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FOR IMMEDIATE RELEASE

March 7, 2019

Contact: Caroline Sherrard
Phone: (617) 722-1555

Senate Passes Fiscal Year 2019 Supplemental Budget

The Senate proposal eliminates the 'Cap on Kids' and includes \$30M for the Low Income Heating Energy Assistance Program

Boston, MA – Senator Rausch (D-Needham) joined her Senate colleagues in passing a supplemental budget that eliminates the so-called 'Cap on Kids' and includes \$30 million for the Low Income Heating Energy Assistance Program (LIHEAP), among other considerations.

"I was proud to vote in favor of this year's supplemental budget, and I am especially glad to go on record against the outdated and offensive 'Cap on Kids' policy. No child should be punished or excluded from government programs simply for being born into a family that needs financial help," **Senator Rausch said Thursday.** "I'm glad that these benefits will be retroactive, so that the Governor's veto of the policy last year will do as little damage as possible."

Background on the 'Cap on Kids'

The Massachusetts 'Cap on Kids' policy was established in 1995 and was designed to discourage welfare clients from having additional children while receiving aid by excluding additional children from the calculation of benefits. The Senate's supplemental budget repeals this discriminatory policy, and an amendment adopted on the floor makes the repeal retroactive to January 1, 2019. Upon implementation, those 8,700 children who are, or would be, excluded from grant calculations will now be included, resulting in higher monthly benefits for their families. The fiscal year 2019 budget already provides funding for this change, which was included in the House and Senate conference committee report but vetoed by the governor.

Background on funding included in the supplemental budget

This year, Massachusetts received a 7.6% cut in its federal fuel assistance (LIHEAP) allocation, which had already dropped from \$200 million to \$136 million in recent years. In response to this shortfall in federal funding, the Senate proposes to provide an immediate state allocation of \$30 million to the LIHEAP program. This will help over 40,000 vulnerable low-income households—including low-income families with children, seniors and veterans—stay warm through the winter. Eligibility for LIHEAP is based on household size and the annual income of every adult household member, and it provides assistance for electric and gas utility bills and other heat sources including oil and propane.

Building on the commitments of last session's criminal justice reform, the Senate's supplemental budget also includes \$16 million for sexual assault evidence kit testing by the State Police Crime Lab to end the backlog of untested rape kits.

The Senate's proposal also includes \$1 million to the Massachusetts Sexual Assault Nurse Examiner (SANE) and Pediatric SANE Programs. These programs provide trauma-informed, expert forensic nursing care to sexual assault patients, including children, across the state.

The proposed supplemental budget for Fiscal Year 2019 also includes:

- \$39M for collective bargaining agreements;
- \$28.1M for the Department of Correction for a new medical vendor contract and CARE Act implementation;
- \$16.5M for the Health Information Technology Trust Fund;
- \$10M to fund emergency assistance shelters;
- \$1.5M for Gas Infrastructure Evaluation;
- \$680K for the Contingency Contract retained revenue account;
- \$495K for the Sex Offender Registry Board;
- \$438K for the DCAMM Rents retained revenue account; and
- \$230K for the Department of Labor Standards.

In addition, the supplemental budget also includes a number of legislative fixes to address the administration and implementation of paid family leave and the expansion of the room occupancy excise to apply to short-term rentals, as well as allowing for permits to grant the growing of hemp on Agricultural Preservation Restriction (APR) land.

The supplemental budget will also allow the Committee for Public Counsel Services (CPCS) to declare an emergency related to care and protection cases in a county and authorizes CPCS to temporarily raise the rates for new assignments by not more than \$75 per hour. It also waives the annual cap on billable hours, up to 2,000 hours until July 1, 2020.

The Senate's Fiscal Year 2019 supplemental budget will now be reconciled with the House's version, which was passed last week.

Quotes from Senate leadership:

"The children and families of our Commonwealth deserve our support, particularly when they are in need, and so I am proud that the Senate has acted once again to do away with the outdated and ineffective 'Cap on Kids,'" stated **Senate President Karen E. Spilka (D-Ashland)**. "I'd like to thank Chair Rodrigues for moving this supplemental budget forward, which takes important steps to care for our residents while being fiscally responsible."

"I am proud of this supplemental budget, and what its passage shows about the priorities of the Senate: when the Commonwealth's most vulnerable members are in need, we take action," said **Senate Ways and Means Chair Michael J. Rodrigues (D-Westport)**. "By eliminating an outdated policy that harms families, supporting heating assistance for seniors and veterans, protecting sexual assault survivors, and other vital appropriations, this budget reflects the Senate's goal of striving to ensure that all people in Massachusetts are treated equally and fairly."

"I am thrilled that the Senate's supplemental budget repeals our state's ineffective and unjust family cap policy," said **Assistant Majority Leader Sal DiDomenico (D-Everett)**, the Senate sponsor of legislation to repeal the cap on kids. "Lifting the 'Cap on Kids' is simply the right thing to do to ensure that families are not denied basic benefits simply because of when their children were born. This is a critical policy change that will help thousands of children and families across the Commonwealth, and I would like to especially thank Senate President Spilka and Chairman Rodrigues for continuing to make this a Senate priority by addressing this issue at the very beginning of our session."

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