 118E, as so appearing, is hereby amended by inserting after the word “commonwealth”, in line 68, the following words:- or providing coverage to residents of the commonwealth.

SECTION 20. Said eighth paragraph of said section 23 of said chapter 118E, as so appearing, is hereby further amended by inserting after the word “division”, in line 71, the following words:- or its designee,.

SECTION 21. The fourteenth paragraph of section 25 of chapter 118E of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- In the absence of managed care plans, the division may require, to the extent permitted by federal law, that recipients, if eligible for such benefits, be liable for a copayment of up to \$5 toward the purchase of each pharmaceutical product, including prescription drugs and over-the-counter drugs.

SECTION 22. Subsection 1 of section 44A of chapter 149 of the General Laws, as so appearing, is hereby amended by inserting after the definition of “Eligible” the following definition:-

“Maintenance service contract”, a multi-year contract exclusively for the ongoing, periodic maintenance, including maintaining, servicing, testing and incidental repairs, of 1 or more of the following building systems: (i) electrical; (ii) elevator; (iii) fire protection sprinkler system, as defined in section 81 of chapter 146, and fire alarm system; (iv) heating, ventilating and air-conditioning and any associated mechanical system; or (v) plumbing.

SECTION 23. Subsection 2 of said section 44A of said chapter 149, as so appearing, is hereby amended by inserting after paragraph (D) the following paragraph:-

(D ½) Every maintenance service contract for any building by the division of capital asset management and maintenance estimated to cost more than \$150,000 shall be awarded to the lowest responsible and eligible general bidder on the basis of competitive bids in accordance with the procedure set forth in section 44A to 44H, inclusive; provided, however, that this paragraph shall not apply if a maintenance service contract is bid, at the option of the commissioner, pursuant to section 39M of chapter 30.

SECTION 24. Section 7 of said chapter 161A of the General Laws, as so appearing, is hereby amended by striking out subsection (d) and inserting in place thereof the following subsection:-

(d) Five members of the board shall constitute a quorum and the affirmative vote of a majority of members present at a duly called meeting, if a quorum is present, shall be necessary for any action taken by the board. Any action required or permitted to be taken at a meeting of the board may be taken without a meeting if all of the members consent in writing to such action and such written consent is filed with the records of the minutes of the board. Such consent shall be treated for all purposes as a vote at a meeting.

SECTION 25. Sections 1 and 3 to 7, inclusive, of chapter 93 of the acts of 2020 are hereby repealed.

SECTION 26. Subsection (e) of section 117 of chapter 253 of the acts of 2020 is hereby amended by striking out the figure "2023" and inserting in place thereof the following figure:- 2024.

SECTION 27. Section 70 of chapter 260 of the acts of 2020 is hereby amended by inserting after the words "at both in-network and out-of-network providers" the following words:- "; provided, however, that cost-sharing shall be required if the applicable plan is governed by the Federal Internal Revenue Code and would lose its tax-exempt status as a result of the prohibition on cost-sharing for this service."

SECTION 28. Item 4000-0300 of section 2 of chapter 24 of the acts of 2021, as most recently amended by section 178 of chapter 268 of the acts of 2022, is hereby amended by striking out the words "July 1," and inserting in place thereof the following words:- October 1.

SECTION 29. Section 81 of chapter 102 of the acts of 2021, as most recently amended by section 227 of chapter 268 of the acts of 2022, is hereby amended by striking out the words "up to \$2,563,676,478 from".

SECTION 30. Said section 81 of said chapter 102, as most recently amended by said section 227 of said chapter 268, is hereby further amended by striking out the words "up to \$1,460,323,522 from".

SECTION 31. The first paragraph of section 2A of chapter 268 of the acts of 2022 is hereby amended by inserting after the words "General Fund," the following words:- or the Transitional Escrow Fund established in section 16 of chapter 76 of the acts of 2021, as amended by section 4 of chapter 98 of the acts of 2022,.

SECTION 32. Item 1599-6063 of section 2A of chapter 268 of the acts of 2022 is hereby amended by adding the following words:- "; and provided further, that not less than \$4,000,000 shall be expended for capital improvements at the Zeiterion Performing Arts Center located in New Bedford;"

SECTION 33. Said item 1599-6063 of said section 2A of said chapter 268 is hereby further amended by striking out the figure "\$85,854,000" and inserting in place thereof the following figure:- "\$89,854,000".

SECTION 34. Item 7002-8041 of section 2A of chapter 2 of the acts of 2023 is hereby amended by inserting, after the words "technology-based economic development organizations", the following words:- or qualifying private businesses; provided, however, that a private university or business entity shall not be eligible for assistance unless the Massachusetts Technology Park Corporation has made a finding that a grant to such university or entity will

result in a significant public benefit and the private benefit is incidental to a legitimate public purpose,.

SECTION 35. Section 76 of said chapter 2 of the acts of 2023 is hereby amended by adding the following words:- to be held by the Massachusetts marketing partnership notwithstanding subsection (d) of said section 13T of said chapter 32A.

SECTION 36. Section 2 of chapter 28 of the acts of 2023 is hereby amended by inserting after item 1599-7114 the following item:-

1599-4448 For a reserve to meet the costs of salary adjustments and other economic benefits authorized by the ratified collective bargaining agreements.....\$247,269,985

SECTION 37. Item 0610-2000 of said section 2 of said chapter 28 is hereby amended by striking out the figure “\$300,000” and inserting in place thereof the following figure:- “\$1,300,000”.

SECTION 38. (a) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance, in consultation with the director of the Massachusetts emergency management agency and the director of the office of law enforcement of the executive office of energy and environmental affairs, may transfer the care and control of a certain parcel of land and the real property attached thereto in the town of Westborough identified in Section 2 from the Massachusetts emergency management agency to the office of law enforcement of the executive office of energy and environmental affairs for conservation law enforcement purposes, including, but not limited to, training, education, evidence storage and administration purposes, and for use as an armory. The commissioner of capital asset management and maintenance, in consultation with the director of the office of law enforcement of the executive office of energy and environmental affairs, shall determine the exact boundaries of the parcels, which may require the completion of a survey.

(b) The parcel of land to be transferred pursuant to subsection (a) was acquired for use as the Lyman school for boys and is shown as “Civil Defense Radio Tower” on a plan of land entitled, “Subdivision Plan of Land in Westborough, MA (Worcester County)” prepared by Beals and Thomas, Inc., revised October 16, 1985 and recorded in Worcester registry of deeds in plan book 548, plan 68.

(c) Notwithstanding any general or special law to the contrary, the office of law enforcement of the executive office of energy and environmental affairs shall be responsible for all costs and expenses of the transaction authorized in subsections (a) and (b) as determined by the commissioner of capital asset management and maintenance, in consultation with the director of the office of law enforcement of the executive office of energy and environmental affairs, which shall include, but not be limited to, the costs of any engineering, surveys, appraisals, recording fees and deed preparation related to the conveyance of the parcels pursuant to this section.

SECTION 39. Notwithstanding section 23 of chapter 59 of the General Laws, section 31 of chapter 44 of the General Laws or any other general or special law to the contrary, a city or town may amortize over fiscal years 2025 to 2027, inclusive, in equal installments or more rapidly, the amount of its fiscal year 2024 major disaster related deficit. The local appropriating authority as defined in section 21C of said chapter 59 shall adopt a deficit amortization schedule in accordance with the preceding sentence before setting the municipality's fiscal year 2025 tax rate. The commissioner of revenue may issue guidelines or instructions for reporting the amortization of deficits authorized by this section.

SECTION 40. Notwithstanding any general or special law to the contrary, prior to transferring the consolidated net surplus in the budgetary funds for fiscal year 2023 to the Commonwealth Stabilization Fund pursuant to section 5C of chapter 29 of the General Laws, the comptroller shall transfer \$10,000,000 from the General Fund to the Massachusetts Life Sciences Investment Fund established in section 6 of chapter 231 of the General Laws.

SECTION 41. Notwithstanding any general or special law to the contrary, no later than 10 days after the effective date of this act, the commissioner of revenue shall certify to the comptroller the amount of tax revenues estimated to have been collected during fiscal year 2023 in connection with the additional 4 per cent income tax levied pursuant Article XLIV of the Articles of amendment of the Constitution, as added by CXXI of the Articles of Amendment. Following such certification, the comptroller shall transfer all such certified revenue from the General Fund to the Education and Transportation Fund established in section 2BBBBBB of chapter 29 of the General Laws. Such transfer shall be credited as a fiscal year 2023 transfer and shall precede the calculation of fiscal year 2023 consolidated net surplus pursuant to section 5C of chapter 29 of the General Laws.

SECTION 42. Notwithstanding any general or special law to the contrary, for fiscal year 2024, the registrar of motor vehicles shall provide quarterly reports to the commissioner of correction detailing the number of identity cards processed pursuant to the enhanced state identity card program for citizens released from department of correction facilities. The report shall also provide the summary and detail of the registry of motor vehicles fees associated with the transactions. Upon receipt and verification by the department of correction of the accuracy of the transactions reported in the quarterly report, the commissioner of correction shall submit a request to the comptroller of the commonwealth for an operating transfer of the full amount of those registry of motor vehicles fees to the Commonwealth Transportation Fund established by Section 2ZZZ of Chapter 29 of the General Laws. The transfer request shall include the department of correction account from which the transfer shall be made and the quarterly report from the registrar of motor vehicles as supporting documentation.

SECTION 43. Notwithstanding any general or special law to the contrary, the secretary of administration and finance shall direct the comptroller to transfer \$192,650,000 from the Transitional Escrow Fund established in section 16 of chapter 76 of the acts of 2021, as amended by section 4 of chapter 98 of the acts of 2022, to the Behavioral Health Trust Fund established in

section 1 of chapter 77 of the acts of 2022. Notwithstanding any general or special law to the contrary, the Behavioral Health Trust Fund established in said section 1 of said chapter 77 shall not be subject to section 5C of chapter 29 of the General Laws.

SECTION 44. 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) the agreement between the Commonwealth of Massachusetts and the State Police Association of Massachusetts, Unit 5A and C22;

(2) the agreement between the Commonwealth of Massachusetts and the Alliance, American Federation of State, County and Municipal Employees – SEIU Local 888, Unit 2;

(3) the agreement between the Commonwealth of Massachusetts and the Service Employees International Union, Local 509, Units 8 and 10;

(4) the agreement between the Commonwealth of Massachusetts and the Massachusetts Organization of State Engineers and Scientists, Unit 9;

(5) the agreement between the Commonwealth of Massachusetts and the National Association of Government Employees, Units 1, 3 and 6;

(6) the agreement between the Sheriff of Berkshire County and the Berkshire County Sheriff's Office Employee Association, Unit SB3;

(7) the agreement between the Sheriff of Berkshire County and the Berkshire Correction Officers/IBCO Local R1-297, Unit SB1;

(8) the agreement between the Sheriff of Berkshire County and the Berkshire IUE -CWA, Unit SB2;

(9) the agreement between the Sheriff of Hampshire County and the Hampshire Sheriff's Office Non-Uniform Correctional Association, Unit SH7;

(10) the agreement between the Sheriff of Hampshire County and the Hampshire Sheriff's Office Treatment Association (SOTA), Unit SH6;

(11) the agreement between the Sheriff of Plymouth County and the Plymouth Superiors NCEU 104, Unit SP1;

(12) the agreement between the Massachusetts State Lottery Commission and the Service Employees International Union, Local 888, Unit LT1;

(13) the agreement between the University of Massachusetts and the Massachusetts Society of Professors MTA/NEA, Amherst Campus, Unit A50;

(14) the agreement between the University of Massachusetts and the Boston Public Safety Officers NEPBA L90, Unit B33;

(15) the agreement between the University of Massachusetts and the International Brotherhood of Teamsters, L25, Public Safety Lieutenants, Unit B3L;

(16) the agreement between the University of Massachusetts and the International Brotherhood of Teamsters, L25, Officers, Unit B3S;

(17) the agreement between the University of Massachusetts and the Head Coaches MTA/NEA Professional Staff Union Unit C, Unit B45;

(18) the agreement between the University of Massachusetts and the Boston Department Chairs Union/MTA/NEA, Unit B50;

(19) the agreement between the University of Massachusetts and the Non-Faculty - Maintenance & Trades MTA, Lowell Campus, Unit L93;

(20) the agreement between the University of Massachusetts and the Non-Faculty - Police Officers Teamsters L25, Lowell Campus, Unit L94;

(21) the agreement between the Essex North and South registry of deeds and the American Federation of State, County, and Municipal Employees, Local 653, Unit SC3;

(22) the agreement between the Sheriff of Suffolk County and the National Association of Government Employees, Local 298, Unit SS2;

(23) the agreement between the Sheriff of Suffolk County and the American Federation of State, County and Municipal Employees/AFL-CIO, Council 93, Local RN, Unit SS3;

(24) the agreement between the Sheriff of Suffolk County and the American Federation of State, County and Municipal Employees/AFL-CIO, Council 93, Local 3643, Unit SS5;

(25) the agreement between the Sheriff of Franklin County and the National Correctional Employees Union, Local 106, Unit SF1;

(26) the agreement between the Sheriff of Franklin County and the Franklin Sheriff's Office Non-Unit Employer's Association, Unit SF3;

(27) the agreement between the Sheriff of Worcester County and the New England Police Benevolent Association, Local 275, Unit SW2;

(28) the agreement between the Sheriff of Worcester County and the New England Police Benevolent Association, Local 515, Unit SW5;

(29) the agreement between the Sheriff of Hampshire County and the Hampshire Sheriff's Office Jail and House of Correction Supervisory Correctional Officers' Association, Unit SH8;

(30) the agreement between the Sheriff of Worcester County and the National Association of Government Employees, Local R1-255, Unit SW4;

(31) the agreement between the Massachusetts Board of Higher Education and the Massachusetts Community College Council;

(32) the agreement between the trial court and the National Association of Government Employees/Service Employees International Union Local 5000, Units J2C and J2P;

(33) the agreement between the trial court and Office and Professional Employees International Union, Local 6, Units J6C and J6P;

(34) the agreement between the University of Massachusetts and the International Brotherhood of Police Officers (IBPO) Local 432, Amherst Campus, Unit A06;

(35) the agreement between the University of Massachusetts and the Massachusetts Teachers Association/NEA Classified (CSU), Boston Campus, Unit B31 & Unit B32;

(36) the agreement between the University of Massachusetts and the Faculty Staff Union, Boston Campus, Unit B40;

(37) the agreement between the University of Massachusetts and the American Federation of Teachers Local 6350, Dartmouth Campus, Unit D82;

(38) the agreement between the University of Massachusetts and the American Federation of State, County and Municipal Employees (AFSCME) Local 507, Dartmouth Campus, Unit D83;

(39) the agreement between the University of Massachusetts and the International Brotherhood of Police Officers (IBPO) Local 399, Dartmouth Campus, Unit D84;

(40) the agreement between the University of Massachusetts and the Massachusetts Society of Professors (MSP), Lowell Campus, Unit L90;

(41) the agreement between the University of Massachusetts and the Service Employees International Union (SEIU) Local 888, Lowell Campus, Unit L95;

(42) the agreement between the Sheriff of Hampden County and the Non-Uniform Correctional Association, Unit SH2;

(43) the agreement between the Sheriff of Hampden County and the Superior Correctional Officer Association, Unit SH3;

(44) the agreement between the Sheriff of Norfolk County and NAGE, Local 202, Unit SN1;

(45) the agreement between the University of Massachusetts and the New England Police Benevolent Protection Organization, Amherst Campus, Local 190, Unit A07;

(46) the agreement between the University of Massachusetts and the American Federation of Teachers, Local 1895, AFL-CIO, Faculty Federation, Dartmouth Campus, units D80 & D81;

(47) the agreement between the University of Massachusetts and the Classified and Technical Union, Lowell Campus, Unit L92;

(48) the agreement between the Sheriff of Essex County and National Correctional Employees Union, Local 121, Unit SE7;

(49) the agreement between the Sheriff of Middlesex and the New England Police Benevolent Association, Local 500, Unit SM5;

(50) the agreement between the Middlesex South registry of deeds and OPEIU, Local 6;

(51) the agreement between the Worcester South registry of deeds and OPEIU, Local 6;

(52) the agreement between the Hampden registry of deeds and OPEIU, Local 6;

(53) the agreement between the Middlesex North registry of deeds and OPEIU, Local 6;

(54) the agreement between the Berkshire Middle, North and South registry of deeds and the Service Employees International Union, Local 888;

(55) the agreement between the Massachusetts Department of Transportation and the National Association of Government Employees, Local R1-292, Unit A, Unit D01;

(56) the agreement between the Massachusetts Department of Transportation and the Coalition of MassDOT Unions, Unit D, Unit D06;

(57) the agreement between the Sheriff of Plymouth County and Association of County Employees, Unit SP4;

(58) the agreement between the Sheriff of Franklin County and the National Correctional Employees Union, Local 141, Unit SF2;

(59) the agreement between the Sheriff of Hampden County and the National Correctional Employees Union, Local 105, Unit SH4;

(60) the agreement between the Sheriff of Suffolk County and the American Federation of State, County and Municipal Employees, Local 3967, Unit SS6;

(61) the agreement between the Sheriff of Suffolk County and the Jail Officers and Employees Association of Suffolk County, Unit SS4;

(62) the agreement between the University of Massachusetts and the American Federation of Teachers, Local 1895, Unit D85;

(63) the agreement between the Massachusetts Board of Higher Education and the American Federation of State and County and Municipal Employees, Council 93, Local 1067, AFL-CIO;

(64) the agreement between the Sheriff of Plymouth County and the National Correctional Employees Union, Local 301, Unit SP7;

(65) the agreement between the University of Massachusetts and the American Federation of State, County, and Municipal Employees, Local 1776, Unit A01;

- (66) the agreement between the Worcester North registry of deeds and the Service Employees International Union, Local 888;
- (67) the agreement between the Massachusetts Department of Transportation and the Coalition of MassDOT Unions, Unit E, Unit D09;
- (68) the agreement between the Sheriff of Middlesex County and the Middlesex Sheriff's Superior Officers Association, Unit SM4;
- (69) the agreement between the Sheriff of Plymouth County and the New England Police Benevolent Association (NEPBA) Local 193, Unit SP5;
- (70) the agreement between the Massachusetts Department of Transportation and the Coalition of MassDOT Unions, Unit B, Unit D02;
- (71) the agreement between the Massachusetts Department of Transportation and the Coalition of MassDOR Unions, Unit C, Unit D03;
- (72) the agreement between the Suffolk registry of deeds and the Service Employees International Union, Local 888;
- (73) the agreement between the Middlesex South registry of deeds and the American Federation of State, County, and Municipal Employees, Local 414;
- (74) the agreement between the Sheriff of Hampden County and the National Correctional Employees Union, Local 131, Unit SH1;
- (75) the agreement between the University of Massachusetts and the University Staff Association/MTA/NEA, Amherst Campus, Unit A08;
- (76) the agreement between the University of Massachusetts and the Professional Staff Union/MTA/NEA, Unit A15;
- (77) the agreement between the Sheriff of Norfolk County and the New England Police Benevolent Association, Inc., Local 570, Unit SN3;
- (78) the agreement between the Sheriff of Barnstable County and the Barnstable County Correctional Officers Union, Unit S1B;
- (79) the agreement between the Sheriff of Barnstable County and the Barnstable County Correctional Officers Captains Union, Unit S2B;
- (80) the agreement between the Sheriff of Barnstable County and NAGE, Local 220, Unit S5B;
- (81) the agreement between the Sheriff of Barnstable County and NAGE, Local 217, Unit S3B; and
- (82) the agreement between the Sheriff of Barnstable County and NAGE, Local 122, Unit S9B.

SECTION 45. Section 15 shall take effect December 15, 2023.