



The Commonwealth of Massachusetts
MASSACHUSETTS SENATE

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June 13, 2016

The Honorable Karen Spilka, Chair
Senate Committee on Ways and Means
State House, Room 212
Boston, MA 02133

The Honorable Sal DiDomenico, Vice-Chair
Senate Committee on Ways and Means
State House, Room 208
Boston, MA 02133

The Honorable Viriato deMacedo, Ranking Minority Member
Senate Committee on Ways and Means
State House, Room 313C
Boston, MA 02133

RE: FY17 Budget Conference Committee

Dear Chairwoman Spilka, Vice-Chairman DiDomenico, and Senator deMacedo:

Thank you for your thoughtful leadership on the Senate membership's budget priorities over these last several months. I am deeply grateful that our budget continues investments in critical policy areas such as housing, the environment, and education. It is my hope that the conference committee report will support these investments by retaining crucial portions of the Senate budget such as alternative housing voucher program (AHVP) funding, adult basic education, ban on plastic bags, and expansion of health insurance coverage for Lyme disease. I commend Chairwoman Spilka and her dedicated staff for their work to ensure that these key investments continue to increase the strength and resiliency of our

Commonwealth. As you face the difficult task of finalizing a budget for Fiscal Year 2017, I would like to bring to your attention several items of particular significance to me.

HOUSING

1. Alternative Housing Voucher Program (AHVP) – Accept Senate appropriation of \$6,200,000

The Alternative Housing Voucher Program (AHVP) was established in 1995 and provided \$4 million in funding, which supported 800 vouchers. Due to funding cuts and rent increases it currently funds only 560 vouchers. Since 1995 the demand for housing for people with disabilities has significantly increased. There are currently over 2,131 people on the AHVP waiting list. The Senate appropriation of \$6,200,000 would make a significant difference and produce the program's original goal of 800 vouchers. **Please adopt the Senate appropriation of \$6,200,000 for line item 7004-9030 in the FY17 final conference committee budget.**

2. Alternative Housing Voucher Program (AHVP) – Adopt Section 170 of the Senate Budget

The Alternative Housing Voucher Program (AHVP) was established in 1995 to provide rental assistance to low-income and elderly citizens. The program was never meant to be transitional in nature. Section 170 of the Senate budget removes the word "transitional" from the AHVP enabling statute. This change will bring the language in line with the program's actual function of helping individuals with disabilities to find stable and long-term housing in the community. It will also allow for project-basing of vouchers which will produce more affordable, accessible units. **Please adopt Section 170 of the Senate budget in the FY17 final conference committee budget.**

3. Residential Assistance for Families in Transition (RAFT) – Accept Senate appropriation of \$13,000,000

RAFT is an important tool for preventing family homelessness. The program enables families that experience unemployment or other challenges to avoid homelessness through assistance needed to maintain housing or move to a new home. The Senate budget increases RAFT funding by \$500,000. It also expands the definition of a family to include households of all sizes and configurations, including families with children under 21, elders, persons with disabilities, and unaccompanied youth. For over 11 years RAFT has proven to be a wise investment and this line item would protect more of those who need housing assistance. **I, therefore, respectfully request that the FY17 final conference committee budget include the Senate appropriation of \$13,000,000 and the RAFT language update in line item 7004-9316.**

4. Public Housing Operating Subsidy – Accept House appropriation of \$65,000,000

State public housing serves as a critical resource to tens of thousands of families, seniors, and persons with disabilities. Throughout Massachusetts, housing authorities are experiencing difficulties raising the revenues necessary to maintain their affordable housing stock, and many are unable to make the investments necessary to repair or upgrade units. Many housing authorities have, therefore, been forced to take units offline because they cannot afford necessary repairs. In addition, housing authorities

need increased funding to accompany reforms in the recently-passed public housing reform legislation. **Please accept the House appropriation of \$65,000,000 for line item 7004-9005 in the FY17 final conference committee budget.**

5. Public Housing Reform – Accept Senate appropriation of \$1,050,000

This line-item funds the implementation of public housing reform, signed into law in August 2014. These reforms improve governance and operation of local housing authorities by assisting with capital improvements, unit turn over, and the creation of a centralized waitlist. The reforms also increase tenant participation and promote economies of scale by encouraging collaborations among housing authorities. **I, therefore, respectfully request that the FY17 final conference committee budget include the Senate appropriation of \$1,050,000 in line item 7004-9007.**

6. End Family Homelessness Fund – Accept Senate appropriation of \$1,000,000

Family homelessness is a grave concern in the Commonwealth and this fund helps prevent it. The line item provides funding to create regional consortiums that administer funds to families at risk of homelessness. It also ensures restored funding to support the program for the full fiscal year. **I, therefore, respectfully request that the FY17 final conference committee budget include the Senate appropriation of \$1,000,000 in line item 1599-0017.**

ENVIRONMENT

1. Plastic Bag Ban – Adopt Section 34 of the Senate Budget

The widespread use of plastic bags has serious consequences for the environment, such as littering our coastlines, leaching toxic chemicals into our soil and water, using billions of gallons of petroleum, and killing millions of animals each year. This outside section in the Senate budget aims to reduce plastic waste and litter in the Commonwealth while promoting the use of reusable and recyclable grocery bags by banning single-use plastic bags at all stores 3,000 square feet or larger, or at a chain of stores with three or more locations within the state. Under this section, stores will still be allowed to provide reusable grocery bags and paper bags at the point of sale for ten cents or more per bag; non-handled plastic bags used to protect items from contamination or damage – such as produce or dry-cleaning bags – are exempt from the ban. Finally, municipalities will be able to pass stricter plastic bag restrictions, as long as they do not conflict with the minimum standards put forth in this section. **I, therefore, respectfully request that language for a statewide ban on plastic bags be included in the FY17 final conference committee budget.**

2. DEP Administration – Accept Senate appropriation of \$25,552,967

The Department of Environmental Protection (DEP) has a broad set of critical responsibilities for public health and safety, including ensuring clean air and water, managing toxics, reducing solid waste, preserving wetlands and coastal resources, developing energy efficiency projects, and preparing for the impacts of climate change. Substantial budget cuts and staff reductions are obstacles to DEP's ability to carry out their key duties. Providing a modest funding increase will improve DEP's ability to lead statewide planning, issue permits in a timely fashion, provide technical assistance, perform water quality

monitoring, conduct inspections, and enforce state law. **I, therefore, respectfully request that the FY17 final conference committee budget include the Senate appropriation of \$25,552,967 for line item 2200-0100.**

3. Rivers Protection Program – Accept Senate appropriation of \$673,525

The Division of Ecological Restoration and Riverways Protection Program within the Department of Fish and Game is responsible for protecting our rivers, wetlands, and watersheds to improve stream flow, protect drinking water, reduce flooding, and restore habitats. Every dollar that the state invests in Division of Ecological Restoration (DER) projects is matched by seven dollars from federal and private grants. For every \$1 million spent on restoration, the average economic output of DER projects generates a 75 percent return on investment and creates or maintains 12.5 full-time-equivalent jobs. **I, therefore, respectfully request that the FY17 final conference committee budget include the Senate appropriation of \$673,525 for line item 2300-0101.**

4. Stormwater Management – Accept House appropriation of \$465,854

Stormwater runoff poses a serious pollution threat to all bodies of water in the Commonwealth. DCR's Stormwater Management Program covers over 400 miles of DCR parkways, thousands of catch basins, and 700 DCR facilities. Budget cuts have left DCR unable to comply with the Clean Water Act and its stormwater management requirements. The FY17 recommended amount represents a 50 percent decrease from last year's funding level, and a 70 percent cut since FY2009. **I, therefore, respectfully request that the FY17 final conference committee budget include the House appropriation of \$465,854.00 for line item 2800-0401.**

5. Climate Change Adaptation and Preparedness – Accept Senate appropriation of \$300,000

The Executive Office of Energy and Environmental Affairs (EEA) is responsible for implementing strategies to ensure that the Commonwealth can respond to impacts from climate change and improve our resiliency. Funding will support municipal assistance, improved data collection and analysis of vulnerabilities, and integrated planning to protect our transportation, energy and water infrastructure and public health. The recommended investment will support interagency communication and coordination and the creation of a climate preparedness plan. **I, therefore, respectfully request that the FY17 final conference committee budget include the Senate appropriation of \$300,000 for line item 2000-0101.**

6. Massachusetts Emergency Food Assistance Program (MEFAP) – Accept Senate appropriation of \$18,000,000

The Massachusetts Emergency Food Assistance Program (MEFAP) serves many emergency food providers through four regional food bank distribution centers. Currently, 138 million meals are required in the Commonwealth for everyone in need to have three meals a day. MEFAP also helps to fill the gap for the 37 percent of individuals in need across the Commonwealth who do not qualify for government benefits. An increase in funding for this line item is necessary to meet the needs for this vital program. **I, therefore, respectfully request that the FY17 final conference committee budget include the Senate appropriation for line item 2511-0105 at \$18,000,000.**

EDUCATION

1. Adult Basic Education – Accept Senate appropriation of \$31,024,866.

Additional funding for Adult Basic Education will develop curriculum and technology to meet the demands of the new high school equivalency exam (HiSET) and the rigors of College and Career Readiness. It will also strengthen strategies for linking basic skills to employability and assist in reaching more of the 18,000 adults currently on the wait list. **Therefore, I request that line item 7035-0002 be funded at the Senate appropriation of \$31,024,866 in the FY17 final conference committee budget.**

2. Special Education Services for Low Incidence Population Study – Adopt Section 46C of the House Budget

The most common low incidence disabilities are autism, visually impaired and hearing impaired students to name a few. Less than 50% of students with LI disabilities graduate from high school with a diploma while about 20% receive a certificate of attendance. The number of students labeled with a disability has increased 151% in the past 20 years, partly as a result of the increased survival rate of premature babies. The language directs the Department of Elementary and Secondary Education (DESE) to conduct a study to determine if there are sufficient and appropriate services for low incidence students with disabilities and identify opportunities for administrative efficiencies and cost savings in school districts. The commission will look at alternative methods of directing funding for the education of this population as well as how to better manage communication and transitions between state agencies serving these students. The Commission will focus on the idea of having funding follow a child with severe disabilities from diagnosis through adulthood. **Please adopt Section 46C of the House Budget and create this important commission.**

LOCAL COMMUNITIES

1. SPED Circuit Breaker (SPED) – Accept Senate appropriation of \$281,722,308

The Special Education Circuit Breaker helps cities and towns pay for the cost of education for students with significant special needs. Due largely to the increasing number of children with significant disabilities, the funding proposal for this line item is underestimated. I strongly support full funding of this line item in order to address expected obligations and update the funding formula. **Therefore, I urge that the Senate appropriation of \$281,722,308 for line item 7061-0012 be adopted in the FY17 final conference committee budget.**

2. Regional School Transportation – Accept House appropriation of \$60,021,000

Regional school transportation funds have a major impact on a number of towns in my district, and consistently supporting this line item is necessary if we would like other school districts to consider regionalization. My district includes multiple regional school districts and their ability to provide safe and efficient transportation of students is a crucial component of a successful education process. **Therefore, I respectfully request that the House appropriation of \$60,021,000 for line item 7035-0006 be adopted in the FY17 final conference committee budget.**

3. District Local Technical Assistance (DLTA) – Accept House appropriation of \$2,800,000.

DLTA funds distributed among the state's 13 regional planning agencies (RPAs) provide Massachusetts' cities and towns with technical assistance to help foster regional collaboration, economic development, housing production, best practices in zoning, and environmental protection. As municipalities across the Commonwealth continue to face challenging budgets, many are unable to support the kind of planning needed to achieve thoughtful and sustainable growth and development. In fact, many small communities have no planning staff at all. RPAs are critical resources for communities, because they have strong working relationships with their member municipalities. **Therefore, please adopt the House appropriation of \$2,800,000 for District Local Technical Assistance in line item 1599-0026.**

LAW AND PUBLIC SAFETY

1. MCAD Administration – Accept Senate appropriation of \$3,515,657

The Massachusetts Commission Against Discrimination is the Commonwealth's chief civil rights agency charged with the authority to investigate, prosecute, adjudicate and resolve cases of discrimination. MCAD receives funding that is disproportionate to its caseload, particularly when measured against the civil rights enforcement agencies of comparable states, such as Connecticut and New York. The work of this agency is crucial to the protection of civil rights in the Commonwealth. **Therefore, I respectfully request the adoption of the Senate appropriation of \$3,515,657 for line-item 0940-0100 in the FY17 final conference committee budget.**

2. Massachusetts Legal Assistance Services (MLAC) – Accept House appropriation of \$18,500,000

An adequately funded and fully functioning justice system is paramount. The state trial courts and civil legal aid programs have been seriously underfunded in recent years, making the ability to deliver quality justice increasingly difficult. In recent years, legal aid attorneys in Massachusetts have been struggling with dwindling IOLTA funds, dramatic increases in client loads, and fewer staff to maintain operations. The budget cuts to this line item have added more strain on our overburdened and underfunded judicial system. As a former legal aid attorney, I believe that it is critical that the state increase funding for civil legal services which help residents facing eviction and foreclosure, child custody and support issues, denial of health care coverage, unemployment benefits appeals, domestic violence and elder abuse. **Therefore, please adopt the House appropriation of \$18,500,000 for line item 0321-1600 in the FY17 final conference committee budget.**

3. Discretionary Imposition of Probation Fees and Victim Services Surcharges on Probationers – Adopt Section 156 of the Senate Budget.

Under current law, judges in Massachusetts are required to assess a monthly fee on everyone under supervised probation. A judge may waive the fee but only if it can be shown that the fee would create an "undue hardship" on said person or his family. This section changes imposition of these fees by the court from "shall" to "may." Additionally, it removes the conditions for a fee waiver and prevents incarceration, revocation, or extension of probation for failure to pay these fees. As the Senate Chair of

the Harm Reduction and Drug Law Reform Caucus, issues pertaining to criminal justice reform are some of my top policy priorities. I therefore respectfully request that Section 156 of the Senate Budget be included in the FY17 final conference committee budget.

4. Worcester Sheriff's Office – Accept the Senate appropriation of \$47,417,132

The Worcester Sheriff is currently projecting an actual operating budget of approximately \$48,491,000 for this current fiscal year. This is due to a spike in overtime cost, staffing issues, and other emergency facility needs. The Sheriff has also seen an increase in medical costs due to the number of inmates at the Worcester County Jail that are in need of mental health services. These services are integral to the process of curbing the opioid abuse crisis and preventing recidivism, which over time will help the Commonwealth cut costs related to substance abuse treatment and incarceration. **Please adopt the Senate appropriation of \$47,417,132 in line item 8910-0105 in the FY17 final conference committee budget.**

PUBLIC HEALTH AND SERVICES

1. Lyme Disease Coverage – Adopt Sections 80 through 88 of the House Budget

The CDC has approximated the annual number of new Lyme disease cases at 300,000. Undiagnosed or untreated Lyme disease can affect the circulatory, muscular, nervous, and skeletal systems in the body, sometimes causing arthritis, meningitis, cardiac problems, eye inflammation, Bell's palsy, and hepatitis among other illnesses. This outside section would provide coverage under accident and sickness policies, BCBCMA policies and HMO policies for long-term antibiotic therapy of Lyme disease when determined to be medically necessary and ordered by a licensed physician after making a thorough evaluation of the patient's symptoms, diagnostic test results or response to treatment. The equivalent of these sections in the Senate budget, though similar, provides weaker protections for patients suffering from Lyme disease. As the Co-Chair of the Joint Committee on Financial Services, I had the opportunity to hear and read extensive testimony regarding the need for this coverage expansion. **I, therefore, request that the FY17 final conference committee adopt Sections 80 through 88 of the House Budget.**

2. Healthy Relationships Grant Program – Accept Senate appropriation of \$150,000

The Healthy Relationships Grant Program would promote healthy relationships and address and prevent dating violence among Massachusetts' teenagers. The \$150,000 program would fund 10 schools to deliver an anti-teen dating violence curriculum to their students. There is strong evidence that the factors contributing the murder of three to four young women every day across our country can be prevented through education about healthy relationships, awareness of how to identify and prevent violent relationships, and a commitment on the part of schools and communities to tackle unhealthy, and often dangerous, relationship and communication norms. The skills that Massachusetts' teenagers will gain through the Healthy Relationships Grant Program will both save lives and arm our young people with knowledge and confidence that will help them in their personal relationships, at school, and professionally, throughout their lives. The skills also stand to reduce costs related to trauma around violence and murder and the costs of incarceration of perpetrators. **I, therefore, respectfully request the FY17 final conference committee budget include the Healthy Relationships Grant Program language that was included in Senate Budget line item 4513-1131.**

3. Secure Choice Retirement Commission for Private Sector Employees – Adopt Outside Section 197 of the Senate Budget

This section establishes a special commission to examine the feasibility of creating a state-operated voluntary retirement program for private sector workers. Service workers, adjunct professors, child care providers and many others in the private sector would benefit from this as the pay and benefits package for the vast majority of these workers does not allow for the opportunity to save for retirement. **I, therefore, respectfully request that the FY17 final conference committee budget adopt Section 197 of the Senate budget.**

4. Gender Equity in the Purchasing of Insurance Policies – Adopt Section 132 of the Senate Budget

Disability insurance providers consider gender during the underwriting process, which cause women to pay, on average, 23.5 percent more than men with the same age, occupation, and medical history. Some policies cost women 60 percent more than men under the same policy. In the long term, women pay hundreds and sometimes thousands of dollars more than men for the same disability insurance coverage. This outside section will prohibit gender discrimination in disability insurance and remedy a longstanding civil rights issue. **I, therefore, respectfully request that Section 132 of the Senate budget be included in the FY17 final conference committee budget.**

5. MRC Community Based Services – Accept the Senate Appropriation of \$9,523,606

The Massachusetts Rehabilitation Commission's (MRC) Independent Living line item with an earmark for MRC's Assistive Technology Program is a crucial program providing freedom and mobility to people with disabilities. This increase would provide an additional 100 individuals with severe disabilities access to assistive technology devices and training. Assistive technology is an important part of the package of services necessary to enable people with disabilities to live independently in the community. **Therefore, I request that line item 4120-4000 be funded at the Senate appropriation of \$9,523,606 in the FY17 final conference committee budget.**

6. Home Care Purchased Services – Accept Senate appropriation of \$159,228,536

This line item is the basic entry-level preventive program that helps consumers avoid premature institutionalization. The account serves roughly 32,000 elders. However, funding for this line item has been reduced by 9 percent compared to FY09 levels. I support raising home care income eligibility to 300% FPL (\$35,640) and a transfer of \$9,500,000 from the Community First Trust Fund. **Therefore, I request that line item 9110-1630 be funded at the Senate appropriation of \$159,228,536 in the FY17 final conference committee budget.**

TRANSPORTATION

1. Clarifying the Limit on MBTA Fare Increases – Adopt Section 176 of the Senate Budget

The transportation finance bill of 2013 prohibited the MBTA from raising fares more than five percent over the course of two years. Recently, the fiscal management and control board voted to increase

fares 9.3 percent despite the provision. This section of the Senate Budget clarifies the legislature's intent to limit the MBTA's ability to increase fares to five percent over two years. Public transportation is a public good that can improve lives and bring economic prosperity to the entire state. When fares increase by a disproportionately high percentage or frequency, there is a standard of living and productivity toll. The legislature recognized this when it passed the fare limitation in 2013. This section merely reiterates the legislative intent behind that provision. **I, therefore, request that the FY17 final conference committee adopt Section 176 of the Senate budget.**

DISTRICT PRIORITIES

1. MetroWest Free Medical Program – Accept Senate Appropriation of \$100,000

The MetroWest Free Medical Program provides free medical care to those who are uninsured and underinsured throughout communities in MetroWest. The program connects with volunteer health care providers, educators, interpreters and other volunteers to make these services a reality. Funds will support the medical supplies, medical equipment, technology, and volunteer training necessary to providing ongoing medical care, health education, and health insurance enrollment assistance. The program supports a variety of services, including diabetes care, outreach to the Latino population and the support of volunteer physicians. **I, therefore, respectfully request that the FY17 final conference committee budget include the Senate appropriation for line item 4000-0300 at \$100,000.**

2. Westborough 300th Anniversary – Accept Senate appropriation of \$50,000

The Town of Westborough will soon be celebrating its 300th birthday. The earmark in this line item will help make this a memorable anniversary. Plans for this yearlong celebration include many special activities and events including the opening of a commemorative store that will carry Westborough memorabilia and artwork and books by our local artisans and the organization and production of a grand parade. The town is also collaborating with local service organizations including the Lions Club, Rotary, Civic Club, Westborough Women's Club, Westborough Garden Club, the Historical Society, and Westborough Public Library. **I respectfully ask that the FY17 final conference committee accept the Senate appropriation of \$50,000 in the line item 7008-0900.**

3. Fort Devens Museum – Accept Senate appropriation of \$100,000

Fort Devens, located in Ayer, Shirley and Harvard, functioned as the U.S. Army's New England Headquarters for 79 years until its closure in 1996. The Fort Devens Museum commemorates the rich history of New England's largest military base and provides a fun, educational experience for people of all ages in the region. **I respectfully request that the Senate appropriation of \$100,000 in line item 7008-0900 be included in the FY17 final conference committee budget.**

4. Maynard Wastewater Treatment Plant – Accept Senate appropriation of \$125,000

This appropriation for the Maynard Wastewater Treatment Plant will go toward much needed upgrades that will allow the facility to comply with its National Pollutant Discharge Elimination System permit for chlorine residuals. **I respectfully request that the FY17 final conference committee budget include the Senate appropriation of \$125,000 in line item 2810-0100 for these upgrades.**

5. Cox Street Bridge Guardrail – Accept Senate appropriation of \$25,000

The safety rails on a portion of the Cox Street Bridge in Hudson are not up to code. This appropriation will be used to update those safety rails. **I respectfully request that the FY17 final conference committee budget include the Senate appropriation of \$25,000 in line item 1599-0026 for these safety upgrades.**

6. Hudson Shuttle Service – Accept Senate appropriation of \$50,000

The creation of the Hudson Pilot Shuttle Program will provide van service by the MetroWest Regional Transit Authority (MWRTA) to the Town of Hudson, which falls under the coverage of the MWRTA but currently receives no public transportation services. MWRTA services end in Marlborough. By extending services to Hudson many underserved populations will have access to public transportation in MetroWest for the first time, including reverse and local commuters and low-income families. Extending MWRTA services will connect Hudson to MBTA commuter rail stations, shopping centers, and medical centers. **I respectfully request that the FY17 final conference committee budget include the Senate appropriation of \$50,000 in line item 1595-6368 for this shuttle service.**

Thank you for your consideration of these requests. If you have any questions, comments or concerns about any of these items, please do not hesitate to contact my office.

Very truly yours,



James B. Eldridge
State Senator
Middlesex & Worcester