

JOURNAL OF THE HOUSE.

Monday, April 27, 2015.

Met according to adjournment at ten o'clock A.M., with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Pledge of
allegiance.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Statement Concerning Representative Coppinger of Boston.

A statement of Mr. Rushing of Boston concerning Mr. Coppinger of Boston was spread upon the records of the House, as follows:

Statement
concerning
Mr. Coppinger
of Boston.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Coppinger of Boston, is unable to be present in the House Chamber for today's sitting due to medical reasons. His missing of roll calls today and for the remainder of this week is due entirely to the reason stated.

Resolutions.

Nicole
Bollerman.

Resolutions (filed with the Clerk by Mr. Collins of Boston) recognizing Nicole Bollerman for her outstanding contributions to education, were referred, under Rule 85, to the committee on Rules.

Mr. Galvin of Canton, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Collins, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Order.

An Order (offered by Mr. Galvin of Canton) was considered forthwith, there being no objection; and it was adopted, as follows:

Messrs.
Dempsey
of Haverhill
and Kulik of
Worthington,—
voting.

“Ordered, That notwithstanding any rule to the contrary, a court officer shall be assigned to cast roll call votes, except quorum roll calls, for the Chairman and Vice-Chairman of the committee on Ways and Means whenever said members are conducting deliberations on amendment categories of the General Appropriation Bill, during consideration of said General Appropriation Bill.”.

Papers from the Senate.

Employee
retirement
incentive
program.

The House Bill providing for an employee retirement incentive program (House, No. 3189, amended), came from the Senate passed to be engrossed, in concurrence, with amendments striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 50, striking out the emergency preamble and inserting in place thereof the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for a fair and orderly manner in which the number of executive department employees may be

reduced in order to decrease expenditures by the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”; and striking out the title and inserting in place thereof the following title: “An Act relative to state personnel.”.

Under suspension of the rules, on motion of Mr. Dempsey of Haverhill, the amendments were considered forthwith. The House then non-concurred with the Senate in its amendments; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Dempsey, Murphy of Weymouth and Hill of Ipswich were appointed the committee on the part of the House. Sent to the Senate to be joined.

Committee of Conference.

Subsequently notice was received from the Senate that said branch had insisted on its amendments, concurred with the House in the appointment of a committee of conference; and that Senators Spilka, Timilty and deMacedo had been joined as the committee on the part of the Senate.

Id.

The House Bill exempting the police department in the town of Burlington from the civil service law (House, No. 3188, changed), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 3, in line 5, striking out the following: “except for entry level positions which shall take effect upon expiration of the police officer 2013 civil service eligibility list for the town of Burlington” (inserted by change). The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Burlington,—
police.

Subsequently the amendment (having been reported by said committee to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

The House Bill establishing a sick leave bank for Rachel Zwetchkenbaum, an employee of the Department of Unemployment Assistance (House, No. 3190), came from the Senate passed to be engrossed, in concurrence, with an amendment in line 3 striking out the words “, to care for her sister”. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Rachel
Zwetchkenbaum.

The House Bill establishing a sick leave bank for Deborah Hawkins, an employee of the Office of the State Auditor (House, No. 3204), came from the Senate passed to be engrossed, in concurrence, with amendments in lines 1, 2, 3, 5 and 8 striking out the word “office” and inserting in place thereof, in each instance, the word “department”; in line 6 striking out the words “extended illness” and inserting in place thereof the words “department of the state auditor’s catastrophic illness or injury”; striking out the emergency preamble and inserting in place thereof the following emergency preamble:

Deborah
Hawkins,—
sick leave.

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the department of the state auditor, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”; and striking out the title and inserting in place thereof the following title: “An Act establishing a

Deborah Hawkins,—
sick leave.

sick leave bank for Deborah Hawkins, an employee of the Department of the State Auditor.”.

The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading.

Bills

Wareham,—
sewer
commissioners.

Relative to sewer commissioners in the town of Wareham (Senate, No. 34, amended by adding the following section:

“SECTION 5. This act shall take effect upon its passage.”) (on a petition) [Local Approval Received]; and

Mario Carter,—
sick leave.

Establishing a sick leave bank for Mario Carter, an employee of the Department of Correction (Senate, No. 42, amended in line 4 by striking out the words “Carter. Whenever” and inserting in place thereof the words “Carter to care for her daughter. If” (on a petition);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Nangle of Lowell, for said committee, then reported that the matters be scheduled for consideration by the House.

Under suspension of the rules, in each instance, on motion of the same member, the bills were read a second time forthwith; and they were ordered to a third reading.

Reports

Small
limited
liability
companies.

Of the committee on Community Development and Small Businesses, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 110) of Eileen M. Donoghue and Kathleen O’Connor Ives for legislation to lessen the financial burden on small limited liability companies,— and recommending that the same be referred to the committee on Economic Development and Emerging Technologies; and

Addiction
treatment,—
access.

Of the committee on Revenue, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1502) of John F. Keenan, Tackey Chan, Denise Provost, James J. Dwyer and other members of the General Court for legislation to provide access to full spectrum addiction treatment services,— and recommending that the same be referred to the committee on Mental Health and Substance Abuse;

Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, in concurrence.

MBTA,—
operating
investments.

A report of the Massachusetts Bay Transportation Authority (pursuant to Section 151 of Chapter 127 of the Acts of 1999) submitting its report on net operating investment per passenger mile ratio for fiscal years 2013 through 2017, was read for information; and returned to the Senate.

Wenham,—
unpaid
bill.

A petition (accompanied by bill, Senate, No. 1918) of Bruce E. Tarr and Bradford R. Hill (by vote of the town) for legislation to authorize the town of Wenham to pay a certain unpaid bill, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Christine Chrzanowski, an employee of the Department of Mental Health (see Senate, No. 1917), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Christine Chrzanowski,—
sick leave.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 9 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

The engrossed Bill establishing a sick leave bank for Edward Conley, an employee of the Middlesex Sheriff's Office (see House, No. 3341), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Edward Conley,—
sick leave.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 9 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

Engrossed Bill.

The engrossed Bill authorizing the city of Revere to pay a certain sum of money to Cynthia A. Penta (Adreani) (see House, No. 3206) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

Orders of the Day.

The House Bill making appropriations for the fiscal year 2016 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 3400) [Total appropriation: \$38,267,087,592.00], was read a second time.

General Appropriation Bill.

After remarks on the question on ordering the bill to a third reading, Mr. Durant of Spencer moved to amend it by adding the following two sections:

“SECTION 76. Chapter 62 of the General Laws is hereby amended by inserting after section 6N, as appearing in the 2012 Official Edition, the following section:—

Section 6O. (a) For the purposes of this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:—

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‘Commissioner’, the commissioner of revenue.

‘Department’, the department of revenue.

‘Eligibility statement’, a statement authorized and issued by the department certifying that a given project is a qualified project. The department shall, in consultation with the commissioner, promulgate regulations establishing criteria upon which the eligibility statements will be issued. The eligibility statement shall specify the maximum annual amount of the Massachusetts compressed natural gas tax credit authorized. The department shall only authorize the tax credits to qualified projects which are placed in service on or after January 1, 2016.

‘Qualified project’, a project for the construction of a refueling station of facility that sells or offers for sale compressed natural gas directly to consumers for fueling automobiles or other vehicles or the renovation of an existing station, facility or lot to provide such station with the equipment and structure necessary to sell or offer for sale compressed natural gas.

‘Taxpayer’, a person, firm, partnership or other entity subject to the income tax imposed by the provisions of this chapter hired as a contractor, subcontractor or otherwise to perform construction on a qualified project.

(b)(1) There shall be a Massachusetts compressed natural gas tax credit. The department may authorize annually under this section together with section 38GG of chapter 63 the total sum of: (i) \$5,000,000; (ii) unused Massachusetts compressed natural gas tax credits, if any, for the preceding calendar years; and (iii) Massachusetts compressed natural gas tax credits returned to the department by a qualified project.

(2) Unless otherwise provided in this section or the context clearly requires otherwise, the department shall authorize, administer, determine eligibility for the Massachusetts compressed natural gas tax credit.

(3) The department shall allocate the total available Massachusetts compressed natural gas tax credit among as many qualified projects as fiscally feasible, with the goal of increasing the amount of refueling stations in the commonwealth that offer compressed natural gas.

(c)(1) A taxpayer may be allowed a state tax credit with respect to a qualified project, provided that the department issues an eligibility statement for that qualified project. This state tax credit shall be termed the Massachusetts compressed natural gas tax credit.

(2) The total Massachusetts compressed natural gas tax credit available to a qualified project shall be authorized and allocated by the department, or its successor agency, based on the qualified project’s need for the credit for economic feasibility.

(3) The Massachusetts compressed natural gas tax credit shall be taken against the taxes imposed under this chapter, claimed equally for 5 years, subtracted from the amount of state tax otherwise due for each taxable period and shall not be refundable. Any amount of the Massachusetts compressed natural gas tax credit that exceeds the tax due for a taxable year may be carried forward to any of the 5 subsequent taxable years.

(4) All or any portion of tax credits issued in accordance with the provisions of this section may be allocated to parties who are eligible

under the provisions of paragraph (1) of subsection (c). A taxpayer shall certify to the commissioner the amount of credit allocated to such taxpayer. The taxpayer shall provide to the commissioner appropriate information so that the Massachusetts compressed natural gas tax credit can be properly allocated.

(5) In the event that recapture of Massachusetts compressed natural gas tax credit is required, any statement submitted to the commissioner as provided in subsection (c) shall include the proportion of the state credit required to be recaptured, the identity of each taxpayer subject to the recapture and the amount of credit previously allocated to such taxpayer.

(6) The director of the department, in consultation with the commissioner, shall promulgate regulations necessary to administer the provisions of this subsection.

(d) The taxpayer shall submit, at the time of filing the taxpayer's state tax return, a copy of the eligibility statement issued by the department with respect to such qualified project. In the case of failure to attach the eligibility statement, a credit under this section shall not be allowed with respect to such qualified project for that year until the copy is provided to the department of revenue.

(e) The commissioner or the department, through the promulgation of regulations, may require the filing of additional documentation necessary to determine the eligibility or accuracy of a tax credit claimed under the provisions of this section.

(f) The department, in consultation with the commissioner, shall monitor and oversee compliance with the Massachusetts compressed natural gas tax credit program and may promulgate regulations requiring the filing of additional documentation deemed necessary to determine continuing eligibility for the Massachusetts compressed natural gas tax credit. The department or the commissioner shall report specific occurrences of noncompliance to appropriate state, federal and local authorities.

(g) Except for unused credits carried forward pursuant to paragraph (3) of subsection (c) and section 38GGH of chapter 63, a qualified project shall not be eligible for any Massachusetts compressed natural gas tax credits for more than 7 taxable years.

(h) The department may provide that upon application for state tax credits issued by the department, such taxpayer may elect to receive such state tax credit in the form of a loan generated by transferring the credit to the department or its designee on terms specified by the department in accordance with its qualified allocation plan. Neither a direct tax refund nor a loan received as the result of the transfer of the credit shall be considered taxable income under this chapter.

(i) The department may pursue methods of enhancing the efficiency of the Massachusetts compressed natural gas tax credit program including but not limited to: pursuing opinions from the United States department of treasury's internal revenue service in the form of general counsel memoranda, private letter rulings and other notices, rulings or guidelines; by reviewing other state tax programs which utilize an option for taxpayers to receive such tax credit in the form of a loan generated by transferring the credit to a designated state entity; and any other such methods.

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SECTION 77. Chapter 63 of the General Laws is hereby amended by inserting after section 38FF, as so appearing, the following section:—

Section 38GG. (a) For the purposes of this section, unless the context clearly requires otherwise, the following words shall have the following meanings:—

‘Commissioner’, the commissioner of the department of revenue.

‘Department’, the department of revenue.

‘Eligibility statement’, a statement authorized and issued by the department certifying that a given project is a qualified project. The department, in consultation with the commissioner, shall promulgate regulations establishing criteria upon which the eligibility statements shall be issued. The eligibility statement shall specify the maximum annual amount of the Massachusetts compressed natural gas tax credit authorized. The department shall only authorize the tax credits to qualified projects which are placed in service on or after January 1, 2016.

‘Qualified project’, a project for the construction of a refueling station of facility that sells or offers for sale compressed natural gas directly to consumers for fueling automobiles or other vehicles or the renovation of an existing station, facility or lot to provide such station with the equipment and structure necessary to sell or offer for sale compressed natural gas.

‘Taxpayer’, a corporation subject to an excise imposed by the provisions of this chapter, including, without limitations, section 2, sections 20 to 23, inclusive, section 29A, section 32 and section 39, hired as a contractor, subcontractor or otherwise to perform construction on a qualified project.

(b)(1) There shall be a Massachusetts compressed natural gas tax credit. The department may authorize annually under this section together with section 60 of chapter 62 the total sum of: (i) \$5,000,000; (ii) unused Massachusetts compressed natural gas tax credit, if any, for the preceding calendar years; and (iii) any Massachusetts compressed natural gas tax credit returned to the department by a qualified project.

(2) Unless otherwise provided in this section or the context clearly requires otherwise, the department shall authorize, administer, determine eligibility for the Massachusetts compressed natural gas tax credit.

(3) The department shall allocate the total available Massachusetts compressed natural gas tax credit among as many qualified projects as fiscally feasible, with the goal of increasing the amount of refueling stations in the commonwealth that offer compressed natural gas.

(c)(1) A taxpayer may be allowed a state tax credit with respect to a qualified project, provided that the department issues an eligibility statement for that qualified project. This state tax credit shall be termed the Massachusetts compressed natural gas tax credit.

(2) The total Massachusetts compressed natural gas tax credit available to a qualified project shall be authorized and allocated by the department, or its successor agency, based on the qualified project’s need for the credit for economic feasibility.

(3) The Massachusetts compressed natural gas tax credit shall be taken against the taxes imposed under this chapter, claimed equally for 5 years, subtracted from the amount of state tax otherwise due for each taxable period and shall not be refundable. Any amount of the tax

credit that exceeds the tax due for a taxable year may be carried forward to any of the 5 subsequent taxable years.

(4) All or any portion of tax credits issued in accordance with the provisions of this section may be allocated to parties who are eligible under the provisions of paragraph (1) of subsection (c). A taxpayer shall certify to the commissioner the amount of credit allocated to such taxpayer. The taxpayer shall provide to the commissioner appropriate information so that the Massachusetts compressed natural gas tax credit can be properly allocated.

(5) In the event that recapture of Massachusetts compressed natural gas tax credits is required, any statement submitted to the commissioner as provided in subsection (c) shall include the proportion of the state credit required to be recaptured, the identity of each taxpayer subject to the recapture and the amount of credit previously allocated to such taxpayer.

(6) The director of the department, in consultation with the commissioner, shall promulgate regulations necessary to administer the provisions of this subsection.

(d) The taxpayer shall submit, at the time of filing the taxpayer's state tax return, a copy of the eligibility statement issued by the department with respect to such qualified project. In the case of failure to attach the eligibility statement, a credit under this section shall not be allowed with respect to such qualified project for that year until the copy is provided to the department of revenue.

(e) The commissioner or the department may require the filing of additional documentation necessary to determine the eligibility or accuracy of a tax credit claimed under the provisions of this section through the promulgation of regulations.

(f) The department, in consultation with the commissioner, shall monitor and oversee compliance with the Massachusetts compressed natural gas tax credit program and may promulgate regulations requiring the filing of additional documentation deemed necessary to determine continuing eligibility for the Massachusetts compressed natural gas tax credit. The department or the commissioner shall report specific occurrences of noncompliance to appropriate state, federal and local authorities.

(g) Except for unused credits carried forward pursuant to section 60 of chapter 62 and paragraph (3) of subsection (c) of this section, a qualified project shall not be eligible for any Massachusetts compressed natural gas tax credits for more than 7 taxable years.

(h) The department may provide that upon application for state tax credits issued by the department, such taxpayer may elect to receive such state tax credit in the form of a loan generated by transferring the credit to the department or its designee on terms specified by the department in accordance with its qualified allocation plan. Neither a direct tax refund nor a loan received as the result of the transfer of the credit shall be considered taxable income under this chapter.

(i) The department may pursue methods of enhancing the efficiency of the Massachusetts compressed natural gas tax credit program including but not limited to; pursuing opinions from the United States department of treasury's internal revenue service in the form of general counsel memoranda, private letter rulings and other notices, rulings or

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guidelines and reviewing other state tax programs which utilize an option for taxpayers to receive such tax credit in the form of a loan generated by transferring the credit to a designated state entity.”.

After debate the amendment was rejected.

After debate on the question on ordering the bill to a third reading, Mr. Diehl of Whitman moved to amend it by adding the following section:

“SECTION 76. Section 1. Section 2 of Chapter 64H of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking ‘6.25 per cent’ and replacing it with ‘5 per cent’.

Section 2. Section 2 of Chapter 64I of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking ‘6.25 per cent’ and replacing it with ‘5 per cent’.”.

After debate the amendment was rejected.

The same member then moved to amend the bill by adding the following section:

“SECTION 76. (a) Notwithstanding any general or special law to the contrary, for the days of March 22-27, inclusive, of each calendar year the tax imposed upon meals pursuant to chapter 64H of the General Laws, as most recently amended by section 157 of chapter 27 of the Acts of 2009, shall be suspended.

(b) Notwithstanding any general or special law to the contrary, for the days of March 22-27, 2015, inclusive, a restaurant in the commonwealth shall not add to the sales price or collect from a customer an excise upon sales of meals. The commissioner of revenue shall not require any restaurant to collect and pay excise upon sales of meals purchased on March 22-27, inclusive, of each calendar year. An excise erroneously or improperly collected during the days of March 22-27, inclusive, of each calendar year, shall be remitted to the department of revenue. Any city or town which imposes a local option meals tax may still collect that tax during these dates.

(c) Reporting requirements imposed upon restaurants by law or regulation, including, but not limited to, the requirements for filing returns required by chapter 62C of the General Laws, shall remain in effect for sales on the days of March 22-27, inclusive, of each calendar year.

(d) On or before December 31, of each year, the commissioner of revenue shall certify to the comptroller the amount of sales tax forgone, as well as new revenue raised from person and corporate income taxes and other sources, pursuant to this Act. The commissioner shall file a report with the joint committee on revenue and the house and senate committees on ways and means detailing by fund the amounts under general and special laws governing the distribution of revenues under Chapter 64H of the General Laws which would have been deposited in each fund, without this act.

(e) The commissioner of revenue shall issue instructions or forms, or promulgate rules or regulations, necessary for the implementation of this act.

(f) No part of this act shall affect the provisions of chapter 64L of the General Laws, as most recently added by section 60 of chapter 27 of the acts of 2009.”.

After remarks the amendment was rejected.

Mrs. Harrington of Groton then moved to amend the bill by adding the following section:

“SECTION 76: Section 2 of chapter 62 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding the following subsection:—

Subsection (j). Massachusetts adjusted gross income shall include all pension income whether the pension was earned while under the employ of a private or public employer.”

The amendment was rejected.

The same member then moved to amend the bill by adding the following section:

“SECTION 76. Section 3 of chapter 65C of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in lines 13 to 17, inclusive, the words ‘provided, that the exemption shall not exceed an amount equal to the smallest federal taxable estate that absorbs the allowable federal credit under section two thousand and ten of the Internal Revenue Code as amended and in effect as of the date of death of the decedent’ and inserting in place thereof the following words:— ; provided, however that an exemption pursuant to this section shall not exceed \$1,500,000.”

The amendment was rejected.

Mr. Durant of Spencer then moved to amend the bill by adding the following section:

“SECTION 76. Chapter 62 of the General Laws is hereby amended by inserting after section 6N, as appearing in the 2012 Official Edition, the following section:—

Section 1. (a) For the purposes of this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:—

‘Commissioner’, the commissioner of revenue.

‘Department’, the department of revenue.

‘Eligibility statement’, a statement authorized and issued by the department certifying that a given project is a qualified project. The department shall, in consultation with the commissioner, promulgate regulations establishing criteria upon which the eligibility statements will be issued. The eligibility statement shall specify the maximum annual amount of the Massachusetts Small Business Express program. The department shall only authorize the tax credits to qualified projects which are placed in service on or after January 1, 2016.

‘Small Business’, a sole proprietorship, partnership, limited liability company, corporate trust, corporation or other business, including its affiliates that is: (i) independently owned and operated, (ii) not dominant in the field of operation in which it is bidding on government contracts, (iii) qualifies as a small business under the criteria and size standards of the Small Business Administration regulations and (iv) is under 500 employees in the manufacturing and mining industries or under 100 employees for all wholesale trade industries or does under \$6 million of business annually for retail and service industries or does under \$28.5 million of business annually for general & heavy construction industries or does under \$12 million of business annually for all special trade contractors and under \$0.75 million of business for agricultural industries.

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(b)(1) There shall be a Massachusetts Small Business Express program established for the purpose of establishing matching grants for small businesses capital projects. The department may authorize annually under this section together with section 38GG of chapter 63 the total sum of: (i) \$5,000,000; (ii) unused Massachusetts Small Business Express program funds, if any, for the preceding calendar years; and (iii) Massachusetts Small Business Express program funds returned to the department by a qualified project.

(2) Unless otherwise provided in this section or the context clearly requires otherwise, the department shall authorize, administer, and determine eligibility for the Massachusetts Small Business Express program.

(3) The department shall allocate the total available Massachusetts Small Business Express program funds among as many qualified projects as fiscally feasible, with the goal of increasing employment in the Commonwealth.

(c) The commissioner or the department, through the promulgation of regulations, may require the filing of additional documentation necessary to determine the eligibility or accuracy of the program claimed under the provisions of this section.

(d) The department, in consultation with the commissioner, shall monitor and oversee compliance with the Massachusetts Small Business Express program and may promulgate regulations requiring the filing of additional documentation deemed necessary to determine continuing eligibility for the Massachusetts Small Business Express program. The department or the commissioner shall report specific occurrences of noncompliance to appropriate state, federal and local authorities.

(e) The department may pursue methods of enhancing the efficiency of the Massachusetts Small Business Express program including but not limited to: pursuing opinions from the United States department of treasury's internal revenue service in the form of general counsel memoranda, private letter rulings and other notices, rulings or guidelines; by reviewing other state programs which utilize an option for small businesses to receive such payments; and any other such methods."

The amendment was rejected.

Mr. Barrows of Mansfield then moved to amend the bill by adding the following section:

"SECTION 76: Section 1 of chapter 64H of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the word 'services,' in line 204 the following new sentence:—

In the case of the sale by a vendor of a mobile telecommunications device with mobile telecommunications services, the tax shall be imposed upon the sales price of the mobile telecommunications device."

After remarks the amendment was rejected.

Mrs. O'Connell of Taunton and other members of the House then moved to amend the bill by adding the following section:

"SECTION 76. Chapter 58 of the General Laws is hereby amended by adding the following section:—

Section 52. No new tax shall be collected, assessed or payable until 1 year after the passage of the act in which the new tax was created."

After remarks the amendments was rejected.

After remarks on ordering the bill to a third reading, Mrs. O'Connell and other members of the House moved to amend it by adding the following six sections:

“SECTION 76. Notwithstanding any general or special law to the contrary, for the days of November 6 through 8, 2015, inclusive, the tax imposed upon meals pursuant to chapter 64H of the General Laws, as most recently amended by section 157 of chapter 27 of the Acts of 2009, shall be suspended.

SECTION 77. Notwithstanding any general or special law to the contrary, for the days of November 6 through 8, 2015, inclusive, a restaurant in the commonwealth shall not add to the sales price or collect from a customer an excise upon sales of meals. The commissioner of revenue shall not require any restaurant to collect and pay excise upon sales of meals purchased on November 6 through 8, 2015, inclusive. An excise erroneously or improperly collected during the days of November 6 through 8, 2015, inclusive, shall be remitted to the department of revenue. Any city or town which imposes a local option meals tax may still collect that tax during these dates.

SECTION 78. Reporting requirements imposed upon restaurants by law or regulation, including, but not limited to, the requirements for filing returns required by chapter 62C of the General Laws, shall remain in effect for sales on the days of November 6 through 8, 2015, inclusive.

SECTION 79. On or before December 31, 2015, the commissioner of revenue shall certify to the comptroller the amount of sales tax forgone, as well as new revenue raised from person and corporate income taxes and other sources, pursuant to this Act. The commissioner shall file a report with the joint committee on revenue and the house and senate committees on ways and means detailing by fund the amounts under general and special laws governing the distribution of revenues under Chapter 64H of the General Laws which would have been deposited in each fund, without this act.

SECTION 80. The commissioner of revenue shall issue instructions or forms, or promulgate rules or regulations, necessary for implementation.

SECTION 81. No part of this act shall affect the provisions of chapter 64L of the General Laws, as most recently added by section 60 of chapter 27 of the acts of 2009.”

Mr. Kaufman of Lexington thereupon raised a point of order that the amendment offered by the lady from Taunton was improperly before the House for the reason that the subject-matter of said amendment had been previously considered in the same reading. The Chair (Mr. Donato of Medford) stated that the point of order was well taken; and the amendment was laid aside accordingly.

Point of order.

Mr. McKenna of Webster then moved to amend the bill by adding the following section:

“SECTION 76: Chapter 65C of the General Laws, as appearing in the 2010 Official Edition, is hereby repealed.”

The amendment was rejected.

Mr. Scaccia of Boston then moved to amend the bill by adding the following four sections:

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“SECTION 76. Subsection (l) of section 6 of chapter 62 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following paragraph:—

(8) Notwithstanding any other provision of this section, the cumulative amount of credits allowed under this subsection together with section 38X of chapter 63 for all productions, shall not exceed \$40,000,000 for credits deemed attributable to any one fiscal year beginning with the fiscal year commencing on July 1, 2016.

SECTION 77. Section 38X of chapter 63 of the General Laws, inserted by section 82 of chapter 173 of the acts of 2008, is hereby amended by adding the following subsection:—

(g) Notwithstanding any other provision of this section, the cumulative amount of credits allowed under this section together with subsection (l) of section 6 of chapter 62 for all productions, shall not exceed \$40,000,000 for credits deemed attributable to any one fiscal year, beginning with the fiscal year that commences on July 1, 2016.

SECTION 78. In order to implement paragraph (8) of subsection (l) of section 6 of chapter 62 and subsection (g) of section 38X of chapter 63 of the General Laws, the department of revenue, in this section called the department, shall issue and implement rules or guidelines which may include but are not limited to the following:—

(a) Any motion picture production company seeking a credit for a production that commences filming after January 23, 2016 shall file a production notice with the department, stating the amount of estimated expenses qualifying for the credit for the production and other information required by the department.

(b) Production notices received by the department on or after January 23, 2016 and before January 23, 2017 shall be considered to be attributable to fiscal year 2016 and shall reduce the available credit for fiscal year 2017, in the order in which they are received, by not more than the amount of the credit calculated with respect to the estimated qualifying expenses stated in the notices. Production notices received by the department in each subsequent 12 month period shall be considered to be attributable to each subsequent fiscal year and shall reduce the available credit for that fiscal year, in the order in which they are received, by not more than the amount of the credit calculated with respect to the estimated qualifying expenses stated in the notices.

(c) A production company shall not be allowed a credit for a production commencing filming after January 23, 2016 unless filming commences within 90 days after the department has responded favorably to the notice and any credit shall not be allowed in excess of the amount of credit calculated with respect to the estimated qualifying expenses stated in the notice. A production company that does not commence filming within the required 90 day period will not be allowed a credit for that production and the credit otherwise attributable to that production will be available to other productions subject to the notice procedures and credit limits contained in this subsection (C).

(d) All productions commencing filming after January 23, 2016 are subject to the notice procedures and credit limits provided in this subsection (C) and shall not qualify for any credit under subsection (l) of section 6 of chapter 62 or section 38X of chapter 63 of the General Laws in any fiscal year except as allowed through those notice procedures and subject to those credit limits.

(e) Credit certificates issued by the department that are attributed to a particular fiscal year under this section will reduce the available credits for such year regardless of the production dates to which those credit certificates relate.

SECTION 79. These sections shall take effect upon passage.”

After debate the amendment was rejected.

The same member then moved to amend the bill by adding the following two sections:

“SECTION 76. Notwithstanding any general or special law to the contrary, the department of revenue shall not accept any applications for exemptions from the sales tax from a motion picture production company under subsection (ww) of section 6 of chapter 64H after June 30, 2015.

SECTION 77. Notwithstanding any general or special law to the contrary, the department of revenue shall not allow a credit under subsection (l) of section 6 of chapter 62 or under section 38X of chapter 63 for any total aggregate payroll or production expense, as those terms are used in subsection (l) of section 6 of chapter 62 and in section 38X of chapter 63, incurred after June 30, 2016.”

The amendment was rejected.

Mr. Mannal of Barnstable then moved to amend the bill by adding the following two sections:

“SECTION 76. Section 38AA(h) of Chapter 63 of the General Laws is hereby amended by deleting ‘\$2,000,000’ and replacing it with ‘\$5,000,000’.

SECTION 77. Section 76 shall take effect on January 1, 2016.”

The amendment was adopted.

After remarks, the bill (House, No. 3400, amended) was ordered to a third reading.

At ten minutes past one o’clock P.M., the two branches met in

Joint Session.

JOINT SESSION

in the Chamber of the House of Representatives, for the purpose of commemorating the 50th Anniversary of the address of the Reverend Doctor Martin Luther King, Jr., delivered to a joint convention of the two branches of the General Court of Massachusetts on April 22, 1965, and were called to order by the Honorable Stanley C. Rosenberg, President of the Senate.

Orders Adopted.

On motion of Ms. O’Connor Ives,—

Ordered, That a committee be appointed to consist of members of the Senate and the House of Representatives to wait upon members of the 164th General Court, Constitutional Officers and other distinguished guests, and inform them that the two branches of the General Court are now in convention for the purpose of commemorating the 50th Anniversary of an address delivered by the Reverend Doctor Martin Luther King, Jr., to a Joint Convention of the two Houses of the General Court on April 22, 1965.

Notify former members and Constitutional officers.

Reverend
Dr. Martin
Luther
King, Jr.,—
anniversary.

Senators Lewis of Middlesex, Forry of Suffolk, Tarr of Essex and Middlesex, were appointed the committee on the part of the Senate; Representatives Fox of Boston, Moran of Lawrence and Swan of Springfield were appointed the committee on the part of the House.

Subsequently, Mr. Lewis, for the said committee, reported that the members of the 164th General Court, Constitutional Officers and other distinguished guests were duly notified.

Shortly thereafter, members of the 164th General Court, Constitutional Officers and other distinguished guests entered the Chamber under the escort of the Sergeant-at-Arms.

On motion of Ms. Chang-Díaz,—

Notify
Governor.

Ordered, That a committee be appointed to consist of members of the Senate and the House of Representatives to wait upon His Excellency the Governor, Charles D. Baker and inform him that the two branches are now in Convention for the purpose of commemorating the 50th Anniversary of an address delivered by the Reverend Doctor Martin Luther King, Jr., to a Joint Convention of the two Houses of the General Court on April 22, 1965.

Senators Petruccelli of Suffolk and Middlesex, Eldridge of Middlesex and Worcester, Humason of Hampden and Hampshire and Chang-Díaz of Suffolk, were appointed the committee on the part of the Senate; Representatives Nangle of Lowell, Gonzales of Springfield and Tosado of Springfield were appointed the committee on the part of the House.

Subsequently, Mr. Petruccelli, for the committee, reported that His Excellency the Governor, Charles D. Baker, would immediately attend upon the convention.

Shortly thereafter, His Excellency the Governor, Charles D. Baker entered the Chamber under the escort of the Sergeant-at-Arms.

Pledge of Allegiance.

Pledge of
allegiance.

Members of the 164th General Court led the Convention in the recitation of the pledge of allegiance to the flag.

Prayer.

Prayer.

The President then introduced the Reverend Michael E. Haynes who delivered the following Invocation:

Let us pray:

Dear Lord and father of mankind, several of us from the 1965 legislative body have been blessed and privileged to be alive and to return to this historic chamber 50 years after what the late Dr. Martin Luther King, Jr. called a momentous occasion.

We thank You, oh, God.

The words and welcoming spirit of the late Speaker of the House, John Francis Xavier Davoren, reflected some of the principle mandates of Your Holy Word which tell us that we are to love our neighbors as we love ourselves. We thank You as we remember him.

Dear Lord, we cannot remember and celebrate this momentous occasion — and not pause to remember my 2 late colleagues from the newly formed seventh Suffolk District who with me made up the caucus which

originally initiated the action to invite Dr. King to this House 50 years ago. So we thank You for the life and service of Representative Royal Lee Bowling Sr. and Franklin Wesley Holgate, Sr.

Over the long and sometimes perilous human journey of mankind — evil, hatred, oppression, racism, and exploitation continued to mark the status quo.

We thank You O God, that from time to time You anoint and You send forth a brave, courageous, visionary prophet or spokesperson to challenge the status quo and to speak truth to power so a Moses emerges in power to demand let my people go.

A Giuseppe Garibaldi emerges leading the struggle to establish a proud united nation. A Robert Emmett emerges to motivate a people to liberty.

Oh, yes, Lord, in this place, in Massachusetts, the creator of liberty when religious and ethnic prejudice blocked access to upward mobility, John Fitzgerald Kennedy emerged victorious... he is martyred but some walls certainly came tumbling down. We thank You, oh, Lord.

Although people in the seat of power often sought to destroy Martin, to malign his character, to trick, track and destroy him, this state in the cradle of liberty, this legislative body brought my friend to this lectern, a momentous occasion 50 years ago from this powerful desk Martin declared and warned us that America had a serious moral cancer in the body politic which must be removed. That day, he warned that the forces of evil are still alive and that if America and democracy are to live these evils must die.

We thank You, oh, God, for the diagnosis of this cancer and for the prognosis and the remedy for this cancer.

As our nation, our world, and critical pockets of unrest boil over all across this land, inspire, anoint, and move those of us in the sacred Chamber today to help finish the God-ordained work of my father and brother Martin King.

In the name of the divine radical prophet from the Middle East dusty town of Nazareth in the nation of Israel, I pray. Amen.

Remarks of Senate President Stanley C. Rosenberg.

On behalf of the full members of the Senate; on behalf also of, in particular, Senators Kathleen O'Connor-Ives and Jason Lewis who on the part of the Senate worked with our friends here in the House lead by Byron Rushing for organizing this day; we thank you very much.

Remarks of
Senate
President
Stanley C.
Rosenberg.

It's an historic occasion and we honor by reading his words, Martin Luther King, Jr.; one of the greatest orators, moral thinkers and actors in this Country's history; and I thank everyone who chose to be with us today so that they could hear these words and reflect on them.

Martin Luther King, Jr. and his ancestors may not have come to this country willingly or by choice, but he certainly chose to believe in and follow the words and the ideas and the ideals that our ancestors here penned in the Declaration of Independence and the U.S. Constitution; and he spent his life, not only in ministry, but also in civic action and leadership trying to help this country achieve the best of what our founding fathers and mothers laid forward as our purpose here in the United States of America.

Reverend
Dr. Martin
Luther
King, Jr.,—
anniversary.

Prior to turning it over to the Speaker for his words of welcome, I would like to introduce a few dignitaries and he will continue.

First, Attorney General Maura Healey, welcome to the Chamber.

And Governor Councilor Devaney, we welcome you; and although he is not a reader today, because he was not here at the time, Senator Bill Owens of Suffolk County is joining us today.

Remarks of Speaker of the House Robert A. DeLeo.

Remarks of the
Speaker of
the House.

Thank you President Rosenberg.

I offer my sincere gratitude to the former members [from the 164th General Court] who led us in the pledge of allegiance, former Representative [Aaron M. I.] Shinberg, former Representative [Marie E.] Howe, former Representative [David S.] Tobin, former Representative [Paul C.] Menton, former Representative [David E.] Harrison, former Representative [Paul J.] Cavanaugh and former Representative [John R.] Buckley for being here today; and I'd also like to introduce some of our former colleagues who are here, former Representatives Mel King, Charlotte Golar Richie and Frank Cousins, Sheriff of Essex County. Also with us today are Steven W. Tompkins, Sheriff of Suffolk County and Boston City Councilor Tito Jackson.

Your presence and continued commitment to civic life is a testament to Massachusetts' historical standing as a beacon of equality.

It is my distinct pleasure to welcome you to this august Chamber to commemorate a remarkable speech.

A speech which I believe must have changed perspectives, inspired legislators, and possibly led to policy and cultural shifts that have irrevocably made Massachusetts a more just place.

Thank you to Leader Rushing, the Black and Latino Legislative Caucus and Senators O'Connor-Ives and Lewis for the work and research that went into today. We are fortunate to have colleagues who feel compelled to carry forth the weight of our history.

Today we join together to celebrate Dr. King's legacy and the impact he has made the Massachusetts Legislature through the speech we will soon hear.

It is remarkable to me that Dr. King addressed our Legislature just over a month after the March on Selma.

On that day ordinary Americans, armed with only bravery, patriotism and the courage of their convictions helped bend the "moral arch", as Dr. King said, "toward justice."

Today we reaffirm ourselves to the principles exhorted by Dr. King 50 years ago in this very Chamber.

We reflect on the resonance his words still hold as we continue to grapple with inequality of all kinds. We ready ourselves for the great work that lies ahead.

On that day 50 years ago then-Speaker John Davoren had the honor of introducing Dr. King, calling him, and I quote, "the moral conscience of our nation." I believe each of us will find different parts of the speech personally meaningful.

With that in mind I hope you'll allow me to read a few excerpts from Speaker Davoren's remarks that resonate with me.

By recognizing that Massachusetts laid the foundation for boundless democracy, Dr. King reminds us of the momentous responsibility we, in this great state, bear. I quote:

“It is appropriate indeed that the people of Massachusetts, through their elected representatives, should proudly welcome here today this selfless apostle of non-violent action as the best means to advance the cause of civil rights and to achieve equal justice under law.

For all who share Dr. King’s unshakable faith in human freedom, his passionate concern for human dignity, and his resolute belief in the motive power of reason and persuasion, Massachusetts — which gave to the nation Henry David Thoreau and David Lloyd Garrison, and more recently, John F. Kennedy and the Reverend James Reeb — must truly be regarded as their spiritual and intellectual home.

So long as inequality and discrimination continue to fester in America, no American can say that this nation has achieved its historic destiny or that the ideals of our Founding Fathers have been realized in practice.”

Before members begin to read Dr. King’s speech I’d like to offer my thanks to Reverend Haynes for that touching prayer a few moments ago.

In closing, I recall one of Massachusetts’ favorite sons. In 1968, in the midst of an event with black leaders, Bobby Kennedy was tasked with telling the audience that Dr. King had been assassinated.

Kennedy urged them “say a prayer for his family, but importantly, say a prayer for our own country, a prayer for understanding and Dr. King’s compassion of which I spoke.”

After today’s readings, I encourage you to find a personal way to draw from this commemoration, to reaffirm ourselves to the shared ideals we hold so dearly and to let Dr. King’s words infuse your work with new meaning.

Thank you and God bless.

Remarks of Governor Charles D. Baker.

Thank you very much, Mr. President.

Members of the Legislature, honored guests, Reverend Haynes... you know, I really enjoy public service, and I consider it to be among the highest of all callings.

But just because I love public service I’ve never been silly enough to believe that I have any real oratorical skills at all...So when I have a chance to stand here in the same place where John F. Kennedy and Martin Luther King, Jr. spoke from, I always struggle with what I could possibly bring to this podium that hasn’t been brought before.

So at the risk of offending some of my colleagues from the caucus I am actually going to read something from the speech because I think it resonates today in a very special and unique kind of way.

“...may I say in conclusion that I still have faith in America and I still have a deep belief that we will solve this problem. We are developing a coalition of conscience. We are developing a grand alliance that will make it possible in the not too distant future to solve this problem. So I have no despair about the future.”

When I read this speech, that line, those lines in particular, stood out to me, and I couldn’t help but wonder what Martin Luther King, Jr. would think if he were here today.

He was in fact an optimist, a realist on many occasions. But the tenor of the times in which he lived and what he was seeking to accomplish but he always believed in the end that people would be with him because his cause was just. And I guess I’ve come to believe

Remarks of
Governor
Charles D.
Baker.

Reverend
Dr. Martin
Luther
King, Jr.,—
anniversary.

that he would say yes, as a country, as a society we have come far...But we have a very long way to go.

My dad used to say when I was a kid, I would finish some project and he would have another and I would finish that one and he would have another and I would finish that one and he would have another... and I would say Dad, come on...Haven't I already done what you wanted me to do and he would always say, "Son, success is never final...you never get to spike the ball...there's always more to do."

And as we stand here and sit here today and consider the work of those who came before Martin Luther King, Jr. and those who came after him, and those who will come after us, I think the most important thing I could say to all of you is that success is never final and the work is never done.

Representative Holmes...there are a lot of "Whereases" in here so I'm going to cut to the chase and just say how honored I am to be able to stand here with you and proclaim April 27, 2015, the 50th anniversary of Martin Luther King, Jr.'s address to this august institution as Martin Luther King, Jr. Day and urge all the citizens of the commonwealth to take note and celebrate.

Thank you.

Recitation of Dr. Martin Luther King, Jr.'s Address.

Reverend
Doctor Martin
Luther King,
Jr.,—
remarks
recitation.

Members of the Massachusetts Black and Latino Legislative Caucus recited the address delivered by the Reverend Doctor Martin Luther King, Jr., to a Joint Convention of the two Houses of the General Court on April 22, 1965, as follows:

"To the distinguished members of this august body, I need not pause to say how very delighted and honored I am to have the privilege and the opportunity to meet with this auspicious body. For one who has been barricaded from the seats of government and jailed so many times for attempting to petition legislatures and councils, I can assure you that this is a momentous occasion!

Let me hasten to say that I come to Massachusetts not to condemn but to encourage! It was from these shores that the vision of a new nation conceived in liberty was born, and it must be from these shores that liberty must be preserved; and the hearts and lives of every citizen preserved through the maintenance of opportunity and through the constant creation of those conditions that will make justice and brotherhood a reality for all of God's children.

There is a desperate, poignant, and sometimes agonizing question on the lips of our generation. I am asked this question a great deal, and I am sure you hear it, and you sometimes ask it. 'Are we really making progress in the area of race relations?' All over the world and all over our nation people are asking this poignant question. On one hand I think we can proudly point to the fact that even within the last decade we have come a long, long way. Many of the conditions of a dark yesterday are no longer alive in our nation today. We can point to that momentous moment in 1954 when the Supreme Court of our nation rendered a great decision which said in substance that the old Plessy Doctrine of 1896 must go; that separate facilities are inherently unequal; that to segregate a child on the basis of his race is to deny that child equal protection of the law. And so we can all be proud of the

fact that the Brown Decision brought our nation a long, long way toward the realization of a great and noble dream.

We can think of the fact that a great citizen of this state, who finally became President and who became the tragic victim of an assassin's bullet on Elm Street in Dallas, Texas, stood up before the nation on a sweltering June afternoon in 1963 and said in eloquent, unequivocal terms, that the problem we face in race relations is more than a political problem and more than a sociological problem. It is a moral problem! It is as old as the Scriptures and as modern as the Constitution. It is the question of whether we will treat our Negro brothers as we ourselves would like to be treated. And on the heels of that great speech, you will remember that he presented to the Congress of our nation, the most comprehensive civil rights package ever presented by any President of our great nation. We can be proud of the fact that legislation was finally passed, and it will stand as an eternal tribute to the memory of President John Fitzgerald Kennedy. I am happy to report that all over the South that bill is being implemented, and many communities are complying with the civil rights bill, particularly the public accommodations section, with amazing good sense and calm reasonableness.

This should make all of us happy and proud of the fact that on one hand when we answer this desperate question, we can answer with a sort of creative optimism. On the other hand, when one is realistic, when one is committed to truth, when one will look at the hard facts of life, he will have allowed himself to become a victim of superficial optimism. He will not allow himself to overlook basic realities.

Although we have come a long, long way in the struggle for brotherhood and the struggle to make civil rights a reality for all people, I must say to you this afternoon that we have still a long, long way to go all over this nation. We do not have to look very far to see that. We only need open our newspapers, or turn on our televisions, or look around in our own communities, and we realize that there are still problems alive that reveal to us that we have not yet reached the promised land in civil rights!

We realize that the forces of evil are still alive. We see lawlessness in the form of the Ku Klux Klan. We see forces still resisting through various evasive schemes, and through various systems of intra-position and nullification.

Beyond that we see subtle forms of discrimination in all of our communities, expressed in housing discrimination, de facto segregation in the public schools, and expressed in job discrimination and unemployment. But I am convinced, as I stand before you this evening, that if America and democracy are to live, segregation must die! In a real sense segregation is a cancer in the body politic which must be removed before our moral health can be realized. In a real sense segregation, whether it is de jure segregation of certain sections of the South or de facto segregation of the North, is a new form of slavery covered up with certain niceties of complexities. And all men of goodwill all over this nation must work together passionately and unrelentingly to solve this problem!

We must be able to say that we are through with segregation in all of its dimensions now, henceforth, and forevermore! And we must end it! As I said earlier and as the late President Kennedy said, we must end

Reverend
Dr. Martin
Luther
King, Jr.,—
remarks
recitation.

it not merely because it will solve certain political and certain economic problems facing our nation. We must end it because it will make us a better nation morally! Certainly it will help the image of our nation in international affairs. We all love America and we want it to have a marvelous image.

In the final analysis, discrimination must be uprooted from American society, not merely to meet the Communist challenge, not merely to appeal to Asian and African peoples, ultimately *it must be uprooted because it is morally wrong!* It must be done not merely because it is diplomatically sound, but because it is morally compelling. And if we as a nation will do this, it will carry us to higher heights of morality, and it will help us realize our great dream. Now if this is to be done, there must be a massive action program all over our nation and in every community.

If this kind of action program is to develop, I would like to submit to you that we must get rid of at least two myths that still get around and are still disseminated all over our country. One is what I refer to as the myth of time. There are still too many individuals who argue and who feel that the problem of racial injustice can only be solved by waiting on time. They say to the Negro, and his allies in the white community, 'Just be nice and patient, and wait a hundred or two hundred years and the problem will work itself out.' I think that there is an answer to this myth and it is that time is neutral. Time can be used either constructively or destructively. I think we must face the sad fact that the forces of ill will, the forces committed to negative ends, the forces committed to those things that will distort our democracy, and the extreme writers of our nation, have often used time much more effectively than the people of goodwill.

It may well be that we will have to repent in this generation, not merely for the vitriolic words and the violent actions of the bad people who will bomb a church in Birmingham, Alabama or club down a Reverend James Reeb, or shoot a Mrs. Viola Liuzzo. We must also repent for the appalling silence and indifference of the good people who sit down and say wait on time. Ultimately we must come to see that human progress never rolls in on the wills of inevitability. It comes through the tireless efforts and the persistent work of dedicated individuals who are willing to be co-workers with God. Without this hard work, time itself becomes an ally of the primitive forces of social stagnation. We must see that the time is always right to do right, and that we must constantly help time.

Now there is another myth and it is the notion that the problem which we face in race relations cannot be solved through legislative channels. The individuals who argue this say that you must change the heart.

Now is the time for the strong voting bill which will bring an end to the long night of the denial of the right to vote to millions of Negro citizens in blackbelt counties all across the south. That voting bill doesn't need a Dirksen amendment, which states in substance that if a community registers about sixty per cent of its people it no longer falls under this particular bill. That would only give many communities in the south an excuse to quickly register sixty per cent of the people of voting age, most of that sixty per cent being white, and then it will leave forty per cent of the people still facing discrimination.

Now is the time for a strong forthright voting bill that will end the necessity for voting bills in the future! And I think men of goodwill all over this nation must call upon the Congress of our United States to deal with this problem!

Now is the time for strong legislation to end discrimination in housing. There also must be vigorous enforcement of such legislation! Now is the time for men of goodwill to get together to make it possible for better housing conditions to be brought into being for low-income and middle-income families.

Certainly a great society is ultimately a compassionate society. I submit to you ladies and gentlemen this afternoon, in our nation there are between forty and fifty million people who are poverty stricken. Some ten million families earning less than three thousand dollars a year, and they have from four to five members in these families. These people find themselves perishing on the lonely island of poverty in the midst of a vast ocean of material prosperity and so often we do not see them. Michael Harrington in the book *The Ugly American* calls him 'the invisible fool'. So often these are the people that are forgotten. If we are to be a great nation, we must all be a part of the war on poverty. This is a war in which we cannot afford to have any conscientious objectors! Everybody must join the war against poverty so that all of God's children will be able to have the basic necessities of life. Now is the time to end poverty!

Now is the time to end segregation in the public schools. Young boys and young girls must grow up with world perspectives. Segregation debilitates the segregator as well as the segregated. We must go all out to aid those communities and those school districts which are seriously trying to grapple with the problems of de facto segregation.

Now is the time to deal with all of these legislative problems that will bring about a true climate and bring about real conditions where real brotherhood can emerge. And may I say to you this afternoon, that in doing this we will be preserving the health of our whole nation. Nothing can be more tragic than to build a nation with a large segment of that nation feeling that they have no stake in this society; feeling that they have nothing to lose, and where thousands of people are jobless. Many live in rat infested housing conditions, and they find themselves frustrated day in and day out, constantly fighting against a nagging sense of 'nobodiness'. For them it is often difficult to hear the pleas of nonviolence. These are the people that may rise up because they feel that they have nothing to lose. They see life as nothing but a long and desolate corridor with no exit sign. We have a responsibility to give these people a sense of belonging, a sense of 'sombodiness', and a feeling that they do count!

In the midst of this social change, I will continue, and I can assure you that the civil rights leaders generally will continue to preach a doctrine of nonviolence! We believe firmly that violence creates many more social problems than it solves. And may I say to people all over this nation, that if the Negro succumbs to the temptation of using violence in his struggle, unborn generations will be the recipients of a long and desolate night of bitterness, and our chief legacy to the future will be an endless reign of meaningless chaos.

Reverend
Dr. Martin
Luther
King, Jr.,—
remarks
recitation.

Not substituting one tyranny for another, we will go into the bright tomorrow, not seeking to rise from a position of disadvantage to one of advantage, thereby subverting justice. It is my firm conviction that a doctrine of black supremacy is as dangerous and evil as a doctrine of white supremacy. God is not interested merely in the freedom of brown men, black men, or yellow men, but God is interested in freedom for the whole human race, and the creation of a society where all men will live together as brothers, and where every man will respect the dignity and the worth of human personality. We will work in this way! I believe firmly that we will see that brighter day. May I say to you, that I am convinced that if this problem is to be solved, there must be sort of a divine discontent. As I said earlier, it will not work itself out. And I must also say at this point, that no section of our country can boast of clean hands in the area of brotherhood. There is much to be done all over our nation and in every community.

There are certain technical words within every academic discipline that soon become stereotypes and clichés. Every academic discipline has its technical nomenclature. Modern psychology has a word that is probably used more than any other word in psychology. It is the word 'maladjusted'. Now certainly, we all want to live the well-adjusted life in order to avoid neurotic and schizophrenic personalities. And I say to you this afternoon, my friends, there are some things in our nation and in our world to which I am proud to be maladjusted and to which I call upon all men of goodwill to be maladjusted; to which I call upon the Great Legislature of the Commonwealth of Massachusetts to be maladjusted until the good society is realized. I must honestly say to you that I intend never to become adjusted to segregation and discrimination! I must honestly say that I never intend to adjust myself to economic conditions, and take necessities from the many and to give luxuries to the few, leaving millions of people smothering in an air-tight cage of poverty in the midst of an affluent society.

I must honestly say that I never intend to adjust to the madness of militarism of man's self-defeating effects of physical violence. In a day when Sputniks and the explorers are dashing through outer space, and guided ballistic missiles are carving highways of death through the stratosphere, no nation can win a war. It is no longer a choice between violence and nonviolence. It is either nonviolence or nonexistence! The alternative to disarmament, the alternative to a greater suspension of nuclear tests, the alternative to negotiated settlements, the alternative to strengthening the United Nations and hereby disarming the whole world, may well be a civilization plunged into the abyss of annihilation. And so it may well be that there is need for the formation of a new organization in our world, 'The International Association for the Advancement of Creative Maladjustment.' Men and women who will be as maladjusted as the prophet Amos, who, in the midst of the injustices of his day, could cry out in words that echoed across the centuries, 'Let justice roll down like waters, and righteousness like a mighty stream'; as maladjusted as Abraham Lincoln, who had the vision to see that this nation could not survive 'half slave and half free'; as maladjusted as Thomas Jefferson, who in the midst of an age amazingly

adjusted to slavery, scratched across the pages of history, words lifted to cosmic proportions, 'We hold these truths to be self-evident that all men are created equal, and that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty and the pursuit of happiness.' Yes, as maladjusted as Jesus Christ, who could say, 'Love your enemies, bless them that curse you, pray for them that despitefully use you.' Through such maladjustment we shall be able to emerge from the bleak and desolate midnight of man's inhumanity to man, into the bright and glittering daybreak of freedom and justice.

May I say in conclusion that I still have faith in America, and I still have a deep belief that we will solve this problem. We are developing a coalition of conscience. We are developing a grand alliance that will make it possible in the not-too-distant future to solve this problem. So I have no despair about the future.

Somehow I know that we as Negroes will win our freedom, abused and scorned though we may be. Our destinies are tied up with the destinies of America. Before the pilgrim fathers landed at Plymouth, we were here! Before Jefferson wrote the great words of the Declaration of Independence, we were here! Before the great words of the 'Star Spangled Banner' were written, we were here! For more than two centuries our foreparents worked in this country without wages where they made cotton king. They built a home for their masters in the midst of the most humiliating and oppressive conditions. And yet out of a bottomless vitality, they continued to grow and develop. I am convinced that if the cruelties of slavery could not stop us, the opposition that we now face will surely fail.

Before the victory is won some more may have to go to jail. Before the victory is won some will be scarred up a bit. Before the victory is won, maybe somebody else like the Reverend Reeb of this community will have to face physical death. Physical death is the price that some must pay to free their children and their white brothers from a permanent death of the spirit. Nothing can be more redemptive!

Yes, we shall overcome! We shall overcome! We shall overcome with your help! We shall overcome because the arch of the moral universe is long, but it bends toward justice. We shall overcome because Carlisle is right, 'No lie can live forever.' We shall overcome because William Cullen Bryant is right, 'Truth crushed to earth will rise again.' We shall overcome because James Russell Lowell is right, 'Truth forever on the scaffold, wrong forever on the throne; yet that scaffold sways the future, and behind the dim unknown standeth God within the shadows keeping watch above his own.'

With this faith, we will be able to hew out of the mountain of despair, a stone of hope. With this faith, we will be able to transform the jangling discords of our nation into a beautiful symphony of brotherhood. With this faith, we will be able to speed up the day when all of God's children all over this nation, black men and white men, Jews and Gentiles, Protestants, and Catholics will be able to join hands and sing the words of the old Negro spiritual:— Free at last, free at last, thank God Almighty, we are free at last."

Moment of Silence.

Moment
of silence.

At the request of the President, the members of the Convention, guests and staff stood in a moment of silence and reflection on the address delivered by the Reverend Doctor Martin Luther King, Jr., to the two Houses of the General Court on April 22, 1965.

Closing
song.

Ms. Katie Days led the Convention in performing the song "Lift Every Voice and Sing" by James Weldon Johnson.

Withdrawal
from
Chamber.

His Excellency the Governor, Charles D. Baker then withdrew from the Joint Session, under the escort of the Sergeant-at-Arms.

On motion of Mr. Petruccelli, at twenty-one minutes past two o'clock P.M., the Convention of the Two Branches was dissolved; and the Senate withdrew from the Joint Session, under the escort of the Sergeant-at-Arms.

Called to
order.

At half past four o'clock P.M., the House was called to order with Mrs. Haddad of Somerset in the Chair.

Orders of the Day.

Mrs. Haddad of Somerset being in the Chair,—

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The House Bill making appropriations for the fiscal year 2016 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 3400, amended) (having been reported by the committee on Bills in the Third Reading to be correctly drawn), was read a third time, under suspension of the rules, on motion of Mr. Dempsey of Haverhill.

Pending the question on passing the bill, as amended, to be engrossed, Mr. Jones of North Reading and other members of the House moved to amend it by adding the following section:

"SECTION 78. Section 2 of chapter 6C of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:—

(b) The department shall be governed and its corporate powers exercised by a board of directors. The board shall consist of 11 members appointed by the governor. Eight members shall be appointed for terms of four years, coterminous with that of the governor and three members shall be appointed for three-year terms. The secretary of transportation shall serve ex officio and shall be the chairperson of the board. The remaining 10 members of the board shall include a member or members: with experience in transportation planning and policy, including experience in the finances of transportation planning and policy; experience in the fields of public or private finance; experience in the field of civil engineering; 1 member with municipal government experience in 1 of the 14 cities and towns as defined in section 1 of chapter 161A; 1 member with municipal government experience in 1 of the 51 cities and towns or other served communities as those terms are defined in section 1 of chapter 161A; 1 member with municipal government experience in a city or town served primarily by a regional transit authority; 1 member of organized labor; and not more than 6 of

said members shall be members of the same political party. Any person appointed to fill a vacancy in the office of a member of the board shall be appointed in a like manner and shall serve for only the unexpired term of such former member. Each director shall be eligible for reappointment. Each director shall serve without compensation but may be reimbursed for actual and necessary expenses reasonably incurred in the performance of their duties, including reimbursement for reasonable travel; provided, however, that such reimbursement shall not exceed \$3000 annually.”.

The amendment was adopted.

Mrs. O’Connell of Taunton and other members of the House then moved to amend the bill by adding the following section:

“SECTION 79. Section 22 of chapter 30A of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after subsection (g) the following new subsection:—

(h) The MBTA Retirement Fund shall make accessible publicly on its official website and at no cost to the user the minutes of its board meetings within seven days of the day the meeting is held, except as provided in section 21.”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mrs. O’Connell; and on the roll call 38 members voted in the affirmative and 120 in the negative.

Amendment
rejected,—
yea and nay
No. 35.

[See Yea and Nay No. 35 in Supplement.]

Therefore the amendment was rejected.

Mrs. O’Connell of Taunton and other members of the House then moved to amend the bill by adding the following section:

“SECTION 79. (a) Section 14C of chapter 7 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after the words ‘higher education’ the words ‘the MBTA Retirement Fund’.

(b) Section 14C of chapter 7 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after the words ‘federal assistance’ the sentence ‘For the purposes of this section, recipient shall include any legal entity receiving compensation or a retirement allowance from the MBTA Retirement Fund, including, but not limited to, the MBTA Retirement Fund’s employees, contractors, board members and retirement plan members.’.

(c) Section 14C of chapter 7 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after subsection (h) the following new subsection:— “(h 1/2) (1) The searchable database shall be updated to include the items in subsection (b), if applicable, relative to the MBTA Retirement Fund, as well as: (a) for each employee of the fund and member of the retirement board, their name, title, current salary and total amounts paid each year since 2006 inclusive; (b) for each retiree receiving an allowance from the fund, their name, location, job title at retirement and total amount paid each year since 2006 inclusive; (c) for any other legal or physical person not covered by any other provision of this subsection but receiving payments from the fund, their name, location, capacity in which payment is disbursed, total amount paid each year since 2006 inclusive and a brief explanation. (2) The MBTA Retirement Fund shall provide the

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secretary all information necessary for the secretary to be considered in compliance with this section.”.

After remarks the amendment was rejected.

Representatives O’Connell and Diehl of Whitman then moved to amend the bill by adding the following section:

“SECTION 79. Section 18 of chapter 30A of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting the words ‘and the MBTA Retirement Fund’ after the words:— any part thereof.”.

The amendment was rejected.

Mrs. O’Connell of Taunton and other members of the House then moved to amend the bill by adding the following section:

“SECTION 79. Chapter 3 of the General Laws is hereby amended by inserting after section 38B the following section:

Section 38B½. The committee on ways and means of each branch of the general court shall conduct no less than 6 public hearings on bills referred to them that purport to establish, increase or expand any new or existing taxes or fees. The committees shall give 3 days’ public notice prior to holding such public hearings. Each hearing shall be conducted in a distinct geographical region of the commonwealth.”.

After remarks the amendment was rejected.

Mrs. O’Connell and other members of the House then moved to amend the bill by adding the following section:

“SECTION 79. Section 5A of chapter 30A of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in line 2, the figures ‘12’ and inserting in place thereof the following figure:— 5.”.

After remarks the amendment was rejected.

Mrs. O’Connell of Taunton and other members of the House then moved to amend the bill by adding the following two sections:

“SECTION 79. The fifth paragraph of section 6 of chapter 30A of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— Regulations other than emergency regulations, which are adopted pursuant to sections 2 and 3, shall become effective only 1 year after being published in accordance with this section, or, in the case of any regulation as to which a later effective date is required by any law, or is specified in such regulation by the agency adopting the same, upon such later date or upon 1 year after such publication, whichever last occurs.

SECTION 80. Said fifth paragraph of said section 6 of said chapter 30A, as so appearing, is hereby further amended by adding the following sentences:— During the period between the adoption of, and effective date of, a regulation other than an emergency regulation, the agency enforcing or administering such regulation shall provide information to those businesses or industries affected by the regulation by, either: (i) holding a public hearing, notice of which shall be published at least 14 days prior to the hearing in an appropriate newspaper, trade, industry or professional publication; or (ii) contacting the business or industry directly through mail or electronic mail. Such information shall include, at a minimum, a summary of the regulation, its intended purpose, and its anticipated impact on the business or industry.”.

After remarks the amendment was rejected.

Representatives O’Connell of Taunton and Diehl of Whitman then moved to amend the bill in section 9, in line 93, by adding the following paragraph:

“(e) An audit of the MBTA Ride program shall be conducted by the office of the state auditor. Such audit shall be completed and filed with the house and senate clerks no later than December 1, 2015.”.

After remarks the amendment was rejected.

The same members then moved to amend the bill in section 9, in line 93, by adding the following:

“(e) There is hereby established a commission to research, study and make recommendations to convert The Ride to a broker model. The commission shall consider, but not be limited to, incorporating the recommendations of the 2012 Annual Report of the inspector general, recommendations of the 2010 Annual Report of the inspector general, and the 2011 RIDE Program Review Final Report conducted by Financial Analysis and Control Technology Services LLC.

The commission shall consist of: the secretary of transportation as chair, or a designee; the office of the inspector general or a designee; a board member of the department of transportation; the secretary or administration and finance or a designee; general manager of the Massachusetts Bay Transportation Authority; one member of the house majority party appointed by the speaker; one member of the house minority party appointed by the minority leader; one member of the senate majority party appointed by the senate president; one member of the senate minority party appointed by the senate minority leader; secretary of elder affairs or a designee; a designee of human services transportation; taxicab, limousine, and paratransit association; national federation of independent business; Massachusetts regional transit authority designee; chair of governor’s commission on accessible transportation.

The committee shall commence within two weeks after the effective date of this act. The committee shall submit a final report with the house and senate clerks of its findings and recommendations, together with drafts of legislation necessary to implement said recommendations, to convert The Ride to a broker model on or before January 31, 2016.”.

After remarks the amendment was rejected.

Mr. Diehl of Whitman thereupon asked for a count of the House to ascertain if a quorum was present. A count showed that 111 members were in attendance.

Quorum.

Mr. Dempsey of Haverhill and others members of the House then moved to amend the bill in section 2

In item 0521-0000 by adding the following: “; and, provided further, notwithstanding any general or special law to the contrary, the comptroller is authorized to transfer funds from item 0521-0000 to trust account 0521-0700 when requested by the State Secretary in order to meet federal matching fund requirements”;

Consolidated amendments (constitutional officers, state administration and transportation).

In item 0540-1300 by striking out the figures “499,137” and inserting in place thereof the figures “549,137”;

In item 0610-0010 by adding the following: “; provided, that not less than \$25,000 shall be expended for the Moving Debt to Assets Program for the purpose of providing financial literacy training and support services”; and in said item by striking out the figures “100,000”, and inserting in place thereof the figures “125,000”;

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In item 0640-0300 by striking out the figures “10,000,000” and inserting in place thereof the figures “12,000,000”,

In item 0900-0100 by striking out the figures “1,960,456” and inserting in place thereof the figures “2,010,456”,

In item 0910-0200 by striking out the figures “2,528,783” and inserting in place thereof the figures “2,578,783”,

In item 0910-0220 by striking out the figures “350,000” and inserting in place thereof the figures “400,000”,

In item 0920-0300 by striking out the figures “1,486,196” and inserting in place thereof the figures “1,536,196”,

In item 1102-3199 by adding the following: “; provided further, that, on or before August 30, 2015, the division shall submit to the joint committee on state administration and regulatory oversight, a list of all properties, including, but not limited to, boathouses, skating rinks, land, buildings and athletic fields, that are offered for lease by the commonwealth, and include the agency that has care and custody of each property, the terms of said leases, the lease rates of said leases, the last time the lease was renegotiated, the name of the lessee, the address of the lease, the appraised value of each property, whether the property is occupied, the rate of rent, the name of the entity that maintains the property and the yearly cost of such maintenance and the amount of revenue collected for each property for each of the last 10 years.”,

By inserting after item 1599-1450 the following item:

“1599-1968 For a reserve for the Massachusetts Port Authority to encourage tourism and travel from Israel, the Middle East and Asia to the commonwealth using direct flights to Logan International Airport \$700,000”,

In section 2E, in item 1595-6368, by adding the following: “; provided further, that not less than \$100,000 shall be provided to Berkshire Rides”, and in said item by striking out the figures “409,220,340” and inserting in place thereof the figures “409,320,340”,

By inserting after section 35 the following section:

“SECTION 35A. Section 15 of chapter 85 of the General Laws, as amended by chapter 481 of the acts of 2014, is hereby further amended by adding the following sentence:— A violation of this section shall not be deemed to be a conviction of a moving violation of the motor vehicle laws for the purpose of determining surcharges on motor vehicle insurance premiums pursuant to section 113B of chapter 175.”,

By inserting after section 36 the following two sections:

“SECTION 36A. Section 29 of chapter 93 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after the first sentence the following 2 sentences:— For the purposes of this section, a public park or reservation shall include a parkway under the jurisdiction of the department of conservation and recreation. Such rules and regulations shall require that said billboards, signs, and other advertising devices: (i) shall not be located within 500 feet of a public park or reservation; (ii) shall not obstruct the view of any location listed on the national register of historic places; (iii) shall be restricted on particular premises as necessary to promote the protection of open space; and (iv) shall be limited in number such that no single person may receive a permit, license or other authorization to construct or maintain more than 100.

SECTION 36B. Section 32 of said chapter 93, as so appearing, is hereby amended by inserting after the word ‘way’, in line 6, the following words:— ; provided, however, that sections 29 to 31, inclusive, and section 33 shall apply to the Massachusetts Department of Transportation and the entities under its jurisdiction, including, but not limited to, the Massachusetts Bay Transit Authority.”

By inserting after section 42 the following section:

“SECTION 42A. Paragraph (n) of Section 3 of chapter 161A of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after the word ‘authority’, in line 112, the following words:— ; provided, that outdoor advertisements shall be subject to local zoning and approval”, and

By inserting before section 73C (inserted by amendment) the following section:

“SECTION 73D. Section 35A shall take effect as of April 7, 2015.”.

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Kocot of Northampton; and on the roll call 157 members voted in the affirmative and 0 in the negative.

Consolidated amendments adopted,— yea and nay No. 36.

[See Yea and Nay No. 36 in Supplement.]

Therefore the consolidated amendments (constitutional officers, state administration and transportation) were adopted.

At eleven minutes before six o’clock P.M., the Chair (Mrs. Haddad of Somerset) declared a recess until seven o’clock P.M.; and at twenty minutes after seven o’clock the House was called to order with Mr. Donato of Medford in the Chair.

Recess.

Mr. Mariano of Quincy moved to amend the bill by adding the following section:

“SECTION 79. Section 18 of chapter 6D is hereby amended by adding the following sentence at the end thereof:—

The commission shall keep confidential all non-public clinical, financial, strategic or operational documents or information provided or reported to the commission in connection with any care delivery or quality improvement process or performance improvement plan activities authorized under sections 7, 10, 14 or 15 of this chapter or under section 2GGGG of chapter 29 and shall not disclose the information or documents to any person without the consent of the payer or provider providing or reporting the information or documents under said sections, except in summary form in evaluative reports of such activities or when the commission believes that such disclosure should be made in the public interest after taking into account any privacy, trade secret or anticompetitive considerations. The confidential information and documents shall not be public records and shall be exempt from disclosure under clause Twenty sixth of section 7 of chapter 4 or section 10 of chapter 66.”.

The amendment was adopted.

Mr. Hecht of Watertown and other members of the House then moved to amend the bill by adding the following section:

“SECTION 80. The division of capital asset management and maintenance shall carry out a study of the Greene Pool at the Fernald Center in the city of Waltham. The study shall determine the financial, management, legal, and other measures necessary to ensure the long-term viability of the Greene Pool as a therapeutic pool for persons with

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disabilities. In carrying out the study, the division shall coordinate with and seek input from the department of developmental services, the city of Waltham, and organizations and individuals currently utilizing the Greene Pool. The division shall complete the study and issue a report containing its findings and recommendations by no later than December 31, 2015. While the study is being carried out and through June 30, 2016, the division and the department of developmental services shall maintain the current level of service and hours of operation at the Greene Pool.”

The amendment was adopted.

Ms. Fox of Boston then moved to amend the bill by adding the following section:

“SECTION 81. Section 1 of chapter 443 of the acts of 1990, as amended by chapter 296 of the acts of 1995, is hereby amended by striking out the fourth paragraph and inserting in place thereof the following paragraph:—

The ‘Roxbury Trust Fund Committee’ shall mean a committee with a size, membership, and term length determined by the Trustees in accordance with the Declaration of Trust of the Roxbury Trust Fund Committee Trust (the ‘Trust’), as may be amended from time to time by at least a majority of the Trustees, except that such membership shall include, as ex officio Trustees, the sitting State Senator of the district or his or her designee, and the sitting State Representatives of the district or their respective designees. The ex officio Trustees shall be eligible to vote on amendments to the aforementioned Declaration of Trust, but shall be non-voting Trustees for all other purposes. The Roxbury Trust Fund Committee shall not be prohibited (i) from exercising at any time or times all powers necessary to carry out the purposes of the Trust, such purposes include operating for any charitable, scientific, literary, or educational purpose, nor (ii) from raising, collecting, and expending funds, property, or other assets necessary to support or sustain such purposes.”

The amendment was adopted.

Mr. Golden of Lowell then moved to amend the bill by inserting after section 41 the following two sections:

“SECTION 41A. Section 8 of chapter 118E of the General Laws is hereby amended by inserting after the definition of ‘executive office’ the following definition:—

b¼. ‘Fiduciary’, a personal representative or trustee to whom power or property has been formally entrusted for the benefit of another, including, but not limited to, an executor, administrator, successor personal representative, special administrator, or a person performing substantially the same function.

SECTION 41B. Section 15 of chapter 118E of the General Laws is hereby amended by inserting after paragraph 4, the following paragraph:—

Any person who acts as a fiduciary for a person eligible for assistance and who fails to provide the first 60 dollars of monthly income or to pay for the amount of income that a resident is required to contribute for their care as established by Medicaid shall be liable for such financial loss.”

The amendment was adopted.

Mrs. O'Connell of Taunton then moved to amend the bill by adding the following section:

“SECTION 82. Section 101A of chapter 41 is hereby amended by striking out the last sentence and inserting in place thereof the following 3 sentences:— Any employee found to be in violation of this section shall be offered an opportunity to enter a smoking cessation program prior to termination. The personnel administrator shall promulgate regulations for the implementation of this section. Nothing in this section shall preclude the personnel administrator from continuing smoking cessation programs, not detailed in this section, that are currently in practice.”

After remarks the amendment was rejected.

Mr. Speliotis of Danvers then moved to amend the bill by adding the following section:

“SECTION 82. The first sentence of Section 13 of Chapter 463 of the Acts of 2004 as amended by Chapter 130 of the Acts of 2010 and Chapter 95 of the Acts of 2014 is hereby amended by striking out the words ‘July 1, 2015’ and inserting the following:— ‘July 1, 2016’.

And further, the second sentence of said Section 13 is hereby amended by striking out the words ‘July 1, 2015’ and inserting the following:— July 1, 2016.”

The amendment was adopted.

Mr. Puppolo of Springfield then moved to amend the bill by adding the following section:

“SECTION 83. (A) Subsection (a) of section 22 of Chapter 186 of the General Laws is hereby amended by striking the definition, ‘water company’, and replacing it with the following new definition:— ‘water company’, a company, as defined in section 1 of chapter 165 or a municipal utility or any other waterworks system owned, leased, maintained, operated, managed or controlled by any unit of local government under any general or special law, which company, utility or system supplies water to a landlord through metered measurement. Water company shall also include companies that lease, operate, maintain, treat, monitor and/or test private septic systems or private water wells. Any landlord imposing charges on tenants or otherwise engaging in any activity permitted under this section shall not be deemed thereby to be functioning as a water company as defined herein or to be subject to any laws or regulations regulating any such company. (B) Subsection (c) of said section 22 of Chapter 186 is hereby amended by inserting at the end thereof the following:— If a landlord who is not the original owner when submetering began cannot locate the original certificate after a good faith effort he may verify such certification by filing a new form prior to January 1, 2017 and such certification shall apply as though it was obtained prior to the installation of the submeters. Any landlord that purchases a building shall have one year after the date of purchase to obtain verification of such certification (which, if an original certificate cannot be located after a good faith effort, may be done by filing a new form) and such certification shall apply as though it was obtained prior to the installation of the submeters. (C) Subsection (g) of said section 22 of Chapter 186 is hereby amended by striking said section and replacing it with the following:— (g) A landlord shall determine a calculated cost per unit of

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water consumption by dividing the total amount of any bill or invoice provided to the landlord from the water company for water usage, the customer service charge and taxes, but not including any interest for the late payment, penalty fees or other discretionary assessments or charges, for all water provided to the premises through the water company meter in that billing period, by the total amount of water consumption for the entire premises. The total amount charged separately to each submetered dwelling unit for water usage for any billing period shall not exceed such calculated cost per unit of water multiplied by the number of units of water delivered exclusively to the particular dwelling unit for the same billing period, provided that the landlord has verified that the total costs of water usage billed to all dwelling units does not exceed the total costs of water usage charged by the water company to the landlord for the same period. In the event that a submeter read is not available, the landlord may estimate the dwelling unit consumption for no more than three consecutive months and at a consumption level no higher than 70% of the lesser of (1) the current resident's average historical consumption; or (2) the average historical consumption of all dwelling units during the prior twelve months.”

The amendment was adopted.

Mrs. O'Connell of Taunton then moved to amend the bill by adding the following three sections:

“SECTION 84. Section 152A of chapter 149 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the word ‘responsibility’, in line 8, the following words:— ; provided, however, that a supervisor in a quick service restaurant who serves patrons or customers and whose job duties do not qualify him or her as an employee employed in a bona fide executive capacity as defined in 29 C.F.R. §§541.100 (a)(2)-(4)et seq., shall qualify as a wait staff employee for purposes of this section.

SECTION 85. Said section 152A of said chapter 149, as so appearing, is hereby further amended by inserting after the definition ‘Patron’ the following definition:—

‘Quick service restaurant’, an establishment selling food or beverages where products are served to patrons primarily over a sales counter or a drive up window sales point, where there is minimal or no direct service to patrons seated at tables, and where employees are paid at least the minimum required hourly wage for non-service employees pursuant to Chapter 151.

SECTION 86. Nothing in this chapter shall prohibit an employer from establishing a policy prohibiting the acceptance of gratuities.”

After remarks the amendment was rejected.

Mrs. O'Connell and other members of the House then moved to amend the bill by adding the following section:

“SECTION 84. Paragraph (a) of Section 148B of Chapter 149 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out paragraph (a) and inserting in place thereof the following paragraph:—

(a) (1) any person performing services for a contractor shall be classified as an employee unless the person is a separate business entity under subparagraph (2) of this section or all of the following criteria are met, in which case the person shall be an independent contractor:

(a) the person is free from control and direction in performing the job, both under the contract and in fact;

(b) the service is performed outside the usual course of business of the contractor for which the service is performed; and

(c) the person is customarily engaged in an independently established trade, occupation, profession, or business that is similar to the service at issue.

(2) a business entity, including any sole proprietor, partnership, corporation or entity that may be a contractor under this section shall be considered a separate business entity from the contractor where all the following criteria are met:

(a) the business entity is performing the service free from the direction or control over the means and manner of providing the service, subject only to the right of the contractor for whom the service is provided to specify the desired result;

(b) the business entity is not subject to cancellation or destruction upon severance of the relationship with the contractor;

(c) the business entity has a substantial investment of capital or education or experience or knowledge in the business entity beyond ordinary tools and equipment and a personal vehicle;

(d) the business entity owns the capital goods and gains the profits and bears the losses of the business entity;

(e) the business entity makes its services available to the general public or the business community on a continuing basis;

(f) the business entity includes services rendered on a federal income tax schedule as an independent business or profession;

(g) the business entity performs services for the contractor under the business entity's name;

(h) when the services being provided require a license or permit, the business entity obtains and pays for the license or permit in the business entity's name;

(i) the business entity furnishes the tools and equipment necessary to provide the service;

(j) if necessary, the business entity hires its own employees without contractor approval, pays the employees without reimbursement from the contractor and reports the employees' income to the internal revenue service;

(k) the contractor does not represent the business entity as an employee of the contractor to its customers; and

(l) the business entity has the right to perform similar services for others on whatever basis and whenever it chooses."

After remarks the amendment was rejected.

Mr. Murphy of Weymouth then moved to amend the bill by adding the following section:

"SECTION 84. Chapter 32, section 23b of the General Laws, as appearing in the 2012 official edition, is hereby amended in line 233 of section (k), subsection (6), paragraph (i), by striking out the figure '5' and inserting in place thereof the figure:— 10."

The amendment was adopted.

Ms. Cole of Peabody and other members of the House then moved to amend the bill by adding the following section:

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“SECTION 85. There shall be a commission which shall study the feasibility of a live time database which cross references license suspensions through the registry of motor vehicles and taxi driver licenses. The commission shall consist of 11 members, 1 of whom shall be appointed by the governor, 1 of whom shall be the registrar of the registry of motor vehicles or a designee, 1 of whom shall be a chief of police appointed by the governor, 3 of whom shall be members of the senate with 2 being appointed by the senate president and 1 being appointed by the senate minority leader, 3 of whom shall be members of the house of representatives with 2 being appointed by the House Speaker and 1 being appointed by the house minority leader, 1 of whom shall be the attorney general or a designee, and 1 of whom shall be from the Boston Taxi Drivers Association. The commission shall make its report and recommendations together with legislation to implement those recommendations by filing the same with the clerks of the Senate and House not later than July 31, 2016.”.

After remarks the amendment was rejected.

Mr. Ryan of Boston and other members of the House then moved to amend the bill by adding the following section:

“SECTION 85. There shall be a special commission to investigate and study the broader impacts relating to safety, security and costs to taxpayers of the structure for providing subcontracted passenger services at Logan International Airport; the impact of these low wage jobs on children, families and communities; and the cost to Massachusetts taxpayers caused by the impact of these low wage jobs on the local economy. The commission shall consist of: 3 members of the house of representatives, 2 of whom shall be house members designated by the Speaker of the House, 1 of whom shall serve as co-chair, and 1 of whom shall be a member of the minority party appointed by the minority leader; 3 members of the senate, 2 of whom shall be senate members designated by the Senate President, 1 whom shall serve as co-chair, and 1 of whom shall be a member of the minority party appointed by the minority leader; the Attorney General or her designee; the Chief Executive Officer of Massport or his designee; the Commissioner of Public Health or his or her designee; the Mayor of Boston or his designee; 2 designees of the Attorney General, 1 of which shall be an officer of a union that represents or seeks to represent passenger services workers; and 2 persons to be appointed by the Governor, 1 of whom shall be homelessness or children’s advocacy or service organization. The co-chairs shall convene the organizational session of the commission not later than 60 days after the effective date of this act.

The special commission shall study the impact of low wage passenger services jobs at Logan International Airport. In its investigation and study, the commission shall include, but not be limited to, determining: (i) the wages and benefits received by passenger services workers at Logan International Airport; (ii) the demographics of passenger services workers at Logan International Airport; (iii) the level of reliance of passenger services workers at Logan International Airport on various forms of public assistance, including health insurance; (iv) the neighborhoods in which passenger services workers live; (v) the level of housing security and risk of homelessness of passenger services workers; (vi) the

rate of turnover of passenger services workers at Logan International Airport; (vii) the costs and impacts – including to public health and security-associated with high employee turnover; (viii) best practices in airports and businesses for reducing employee turnover and raising quality standards; (ix) the costs to the taxpayers as a result of low wage jobs at Logan International Airport.

The special commission shall conduct no less than two public hearings to gather information. The co-chairs may provide staff and other resources to the commission as they consider appropriate. The commission shall file its final report and recommendations, if any, and drafts of legislation necessary to implement the recommendations with the joint committee on transportation and the joint committee on public health not later than December 31, 2015.”.

The amendment was adopted.

Mr. Moran of Boston then moved to amend the bill by adding the following section:

“SECTION 86. Section 87RR of chapter 112 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting, in line 15, at the beginning of the sentence, the following:— Notwithstanding the provisions of any general or special law to the contrary.”.

The amendment was adopted.

Mr. Diehl of Whitman then moved to amend the bill by adding the following section:

“SECTION 87. (a) Notwithstanding any general or special law to the contrary, and except as provided in subsection (b), no state agency, authority, or other entity created by the General Court, shall expend any state funds, incur any liability, indebtedness or obligation, directly or indirectly, by guaranty, indemnification agreement, bond undertaking or otherwise to procure, host, aid, further or remediate the effects of, the 2024 Olympics.

(b) Because efficient transportation is essential to the economy of the state, and because efficient transportation is essential to the success of the 2024 Olympics, nothing in this section shall prevent any state agency, authority, or other entity created by the General Court, from spending state funds, incurring liabilities and obligations, or entering into other agreements for the purpose of the repair, maintenance, construction and operation of the state’s transportation system including, without limitation, roads, bridges, tunnels, rail lines, buses, boats and other means of transportation, even if such expenditures may also facilitate procuring, hosting, aiding, furthering, or remediating the effects of, the 2024 Olympics.

(c) Nothing in this section shall prohibit any state agency, authority, or other entity created by the General Court, from expending the proceeds of, or servicing the debt created by, bonds authorized and issued, or performing contracts entered into, before the effective date of this section, even if they relate to procuring, hosting, aiding, furthering or remediating the effects of the 2024 Olympics.

(d) The term ‘authority,’ as used in this section, shall have the meaning given to it in section 39 of chapter 3 of the General Laws.”.

After remarks the amendment was rejected.

Recess.

Recess.

At twenty-six minutes before nine o'clock P.M. (Monday, April 27, 2015), on motion of Mr. Mariano of Quincy (Mr. Donato of Medford being in the Chair), the House recessed until the following day at ten o'clock A.M.; and at two minutes after ten o'clock A.M., the House was called to order with Mr. Donato in the Chair.

Tuesday, April 28, 2015 (at 10:02 o'clock A.M.).

Pledge of allegiance.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Communication from Representative Naughton of Clinton.

The following communication was read; and spread upon the records of the House, as follows:

28 April 2015.

Steven T. James, *House Clerk*
State House, Room 145
Boston, MA 02133

Dear Mr. Clerk:

Representative Edward Connolly Legislative Veterans' Caucus.

On this day, April 28, 2015, members of the House of Representatives who also served as members of the U.S. Armed Forces met to form a legislative veterans' caucus. It was decided upon by the group to name the caucus the "Representative Edward Connolly Legislative Veterans' Caucus" in honor of the former Everett legislator.

I respectfully request that this formation be accepted and acknowledged by the House of Representatives. If you have any questions, please do not hesitate to contact my office.

Sincerely,

HAROLD P. NAUGHTON, JR.,
*State Representative, 12th Worcester District,
House Chairman, Joint Committee on
Public Safety and Homeland Security.*

Guests of the House.

Alosha O'Brien and Craig Welton.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced from Best Buddies Massachusetts, Alosha O'Brien and Craig Welton, the Executive Director. The Chair then congratulated Mr. Welton on recently completing the Boston Marathon. They were the guests of Messrs. Donato, Garballey of Arlington and Timilty of Milton.

Resolutions.

Patsy Valcour.

Resolutions (filed with the Clerk by Mr. Hill of Ipswich) recognizing Patsy Valcour after twenty-one years of dedicated service to the Ipswich Council on Aging, were referred, under Rule 85, to the committee on Rules.

Mr. Galvin of Canton, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Hill, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communication.

A communication from the Dukes County Registry of Deeds (pursuant to Section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditure of technological improvements from the County Registers Technological Fund [copies of said report forwarded to the committee on Ways and Means and committee on Post Audit and Oversight], was placed on file.

Dukes County
Registry of
Deeds,—
technology
funds.

Petition.

By Mr. Kuros of Uxbridge, a petition (subject to Joint Rule 12) of Kevin J. Kuros and Ryan C. Fattman for legislation to establish a sick leave bank for Cecile Ferrie, an employee of the Department of Correction; and the same was referred, under Rule 24, to the committee on Rules.

Cecile
Ferrie,—
sick leave.

Reports of Committees.

By Mr. Murphy of Weymouth, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Susan Comeau an employee of Massachusetts Rehabilitation Commission (House, No. 3346). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Susan
Comeau,—
sick leave.

Mr. Nangle of Lowell, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the town of Greenfield to grant an additional license for the sale of all alcohol [sic] beverages to be drunk on the premises (House, No. 3186) [Local Approval Received], be scheduled for consideration by the House.

Greenfield,—
alcoholic
beverages.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time; and it was ordered to a third reading.

Engrossed Bill.

The engrossed Bill exempting the police department in the town of Burlington from the civil service law (see House, No. 3188, changed and amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

The Senate Bill relative to sewer commissioners in the town of Wareham (Senate, No. 34, amended) (reported by the committee on Bills in the Third Reading to be correctly drawn), was read a third time, under suspension of the rules, on motion of Ms. Gifford of Wareham.

Wareham,—
sewer
commissioners.

Wareham,—
sewer
commissioners.

Pending the question on passing the bill to be engrossed, in concurrence, the same member moved to amend it by striking out section 5 and inserting in place thereof the following three sections:

SECTION 5. Chapter 258 of the Acts of 1938 is hereby repealed.

SECTION 6. Section 5 shall take effect as of May 22, 2014.

SECTION 7. Sections 1 to 4, inclusive, shall take effect upon passage.”.

The amendment was adopted; and the bill (Senate, No. 34, amended) was passed to be engrossed. Sent to the Senate for concurrence in the amendment.

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The House Bill making appropriations for the fiscal year 2016 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 3400, amended), was considered.

Pending the question on passing the bill, as amended, to be engrossed, Mr. Frost of Auburn moved to amend it by adding the following section:

“SECTION 87. Silent Spring Institute shall be expended \$254,000 for water quality research to detect hormone disruptors, carcinogens, and other water contaminants across the Commonwealth of Massachusetts, subject to the appropriation of the University of Massachusetts Dartmouth.”.

After remarks the amendment was rejected.

Mr. Dempsey of Haverhill and others members of the House then moved to amend the bill in section 2

Consolidated
amendments
(energy and
environmental
affairs).

In item 2000-0100 by adding the following: “; provided, that not less than \$100,000 shall be expended for a carbon sequestration program in West Springfield”, and in said item by striking out the figures “6,211,774” and inserting in place thereof the figures “6,311,774”,

In item 2210-0106, in line 11, by inserting after the following: “chapter 211” the following: “; provided further, that not less than \$1,629,860 from this item shall be made available for the operation of the toxics use reduction institute program at the University of Massachusetts at Lowell; provided further, that the department shall enter into an interagency service agreement with the University of Massachusetts to make such funding available for this purpose; provided further, that not less than \$644,096 from this item shall be made available for toxics use reduction technical assistance and technology in accordance with said chapter 211; provided further, that the department shall enter into an interagency service agreement with the executive office for energy and environmental affairs to make such funding available for this purpose”,

In item 2310-0200 by striking out the figures “14,311,692” and inserting in place thereof the figures “14,411,692”,

In item 2330-0100, in line 10, by inserting after the word “fisheries” the following: “; provided further, that not less than \$83,400 shall be expended for a Great Marsh green crab trapping program; provided further, that not less than \$175,000 shall be expended for shellfish propagation in Barnstable, Dukes and Nantucket counties to be administered jointly by the director of marine fisheries and counties; provided further, that not less than \$450,000 shall be expended for a program of collaborative research by the Division of Marine Fisheries through the Marine Fisheries Institute, in collaboration with the School for Marine

Science and Technology at the University of Massachusetts Dartmouth, that applies innovative technology to assess the biomass of fish, in the region managed by the New England Fishery Management Council; provided further, that not less than \$50,000 shall be expended for programs at the Fishing Academy, Inc., for young people in greater Boston”, and in said item by striking out the figures “5,629,196” and inserting in place thereof the figures “6,387,596”.

In item 2511-0100 by adding the following: “; provided, that not less than \$120,000 shall be expended for the Massachusetts Farm to School Project; provided further, that not less than \$80,000 shall be expended for the apiary inspection program; provided further, that not less than \$200,000 shall be expended for the cost of any and all products, equipment, and labor associated with the eradication of the arbovirus, as well as the cost of any other type of pesticide or agent, in order to prevent the spread of eastern equine encephalitis and west nile virus in Bristol and Plymouth Counties; provided further, that not less than \$300,000 shall be expended to enhance the buy local effort in western, central, northeastern and southern Massachusetts; and provided further, that not less than \$40,000 shall be expended for the establishment and administration of a City Fruit Initiative within the New Bedford region to help tree owners grow healthy fruit, provide assistance in harvesting and preserving fruit, promote the sharing of extra fruit and work to protect urban fruit trees”, and in said item by striking out the figures “5,199,798” and inserting in place thereof the figures “5,939,798”.

In item 2511-0105, in line 7, by inserting after the word “herein” the following: “; provided further, that not less than \$50,000 shall be expended for Food for the World Inc.; provided further, that not less than \$110,000 shall be expended for the operation of the city of Cambridge’s Weekend Backpack Project for Food Assistance”, and in said item by striking out the figures “16,000,000” and inserting in place thereof the figures “16,160,000”.

In item 2800-0101, in line 7, by inserting after the word “Laws” the following: “; provided further, that not less than \$50,000 shall be expended for a flood mitigation study in Peabody”, and in said item by striking out the figures “1,025,688” and inserting in place thereof the figures “1,075,688”.

In item 2800-0500 by adding the following: “; provided, that not less than \$700,000 shall be expended for the Metropolitan Beaches in Lynn, Nahant, Revere, Winthrop, East Boston, South Boston, Dorchester, Quincy and Hull to be fully maintained and seasonally staffed as recommended by the Metropolitan Beaches Commission in coordination with the department of conservation and recreation; and provided further, that not less than \$190,000 shall be expended for matching grants to public and nonpublic entities to support free public events and programs on the metropolitan beaches as part of Save the Harbor/Save the Bay’s Better Beaches Grants Program as recommended by the Metropolitan Beaches Commission”, and in said item by striking out the figures “1,000,000” and inserting in place thereof the figures “1,190,000”.

In item 2810-0100, in line 16, by inserting after the word “item” the following: “; provided further, that not less than \$100,000 more than the amount appropriated in item 7008-0900 of section 2 of chapter 165

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of the acts of 2014 to the town of Methuen shall be expended for renovations at Nicholson Stadium in Methuen; provided further, that not less than \$138,000 shall be expended for the Charles River Conservancy to complete the environmental remediation of a portion of the Lynch Family Skatepark known as the apron in Cambridge; provided further, that not less than \$100,000 shall be expended for a feasibility study to develop a canoe launch, walking paths and hiking trails in Dedham public parks and open space areas including, but not limited to, historic Wigwam Pond; provided further, that not less than \$50,000 shall be expended for open space improvements in Lowell; provided further, that not less than \$50,000 shall be expended for the Central Plymouth County Water District Commission for the improvement and management of lakes and ponds in said district; provided further, that not less than \$50,000 shall be expended for the cleanup of *Pilayella* algae in Lynn; provided further, that not less than \$30,000 shall be expended for the maintenance of Red Rock Park in Lynn; provided further, that not less than \$88,000 shall be expended for a grant to the City of Newton Parks and Recreation Department for the purpose of protecting and preserving the water quality of Crystal Lake; provided further, that not less than \$100,000 shall be expended for the long term care and maintenance of Whitman's Pond in Weymouth; provided further, that not less than \$350,000 shall be expended for the purposes of aquatic invasive species control; provided further, that not less than \$50,000 shall be expended for the Blue Hills Trailside Museum; provided further, that not less than \$100,000 shall be expended for the operation of the Blue Hills Observatory and Science Center; provided further, that not less than \$75,000 shall be expended for the Let's Row Boston program administered by Community Rowing, Inc. of Boston; provided further, that not less than \$50,000 more than the amount appropriated in item 8000-0600 of section 2 of chapter 165 of the acts of 2014 to the town of Ludlow shall be expended for the public riverwalk at Ludlow Mills for the installation of riverwalk pedestrian safety improvements and required historical signage; provided further, that said public improvements include LED energy efficient safety lighting, riverwalk furnishings and required historical interpretive signage, all of which have been designed, permitted and approved by the Town of Ludlow; provided further, that not less than \$35,000 shall be expended for the development and maintenance of a community garden along the MBTA commuter rail and subway tracks in Malden; provided further, that not less than \$35,000 shall be expended for the Mystic River Master Plan; provided further, that not less than \$35,000 shall be expended for the City of Brockton Parks Department to renovate McKinley Playground; provided further, that not less than 62.5 percent of the amount appropriated in item 2810-0100 of section 2 of chapter 38 of the acts of 2013 for open space improvements in Lowell shall be expended for public safety and open space improvements to parks in Lowell; provided further, that not less than \$50,000 shall be expended for tree replanting in Worcester; provided further, that not less than \$50,000 shall be expended for athletic field improvements in Millis; provided further, that not less than \$100,000 shall be expended for a playground project in Littleton; provided further, that not less than \$40,000 shall be expended for facility repairs at Berry Pond in the Harold Parker

State Forest; provided further, that not less than \$100,000 shall be expended for a feasibility study for a community path in Belmont; provided further, that not less than \$25,000 shall be expended by the town of Douglas for the operation of Douglas State Park; provided further, that not less than \$50,000 shall be expended for Plum Island operated by the city of Newburyport; provided further, that not less than \$75,000 shall be expended by the MNF Wastewater District for the design of the MNF Wastewater Treatment Plant; provided further, that not less than \$50,000 shall be expended for improvements of facilities and the revitalization of Coes Pond Beach, also known as the John J. Binienda Memorial Beach, in Worcester; provided further, that not less than \$25,000 shall be expended for a new children's playground and basketball court at Parallel Park in Arlington; provided further, that not less than \$25,000 shall be expended for improvements to the Summer Street Field and its spectator stands in Arlington", and in said item by striking out the figures "41,268,533" and inserting in place thereof the figures "44,019,533".

By inserting after section 3 the following section:

"SECTION 3A. Section 70 of chapter 3 of the General Laws, as inserted by section 6 of chapter 165 of the acts of 2014, is hereby amended by striking out said section 70 and inserting in place thereof the following section:—

Section 70. (a) There shall be a permanent commission on the future of the metropolitan beaches to consist of: (i) 5 members of the senate that shall be appointed by the senate president, 1 of whom shall serve as co-chair and 1 of whom shall be the minority leader or a designee. (ii) 7 members of the house of representatives appointed by the speaker of the house, 1 of whom shall serve as co-chair and 1 of whom shall be the minority leader or a designee; (iii) 1 member who shall be appointed by the governor or the secretary of energy and environmental affairs or a designee and 1 member who shall be appointed by the commissioner of the department of conservation and recreation or a designee. (iv) the commission will also include 1 member from the metropolitan beach communities of Lynn who shall be appointed by the mayor, Nahant who shall be appointed by the town manager, Revere, who shall be appointed by the mayor, Winthrop, who shall be appointed by the town manager, Quincy, who shall be appointed by the mayor, and Hull, who shall be appointed by the town manager, and 1 member from the East Boston section of the city of Boston, the Dorchester section of the city of Boston and the South Boston section of the city of Boston who shall be appointed by the Mayor of the city of Boston; (v) In addition the commission co-chairs will appoint 4 members to represent Greater Boston's philanthropic, non-profit, business and academic communities.

The commission shall conduct an annual review of the state of the metropolitan beaches which shall include a comprehensive study examining the existing maintenance, operational and infrastructure needs for those beaches including, but not limited to, any security and capital-intensive repairs necessary to ensure future recreational use of those beaches. The commission shall also examine best management practices and funding alternatives for each beach including, but not limited to, public-private partnerships, nonprofit entities and other

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financial means that shall ensure access, quality recreational activities, programming and improved water quality and beautification efforts at those beaches. The commission shall also analyze and make recommendations on alternatives and methods to improve access from metropolitan beaches to the Boston Harbor islands.

(b) For the purposes of this section, ‘metropolitan beaches’ shall include, but not be limited to: (i) Nahant beach in the town of Nahant; (ii) Red Rock park, Kings beach and Lynn beach in the city of Lynn; (iii) Revere beach and Short beach in the city of Revere; (iv) Winthrop beach in the town of Winthrop; (v) Constitution beach, Carson beach, City Point beach, M Street beach, Pleasure Bay, Malibu beach, Savin Hill beach, and Tenean beach in the city of Boston; (vi) Wollaston beach and Squantum Point park in the city of Quincy, and (vii) Nantasket beach in the town of Hull.

(c) The commission shall hold annual hearings within close proximity to Boston Harbor beaches to solicit testimony from interested stakeholders including, but not limited to: (i) the executive office of energy and environmental affairs; (ii) the department of conservation and recreation; (iii) the Massachusetts Water Resources Authority; (iv) the Massachusetts Port Authority; (v) the Massachusetts Bay Transportation Authority; (vi) the Boston Harbor Association, Inc.; (vii) the Boston Harbor Island Alliance, Inc.; (viii) Save The Harbor, Save The Bay, Inc.; (ix) local municipalities; (x) nonprofit organizations; (xi) friends’ groups; and (xii) business and community leaders.

(d) The commission shall file a report containing its recommendations with the clerks of the senate and house of representatives and the senate and house chairs of the joint committee on the environment, natural resources and agriculture annually”.

By inserting after section 47 the following section:

“SECTION 47A. Section 144 of chapter 122 of the acts of 2006 is hereby amended by striking out, in lines 4 to 6, inclusive, the words:— provided, however, that no waiver or exemption shall be granted without the written approval of the secretary of administration and finance.”.

By inserting after section 69 the following section:

“SECTION 69A. There shall be a task force convened to review the existing interconnection standards for distributed generation and circuit capacity as a part of the interconnection process in solar panel installation in the commonwealth. The task force shall consist of 7 members: 1 appointee to be chosen by the speaker of the house of representatives, who shall serve as co-chair; 1 appointee to be chosen by the president of the senate, who shall serve as co-chair; the secretary of the executive office of energy and environmental affairs, or a designee; and 1 representative to be chosen by the co-chairs from each of the following: the distribution utilities; the solar industry developers; the department of public utilities; and the president of the Massachusetts Clean Energy Center, or a designee. The task force may include any additional persons deemed necessary.

The review of the task force shall include, but not be limited to: (1) the proper protocols for the interconnection process to ensure reliability and safety of the electric grid; (2) guidelines for the department of public utilities’ interconnection tariffs; (3) recommendations for who shall contribute to the fiscal impact of infrastructure investment updates;

and (4) the ways in which the circuit capacity cap may be increased in order to accommodate additional interconnected distributed generation.

The task force shall report its findings and recommendations to the general court, along with any draft legislation necessary to carry its recommendation into effect, by filing the report with the clerks of the senate and house of representatives who shall forward the same to the chairs of the joint committee on telecommunications, utilities and energy, and the chairs of the senate and house committees on ways and means not later than October 1, 2015.”

After remarks on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 159 members voted in the affirmative and 0 in the negative.

Consolidated
amendments
adopted,—
yea and nay
No. 37.

[See Yea and Nay No. 37 in Supplement.]

Therefore the consolidated amendments (energy and environmental affairs) were adopted.

Mr. Madden of Nantucket then moved to amend the bill by inserting after section 51 the following section:

“SECTION 51A. Notwithstanding any general or special law to the contrary, neither the aeronautic commission, nor the airport commission, having the custody, care and management of Martha’s Vineyard airport, shall in any way interfere with the rights of the county commissioners of Dukes county to appoint airport commissioners at the expiration of a term or upon a vacancy, pursuant to sections 39G and 51E of said chapter 90 of the General Laws. This section shall not be construed to authorize a reorganization of the airport commission.”

The amendment was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following five sections:

“SECTION 87. Section 27 of chapter 149 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:—

Any employee claiming to be aggrieved by a violation of this section may, at the expiration of 90 days after the filing of a complaint with the attorney general, or sooner if the attorney general assents in writing, and within 3 years after the said violation, institute and prosecute in his own name and on his own behalf, or for himself and for others similarly situated, a civil action for injunctive relief, for any damages incurred, and for any loss of wages and other benefits. Any employee so aggrieved and who prevails in such an action shall, if said violation be willful, be awarded triple damages, as liquidated damages, for any loss of wages and other benefits; and the employee shall also be awarded the costs of the litigation and reasonable attorneys’ fees; provided, further, that any employee so aggrieved and who prevails in such an action if said violation is not willful, shall be awarded damages as determined by the court for any loss of wages and other benefits; and the employee may also be awarded the costs of the litigation and reasonable attorneys’ fees.

SECTION 88. Section 27F of said chapter 149, as so appearing, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:—

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Any employee claiming to be aggrieved by a violation of this section may, at the expiration of 90 days after the filing of a complaint with the attorney general, or sooner if the attorney general assents in writing, and within 3 years after the said violation, institute and prosecute in his own name and on his own behalf, or for himself and for others similarly situated, a civil action for injunctive relief, for any damages incurred, and for any loss of wages and other benefits. Any employee so aggrieved and who prevails in such an action shall, if said violation be willful, be awarded triple damages, as liquidated damages, for any loss of wages and other benefits; and the employee shall also be awarded the costs of the litigation and reasonable attorneys' fees; provided, further, that any employee so aggrieved and who prevails in such an action if said violation is not willful, shall be awarded damages as determined by the court for any loss of wages and other benefits; and the employee may also be awarded the costs of the litigation and reasonable attorneys' fees.

SECTION 89. Section 27G of said chapter 149, as so appearing, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:—

Any employee claiming to be aggrieved by a violation of this section may, at the expiration of 90 days after the filing of a complaint with the attorney general, or sooner if the attorney general assents in writing, and within 3 years after the said violation, institute and prosecute in his own name and on his own behalf, or for himself and for others similarly situated, a civil action for injunctive relief, for any damages incurred, and for any loss of wages and other benefits. Any employee so aggrieved and who prevails in such an action shall, if said violation be willful, be awarded triple damages, as liquidated damages, for any loss of wages and other benefits; and the employee shall also be awarded the costs of the litigation and reasonable attorneys' fees; provided, further, that any employee so aggrieved and who prevails in such an action, if said violation is not willful, shall be awarded damages as determined by the court for any loss of wages and other benefits; and the employee may also be awarded the costs of the litigation and reasonable attorneys' fees.

SECTION 90. Section 27H of said chapter 149, as so appearing, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:—

Any employee claiming to be aggrieved by a violation of this section may, at the expiration of 90 days after the filing of a complaint with the attorney general, or sooner if the attorney general assents in writing, and within 3 years after the said violation, institute and prosecute in his own name and on his own behalf, or for himself and for others similarly situated, a civil action for injunctive relief, for any damages incurred, and for any loss of wages and other benefits. Any employee so aggrieved and who prevails in such an action shall, if said violation be willful, be awarded triple damages, as liquidated damages, for any loss of wages and other benefits; and the employee shall also be awarded the costs of the litigation and reasonable attorneys' fees; provided, further, that any employee so aggrieved and who prevails in such an action, if said violation is not willful, shall be awarded damages as determined by the court for any loss of wages and other bene-

fits; and the employee may also be awarded the costs of the litigation and reasonable attorneys' fees.

SECTION 91. Section 150 of said chapter 149, as so appearing, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:—

Any employee claiming to be aggrieved by a violation of sections 33E, 148, 148A, 148B, 150C, 152, 152A or 159C or section 19 of chapter 151 may, at the expiration of 90 days after the filing of a complaint with the attorney general, or sooner if the attorney general assents in writing, and within 3 years after the said violation, institute and prosecute in his own name and on his own behalf, or for himself and for others similarly situated, a civil action for injunctive relief, for any damages incurred, and for any loss of wages and other benefits. Any employee so aggrieved and who prevails in such an action shall, if said violation be willful, be awarded triple damages, as liquidated damages, for any loss of wages and other benefits; and the employee shall also be awarded the costs of the litigation and reasonable attorneys' fees; provided, further, that any employee so aggrieved and who prevails in such an action, if said violation is not willful, shall be awarded damages as determined by the court for any loss of wages and other benefits; and the employee may also be awarded the costs of the litigation and reasonable attorneys' fees.”

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Hill of Ipswich; and on the roll call 37 members voted in the affirmative and 122 in the negative.

Amendment
rejected,—
yea and nay
No. 38.

[See Yea and Nay No. 38 in Supplement.]

Therefore the amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following section:

“SECTION 87. Chapter 18B of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding at the end thereof the following new section:—

Section 26. As part of the department's licensing and background record check process, the department shall conduct fingerprint-based checks of the state and national criminal history databases, as authorized by 42 U.S.C. Section 16962, for all applicants to be adoptive or foster parents and their household members age 15 or older. Authorized department staff may receive criminal offender record information and the results of state and national criminal history databases checks, pursuant to 42 U.S.C. Section 16962. The department shall handle the information obtained under this section pursuant to section s167 to 178, inclusive, of chapter 6.

As part of the department's approval process, the department, prior to issuing any approval, shall: (1) obtain from the sex offender registry board all available sex offender registry information associated with the address of the center, home or facility; and (2) conduct fingerprint-based checks of the state and national criminal history databases, pursuant to Public Law 92-544, that are required under this subsection. The fingerprint-based checks of the state and national criminal history databases shall be conducted, pursuant to Public Law 92-544, to determine the suitability of all applicants for employment, interns and volunteers

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who have the potential for unsupervised contact with children in any department-approved program. The fingerprint-based checks shall also be required to determine the suitability of any individual who provides transportation services on behalf of any department-approved program. Authorized department staff may receive all criminal offender record information and the results of checks of state and national criminal history information databases pursuant to Public Law 92-544. When the department obtains the results of checks of state and national criminal information databases, it shall treat the information according to sections 167 to 178, inclusive, of chapter 6 and the regulations thereunder regarding criminal offender record information.”

Amendment
adopted,—
yea and nay
No. 39.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mrs. Poirier of North Attleborough; and on the roll call 159 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 39 in Supplement.]

Therefore the amendment was adopted.

Consolidated
amendments
(social services,
veteran services
and soldiers
homes).

After remarks on the question on passing the bill, as amended, to be engrossed, Mr. Dempsey of Haverhill and others members of the House moved to amend it in section 2

In item 1410-0010 by adding the following: “; provided, that not less than \$30,000 shall be expended for the Veteran’s Oral History Project at the Morse Institute Library in Natick; provided further, that not less than \$35,000 shall be expended for the Vietnam Veterans of America organization in Massachusetts, to provide assistance for Veterans in filing claims to receive all existing medical and financial benefits that they are entitled to in the Commonwealth of Massachusetts; provided further, that not less than \$85,000 shall be expended for the NEADS Assistance Dogs for Veterans program to train assistance dogs for veterans; and provided further, that not less than \$50,000 shall be allocated for Heidrea for Heroes”, and in said item by striking out the figures “3,222,497” and inserting in place thereof the figures “3,422,497”.

By striking out item 1410-0012 and inserting in place thereof the following item:

“1410-0012 For services to veterans, including the maintenance and operation of outreach centers; provided, that the centers shall provide counseling to incarcerated veterans and to Vietnam era veterans who may have been exposed to agent orange and the families of such veterans; provided further, that not less than \$200,000 shall be allocated for Nathan Hale Outreach Centers; provided further, that not less than \$10,000 shall be expended to the New Patriots Veterans Outreach Center, Inc. in the city of Fitchburg for the purpose of updating the Center to be more handicap accessible; provided further, that not less than \$50,000 shall be allocated to New England Veterans Liberty House; provided further, that that not less than \$100,000 shall be expended for the Springfield Partners for Community Action’s Veterans First Program to provide comprehensive outreach services to Veterans in Hampden County; provided further, that not less than \$50,000 shall be

expended for the Cape and Islands Veterans Outreach Center for the purpose of the Grace Veterans Program; and provided further, that centers shall provide services to veterans who were discharged after September 11, 2001 and the families of such veterans \$3,283,641”;

In item 1410-0075, in lines 2 and 3, by striking out the words “Massachusetts School of Professional Psychology, Inc.” and inserting in place thereof the words “William James College, Graduate Education in Psychology”, and in said item by striking out the figures “125,000” and inserting in place thereof the figures “250,000”;

In item 1410-0250 by adding the following: “; provided, that not less than \$30,000 shall be expended for transitional services at Our Neighbor’s Table in Amesbury”, and in said item by striking out the figures “2,821,629” and inserting in place thereof the figures “2,851,629”;

In item 1410-1616 by adding the following: “; provided, that not less than \$50,000 shall be expended for maintenance and rehabilitation of the Massachusetts Vietnam Veterans Memorial located in the city of Worcester; provided further, that not less than \$30,000 shall be expended for the Citizen Soldiers Monument in the town of Spencer; provided further, that not less than \$25,000 shall be expended for a Civil War monument in the town of Barre; and provided further that not less than \$10,000 shall be expended for maintenance services for the Korean War Memorial located in the Charlestown Navy Yard”, and in said item by striking out the figures “100,000” and inserting in place thereof the figures “215,000”;

In item 4401-1000, in line 5, by inserting after the word “benefits” the following: “; provided further, that not less than \$3,447,571 shall be expended for the young parents program; provided further, that not less than \$2,000,000 shall be expended for the competitive integrated employment services program; provided further, that not less than \$10,000 shall be expended for Family Services of the Merrimack Valley toward developing an outreach program to help locate and engage at-risk youths who are vulnerable to commercial sexual exploitation; provided further, that not less than \$794,000 shall be expended for contracts entered into with the Massachusetts Office of Refugees and Immigrants with whom the department of transitional assistance entered into service agreements within fiscal year 2015”, and in said item by striking out the figures “5,000,000” and inserting in place thereof the figures “11,251,571”;

In item 4403-2000, in line 27, by inserting after the word “law” the following: “; provided further, that a \$40 per month rent allowance shall be paid to all households incurring a rent or mortgage expense and not residing in public housing or subsidized housing; provided further, that a non-recurring children’s clothing allowance of \$150 shall be provided to each child eligible under these programs in September 2015”, and in said item by striking out the figures “222,203,232” and inserting in place thereof the figures “228,203,232”;

In item 4800-0038 by adding the following: “; provided further, that not less than \$25,000 shall be expended for Rick’s Place of Wilbraham to provide counseling services for youth who have experienced the death of a parent in the Pioneer Valley; provided further, that not less than \$25,000 shall be expended for a feasibility study for the construction of a

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youth center and pertinent resources and community outreach in the city of Methuen; provided further, that not less than \$25,000 shall be expended for Groundwork Lawrence for its youth summer jobs program; provided further, that not less than \$50,000 shall be expended for the Weymouth Teen Center to provide job skills training, remedial education services, and to promote a social service program promoting growth and social welfare; provided further, that not less than \$25,000 shall be expended for the planned learning achievement for youth program in Amherst, in collaboration with the department of elementary and secondary education, through an interagency service agreement; provided further, that not less than \$75,000 shall be expended for the operation of the Catholic Charities Labouré Center and its Recovery Connections program; provided further, that not less than \$100,000 shall be expended for the Fragile Beginnings program; provided further, that funds may be expended on programs that received funding in fiscal year 2015; provided further, that an amount not less than fiscal year 2015 shall be expended on children's advocacy centers; provided further, that not less than \$200,000 shall be expended for the Children's Advocacy Center of Bristol County; and provided further, that not less than \$50,000 shall be expended on the Plymouth County Children's Advocacy Center", and in said item by striking out the figures "277,494,460" and inserting in place thereof the figures "277,894,460",

In item 4800-0040, in line 3, by inserting after the word "department" the following: "; provided further, that not less than \$100,000 shall be expended for Square One Daycare, Inc. in Springfield", and in said item by striking out the figures "44,610,551" and inserting in place thereof the figures "44,710,551",

In item 4800-1100 by striking out the figures "201,511,365" and inserting in place thereof the figures "201,819,297",

In item 4800-1400, in line 9, by inserting after the word "housing" the following: "; provided further, that not less than \$150,000 shall be expended for the operation of the Portal to Hope servicing Everett, Malden, and Medford", and in said item by striking out the figures "24,448,905" and inserting in place thereof the figures "26,148,905",

By inserting after section 49 the following section:

"SECTION 49A: Chapter 233 of the General Laws is hereby amended by inserting after section 20M the following section:—

Section 20N. (a) No court shall permit or require, and no social worker employed by the department of children and families, or any other witness shall be required, to disclose such social workers home address or home telephone number in any court proceeding or in any proceeding preliminary thereto or in any documents filed with the court, except as otherwise ordered by the court; provided, that said order of the court includes conditions to limit the disclosure of such address or phone number so as to protect the privacy and safety of the social worker.

(b) Service of process, summons or subpoena upon a department of children and families social worker in any court proceeding and in any proceeding preliminary thereto, shall be made upon the agency employing such social worker and in accordance with the Massachusetts Rules of Civil or Criminal Procedure governing any service of process. For the purpose of such service the employing agency, upon

request, shall certify to the summoning party the name and work address of any such social worker as disclosed by its records, and service upon parties at a work address so certified shall be sufficient.”, and

By inserting after section 68 the following section:

“SECTION 68A. The department of transitional assistance, in collaboration with the executive office of health and human services, shall provide a report on current fraud detection measures within the agency and department to reduce fraud in public assistance benefit programs and to study the feasibility of implementing a biometric authentication system. The report shall include, but not be limited to, the cost savings that would result from the elimination of duplicate assistance fraud in public assistance programs and the feasibility of using biometric technology to create a reliable system of identification. The report, along with any legislative recommendations, shall be filed with the clerks of the house of representatives and the senate within 90 days of the passage of this act.”.

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Parisella of Beverly; and on the roll call (Mrs. Haddad of Somerset being in the Chair) 159 members voted in the affirmative and 0 in the negative.

Consolidated amendments adopted,—yea and nay No. 40.

[See Yea and Nay No. 40 in Supplement.]

Therefore the consolidated amendments (social services, veteran services and soldiers homes) were adopted.

Mr. Dempsey of Haverhill and others members of the House then moved to amend the bill in section 2

Consolidated amendments (education and local aid).

By inserting after item 1233-2400 the following item:

“1233-2401 For reimbursements to qualifying cities and towns for additional educational costs pursuant to chapter 40S of the General Laws \$250,000”.

In item 3000-5000 by striking out the figures “8,100,000” and inserting in place thereof the figures “9,100,000”.

In item 3000-7050, in line 13, by inserting after the word “collaboratives” the words “, the home-based, school readiness and family support program known as the parent-child home program”, in line 20, by striking out the figures “3,000,000” and inserting in place thereof the figures “4,000,000”, in line 31 by inserting after the word “programming” the following: “; (f) provided further, that not less than \$1,000,000 shall be expended for direct grants to early education and school age programs participating in the Massachusetts QRIS that are actively engaged in efforts to achieve Level 3 and Level 4 in order to improve quality in the early education and school age system of care”, and in said item by striking out the figures “19,464,890” and inserting in place thereof the figures “21,314,890”.

In item 3000-7070 by striking out the figures “700,000” and inserting in place thereof the figures “1,000,000”.

In item 7000-9506 by adding the following: “; provided, that not less than \$40,000 shall be expended for the purpose of technology upgrades at West Boylston Public Library”, and in said item by striking out the figures “2,076,564” and inserting in place thereof the figures “2,116,564”.

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By inserting after item 7000-9506 the following item:

“7000-9508 For the Massachusetts Center for the Book, Inc., chartered as the Commonwealth Affiliate of the Center for the Book in the Library of Congress; provided, that the Massachusetts Center for the Book, Inc. shall continue its work as a public-private partnership..... \$200,000”,

In item 7009-9600 by striking out the figures “1,000,000” and inserting in place thereof the figures “1,200,000”,

In item 7010-0005 by adding the following: “; provided, that not less than \$60,000 shall be expended for school zone safety improvements in the town of Franklin; provided further, that not less than \$90,000 shall be expended for emergency response coordination for Hingham public schools; provided further, that not less than \$100,000 shall be expended for a school resource officer for Cohasset public schools; provided further, that not less than \$88,000 shall be expended for a school resource officer for Hull public schools; provided further, that not less than \$30,000 shall be expended for the Dennis Yarmouth regional school district; provided further, that not less than \$20,000 shall be expended for the operation of Camp Pohelo in Tewksbury; provided further, that not less than \$20,000 shall be expended for the Wilmington High School Wildcat Community Service Program; provided further, that not less than \$12,000 shall be expended for the Tewksbury High School Best Buddies Program; provided further, that not less than \$100,000 shall be expended for a school safety pilot program in the city of Lowell; and provided further, that not less than \$100,000 shall be expended for the Aspire Mentor Corps, which shall expend funds for programs that utilize retired teachers to mentor novice public school elementary and secondary education teachers”, and in said item by striking out the figures “13,237,522” and inserting in place thereof the figures “13,857,522”,

In item 7010-0012 by adding the following: “; provided further, that all grant applications submitted to and approved by the department of elementary and secondary education shall include a detailed line item budget specifying how such funds shall be allocated and expended; and provided further, that the department of elementary and secondary education shall submit a report on the impact of the grant program on student outcomes, the expenditure of funds by districts, and the extent to which the services rendered by METCO, Inc. support the goals of the grant program to the joint committee on education and the house and senate committees on ways and means not later than December 1, 2015”, and in said item by striking out the figures “19,142,582” and inserting in place thereof the figures “20,142,582”,

In item 7010-0033, in line 4, by striking out the figures “100,000” and inserting in place thereof the figures “200,000”, and in said item by striking out the figures “1,800,000” and inserting in place thereof the figures “1,900,000”,

In item 7027-0019, in line 16, by inserting after the word “teachers” the following: “; provided further, that not less than \$50,000 shall be expended for Bottom Line to provide college transition and college retention services for low-income or aspiring first-generation college students”, and in said item by striking out the figures “1,000,000” and inserting in place thereof the figures “2,758,750”,

In item 7035-0002, in line 5, by inserting after the word “education” the following: “; provided further, that not less than \$150,000 shall be expended for Operation A.B.L.E. of Greater Boston to provide basic workforce and skills training, employment services and job re-entry support to older workers; provided further, that not less than \$50,000 shall be expended for the Lawrence Family Development and Education Fund to assist in citizenship education, citizenship application assistance, English as a second language classes and computer training for low-income adults; provided further, that not less than \$50,000 shall be expended for Casa Dominicana of Lawrence to assist with citizenship, high school equivalency testing, and English as a second language classes for low-income adults; provided further, that not less than \$25,000 shall be expended for the Lawrence/Methuen Community Coalition to provide English as a second language classes, college preparation, high school equivalency testing, and citizenship classes for low-income adults”, and in said item by striking out the figures “29,156,340” and inserting in place thereof the figures “30,431,340”,

In item 7035-0035 by striking out the figures “2,553,197” and inserting in place thereof the figures “2,700,000”,

By inserting after item 7061-0008 the following item:

“7061-0011 For a reserve to provide extraordinary relief to school districts whose special education costs exceed 30 per cent of the total district costs and whose tuition and other circuit-breaker eligible costs for placements at an approved private school located within the district exceed both \$1,000,000 and 25 per cent of all tuition and other circuit-breaker eligible costs for placements at approved private schools; provided further, that funds distributed from this item shall not be considered prior year aid nor shall the funds be used in the calculation of the minimum required local contribution for fiscal year 2016; and provided further, that the department shall make not less than 80 percent of the funds available for awards on or before October 15, 2015..... \$250,000”,

By inserting after item 7061-0029 the following item:

“7061-0033 For a reserve to assist towns negatively impacted by shortfalls in federal impact aid for the education of children in families employed by the federal government on the military reservation known as Hanscom Air Force Base located within the town’s limits (‘Hanscom Towns’); provided, that any grants provided under this item shall be expended by a school committee without further appropriation; provided further, that funds may be expended on membership dues for the Interstate Compact on Educational Opportunity for Military Children; and provided further, that Hanscom Towns may apply for funding in excess of this initial appropriation if funds under this item are increased and a Hanscom Town demonstrates that it would otherwise qualify for an amount greater than the initial funding of this

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item when compared with all other accepted applications using the same formula applied for in item 7061-0033 in section 2 of chapter 139 of the acts of 2012.....

\$400,000”,

By inserting after item 7061-9404 the following item:

“7061-9406 For a statewide college and career readiness program implemented by JFYNetworks, A Nonprofit Corporation, to reduce the number of remedial developmental courses students are required to take at community colleges; provided, that JFYNetworks shall (i) maintain the JFYNet college and career readiness program to administer the Accuplacer Diagnostic and College Placement tests in high schools; (ii) provide individualized online instructional curricula to strengthen the skills measured by the tests; and (iii) administer final Accuplacer Placement tests to measure student progress and program outcomes; provided further, that passing scores shall be reported to community colleges ensuring student placement in credit-earning courses; and provided further, that JFYNetworks shall coordinate with the 15 community colleges to identify not more than 5 high schools per community college that shall send students to the program

\$500,000”,

In item 7061-9412, in line 31, by inserting after the words “summer months” the following: “; provided further, that not less than \$50,000 shall be expended for expanded learning time for the Collins Middle School in the city of Salem”, and in said item by striking out the figures “13,673,492” and inserting in place thereof the figures “14,223,492”;

In item 7061-9611, in line 37, by inserting after the word “months” the following: “; provided further, that not less than \$100,000 shall be expended for the renovation of the stage and auditorium of Agawam High School in the city of Agawam; provided further, that not less than \$10,000 shall be expended for summer programming through Auburn Youth and Family Services, Inc.”, and in said item by striking out the figures “1,475,106” and inserting in place thereof the figures “2,110,000”;

By striking out item 7061-9612 and inserting in place thereof the following two items:

“7061-9612 For the implementation of subsection (f) of section 1P of chapter 69 of the General Laws to create safe and supportive school environments; provided, that funds shall be expended to fund the safe and supportive schools grant program; provided further, that grants shall be awarded to schools and districts that create action plans based on all the elements of the safe and supportive schools framework and self-assessment tool; provided further, that districts shall create district plans that support recipient schools; and provided further, that grantees shall participate in conferences to be held by the department

\$300,000

7061-9614 For the alternative education grant program established in section 1N of chapter 69 of the General

Laws; provided, that the commissioner shall allocate funds for both subsections (a) and (b) of said section 1N of said chapter 69; and provided further, that funds shall be provided for a grant program to districts, education collaboratives or other inter-district partnerships for the purpose of implementing alternative education programs to provide educational services required under Chapter 222 of the Acts of 2012 \$250,000”;

In item 7061-9634 by striking out the figures “400,000” and inserting in place thereof the figures “500,000”;

By inserting after said item 7061-9634 the following item:

“7061-9810 For regional bonus aid pursuant to subsection (g) of section 16D of chapter 71 of the General Laws \$100,000”;

In item 7066-0009 by striking out the figures “183,750” and inserting in place thereof the figures “367,500”;

In item 7066-0019 by striking out the figures “750,000” and inserting in place thereof the figures “1,000,000”;

By inserting after said item 7066-0019 the following item:

“7066-0020 For the nursing and allied health workforce development initiative, to develop and support strategies that increase the number of public and private higher education faculty members and students who participate in programs that support careers in fields related to nursing and allied health; provided, that the amount appropriated in this item shall be transferred to the Massachusetts Nursing and Allied Health Workforce Development Trust Fund established in section 33 of chapter 305 of the acts of 2008; and provided further, that funds shall be transferred to the fund according to an allotment schedule adopted by the executive office for administration and finance \$200,000”;

By inserting after item 7066-0036 the following two items:

“7066-0040 For adult college transition services focused on low-income and entry-level workers; provided, that funds shall be awarded competitively by the board of higher education to adult basic education providers, including local education agencies, community-based organizations, community colleges and correctional facilities with recognized success in bridging academic gaps of underserved populations and resulting in college entrance, retention and completion; provided further, that program awardees shall report on attendees’ successful transition to college and that the program shall deliver to the joint committee on education and the house and senate committees on ways and means not later than February 15, 2016, an evaluation of the program and its impact on student achievement, particularly as it relates to closing achievement gaps; and provided further, that appropriated funds may be expended for programs or activities during summer month..... \$250,000

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7066-1221	For the administration of the community college workforce grant advisory committee; provided, that funding shall be expended on the community college workforce training incentive grant program established in section 15F of chapter 15A of the General Laws.....	\$750,000”,
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In item 7070-0065 by striking out the figures “94,607,756” and inserting in place thereof the figures “95,607,756”,

In item 7100-0200, in line 9, by inserting after the word “maintenance” the following: “; provided further, that not less than \$150,000 shall be allocated for the Clemente Course in the Humanities, administered by the Massachusetts Foundation for the Humanities in partnership with the University of Massachusetts Boston and the University of Massachusetts Dartmouth and local social service agencies, which provides college-level humanities instruction and support service free of charge and for college credit to low-income adults; provided further, that the funds shall be contingent upon a match of not less than \$1 in federal contributions or \$1 in private or corporate contributions for every \$1 in state grant funding; provided further, that the University of Massachusetts shall expend funds for the University of Massachusetts at Amherst Cranberry Station”, and in said item by striking out the figures “518,755,373” and inserting in place thereof the figures “518,905,373”,

In item 7100-0700 by striking out the figures “550,000” and inserting in place thereof the figures “750,000”; and

By inserting after section 71 the following section:

“SECTION 71A. Notwithstanding the enrollment preferences of section 89 of chapter 71 of the General Laws, and subject to the approval of the Springfield school committee, a Horace Mann charter school in the city of Springfield may limit enrollment or add an enrollment preference using the assignment system of the public schools of Springfield, provided that the original charter of the Horace Mann charter school or an amendment to the charter permits such an enrollment limitation or preference. An amendment to the charter of a Horace Mann charter school in the city of Springfield to add such an enrollment limitation or preference shall require only the approval of the Springfield School Committee, the board of trustees of the Horace Mann charter school, and the commissioner.”.

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Sannicandro of Ashland; and on the roll call 159 members voted in the affirmative and 0 in the negative.

[See Yeas and Nays No. 41 in Supplement.]

Therefore the consolidated amendments (education and local aid) were adopted.

Mr. Moran of Boston being in the Chair,—

Mr. Lyons of Andover then moved to amend the bill by adding the following section:

“SECTION 88: Chapter 119 of the General Laws is hereby amended by inserting the following new section:—

Section 86. (a) Notwithstanding any general or special law to the contrary, there shall be an independent commission to study and report on the recent case before the Department of Children and Families regarding Justina Pelletier. The commission shall consist of: the secre-

Consolidated amendments adopted,—yea and nay No. 41.

tary of health and human services, or a designee, who shall serve as the chair; the inspector general, or a designee; the attorney general, or a designee; the state auditor, or a designee; 2 members of the house of representatives, 1 of whom shall be appointed by the minority leader, and shall act as chair; and 2 members of the senate, 1 of whom shall be appointed by the minority leader. The commission shall research and assess the cost of the case, and the evidence and reasoning that led the Department of Children and Families to take Justina Pelletier away from her family. The commission shall also conduct an investigation of Massachusetts General Law Chapter 119, section 51A, focusing the number of families affected and any changes that can be made to the law to limit improper use.

(b) Said report shall be filed with to the chair and ranking minority member of the house committee on ways and means, the chair and ranking minority member of the senate committee on ways and means, and the clerks of the House of Representatives and senate no later than October 15, 2016.”.

The amendment was adopted.

Mr. Timilty of Milton then moved to amend the bill by adding the following section:

“SECTION 89. The Massachusetts Port Authority, hereinafter referred to as the Authority, shall conduct a noise and land use compatibility study. Such study shall be conducted in the manner outlined by federal aviation regulations, as set forth in 14 CFR 150, and shall recommend operational and land use measures to improve the compatibility of air terminals with surrounding land uses.

The Authority shall submit to the governor and the clerks of the house and senate a report detailing the Authority’s findings pursuant to the study required by this section. The Authority shall make such report available to the public on or before December 31, 2015.

The Authority shall hold biennial public hearings, the first hearing for each county shall be held prior to August 31, 2015, at which members of the public shall have the right to be heard regarding the identification of aircraft noise issues. Such public hearings shall be held in Middlesex, Norfolk, Plymouth and Suffolk counties and shall be attended by at least 1 member of the Authority. The Authority shall develop amendments and changes to the report required by this act as may be necessary and practicable to address public input.”.

The amendment was rejected.

Ms. Peake of Provincetown then moved to amend the bill by adding the following section:

“SECTION 89. Notwithstanding the provisions of sections 34 to 37 of Chapter 7C of the General Laws, the commissioner of capital asset management and maintenance, in consultation with the commissioner of conservation and recreation, may grant two subsurface easements upon a certain parcel of land, currently under the care and control of the department of conservation and recreation and held for conservation and recreation purposes to the Town of Eastham to be used for the purposes of the installation, maintenance, repair and replacement of municipal water distribution systems subject to the requirements of sections 2 through 5 and to such additional terms and conditions consistent with this act as the commissioner of capital asset management

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and maintenance may prescribe in consultation with the commissioner of conservation and recreation. The town's easement rights, including for the installation, maintenance and repair of infrastructure, shall not limit, restrict or close access to the Cape Cod Rail Trail for any period of time, except as approved in writing by the department of conservation and recreation in its sole discretion. The two easement areas, collectively contain 20,950 sq. ft., more or less, and are shown on 'Inset Plan A' and 'Inset Plan B' on a plan of land entitled 'Contract 2 Water Supply Wells, Control Building, & Piping, Eastham, MA.' The Division shall prepare a survey sufficient for recording at the Barnstable Registry of Deeds. Prior to finalizing the transaction or making the conveyance authorized herein, the division of capital asset management and maintenance may make minor modifications to the area and plan in order to carry out the purposes of this act.

An independent appraisal of the fair market value and value in use of the easements described in section 1 shall be prepared in accordance with the usual and customary professional appraisal practices by a qualified appraiser commissioned by the commissioner of capital asset management and maintenance. Consideration for the grant of the above-described easements shall be the full and fair market value or the value in proposed use, whichever is greater, as determined by the commissioner of capital asset management, and calculated with regard to its full development potential as assembled with other lands owned or otherwise controlled by the grantee. The commissioner of capital asset management and maintenance shall submit the appraisal or appraisals to the inspector general for his or her review and comment. The inspector general shall review and approve the appraisal or appraisals, and the review shall include an examination of the methodology utilized for the appraisal or appraisals. The inspector general shall prepare a report of his or her review and file the report with the commissioner of capital asset management and maintenance for submission by said commissioner to the house and senate committees on ways and means and the joint committee on state administration and regulatory oversight. Said commissioner shall submit copies of the appraisals, and the inspector general's review and approval and comments, if any, to the house and senate committees on ways and means and the joint committee on state administration and regulatory oversight at least 15 days prior to the execution of documents effecting the transfers described in section 1.

To ensure a no-net-loss of lands protected for natural resource purposes, the grantee also shall compensate the commonwealth for the interest in land described in section 1 through the transfer to the department of conservation and recreation of land, an interest of land or funding for the acquisition of land or an interest therein equal to or greater than the resource value of the land described in section 1 and the highest appraised value as determined under section 2. The fair market value of any land or interest in land proposed to be conveyed by the grantee to the department shall be included within the appraisal prepared under section 2. The land, interest in land, or funding must be acceptable to the department of conservation and recreation; and any land or interest in land, whether conveyed by the grantee or acquired by the depart-

ment, shall be permanently held and managed for conservation and recreation purposes by the department. Should the appraised value of any land or interests in land be determined to be greater than the appraised value of the interests in land described in section 1, the commonwealth shall have no obligation to pay the difference to the grantee. All payments paid to the commonwealth as a result of the conveyances or grants authorized by this act shall be deposited in the Conservation Trust established in section 1 of chapter 132A of the General Laws.

The grantee shall assume all costs associated with engineering, surveys, appraisals, deed preparation and other expenses deemed necessary by the commissioner of capital asset management and maintenance to execute the conveyances authorized by this act.

No instrument executed pursuant to this act shall be valid unless it provides that the easements shall be used solely for the purposes described in section 1. The instrument authorized in section 1 shall include a reversionary clause that stipulates the property shall revert to the commonwealth and be assigned to the care, custody and control of the department of conservation and recreation, upon such terms and conditions as the commissioner of capital asset management and maintenance may determine, if the property ceases to be used for the express purposes authorized in this act. If any interest reverts to the commonwealth, any further disposition shall be subject to sections 34 to 37, inclusive, of chapter 7C of the General Laws and the prior approval of the General Court.”

The amendment was adopted.

Ms. Peake then moved to amend the bill by adding the following section:

“SECTION 90. The Nauset Regional School District (hereinafter, the ‘District’) may grant to the Town of Eastham (hereinafter, the ‘Town’) a perpetual, assignable easement, to run with the land, over a certain parcel of land which is a portion of the land owned by the District and acquired for school purposes, located at 100 Cable Road, Eastham, Massachusetts and more particularly described in a deed recorded with the Barnstable County Registry of Deeds at Book 1393, Page 881. The easement shall include the right in the Town to retain groundwater monitoring well(s) and drinking water supply wells on said parcel for all purposes and uses incidental thereto along with any necessary appurtenances, may grant to the Town the rights of access, installation, operation, maintenance, repair, removal and control thereof, as well as rights of entry upon and passage over the parcel from time to time for all purposes stated in the grant of easement and uses incidental thereto, and may grant to the Town all reasonable rights of ingress and egress across adjoining lands owned by the District as may be necessary for the exercise of the rights granted. The Town shall indemnify and hold harmless the District from and against any loss, damage or liability arising out of the Town’s exercise of the rights and easement, and shall provide to the District, potable water needs for ninety-nine (99) years at no additional cost. The easement shall be subject to the right expressly reserved by the District to continue to use the parcel for all purposes not adverse to the rights granted by this Act.

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The easement is shown on a plan of land entitled ‘Plan of Utility Easement at Nauset Regional High School’ prepared by: Coastal Engineering Company, dated October 28, 2011 to be recorded in the Barnstable County Registry of Deeds.”

The amendment was adopted.

Ms. Benson of Lunenburg and other members of the House then moved to amend the bill by adding the following section:

“SECTION 91. Chapter 6D of the General Laws is hereby amended by adding the following section:—

Section 19. (a) The health policy commission shall implement a one-year regional pilot program to further the development and utilization of telemedicine in the commonwealth. The program shall (i) take into consideration the previously established regions used in prior health policy commission analyses; (ii) incentivize the use of community-based providers and the delivery of patient care in a community setting; and (iii) facilitate collaboration between participating community providers and teaching hospitals. The commission shall consider existing federal and state regulations in the development of the program. The commission may direct no more than \$500,000 from the distressed hospital trust fund, established in section 2GGGG of chapter 29 of the General Laws, to fund the implementation of the pilot program.

(b) At the conclusion of the pilot program, the commission shall evaluate the success of the program, including but not limited to: (i) cost savings; (ii) patient satisfaction; (iii) patient flow; (iv) and quality of care. The commission shall make appropriate policy recommendations to the legislature based on their findings.”

The amendment was adopted.

Mrs. Haddad of Somerset being in the Chair,—

Mrs. O’Connell of Taunton and other members of the House then moved to amend the bill by adding the following section:

“SECTION 92. Chapter 23B of the General Laws is hereby amended by adding the following section:—

Section 31. All applicants and household members over the age of 18 shall provide a social security number upon application for public housing. All legal non-resident applicants and household members shall provide an alien registration number; provided that immigration status and alien registration number of all non-citizens applicants and household members shall be checked through the federal Immigration and Naturalization Service. No applicants shall be given temporary placeholder social security numbers, unless under lawfully protected status.

The alien registration number and immigration status of non-citizen applicants and household members shall be checked through the federal Immigration and Naturalization Service and re-verified upon expiration of their alien registration documents.

All applicants and household members 14 years of age and older shall have their criminal offender record information checked prior to admission to housing; provided that all applicants shall provide a social security number for this purpose. Applicants who do not provide a social security number shall not be eligible for housing. Housing authorities shall have full access to criminal offender record information.”

Pending the question on adoption of the amendment, Mr. Carvalho of Boston moved to amend it by striking out the proposed new section and inserting in place thereof the following section:

“SECTION 92. Notwithstanding any general or special law to the contrary, the executive office of housing and economic development, in conjunction with the department of housing and community development, shall establish rules and regulations regarding the disclosure and verification of social security and employer identification numbers for applicants of public or subsidized housing and further requiring housing agencies to verify the number; provided further, that the undersecretary of the department of housing and community development shall submit a report to the general court with the result its investigation and study on the matter of public housing eligibility by July 1, 2016, by filing the same with the joint committee on housing. The report shall detail: (1) the number of applicants and household members for state-assisted public housing who would be unable to access state-assisted public housing if required to submit a social security number on their application, and of that population: the number of applicants and household members who are United States citizens, the number of applicants and household members who are resident aliens, the number of applicants and household members who are nonresident aliens, and number of applicants and household members who are United States veterans; (2) the number of applicants and household members for state-assisted public housing who would be unable to access state-assisted public housing if required to submit a social security number or an alien registration number on their application, and of that population: the number of applicants and household members who are United States citizens, the number of applicants and household members who are resident aliens, the number of applicants and household members who are nonresident aliens, and number of applicants and household members who are United States veterans; (3) the number of applicants and household members for state-assisted public housing who would be unable to access state-assisted public housing if requirements identical to those found in 42 U.S. Code § 1436a were enacted, and of that population: the number of applicants and household members who are United States citizens, the number of applicants and household members who are resident aliens, the number of applicants and household members who are nonresident aliens, and number of applicants and household members who are United States veterans; (4) the number of applicants and household members for state-assisted public housing who would be unable to access state-assisted public housing if requirements identical to those found in 42 U.S. Code § 1436a and 8 U.S. Code § 1641 were enacted, and of that population: the number of applicants and household members who are United States citizens, the number of applicants and household members who are resident aliens, the number of applicants and household members who are nonresident aliens, and number of applicants and household members who are United States veterans; (5) the number of applicants and household members for state-assisted public housing who would be unable to access state-assisted public housing if requirements identical to those found in 24 CFR 5.216 were enacted, and of that population: the number of applicants and household members who are United States citizens, the number of applicants and household members who are resident aliens, the number of applicants and household members who are nonresident aliens, and number of applicants and household members who are United States veterans; (6) the net fiscal impacts,

if any, of implementing and enforcing the potential restrictions in sections 1-5, inclusive, of this report.”

Quorum.

After remarks on the question on adoption of the further amendment, Mr. Lyons of Andover asked for a count to ascertain if a quorum was present. The Chair (Mrs. Haddad of Somerset), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum,—
yea and nay
No. 42.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 152 members were recorded as being in attendance.

[See Yea and Nay No. 42 in Supplement.]

Therefore a quorum was present.

Further
amendment
adopted,—
yea and nay
No. 43.

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Ms. Decker of Cambridge; and on the roll call 115 members voted in the affirmative and 44 in the negative.

[See Yea and Nay No. 43 in Supplement.]

Therefore the further amendment was adopted, thus precluding a vote on the pending amendment.

Consolidated
amendments
(housing,
mental health
and disability
services).

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill in section 2

In item 0940-0101, in line 2 and at the end of said item, by striking out the figures “2,118,911” and inserting in place thereof, in each instance, the figures “2,168,911”,

In item 0940-0102, in line 2 and at the end of said item, by striking out the figures “140,000” and inserting in place thereof, in each instance, the figures “190,000”,

In item 5042-5000, in line 14, by inserting after the word “care” the following: “; provided further, that not less than \$55,000 shall be expended for the Northwestern Juvenile Fire Intervention Response Education and Safety Partnership for the purposes of a juvenile fire-setter intervention and prevention program in Hampshire and Franklin Counties, the town of Athol and the city of Holyoke”, and in said item by striking out the figures “86,367,266” and inserting in place thereof the figures “86,422,266”,

In item 5046-0000, in line 9, by inserting after the word “sources” the following: “; provided further, that not less than \$150,000 shall be expended for the International Institute of New England for culturally and linguistically appropriate mental health services for immigrants and refugees; provided further, that not less than \$100,000 shall be expended for Massachusetts School of Professional Psychology’s Interface in Plymouth County”, and in said item by striking out the figures “376,541,024” and inserting in place thereof the figures “376,791,024”,

In item 5047-0001, in line 5, by inserting after the words “provide” the following: “; provided further, that there shall not be a reduction in services in the Southeast area related to the alignment of state operated Emergency Services”,

In item 7004-0099, in line 49, by inserting after the word “requirements” the following: “; provided further, that not less than \$15,000 shall be expended for the Turning Point Day Resource Center for the Homeless in the town of Wareham; provided further, that not less than \$50,000 shall be expended for Methuen Arlington Neighborhood, Inc.;

provided further, that not less than \$75,000 shall be expended for World is Our Classroom, Inc. serving the towns of Holyoke, Westfield, Chicopee and Greenfield; provided further, that not less than \$25,000 shall be expended for the South Worcester Neighborhood Improvement Corporation; provided further, that not less than \$175,000 shall be expended for the provision of emergency services operated by Community Action Programs Inter-City, Inc. for the communities of Chelsea, Revere and Winthrop”, and in said item by striking out the figures “7,802,359” and inserting in place thereof the figures “8,142,359”,

In item 7004-0101, in line 162, by inserting after the word “motels” the following “; provided further, that not less than \$10,000 shall be expended for a pilot program to assist families in the counties of Franklin and Hampshire with the costs of infant care; provided further, that not less than \$100,000 shall be expended for People, Inc. for the transportation needs and services of families being housed in emergency assistance hotels or motels in the towns of Swansea and Somerset; provided further, that not less than \$75,000 shall be expended for the Playspace Program operated by Horizons for Homeless Children”, and in said item by striking out the figures “154,873,948” and inserting in place thereof the figures “155,058,948”,

In item 7004-0102, in line 9, by inserting after the word “system” the following “; provided further, that not less than \$50,000 shall be expended for Chelsea Community Center for the continuation of community-based housing services; provided further, that not less than \$125,000 shall be expended for the United Way of Pioneer Valley on behalf of the Western Massachusetts Network to End Homelessness to facilitate regional coordination and implement the Western Massachusetts Opening Doors Plan to End Homelessness; provided further, that not less than \$40,000 shall be expended for Friendly House, Inc. in the city of Worcester; provided further, that not less than \$50,000 shall be expended for Berkshire County Regional Housing Authority to coordinate homeless shelters and safety net services in Berkshire County”, and in said item by striking out the figures “43,200,335” and inserting in place thereof the figures “44,000,000”,

In item 7004-9005, in line 25, by inserting after the word “repairs” the following “; provided further, that not less than \$500,000 shall be provided for local costs associated with the implementation of chapter 235 of the acts of 2014”, and in said item by striking out the figures “64,000,000” and inserting in place thereof the figures “64,500,000” and

In item 7004-9316, in line 10, by striking out the word “nonprofit” and inserting in place thereof the word “HomeBASE”.

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Honan of Boston; and on the roll call 158 members voted in the affirmative and 0 in the negative.

[See Ye and Nay No. 44 in Supplement.]

Therefore the consolidated amendments (housing, mental health and disability services) were adopted.

At nine minutes before seven o’clock P.M. (Tuesday, April 28), the Chair (Mrs. Haddad of Somerset) declared a recess until eight o’clock P.M.; and at twenty-eight minutes after eight o’clock the House was called to order with Mr. Donato of Medford in the Chair.

Consolidated
amendments
adopted,—
yea and nay
No. 44.

Recess.

Consolidated amendments (public health).

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill in section 2

In item 1599-1450, in line 6, by inserting after the word “work” the words “, early intervention providers”,

In item 4510-0110 by adding the following: “; provided further, that not less than \$100,000 shall be expended for the operation and implementation of the South Boston Community Health Center and its Youth Ambassador Program and South Boston Leadership Initiative; and provided further, that not less than \$50,000 shall be expended for the Mattapan Integrative Care Partnership Pilot program among the Mattapan Community Health Center, Mattahunt Community Center, Mattahunt Elementary School, and the Wheelock College Social Work Department for a behavioral health practice at the Mattapan Community Health Center and support a full time licensed social worker to bring mental health care to the community’s youth and to improve the coordination of care”, and in said item by striking out the figures “1,045,993” and inserting in place thereof the figures “1,195,993”,

By inserting after said item 4510-0110 the following item:

“4510-0112 For the department of public health to conduct a postpartum depression pilot program at community health centers in Holyoke, Jamaica Plain, Lynn and Worcester \$200,000”,

In item 4510-0790 by striking out the figures “731,959” and inserting in place thereof the figures “831,959”,

In item 4510-0810 by striking out the figures “3,857,869” and inserting in place thereof the figures “4,357,869”,

In item 4512-0103, in line 6, by inserting after the word “conditions” the following: “; provided further, that not less than \$120,000 shall be expended to conduct a hepatitis C pilot program at the North Shore Health Project”, and in said item by striking out the figures “31,923,620” and inserting in place thereof the figures “32,193,620”,

By striking out item 4512-0200 and inserting in place thereof the following item:

“4512-0200 For the bureau of substance abuse services, including a program to reimburse driver alcohol education programs for services provided for court adjudicated indigent clients; provided, that programs in substantial regulatory and contractual compliance shall receive the same percentage level of funding in fiscal year 2016 as received in fiscal year 2015; provided, that not less than \$250,000 shall be expended for a pilot program for young adults aged 17 to 25 to address substance abuse issues for this age group; provided further, that not less than the amount appropriated in item 4512-0200 of section 2 of chapter 165 of the acts of 2014 shall be expended for the Gavin Foundation; provided further, that not less than \$100,000 shall be expended for a statewide program to improve the care and training for newborns with neonatal abstinence syndrome at hospital-based facilities that care for mothers and newborns, including the ten level III neonatal intensive care units in the

commonwealth; provided further, that the program shall encourage collaboration between medical providers, community organizations and public health agencies to educate and increase the standardization of practices while developing a robust statewide database to allow for measured improvements in care and outcomes for newborns with neonatal abstinence syndrome, including reductions in length of stay and pharmacologic treatment; provided further, that not less than \$100,000 shall be expended to the Berkshire County Youth Development Project for youth intervention services; provided further, that not less than \$25,000 shall be expended for the Merimack Valley Prevention and Substance Abuse Project toward resources and community outreach; provided further, that not less than \$75,000 shall be expended for development and administration of a program to prevent and treat addiction to opioid and related substances and that the program shall be administered by a community health center agency that has a 24/7 emergency department licensed as a satellite emergency facility under 105 CMR 130; provided further, that not less than \$50,000 shall be expended for the purpose of hiring a substance abuse coalition coordinator in the town of Stoneham; provided further, that not less than \$100,000 shall be expended for the New Beginnings program that targets youth at risk and in recovery in collaboration with school districts; provided further, that not less than \$100,000 shall be expended for Project RIGHT's substance abuse and trauma prevention initiative in the Grove Hall area of Boston; provided further, that not less than \$150,000 shall be expended for Self-Esteem Boston's direct services programs for women in the Boston region and provider training programs; provided further, that not less than \$300,000 shall be expended for integrated treatment and stabilization services for individuals and families with co-occurring substance abuse and mental health disorders; provided further, that not less than \$150,000 shall be expended for the operation of the Behavioral Health and Outpatient Substance Abuse Services to provide counseling and treatment for individuals suffering from behavioral health challenges or substance abuse at the Dimock Community Center; provided further, that not less than \$500,000 shall be expended for a voluntary training and accreditation program for owners and operators of alcohol and drug free housing pursuant to section 18A of chapter 17 of the General Laws; provided further, that no less than \$2,500,000 shall be expended for the extended release naltrexone pilot program described in section 70 of this act; provided further, that no less than \$250,000 shall

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be expended for a public awareness campaign relative to Narcan and section 34A of chapter 94C of the General Laws; provided further, that funds shall be expended on increasing the number of licensed residential recovery beds by 75; provided further, that no less than \$1,500,000 shall be expended to expand and support municipalities utilizing grant funds from the Massachusetts Opioid Abuse Prevention Collaborative (MOAPC) grant program; provided further, that in order to support and strengthen public access to substance abuse services in the commonwealth, funds shall be expended to maintain programming, including but not limited to, the following: (a) central intake capacity, as defined in section 18 of said chapter 17; (b) the number and type of facilities that provide treatment; (c) detoxification and clinical stabilization service beds in the public system and (d) the placement of addiction specialists in selected courts, which shall include, but not be limited to, Brockton, Quincy and Plymouth district courts

\$98,475,501”

By striking out item 4512-0500 and inserting in place thereof the following item:

“4512-0500 For dental health services; provided, that not less than the amount appropriated in item 4512-0500 of section 2 of chapter 165 of the acts of 2014 shall be expended for the Forsyth Institute Health’s Center for Children’s Oral Health to expand its ForsythKids programming focused on children or adolescents and to explore the emerging association between oral health status and academic performance; provided further, that not less than \$1,495,525 shall be expended for the commonwealth’s comprehensive dental program for adults with developmental disabilities; and provided further, that not less than \$100,000 shall be expended for the promotion of services to all dental providers in the commonwealth and to increase after-hour, weekend, and holiday coverage with on-call response and if necessary actual clinical evaluation

\$2,036,188”

In item 4513-1020 by striking out the figures “26,600,167” and inserting in place thereof the figures “27,600,167”

In item 4513-1026, in line 6, by inserting after the word “affairs” the following: “; provided further, that not less than \$100,000 shall be expended for suicide data collection in accordance with section 13 of chapter 284 of the acts of 2014; provided further, that not less than \$250,000 shall be expended for the Good Samaritans”, and in said item and in said item by striking out the figures “4,000,000” and inserting in place thereof the figures “4,350,000”

In item 4513-1098 by adding the following: “; and provided further, that not less than \$50,000 shall be expended for Women Survivors of Homicide Movement of Roslindale”, and in said item by striking out the figures “150,000” and inserting in place thereof the figures “200,000”

By striking out item 4513-1111 and inserting in place thereof the following item:

“4513-1111 For the promotion of health and disease prevention including, but not limited to, the following programs: breast cancer prevention; diabetes screening and outreach; ovarian cancer screening; a statewide STOP stroke program and ongoing stroke prevention and education; hepatitis C prevention and management; multiple sclerosis screening, information, education and treatment programs and the Multiple Sclerosis Home Living Independently Navigating Key Services program administered by the Greater New England Chapter of the National Multiple Sclerosis Society; colorectal cancer prevention; prostate cancer screening, education and treatment with a particular focus on African American males; osteoporosis education; and maintenance of the statewide lupus database; provided, that funds may be expended for the operation of the Betsy Lehman Center for patient safety; provided further, that not less than \$50,000 shall be expended for education and support of patients diagnosed with PKU or related disorders and their families through a grant to the New England Connection for PKU and Allied Disorders, Inc.; provided further, that not less than \$35,000 shall be expended for the New North Citizens’ Council, Inc.; and provided further, that not less than \$50,000 shall be expended for the Haitian American Public Health Initiative to provide vital healthcare and education services to families and children in the Haitian community in the city of Boston and town of Milton..... \$3,267,464”;

In item 4513-1130, in line 4, by inserting after the words “hotline” the following: “; provided further, that not less than \$75,000 shall be expended for the Katie Brown Educational Program for a pilot instructional initiative, the Train the Trainer program, to train educators and increase the number of Southeastern Massachusetts students who acquire invaluable knowledge about the prevention of relationship violence”, and in said item by striking out the figures “5,860,068” and inserting in place thereof the figures “6,482,068”

By inserting after said item 4513-1130 the following item:

“4513-1131 For a competitive grant program in public schools from grades 5 through 12 that will promote healthy relationships and address teen dating violence; provided, that the department of elementary and secondary education shall develop a 3 year grant program for 10 schools on anti-teen dating violence programming for implementation for the school year beginning in 2016; provided further, that the grant program shall be for schools in which the majority of students are eligible for free or reduced lunch; and provided further, that at least 1 grantee shall be a school located in a municipality with a population of 25,000 or less... \$150,000”;

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In item 4590-0250, in line 16, by inserting after the word “programs” the following: “; provided further, that not less than \$50,000 shall be expended for the Massachusetts Model of Community Coalitions”, and in said item by striking out the figures “12,257,055” and inserting in place thereof the figures “12,307,055”,

In item 4590-0915, in line 7, by inserting after the following: “2B” the following “; provided further, that Tewksbury State Hospital shall maintain the same number of beds in fiscal year 2016 as was maintained in fiscal year 2015; provided further, that not less than \$100,000 shall be expended for the Massachusetts Hospital School Summer Program; provided further, that the Massachusetts Hospital School shall maintain not less than 120 beds for clients in its inpatient setting to the extent feasible within the appropriation”, and in said item by striking out the figures “158,036,217” and inserting in place thereof the figures “158,136,217”,

In item 4590-0925, in line 4, by inserting after the word “grant” the words “not less than eighty-five percent of the”, and, in line 6, by inserting after the words “state-funded” the word “non-profit”,

In item 4590-1507 by adding the following: “; provided further, that not less than \$50,000 shall be expended for the Center for Teen Empowerment, Inc.; provided further, that not less than \$900,000 shall be expended for the Alliance of Massachusetts YMCAs, which shall be distributed between the recipient’s member organizations; provided further, that not less than \$1,000,000 shall be expended for the Massachusetts Alliance of Boys and Girls Clubs, which shall be distributed equally between said recipient’s member organizations; and provided further, that not less than \$50,000 shall be expended for programs and services at the Milford Youth Center”, and in said item by striking out the figures “1,800,000” and inserting in place thereof the figures “3,800,000”,

By striking section out section 35,

By inserting after section 38 the following two sections:

“SECTION 38A: The General Laws are hereby amended by inserting after chapter 111N the following chapter:—

CHAPTER 111O.

Mobile Integrated Health Care.

Section 1. As used in this chapter, the following words shall have the following meanings, unless the context or subject matter clearly requires otherwise:—

‘Advisory council’, the group of advisors established pursuant to section 3.

‘Commissioner’, the commissioner of public health.

‘Department’, the department of public health.

‘Community paramedic provider’, a person who (1) is certified as a paramedic in accordance with the provisions of chapter 111C and department regulations; and (2) has successfully completed an education program for mobile integrated health care, in accordance with department regulations.

‘Health care facility’, a licensed institution providing health care services or a health care setting, including, but not limited to, hospitals, and other inpatient centers, ambulatory surgical or treatment centers, behavioral health centers, skilled nursing centers, residential treatment

centers, diagnostic, laboratory and imaging centers, and rehabilitation and other therapeutic health centers.

‘Health care entity’, a provider or provider organization, including, but not limited to, ambulance services licensed under chapter 111C, visiting nurse associations, accountable care organizations, and home health agencies.

‘Health care provider’, a provider of medical, behavioral or health services or any other person or organization that furnishes bills or is paid for health care services delivery in the normal course of business.

‘Mobile integrated health care’ or ‘MIH’, a health care program that utilizes mobile resources to deliver care and services to patients in an out-of-hospital environment in coordination with health care facilities or other health care providers. Such medical care and services include, but are not limited to, community paramedic provider services, chronic disease management, behavioral health, preventative care, post-discharge follow-up visits, or transport or referral to facilities other than hospital emergency departments.

‘Medical control’, the clinical oversight provided by a qualified physician or existing primary care provider to all components of the MIH program, including, without limitation, medical direction, training, scope of practice and authorization to practice of a community paramedic provider, continuous quality assurance and improvement, and clinical protocols established under this chapter by the department in regulation.

‘Medical direction’, the authorization for treatment provided by a qualified physician or existing primary care provider in accordance with clinical protocols, established under this chapter by the department in regulation whether on-line, through direct communication or telecommunication, or off-line through standing orders.

‘Patient’, an individual identified by a healthcare facility, entity or provider as requiring MIH services in accordance with department regulations.

‘Person’, an individual, an entity or an agency or political subdivision of the commonwealth.

‘Physician’, a medical or osteopathic doctor licensed to practice medicine in the commonwealth.

‘Scope of practice’, the clinical skills or functions (1) as defined by the Statewide Treatment Protocols governing the delivery of emergency medical services under chapter 111C; (2) clinical protocols established under this chapter by the department in regulation; and (3) any other requirements established by department regulations.

Section 2. Subject to appropriation, the department shall establish a program of mobile integrated health care within its bureau of health care safety and quality. With respect to the program, the department shall have the following powers and duties:

(a) to plan, guide, assist, coordinate and regulate the development of a unified MIH program;

(b) to establish minimum standards and criteria for all elements of the program, taking into consideration relevant standards and criteria developed or adopted by nationally recognized agencies or organizations, and the recommendations of interested stakeholders, including, without limitation, the statewide mobile integrated health advisory council, established in section 3;

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(c) to develop and implement a state mobile integrated health care plan, in consultation with the advisory board, which shall be updated at least once every three years and which shall address the distribution of all elements of mobile integrated health care in the state, so that quality services shall be reasonably available to all residents of the commonwealth at the lowest aggregate reasonable cost;

(d) to ensure that health care providers operating MIH programs collect and maintain data, including statistics on mortality and morbidity of consumers of mobile integrated health services, including but not limited to, information needed to review access, availability, quality, cost and third party reimbursement for such services, and coordinate and perform such data collection in conjunction with other data collection activities;

(e) to establish minimum criteria for MIH to be followed by health care facilities, health care entities and health care providers, to ensure that MIH programs meet the following criteria:

(1) provide pre-hospital and post-hospital services as a coordinated continuum of care that fully supports the patient's medical needs in the community;

(2) address gaps in service delivery and prevent unnecessary hospitalizations, or other harmful and wasteful resource delivery;

(3) focus on partnerships, through contracts or otherwise, between health care providers and health care entities that promote coordination and utilization of existing personnel and resources without duplication of services;

(4) adhere to clinical standards and protocols, established under this chapter by the department in regulation, with the guidance of the advisory council, to ensure that MIH community paramedic providers or other providers employed by a health care entity provide health care services or treatment within their scope of practice;

(5) dispatch only those community paramedic providers or other providers employed by a health care entity who have received appropriate training and demonstrate competency in the MIH clinical protocols;

(6) meet appropriate standards related to capacity, location, personnel and equipment;

(7) ensure that every MIH program shall have access to qualified medical control and medical direction;

(8) provide a secure and effective medical communication subsystem linkage for on-line medical direction;

(9) ensure activation of the 911 system in the event that a patient of an MIH program experiences a medical emergency, as determined through medical direction, in the course of an MIH visit provided such activation is in the best interest of patient safety; and

(10) ensure compliance with all state and federal privacy requirements with regard to patient medical records and other individually identified patient health information.

(f) to issue rules, regulations, guidelines and orders, and delegate authority to its divisions, employees and agents, and to the advisory board, as may be necessary or appropriate to carry out the provisions of this chapter, provided that such regulations shall take into account how MIH programs effect EMS first response services, and provided further that the department shall examine how 911 triage trees may be incorporated into MIH; and

(g) to take any other action consistent with its role as state lead agency for mobile integrated health services.

Section 3. (a) There shall be established a mobile integrated health advisory board, which shall assist and support the department in carrying out the provisions of this chapter and in developing and implementing the state mobile integrated health plan, by planning, guiding and coordinating the components of mobile integrated health services.

(b) The advisory council shall consist of the director of the bureau of health care safety and quality, or a designee, who shall serve as a non-voting chair, and 17 members who shall be appointed by the commissioner and who shall reflect a broad distribution of diverse perspectives on mobile integrated health care, including appointees or their designees from the following groups: the division of medical assistance, Massachusetts Hospital Association; Massachusetts Council of Community Hospitals; a for-profit hospital system that is not a member of another hospital advocacy group; Massachusetts Senior Care Association; Massachusetts Medical Society; Massachusetts Chapter of the American College of Emergency Physicians; Massachusetts Nurses Association; Home Care Alliance of Massachusetts; Professional Fire Fighters of Massachusetts; Fire Chiefs Association of Massachusetts; International Association of EMTs and Paramedics; Massachusetts Ambulance Association; Hospice and Palliative Care Association of Massachusetts; 2 members representing private payors; and the Massachusetts Association of Hospital-Based Paramedic Services.

SECTION 38B. Clause (3) of section 19 of Chapter 111C, as appearing in the 2012 Official Edition, is hereby amended by striking out the words ‘approved under this chapter;’ and inserting in place thereof the following words ‘approved under this chapter or chapter 111O’.”, and

By inserting after section 73A (inserted by the committee on Bills in the Third Reading) the following three sections:

“SECTION 73A^{1/2}. Notwithstanding any general or special law to the contrary, the department of public health shall study the feasibility of establishing a system for the bulk purchasing and distribution of naloxone to all cities and towns in the Commonwealth. The department shall file a report with the clerks of the senate and house of representatives and the senate and house committees on ways and means on or before Jan 1, 2016. The report shall include, but not be limited to: (i) the process or processes by which the state could make bulk purchases of naloxone with a significant public health benefit, (ii) the process or processes by which other governmental or nongovernmental entities might participate in a collaborative approach to bulk purchasing of naloxone, (iii) whether, and by what process or processes, other states engage in bulk purchasing of naloxone; (iv) the process or processes by which the state could efficiently and economically distribute said bulk purchases; (v) the sources of funding available to implement said bulk purchases; (vi) the effect of anticipated cost savings or losses bulk purchasing of naloxone would have on the state; and (vii) recommendations for how a bulk purchasing model could effectively be utilized by the commonwealth to reduce costs for the state, other governmental or nongovernmental entities, and consumers.

SECTION 73B. Notwithstanding any special or general law to the contrary, the department of public health shall implement a two-year

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institutional pharmacy discharge medication pilot program for the purposes of ensuring patient medication adherence; provided that the department shall define institutional pharmacies as retail pharmacies for the purposes of implementing the program. Such a program shall: (1) allow institutional pharmacies to be treated like retail pharmacies for the purposes of providing medication to a patient at the time of discharge; and (2) allow hospitals licensed pursuant to section 51 of Chapter 111 of the General Laws and hospital pharmacists that hold a current license to practice pharmacy in the commonwealth to provide a 14-day supply of medication to a patient at the time of discharge and to perform medication review, reconciliation and counseling. Within 90 days of the conclusion of the pilot program, the commission shall file a report with the clerks of the senate and house of representatives and the senate and house committees on ways and means. Said report shall include information relative to whether the pilot program improved medication adherence and outline any regulatory barriers that prohibit such a program from expanding.

SECTION 73C. Section 40 of chapter 258 of the Acts of 2014 is hereby amended by adding at the end thereof the following words:— ; provided, that until said first draft is published, any drug product approved by the federal food and drug administration for abuse-deterrent labeling shall be deemed an interchangeable abuse deterrent drug product for the purposes of this act.”.

Consolidated
amendments
adopted,—
yea and nay
No. 45.

After remarks on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Ms. Hogan of Stow; and on the roll call 158 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 45 in Supplement.]

Therefore the consolidated amendments (public health) were adopted.

Mr. Ayers of Quincy then moved to amend the bill by inserting after section 53 the following section:

“SECTION 53A. Notwithstanding any other general or special law to the contrary, the department of public health, in conjunction with the Massachusetts department of transportation and the department of environmental protection shall conduct a study relative to the rehabilitation of the bridge to and facilities on Long Island in Boston Harbor. The study shall include, but not be limited to: (i) a cost-feasibility analysis comparing alternate means of transportation to Long Island, including but not limited to ferry service; (ii) an environmental impact analysis of the rehabilitation of the Long Island bridge; and (iii) potential reuses of the facilities on Long Island. The study shall be filed with the clerks of the House of Representatives and Senate on or before October 1, 2015.”.

The amendment was adopted.

Mrs. Orrall of Lakeville then moved to amend the bill by inserting after section 52 the following section:

“SECTION 52A. The secretary of labor and workforce development, in conjunction with the director of unemployment insurance, shall perform a study evaluating the effect of chapter 144 of the acts of 2014 on unemployment rates in the commonwealth. In conducting the study, the secretary shall consult with the department of revenue,

the division of labor standards and representatives of business owners across the commonwealth including the National Federation of Independent Business, the Associated Industries of Massachusetts, the Retailers Association of Massachusetts, and the Massachusetts Taxpayers Foundation. The secretary shall file a report with the clerks of the House of Representatives and Senate on or before September 1, 2015. The report shall include legislative recommendations regarding changes to said chapter 144 to lessen any negative impacts the legislation has had on unemployment rates.”.

The amendment was adopted.

Recess.

At five minutes before nine o'clock P.M. (Tuesday, April 28), on motion of Mr. Mariano of Quincy (Mr. Donato of Medford being in the Chair), the House recessed until the following day at ten o'clock A.M.; and at four minutes after ten o'clock A.M., the House was called to order with Mr. Donato in the Chair.

Recess.

Wednesday, April 29, 2015 (at 10:04 o'clock A.M.).

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of allegiance.

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to establishing department of public utilities oversight of transportation network companies (House, No. 3351), was filed in the office of the Clerk on Friday, April 24, 2015.

Transportation network companies.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Financial Services. Sent to the Senate for concurrence.

Resolutions.

Resolutions (filed with the Clerk by Representatives Poirier of North Attleborough and Heroux of Attleboro) congratulating the Murray Unitarian Universalist Church on its one hundred and fortieth anniversary, were referred, under Rule 85, to the committee on Rules.

Murray Unitarian Universalist Church.

Mr. Galvin of Canton, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mrs. Poirier, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Recess.

At twenty-four minutes after eleven o'clock A.M., the Chair (Mr. Donato) declared a recess subject to the call of the Chair; and at nine minutes before twelve o'clock noon the House was called to order with Mr. Donato in the Chair.

Recess.

Orders of the Day.

Marlo Carter,—
sick leave.

The Senate Bill establishing a sick leave bank for Marlo Carter, an employee of the Department of Correction (Senate, No. 42, amended) (reported by the committee on Bills in the Third Reading to be correctly drawn), was read a third time, under suspension of the rules, on motion of Mr. Nangle of Lowell; and it was passed to be engrossed, in concurrence.

General Appropriation Bill.

The House Bill making appropriations for the fiscal year 2016 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 3400, amended), was considered.

Consolidated amendments (health and human services and elder affairs).

Pending the question on passing the bill, as amended, to be engrossed, Mr. Dempsey of Haverhill moved to amend it in section 2

By inserting after item 1599-1979 the following item:

“1599-2004 For a reserve to be administered by the health policy commission to develop a pilot program to implement a model of field triage of behavioral health patients under medical control by specially-trained emergency medical services providers, care for appropriate patients at home by such providers in coordination with behavioral health care providers, and transport of appropriate, non-medically complex patients to a behavioral health site of care for most effective treatment rather than to an acute hospital emergency department; provided further, that the commission shall implement this pilot to triage behavioral health patients in the greater Quincy area affected by the recent hospital closure; provided further, that in developing the program, the commission shall consider evidence-based practices from successful programs implemented locally, nationally, or internationally; provided further, that the commission shall report to the joint committee on mental health and substance abuse and the house and senate committees on ways and means not later than 12 months following completion of the pilot program on its results, including its effectiveness, efficiency, and sustainability; and provided further, that funds appropriated in this item shall not revert and shall be available for expenditure through June 30, 2017 \$500,000”.

By striking out item 4000-0300 and inserting in place thereof the following item:

“4000-0300 For the operation of the executive office of health and human services, including the operation of the managed care oversight board; provided, that the executive office shall provide technical and administrative assistance to agencies under the purview of the secretariat receiving federal funds; provided further, that the executive office shall continue to develop and implement the common

client identifier; provided further, that the executive office shall monitor the expenditures and completion timetables for systems development projects and enhancements undertaken by all agencies under the purview of the secretariat and shall ensure that all measures are taken to make such systems compatible with one another for enhanced interagency interaction; provided further, that the executive office shall ensure that any collaborative assessments for children receiving services from multiple agencies within the secretariat shall be performed within existing resources; provided further, that funds appropriated in this item shall be expended for administrative and contracted services related to the implementation and operation of programs authorized by chapter 118E of the General Laws; provided further, that the executive office and its agencies, when contracting for services on the islands of Martha's Vineyard and Nantucket, shall take into consideration the increased costs associated with the provision of goods, services and housing on said islands; provided further, that the executive office shall contract with Martha's Vineyard Community Services, Inc. for no less than \$75,000 to increase access to health and human services on Martha's Vineyard and Nantucket, and such funds shall be used to cover feasible travel costs associated with arranging access to health and human services; provided further, that in consultation with the center for health information and analysis, no rate increase shall be provided to existing Medicaid provider rates without taking all measures possible under Title XIX of the Social Security Act, as codified at 42 U.S.C. chapter 7, subchapter XIX, to ensure that rates of payment to providers do not exceed the rates that are necessary to meet only those costs which must be incurred by efficiently and economically operated providers in order to provide services of adequate quality; provided further, that funds may be expended for the operation of the office of health equity within the executive office of health and human services; provided further that on or before December 31, 2015, not less than \$150,000 shall be provided to Noble Hospital, a federal and state disproportionate share hospital that is geographically isolated, to improve the access entry way for all patients, especially those challenged with disabilities, provided that such funds are matched by an equal or greater amount by Noble Hospital; provided further, that no expenditures shall be made that are not federally reimbursable, including those related to Titles XIX or XXI of the Social Security Act, as codified at 42 U.S.C. chapter 7, subchapters XIX or XXI or the MassHealth demonstration waiver pursuant to section 1115(a)

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of said Social Security Act, as codified at 42 U.S.C. section 1315(a) or the community first demonstration waiver pursuant to section 1115 of the Social Security Act, as codified at 42 U.S.C. section 1315, whether made by the executive office or another commonwealth entity, except as required for: (a) the equivalent of MassHealth Standard benefits for children under age 21 who are in the care or custody of the department of youth services or the department of children and families; (b) dental benefits provided to clients of the department of developmental services who are age 21 or over; or (c) cost containment efforts the purposes and amounts of which have been submitted to the executive office for administration and finance and the house and senate committees on ways and means 30 days prior to making these expenditures; provided further, that the executive office of health and human services may continue to recover provider overpayments made in the current and prior fiscal years through the Medicaid management information system, and that these recoveries shall be considered current fiscal year expenditure refunds; provided further, that the federal financial participation received from claims filed based on in-kind administrative services related to outreach and eligibility activities performed by certain community organizations, under the "covering kids initiative," and in accordance with the federal revenue criteria in 45 CFR 74.23 or any other federal regulation which provides a basis for federal financial participation, shall be credited to this item and may be expended, without further appropriation, on administrative services including those covered under an agreement with the organizations participating in the initiative; provided further, that funds shall be provided in an amount not less than the total appropriated in item 1599-2009 in section 2 of chapter 182 of the acts of 2008; provided further, that in calculating rates of payment for children enrolled in MassHealth receiving inpatient and outpatient services at acute care pediatric hospitals and pediatric specialty units as defined in section 8A of Chapter 118E of the General Laws, the executive office shall make a supplemental payment to any acute care pediatric hospital and pediatric specialty unit in the Commonwealth, above base rates, to compensate for high-complexity pediatric care in an amount not less than fifty percent of the amount appropriated in this item in Chapter 165 of the acts of 2014; provided further, that the executive office may collect directly from a liable third party any amounts paid to contracted providers under chapter 118E of the General Laws for which the executive office later discovers another third party is liable if no other course

of recoupment is possible; provided further, that no funds shall be expended for interpretive services directly or indirectly related to a settlement or resolution agreement with the office of civil rights or any other office, group, or entity; provided further, that interpretive services currently provided shall not give rise to enforceable legal rights for any party or to an enforceable entitlement to interpretive services; provided further, \$150,000 shall be expended for the work of the Massachusetts unaccompanied homeless youth commission to determine the scope of need among unaccompanied youth and young adults ages 24 and younger who are experiencing homelessness, and to identify and implement potential models for appropriate service delivery to unaccompanied homeless youth in urban, suburban, and rural areas of the commonwealth; provided further, that notwithstanding any general or special law to the contrary, the commissioner of mental health shall approve any prior authorization or other restriction on medication used to treat mental illness in accordance with written policies, procedures, and regulations of the department of mental health; provided further, that not later than January 18, 2016, the executive office of health and human services shall submit a report to the house and senate committees on ways and means detailing the methodology used to project caseload and utilization in fiscal year 2015 and fiscal year 2016; provided further, that the executive office of health and human services shall report to the house and senate committees on ways and means not later than January 13, 2016 on the number of members served in the dual eligible initiative, the average expenditure per member, the average expenditure per member prior to the demonstration project and the number of clients that receive care at skilled nursing facilities; provided further, that any projection of deficiency in item 4000-0430, 4000-0500, 4000-0600, 4000-0640, 4000-0700, 4000-0875, 4000-0880, 4000-0885, 4000-0940, 4000-0950, 4000-0990, 4000-1400, 4000-1420 or 4000-1425 shall be reported to the house and senate committees on ways and means not less than 90 days before the projected exhaustion of funding; and provided further, that any unexpended balance in these accounts shall revert to the General Fund on June 30, 2016.....

\$91,865,452”

In item 4000-0600, in line 20, by striking out the words “up to” and inserting in place thereof the word “of”,

By striking out item 4000-0640 and inserting in place thereof the following item:

“4000-0640 For nursing facility Medicaid rates; provided, that notwithstanding any general or special law to the contrary, in fiscal year 2016 the executive office

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of health and human services, in consultation with the center for health information and analysis, shall establish nursing facility Medicaid rates that cumulatively total \$291,600,000 more than the annual payment rates established under the rates in effect as of June 30, 2002; provided further, that the MassHealth agency shall adopt all additional regulations and procedures necessary to carry out this item; provided further that effective July 1, 2015 the executive office of health and human services shall establish nursing facility MassHealth rates that fully recognize the Medicaid share of the nursing home assessment established by section 63 of chapter 118E of the General Laws; provided further, that an amount for expenses related to the collection and administration of section 63 of chapter 118E of the General Laws shall be transferred to the executive office of health and human services; provided further, that not less than \$2,800,000 shall be expended as incentive payments to nursing facilities meeting the criteria determined under the MassHealth Nursing Facility Pay-for-Performance Program and that have established and participated in a cooperative effort in each qualifying nursing facility between representatives of employees and management that is focused on implementing that criteria and improving the quality of services available to MassHealth members and that shall decide jointly how to expend such incentive payments; provided further, that the MassHealth agency shall adopt all additional regulations and procedures necessary to carry out this section; and provided further, that the payments made under this item shall be allocated in an amount sufficient to implement section 622 of chapter 151 of the acts of 1996 \$300,400,000”;

In item 4000-0700 by striking out the figures “2,491,392,092” and inserting in place thereof the figures “2,498,792,092”;

In item 9110-1500, in line 10, by inserting after the following: “1396n(c)” the following: “; provided further, that the executive office shall submit a report, not later than October 7, 2015, to the house and senate committees on ways and means which shall include the number of individuals receiving services from the intensive care management program on July 1, 2015 and a subsequent report, not later than March 15, 2016 on the number of individuals receiving services from the intensive care management program on March 1, 2016”;

In item 9110-1636 by adding the following: “; provided, that not less than \$50,000 shall be expended for the establishment of and administrative support of regional Financial Abuse Specialist Teams to improve the ability of elder protective services programs to investigate and respond to reports of financial exploitation as recommended by the Elder Protective Service Commission established by section 204 of Chapter 139 of the Acts of 2012; and provided further, that the Executive Office of Elder Affairs shall provide a report to the House and

Senate Chairs of the Joint Committee on Elder Affairs on the implementation of FAST Teams on or before June 30, 2016”, and in said item by striking out the figures “23,123,254” and inserting in place thereof the figures “23,173,254”,

In item 9110-1660 by adding the following: “; provided, that not less than \$642,000 shall be expended for providers of naturally occurring retirement communities with whom the department of elder affairs entered into service agreements within fiscal year 2015 at proportions of total available funding equal to those provided in fiscal year 2015”, and in said item by striking out the figures “1,512,626” and inserting in place thereof the figures “2,154,626”,

In item 9110-1900 by adding the following: “; and provided further, that not less than \$750,000 shall be expended for home delivered meals”, and in said item by striking out the figures “6,381,427” and inserting in place thereof the figures “7,131,427”, and

By striking out item 9110-9002 and inserting in place thereof the following item:

“9110-9002 For grants to the councils on aging and for grants to or contracts with non-public entities which are consortia or associations of councils on aging; provided, that notwithstanding the foregoing, all monies appropriated in this item shall be expended in accordance with the distribution schedules for formula and incentive grants established by the secretary of elder affairs; provided further, that the distribution schedules shall be submitted to the house and senate committees on ways and means; provided further, that not less than \$150,000 shall be expended for the Rossetti-Cowan Senior Center in Revere; provided further, that not less than \$50,000 shall be expended for the costs associated with care and services provided at Whipple Senior Center in the Town of Weymouth; provided further, that not less than \$65,000 shall be expended for the Sterling Senior Center; provided further, that not less than \$75,000 shall be expended as a grant to the town of Easton for the Easton Council on Aging; provided further, that not less than \$60,000 be provided to the Worcester Regional Transit Authority for the establishment of a Senior Van and Paratransit Service in the Town of Boylston; provided further, that not less than \$50,000 shall be expended as a grant to the town of Braintree for the Braintree Council on Aging; and provided further, that not less than \$50,000 shall be expended for the Winchendon Senior Center..... \$13,415,000”;

By inserting after section 7 the following section:
“SECTION 7A: Chapter 6A of the General Laws is hereby amended by inserting after section 16X the following section:—

16Y. (a) There shall be a commission within the executive office of health and human services for the purpose of studying and making recommendations relative to state policies and regulations on LGBT older adults to ensure equality of access, treatment, care and benefits;

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examine strategies to increase provider awareness of the needs of LGBT older adults and their caregivers and to improve the competence of and access to treatment, services and on-going care, including preventive care; assess the funding and programming needed to enhance services to the growing population of LGBT older adults; examine best practices for increasing access, reducing isolation, preventing abuse and exploitation, promoting independence and self-determination, strengthening caregiving, eliminating disparities and improving quality of life; examine whether certain policies and practices, or the absence thereof, promote the premature admission of LGBT older adults to institutional care; recommend, as appropriate and necessary, lower cost and culturally appropriate home and community-based alternatives to institutional care; examine the feasibility of developing statewide training curricula to improve provider competency in the delivery of health, housing and long-term support services to older LGBT adults and their caregivers; and examine outreach protocols to reduce apprehension among LGBT elders and caregivers of utilizing mainstream providers.

(b) The commission shall consist of the house and senate chairs of the joint committee on elder affairs or their designees, who shall serve as co-chairs; the secretary of elder affairs or a designee; the director of housing and community development or a designee; the commissioner of public health or a designee; the director of the LGBT Aging Project or a designee; the president of Fenway Health or a designee; the executive director of the Gay & Lesbian Advocates & Defenders or a designee; a representative of the National Association on HIV Over Fifty, Inc.; the executive director of MassEquality or a designee; the executive director of the Mass Home Care or a designee; the director of AARP Massachusetts or a designee; the executive director of the Massachusetts Association of Councils on Aging, Inc. or a designee; the director of the Massachusetts Senior Care Association or a designee; the director of the Massachusetts Council for Home Care Aides Services, Inc. or a designee; and 5 members appointed by the governor, 1 of whom shall be a member of the Massachusetts bar who practices elder law, 1 of whom shall be an expert in LGBT public policy or research and 3 LGBT elders, at least 1 of whom shall be transgender. The governor's appointees shall ensure that the commission has at least 1 representative from each of the following areas: Cape Cod, western Massachusetts and central Massachusetts.

(c) The commission may hold regular public meetings, fact-finding hearings and other public forums as it considers necessary and shall submit an annual report by December 31 to the governor, the clerks of the house of representatives and the senate, and the joint committee elder affairs. The report shall include, but not be limited to, the commission's findings and any recommendations for regulatory or legislative action, with a timeline for implementation, cost estimates and finance mechanisms, any other efforts to address the needs of this population.”

By inserting after section 20 the following section:

“SECTION 20A. Chapter 10 of the General Laws is hereby amended by inserting after section 35UU the following section:—

35UU½. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Acute Care Hospi-

tal Trust Fund which shall be administered by the secretary of health and human services. Subject to appropriation, monies from the trust fund may be expended for payments to acute care hospitals.”, and

By inserting after section 66 the following four sections:

“SECTION 66A. Notwithstanding section 53 of chapter 118E of the General Laws, for fiscal year 2016, the executive office of health and human services may determine the extent to which to include within its covered services for adults the federally-optional dental services that were included in its state plan or demonstration program in effect on January 1, 2002; provided that dental services shall be covered for adults at least to the extent covered as of June 30, 2015.

SECTION 66B. Notwithstanding the provision of section 2GGGG of chapter 29 of the General Laws or any other general or special law or regulation to the contrary, on January 1, 2016, the Health Policy Commission shall transfer from the Distressed Hospital Trust Fund the following amounts:

(a) \$8,227,865 to the Delivery System Transformation Initiatives Trust Fund established by section 35UU of chapter 10 of the General Laws; provided, that these funds shall be expended under the delivery system transformation initiative master plan and hospital-specific plans approved in the MassHealth section 1115 demonstration for state or federal fiscal year 2015; provided further, that all payments from the Delivery System Transformation Initiatives Trust Fund shall be subject to the availability of federal financial participation, shall be made only in accordance with federally approved payment methods, shall be consistent with federal funding requirements and all federal payment limits as determined by the secretary of health and human services and shall be subject to the terms and conditions of an agreement with the executive office of health and human services;

(b) \$17,153,885 to the Acute Care Hospital Fund, provided, that of these funds, \$11,000,000 shall provide an additional 5 per cent of the office of Medicaid’s standard payment amount per discharge, or SPAD, above rate year 2013, or of reimbursement provided under any subsequent inpatient payment methodologies and to provide an additional 5 per cent of its outpatient payment amount per episode or PAPE above rate year 2013, or of reimbursement provided under any subsequent outpatient payment methodologies to any acute care hospital that has greater than 63 per cent of its gross patient service revenue from governmental payers and free care as determined by the executive office of health and human services; provided further, that \$6,153,885 shall be provided for supplemental payments to inpatient and outpatient behavioral and mental health services provided by any acute care hospital that has greater than 63 per cent of its gross patient service revenue from governmental payers and free care as determined by the executive office of health and human services; provided further, that such behavioral and mental health supplemental payments shall be subject to all required federal approvals and the availability of federal financial participation and shall be prioritized for services provided to children and adolescents.

SECTION 66C. (a) There shall be a special commission relative to ovarian cancer in the Commonwealth. The commission shall consist of the following members: the secretary of the executive office of health

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and human services, or a designee; the commissioner of public health, or a designee; the commissioner of insurance, or a designee; and 8 members who shall be appointed as follows: 2 members appointed by the senate president, 1 of whom shall be a person with or survivor of ovarian cancer and 1 of whom is a medical specialist in ovarian cancer; 2 members appointed by the speaker of the house of representatives, 1 of whom shall be a person with or survivor of ovarian cancer and 1 of whom is a medical specialist in ovarian cancer; and 4 members appointed by the governor, 1 of whom shall be a person with or survivor of ovarian cancer, 1 of whom is a medical specialist in ovarian cancer, and 2 members of the public with demonstrated expertise in issues relating to the work of the commission.

(b) The commission shall study and report on the following: (i) establish a mechanism in order to ascertain the prevalence of ovarian cancer in Massachusetts and, to the extent possible, collect statistics relative to the timing of diagnosis and risk factors associated with ovarian cancer; (ii) determine how to best effectuate an early diagnosis and treatment for ovarian cancer patients; (iii) determine any unmet needs of persons with ovarian cancer and those of their families; and (iv) provide recommendations for additional legislation, support programs and resources necessary to meet the unmet needs of persons with ovarian cancer and their families.

(c) The commission shall file its report and recommendations with the clerks of the senate and house of representatives and the chairs of the joint committee on public health by December 31, 2015.

SECTION 66D. Notwithstanding any general or special law to the contrary, the office of Medicaid shall establish a prospective, global payment pilot program under which Medicaid contracts with risk-bearing provider organizations for the provision and coordination of health care services for their attributed members beginning not later than September 1, 2016; provided, that such risk-bearing provider organizations shall be able to provide coordinated care through the provider's network of primary care providers; provided further, that such providers shall have experience and demonstrated capabilities to provide behavioral health services including psychiatric and substance abuse beds; provided further, that Medicaid shall reimburse such providers on a prospective monthly basis; provided further, that such risk-bearing provider organizations that have obtained a risk certificate or a waiver from the Division of Insurance pursuant to section 3 of chapter 176T shall not be required to obtain additional insurance licensure under chapters 175, 176A, 176B, 176G, 176I or 176J of the General Laws; provided further, that the program shall not go into effect until the division of insurance, in conjunction with other health policy agencies, has promulgated regulations providing for risk certificates or procedures for waivers for such risk-bearing provider organizations."

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Sánchez of Boston; and on the roll call 158 members voted in the affirmative and 0 in the negative.

[See Yeas and Nays No. 46 in Supplement.]

Therefore the consolidated amendments (health and human services and elder affairs) were adopted.

Consolidated
amendments
adopted,—
yea and nay
No. 46.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following section:

“SECTION 93. Chapter 23A of the General Laws, as appearing in 2012 Official Edition, is hereby amended by inserting after section 10B the following new section:—

Section 10C. (a) There shall be established and set upon the books of the commonwealth a separate fund to be known as the student entrepreneurial development and economic investment fund, hereinafter referred to as the student investment fund, to which shall be credited any appropriations, bond proceeds, or other monies authorized by the general court and specifically designated to be credited thereto and additional funds designated for deposit to the student investment fund, including any pension funds, federal grants or loans, or private donations made available to the secretary of economic development. The secretary of economic development shall hold the student investment fund in an account separate from other funds or accounts. Amounts credited to the student investment fund shall be available to the investment board as established in subsection (b) to carry out the purposes of subsection (c).

(b) The investment board shall consist of the following members: the secretary of economic development or his designee, who shall serve as the chairperson of the board; the chairman of the board of higher education or his designee, who shall serve as the vice-chairperson of the board; the president of the Massachusetts technology development corporation, or his designee; the executive director of the office of commercial ventures and intellectual property, or his designee; two private Massachusetts-based investors to be chosen by the chairperson in consultation with the president of the Massachusetts technology development corporation; one student representative selected by the university of Massachusetts representative to the board of higher education; one student representative selected by the state college representative to the board of higher education; and one student representative selected by the community college representative to the board of higher education. The chairman of the board of higher education shall establish a student application program to aid the representatives of the board of higher education in the selection of student members to the board.

Five members of the board shall constitute a quorum and the affirmative vote of five members shall be necessary for any action taken by the board. No vacancy in the membership of the board shall impair the right of a quorum to exercise all the rights and perform all the duties of the board.

(c) The purpose of the student investment fund shall be to provide an opportunity for interested students to gain experience in entrepreneurialism and early-stage business development while fostering an economic environment that will attract students to the commonwealth and forge a relationship between the public higher education system and the Massachusetts business community with the intent of driving economic growth. Funds made available to the student investment board from the student investment fund shall be used for a grant program administered by the board for prototype funding of Massachusetts' student ideas in early development stages; provided however,

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that the development of such ideas, plans, or business occur within the commonwealth. The secretary of economic development shall promulgate rules regarding the enforcement and penalties for recipients who relocate outside of the commonwealth. The board shall not be limited in the number of grants distributed to students in any one year; provided however, that the total monetary amount of all grants distributed by the board in a fiscal year shall not exceed twenty percent of the fund's first year balance. The board shall hold periodic hearings to allow selected students, who have submitted a statement of interest and initial business plan, the opportunity to present a comprehensive business plan describing characteristics and proprietary positions of the student's product or services; present and future markets for such products or services; potential strategies for the future development and funding of the prototype product or service; a statement of amount, timing and projected use of the capital sought by the student; and a statement of the projected growth in employment or other positive economic impacts. Comprehensive business plans may be written and reviewed in consultation with the Massachusetts technology transfer center at the University of Massachusetts.

(d) The board shall, by January 1 of each year, submit a report of its activities for the preceding fiscal year to the governor, the joint committee on economic development and emerging technologies, and the clerks of the House of Representatives and senate. Each report shall set forth a complete financial statement covering its operation during the year and shall also include any requests for additional appropriations."

The amendment was adopted.

Mr. Jones and other members of the House then moved to amend the bill by adding the following section:

"SECTION 94. Section 49 of chapter 30 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:— Any manager or employee of the Commonwealth objecting to any provision of the classification affecting his office or position may appeal in writing to the personnel administrator."

The amendment was adopted.

Mr. Hill of Ipswich then moved to amend the bill by adding the following section:

"SECTION 95. Notwithstanding any general or special law to the contrary any historic property, pursuant to the provisions of Section 44 of Chapter 85 of the Acts of 1994 shall not be subject to the provisions of Chapter 59 of the General Laws."

The amendment was adopted.

Mr. Murphy of Weymouth then moved to amend the bill by adding the following section:

"SECTION 96. Chapter 32 section 23b subsection k paragraph 6, as appearing in the 2012 official edition, is hereby amended by adding the following section:—

(iii) A Retirement Board is permitted to invest in Private Equity and Real Estate 'follow-on' or 'successor' funds provided:

- (1) the retirement system invested in the previous fund;
- (2) the fund advisor/manager has no material change(s) in personnel;
- (3) the strategy is unchanged; and

(4) no more than 10 years has elapsed since the retirement board conducted their original due diligence.”.

The amendment was adopted.

Mr. Galvin of Canton then moved to amend the bill by adding the following section:

“SECTION 97. Section 44 of chapter 85 of the acts of 1994, as most recently amended by chapter 242 of the acts of 2014, is hereby further amended by inserting after the words ‘the city of Cambridge’ the following words:— William H. Peterson House, so-called, at 22 Turnpike Street in the Blue Hills State Reservation in the town of Canton.”.

The amendment was adopted.

Mr. Straus of Mattapoisett and other members of the House then moved to amend the bill by adding the following section:

“SECTION 98. Notwithstanding any general or special law or regulation to the contrary, there shall be a cranberry industry revitalization task force which shall consist of the following members: 3 representatives from the Cape Cod Cranberry Growers’ Association who shall be appointed by the governor from a list of 6 names submitted by said Association; 1 representative of Ocean Spray Cranberries, Inc., who shall be appointed by the governor; 1 representative of an independent cranberry handler company, who shall be appointed by the governor; 1 researcher from the University of Massachusetts Cranberry Station, who shall be appointed by the governor; the secretary of Energy and Environmental Affairs or his designee; the commissioner of Agricultural Resources or his designee; 1 agricultural economist, who shall be appointed by the commissioner of Agricultural Resources; the commissioner of Energy Resources or his designee; the commissioner of Environmental Protection or his designee; the commissioner of the Department of Fish and Game or his designee; 3 members of the house of representatives, 1 of whom shall be appointed by the minority leader and 2 of whom shall be appointed by the speaker of the house; and 3 members of the senate, 1 of whom shall be appointed by the minority leader and 2 of whom shall be appointed by the president of the senate. The task force shall be chaired jointly by the secretary of Energy and Environmental Affairs and the commissioner of Agricultural Resources, or their designees.

The task force shall investigate short and long-term solutions to preserving and strengthening the cranberry industry in Massachusetts. The investigation shall examine methods to promote innovation in, and the revitalization of, the Massachusetts cranberry farming community including, without limitation, the impact of increased fixed costs borne by the cranberry growing community, alternative and renewable energy uses for growers and an investigation of the unique geography, culture and needs of the Massachusetts cranberry industry.

The task force shall submit its findings, together with drafts of recommended legislation, if any, to the clerks of the senate and house of representatives, the chairs of the joint committee on environment, natural resources and agriculture, and the senate and house committees on ways and means not later than February 1, 2016.”.

The amendment was adopted.

Mr. Collins of Boston then moved to amend the bill by adding the following section:

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“SECTION 99. Chapter 221 of the Generals Laws, as appearing in the 2010 Official Edition, is hereby amended in Section 7 by striking out the following words:— of the several counties except Suffolk.”.

The amendment was adopted.

Mrs. Orrall of Lakeville then moved to amend the bill by adding the following section:

“SECTION 100. Notwithstanding any general or special law to the contrary, there is hereby established a commission to research and assess opportunities to enhance tourism at the State House. The commission shall examine and determine if there are ways to increase retail sales through the State House bookstore and other gift kiosks. The commission shall consist of: the secretary of the commonwealth or a designee, who shall serve as chair; the commissioner of conservation and recreation or a designee; the secretary of housing and economic development or a designee; 2 members of the house of representatives, 1 of whom shall be appointed by the minority leader; 2 members of the senate, 1 of whom shall be appointed by the minority leader; the superintendent of state buildings or a designee, and 3 persons to be appointed by the governor. The commission shall commence within 2 weeks of the effective date of this act and shall meet at least four times. Within 12 months of passage of this bill, the Commission shall present a report on its findings and recommendations.”.

The amendment was adopted.

Mr. Murphy of Weymouth then moved to amend the bill by adding the following section:

“SECTION 100. Subsection (2A) of section 23 of chapter 32 of the General Laws, as appearing in the 2012 Official Edition, is amended by deleting in line 179 the word ‘nine’ and inserting in place thereof the following word:— eleven, and amended further by deleting in line 194 the period and inserting after the word ‘governor’ the following words:— the president of the Associated Industries of Massachusetts or his designee, and the president of the Massachusetts Association of Contributory Retirement Systems or his designee.”.

The amendment was adopted.

Mr. Kuros of Uxbridge then moved to amend the bill by adding the following section:

“SECTION 101. Notwithstanding any general or special law or regulation to the contrary, a special commission hereafter referred to as the commission, is hereby established for the purpose of investigating the environmental, public health, safety, personal property rights and financial impacts of beaver dams and their effect on ponds, streams, rivers and their surrounding areas.

The commission shall be chaired by the Secretary of Energy and Environmental Affairs, or his designee, and shall consist of thirteen members: 2 of whom shall be appointed by the speaker of the house; 1 of whom shall be appointed by the house minority leader; 2 of whom shall be appointed by the senate president; 1 of whom shall be appointed by the senate minority leader; the Commissioner of the Department of Fish and Game, or his designee; the Commissioner of the Department of Public Health, or his designee; the president of Mass Audubon, or his designee; and 3 of whom shall be subject matter experts appointed by the Governor.

The commission shall determine the best means to assess the impact of the beaver population on the Commonwealth, including but not limited to surveying cities and towns for local impact, reviewing data already available at the state and local levels, conducting hearings and inviting testimony from experts and the public, and other means as deemed necessary by the commission.

Members of the commission shall be named and the commission shall commence its work within 60 days of the effective date of this act. The commission shall report to the general court the results of its investigation and study, and recommendations, if any, together with drafts of legislation necessary to implement its recommendations into effect by filing the same with the clerks of the senate and the house of representatives on or before January 1, 2016. The clerks of the house and senate shall make the reports available to the public through the internet.”.

The amendment was adopted.

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill in section 2

Consolidated amendments (labor and economic development).

By inserting after item 1100-1701 the following item:

“1100-6000	For a reserve to provide loan guarantees to small businesses pursuant to section 57 of chapter 23A of the General Laws to be administered by the Massachusetts office of business development, in cooperation with the Massachusetts Business Development Corporation	\$1,100,000”,
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In item 1599-0026, in line 5, by inserting after the year “2015” the following: “; provided further, that \$500,000 shall be transferred to the executive office of public safety and security for a competitive grant program for public safety and emergency staffing to be administered by that executive office; provided further, that the grants shall be awarded to communities that: (a) have populations of at least 60,000; and (b) demonstrate that their police departments had an operating budget per capita of less than \$200 in 2010; provided further, that each state entity administering grant funds through this item shall submit a report to the house and senate committees on ways and means, not later than February 13, 2016, detailing grants awarded through this item and the criteria used for distribution; provided further, that not less than the amount appropriated in this item in section 2 of chapter 165 of the acts of 2014 for Haverhill shall be expended again in fiscal year 2016; provided further, that not less than \$25,000 shall be expended for the restoration of the Grass Hill School in the town of Millbury”, and in said item by striking out the figures “4,800,000” and inserting in place thereof the figures “5,825,000”.

In item 7002-0012 by striking out the figures “\$9,000,000” and inserting in place thereof the figures “9,500,000”.

By inserting after item 7002-0017 the following item:

“7002-0032	For a transfer to the John Adams Innovation Institute Fund established in section 6A of chapter 40J of the General Laws	\$500,000”,
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By inserting after item 7002-0040 the following item:

“7002-1502	For the Transformative Development Fund established in section 46 of chapter 23G of the General Laws	\$1,000,000”,
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By inserting after item 7002-1509 the following item:

“7002-1512	For the Big Data Innovation and Workforce Fund established in section 6H of chapter 40J of the General Laws.....	\$500,000”,
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In item 7003-0606, by striking out the figures “1,300,000” and inserting in place thereof the figures: “2,000,000”,

By inserting after item 7003-0803 the following item:

“7003-0808	For the operation of the Massachusetts Workforce Professionals Association.....	\$75,000”,
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In item 7003-1206 by adding the following: “; provided, that not less than \$125,000 shall be expended to Career Resources Corporation in Haverhill toward employment services for veterans with disabilities; provided further, that not less than \$80,000 shall be expended for the development and implementation of a middle skills workforce training program to be conducted by the Gloucester Marine Genomics Academy; provided further, that not less than \$50,000 shall be expended for Arlington Community Trabajando of Lawrence; provided further, that not less than the amount appropriated in this item in section 2 of chapter 165 of the acts of 2014 shall be expended towards workforce efforts at the Pine Street Inn in Boston; provided further, that not less than \$100,000 shall be expended for the Moving Ahead Program at the St. Francis House in Boston; provided further, that not less than \$75,000 shall be expended to establish a program in the city of Worcester to create a pre-apprenticeship training program certified by the division of apprentice training targeting low-income, women and minority youth, or young adult populations to be matched by the city of Worcester; provided further, that not less than \$100,000 shall be expended for a grant to Sociedad Latina; provided further, that not less than \$400,000 shall be expended for the Urban League of Eastern Massachusetts; provided further, that not less than \$400,000 shall be expended for the Urban League of Springfield; provided further, that not less than \$75,000 shall be expended for Cape Verdean Community UNIDO, Inc. to support outreach to immigrants in the Roxbury and Dorchester neighborhoods in the city of Boston; and provided further, that not less than \$75,000 shall be expended for programs supporting and promoting cultural heritage, diversity and education in the city of Boston that were in item 7007-0900 of section 2 of chapter 182 of the acts of 2008”, and in said item by striking out the figures “600,000” and inserting in place thereof the figures “2,330,000”,

By inserting after item 7007-0800 the following item:

“7007-0801	For microlending grants of up to \$100,000 which shall be issued to established Community Development Financial Institutions and Community Advantage Lenders making direct microenterprise and small business loans to borrowers on a regional basis, and providing technical assistance to applicants and borrowers in order to foster
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business establishment and success; provided, that the funds shall be used to support the eligible organization's lending and technical assistance activities	\$200,000",
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In item 7007-0952 by striking out the figures "3,900,000" and inserting in place thereof the figures "4,400,000",

In item 7008-0900, in line 3, by inserting after the word "championships" the following: "; provided further, that not less than \$20,000 shall be expended for the celebration of the 200th anniversary of the town of Southbridge; provided further, that not less than \$50,000 shall be expended for the West Medford Community Center; provided further, that not less than \$100,000 shall be expended as a public safety grant to the city of Beverly; provided further, that not less than \$50,000 shall be expended for a parking study in the city of Brockton; provided further, that not less than \$30,000 shall be expended for a one-time child enrichment program in the town of Saugus; provided further, that not less than \$30,000 shall be expended for a district-wide robotics program in the town of Saugus; provided further, that not less than \$50,000 shall be expended for the Wilbraham Nature and Cultural Council working in collaboration with Wilbraham Community Association, Inc. and Minnechaug Land Trust, Inc. for tourism marketing and advertising purposes; provided further, that not less than \$75,000 shall be expended for the launch and operation of New England Public Radio in the city of Springfield; provided further, that not less than \$150,000 shall be expended as a public safety grant to the city of Lowell for Tanner Street; provided further, that not less than \$100,000 shall be provided to Fisher House Boston for expenses associated with hosting the 2015 Medal of Honor Convention; provided further, that not less than \$15,000 shall be expended for Westfield on Weekends, Inc.; provided further, that not less than \$150,000 shall be expended for Old Sturbridge Village in the town of Sturbridge; provided further, that not less than \$20,000 shall be expended to the Brimfield Trail Committee for bridge design and restoration; provided further, that not less than \$200,000 shall be expended as grants for the Bay State Games; provided further, that not less than \$75,000 shall be expended as a public safety grant to the town of Swampscott; provided further, that not less than \$100,000 shall be expended for Quincy Asian Resources, Inc. in the city of Quincy; provided further, that not less than \$50,000 shall be expended for the Germantown Neighborhood Center/South Shore YMCA in the city of Quincy; provided further, that not less than \$15,000 shall be expended for child safety grants to the town of North Reading; provided further, that not less than \$25,000 shall be expended for child safety grants to the town of Reading; provided further, that not less than \$50,000 shall be expended for a redevelopment study in the village of Devens; provided further, that not less than \$25,000 shall be expended for Leominster's 100th anniversary as a city and 275th anniversary as a town; provided further, that not less than \$500,000 shall be expended for the Greater Boston Convention and Visitors Bureau for the marketing and promotion of Sail Boston/Tall Ships 2017; provided further, that not less than \$50,000 shall be expended for Horace Mann Park in the town of Franklin; provided further, that not less than \$50,000 shall be expended as a matching grant to the

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Hopkinton 300th Committee for the commemoration of the 300th anniversary of the town of Hopkinton; provided further, that not less than \$50,000 shall be provided for improvements to Fino Field in the town of Milford; provided further, that not less than \$50,000 shall be provided for the Mendon Public Library; provided further, that not less than \$90,000 shall be expended for Russian Community Association of Massachusetts, Inc.; provided further, that not less than \$100,000 shall be expended for the Grand Army of the Republic Museum in the city of Lynn; provided further, that not less than \$10,000 shall be expended for the celebration of the 100th anniversary of the town of Millville; provided further, that not less than \$50,000 shall be expended as a grant to the town of Billerica for the Yankee Doodle Bike Path; provided further, that not less than \$50,000 shall be expended for Stone Soul, Inc. to implement the Stone Soul Festival in the city of Springfield, and to provide recreational activities for at-risk youth by collaborating with organizations that provide after-school programs; provided further, that not less than \$25,000 shall be expended for the North Quabbin Chamber of Commerce to establish a regional tourism council for the North Quabbin region; provided further, that not less than \$50,000 shall be expended for the Veterans of Foreign Wars Solomon Post 8819 in the town of Billerica; provided further, that not less than \$25,000 shall be expended as a grant to the town of Upton; provided further, that not less than \$100,000 shall be provided for King Philip High School in the town of Wrentham; provided further, that not less than 62.5 per cent of the amount appropriated in item 2810-0100 of section 2 of chapter 38 of the acts of 2013 for open space improvements in Lowell shall be expended for Edward A. LeLacheur Park in the city of Lowell; provided further, that not less than \$25,000 shall be expended for the celebration of the 250th anniversary of the city of Fitchburg; provided further, that not less than \$50,000 shall be expended for the Methuen Rail Trail Project; provided further, that not less than \$50,000 shall be granted to the Independent Film Society of Boston; provided further, that not less than \$75,000 shall be expended as a grant to the Boston Landmarks Orchestra; provided further, that not less than \$25,000 shall be expended for the Lynn Mural Project in the city of Lynn; provided further, that not less than \$50,000 shall be expended for the celebration of the 250th anniversary of the town of Sharon; provided further, that not less than \$75,000 shall be expended for the Waltham Tourism Council; provided further, that not less than \$70,000 shall be expended for improvements to Everett Memorial Stadium in the city of Everett; provided further, that not less than the amount appropriated in this item in section 2 of chapter 165 of the acts of 2014 shall be expended for a child safety program in the town of Winthrop; provided further, that not less than the amount appropriated in this item in section 2 of chapter 165 of the acts of 2014 shall be expended for a child safety program in the town of Revere; provided further, that not less than \$50,000 shall be expended for youth programs at Dennison Memorial Community Center in the city of New Bedford; provided further, that not less than \$25,000 shall be expended for the training apprenticeship program at the New Bedford Festival Theatre in the city of New Bedford; provided further, that not less than \$100,000 shall be expended for a matching grant program to the

Enrichment Center located in the Dorchester neighborhood in the city of Boston; provided further, that not less than \$50,000 shall be expended for a child safety grant to the town of North Attleborough; provided further, that not less than \$75,000 shall be expended for the operation of the programs at Riverside Theatre Works, an organization located in the Hyde Park neighborhood in the city of Boston; provided further, that not less than \$5,000 shall be expended for We the People programs administered by the Massachusetts Center of Civic Engagement; provided further, that not less than \$75,000 shall be expended for the Beebe Estate in the city of Melrose; provided further, that not less than \$15,000 shall be expended for the operation of programs at the Menino Arts Center, an organization located in the Hyde Park neighborhood in the city of Boston; provided further, that not less than \$75,000 shall be expended for the Head of the Charles Regatta to cover costs associated with public safety; provided further, that not less than \$50,000 shall be expended as a public safety grant to the town of Wakefield; provided further, that not less than \$75,000 shall be expended for educational, recreational and ceremonial programs that will constitute the 50th anniversary of Battleship Cove and USS Massachusetts Memorial Committee, Inc.; provided further, that not less than \$25,000 shall be expended for the commemoration of the 400th anniversary of the town of Plymouth; provided further, that not less than \$20,000 shall be expended as a planning grant to the town of Charlton; provided further, that not less than \$100,000 shall be expended for the Western Massachusetts Sports Commission, a division of the Greater Springfield Convention and Visitors Bureau”, and in said item by striking out the figures “6,146,956” and inserting in place thereof the figures “11,615,000” and

In item 7008-1000 by striking out the figures “4,500,000” and inserting in place thereof the figures “5,000,000”;

In section 73, in lines 773 to 781, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof following paragraph:

“The working group shall have 13 members: the secretary of administration and finance or a designee, who shall serve as chair; the attorney general or a designee; the inspector general or a designee; the secretary of housing and economic development or a designee; the undersecretary of housing, or a designee, the secretary of energy and environmental affairs, or a designee; the secretary of transportation or a designee; and 6 members to be appointed by the governor, 1 of whom shall be the president of the Massachusetts Building Trades Council or a designee; 1 of whom shall be a representative of the business community; 1 of whom shall be a representative of the construction industry; 1 of whom shall be from an engineering consulting firm; 1 of whom; 1 of whom shall be a representative from the Massachusetts Port Authority ; 1 of whom shall be a representative from the Massachusetts Housing Finance Authority; and 1 of whom shall be a representative from Massachusetts Development Finance Authority.”, and

By adding the following section:

“SECTION 102. (a) Notwithstanding any general or special law to the contrary, after complying with clause (a) of section 5C of chapter 29 of the General Laws, the comptroller shall dispose of the consolidated

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net surplus in the budgetary funds for fiscal year 2015 by transferring: (i) \$10,000,000 to the Massachusetts Community Preservation Trust Fund, established by section 9 of chapter 44B of the General Laws; and (ii) the remaining balance to the Commonwealth Stabilization Fund. (b) All transfers pursuant to this section shall be made from the undesignated fund balances in the budgetary funds proportionally from the undesignated fund balances; provided, however, that no such transfer shall cause a deficit in any of the funds.”

Consolidated amendments adopted,—yea and nay No. 47.

After remarks on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Wagner of Chicopee; and on the roll call 159 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 47 in Supplement.]

Therefore the consolidated amendments (labor and economic development) were adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following section:

“SECTION 103. Section 4 of chapter 505 of the acts of 2014 is hereby amended by striking out the words ‘July 1, 2015’ and inserting in place thereof the following words:— 90 days following the promulgation and release of regulations by the office of the attorney general regarding the implementation of the policy.”

Amendment rejected,—yea and nay No. 48.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Jones; and on the roll call 45 members voted in the affirmative and 114 in the negative.

[See Yea and Nay No. 48 in Supplement.]

Therefore the amendment was rejected.

Mrs. O’Connell of Taunton and other members of the House then moved to amend the bill by adding the following section:

“SECTION 104. Section 178J of chapter 6 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after the word ‘a’, in line 44, the following words:— level 1.”

After remarks the amendment was rejected.

Representatives O’Connell and Diehl of Whitman then moved to amend the bill by adding the following section:

“SECTION 104. Chapter 127 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting, after section 48A, the following section:—

Section 48B. The commissioner and the sheriffs for the various counties may institute a schedule of fees and assess said fees to inmates in their custody as follows:—

- 1. A daily cost of custodial care fee not to exceed \$5;
- 2. A medical sick call visit fee not related to a condition pre-existing at the time of incarceration not to exceed \$5;
- 3. A dental sick call visit fee not to exceed \$5;
- 4. A pair of prescription eyeglasses fee not to exceed \$5;
- 5. A pharmacy prescription fee not to exceed \$3 per prescription.

Any penal facility assessing fees shall establish a procedure for inmates to appeal any such assessment.

Notwithstanding the above, the following services shall be exempt from fee assessment: admission health screening, 14 day health assessment, emergency health care, hospitalization or infirmary care, prena-

tal care, lab and diagnostic care, follow-up visits approved by health services, contagious disease care and chronic disease care.

No inmate shall be denied access to medical or dental care because of an inability to pay any fee. Indigent inmates shall have the above fees and costs assessed and debited against the inmate's money account which, if not paid, shall remain due and payable as a charge to the inmate after his release from custody. If the inmate is not incarcerated within 2 years of his release from custody, this debt shall be forgiven.

This section shall not apply to federal inmates, detainees or regional lock-up inmates. The commissioner and the sheriffs of the various counties shall promulgate rules and regulations for the implementation of this section.”.

After remarks the amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following section:

“SECTION 104. Section 178Q of chapter 6 of the General Laws is hereby amended by inserting at the end thereof, the following:— The sex offender registry board shall, within 60 days of initial sex offender registration and annual sex offender registration, report to the department of revenue, the department of transitional assistance and the registry of motor vehicles the amount of any sex offender registration fee owed by the sex offender. The department of revenue shall intercept payment of such fee from tax refunds due to persons who owe all or a portion of such fee. The registry of motor vehicles shall not issue or renew a person's driver's license or motor vehicle registration for any vehicle subsequently purchased by such person until it receives notification from the sex offender registry board that the fee has been collected.”.

The amendment was adopted.

Mr. Collins of Boston then moved to amend the bill by inserting after section 36B (inserted by amendment) the following section:

“SECTION 36C. Chapter 94 of the General Laws is hereby amended by striking out section 295D and inserting in place thereof the following new section:—

Section 295D. Any advertisement of motor fuel other than those required in section 295C shall display the total price including all taxes.”;

By inserting after section 49A (inserted by amendment) the following section:

“SECTION 49B. Item 6622-1383 of section 2F of chapter 79 of the acts of 2014 is hereby amended by striking out the words “taking into consideration the recommendations of the 2014 South Boston Waterfront Transportation Plan”;

By inserting after section 54 the following section:

“SECTION 54A. There shall be established an advisory commission to consult on the design and engineering of the transportation improvements along the south Boston waterfront area of the city of Boston. The commission shall make recommendations as necessary on the expenditure of funds for transportation improvements in the area as provided for in item 6622-1383 of section 2F of chapter 79 of the acts of 2014.

The commission shall consist of 9 members; 1 of whom shall be the senator from the First Suffolk district or a designee; 1 of whom shall

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be the representative from the Fourth Suffolk district or a designee; 1 of whom shall be a representative of the Boston Transportation Department to be appointed by the mayor of the city of Boston; 1 of whom shall be the Boston city councilor representing district 2 or a designee; the Massachusetts Highway Administrator or a designee who shall serve as chair; the general manager of the Massachusetts Bay Transportation Authority or a designee; the executive director of the Massachusetts Port Authority or a designee; the executive director of the Massachusetts Convention Center Authority or a designee; and the executive director of the Seaport TMA or a designee.

The commission shall conduct its first meeting not more than 60 days after the effective date of the act and shall meet no less than on a quarterly basis for the duration of transportation improvement projects funded through the amounts appropriated in line item 6622-1383 of section 2F of chapter 79 of the acts of 2014. The commission shall consult with relevant federal and state agencies regarding proposed improvements. The commission shall file a report annually with the secretary of administration and finance, the secretary of transportation and the chairs of the joint committee on transportation.”

The amendments were adopted.

Messrs. Vieira of Falmouth and Dempsey of Haverhill then moved to amend the bill by adding the following section:

“SECTION 105. There shall be a working group convened to study the employer retirement funding cost obligations and required reimbursements of all non-commonwealth employers, agencies, governmental units, independent authorities, boards, commissions, component units of the commonwealth, districts, including regional and regional vocational school districts, educational collaboratives, and planning commissions, which participate or may participate in the Massachusetts State Employees Retirement System, and whose employees are or may become members thereof.

The task force shall consist of 5 members: the secretary of administration and finance or a designee who shall serve as chair; the executive director of the state board of retirement or a designee; the executive director of the Public Employee Retirement Administration Commission or a designee; and 3 members appointed by the governor; 1 of whom shall represent a regional vocational school district, 1 of whom shall represent an educational collaborative; and 1 of whom shall represent a planning commission. The working group may include any additional persons deemed necessary.

The working group shall report its findings and recommendations to the general court, along with any draft legislation necessary to carry its recommendation into effect, by filing the report with the clerks of the senate and house of representatives not later than October 1, 2015.”

The amendment was adopted.

Mr. Howitt of Seekonk then moved to amend the bill by inserting after section 41B (inserted by amendment) the following two sections:

“SECTION 41C. Section 19C of chapter 138 of the General Laws, is hereby amended by inserting after paragraph (n), the following paragraph:—

(o) Notwithstanding any provision of this chapter to the contrary, a farmer brewer shall be permitted to fill empty growlers, provided by

consumers for retail sale, if said growler was purchased for the purpose of holding malt beverages. For the purposes of this section, the term ‘growler’ shall mean a large glass, including bottles, jugs, or other containers, which can hold up to 100 ounces of a malt beverage as defined in section 2, and is purchased from any licensed malt beverages manufacturer or wholesaler.

SECTION 41D. Section 19D of said chapter 138, is hereby amended by inserting after paragraph (m), the following paragraph:—

(n) Notwithstanding any provision of this chapter to the contrary, a pub brewer shall be permitted to fill empty growlers, provided by consumers for retail sale, if said growler was purchased for the purpose of holding malt beverages. For the purposes of this section, the term “growler” shall mean a large glass, including bottles, jugs, or other containers, which can hold up to 100 ounces of a malt beverage as defined in section 2, and is purchased from any licensed malt beverages manufacturer or wholesaler.”

The amendment was adopted.

Mr. Cantwell of Marshfield and other members of the House then moved to amend the bill by adding the following section:

“SECTION 106. Chapter 176D of the General Laws is hereby amended by inserting after section 3B the following section:—

Section 3C. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:—

‘Ambulance service provider’, a person or entity licensed by the department of public health under section 6 of chapter 111C to establish or maintain an ambulance service.

‘Emergency ambulance services’, emergency services that an ambulance service provider is authorized to render under its ambulance service license when a condition or situation in which an individual has a need for immediate medical attention, or where the potential for such need is perceived by the individual, a bystander or an emergency medical services provider.

‘Insurance policy and insurance contract’, any policy, contract, agreement, plan or certificate of insurance issued, delivered or renewed within the commonwealth that provides coverage for expenses incurred by an insured for transportation services rendered by an ambulance service provider.

‘Insured’, an individual entitled to ambulance services benefits under an insurance policy or insurance contract.

‘Insurer’, a person as defined in section 1 of chapter 176D; any health maintenance organization as defined in section 1 of chapter 176G; a non-profit hospital service corporation organized under chapter 176A; any organization as defined in section 1 of chapter 176I that participates in a preferred provider arrangement also as defined in said section 1 of said chapter 176I; any carrier offering a small group health insurance plan under chapter 176J; any company as defined in section 1 chapter 175; any employee benefit trust; any self-insurance plan, and any company certified under section 34A of chapter 90 and authorized to issue a policy of motor vehicle liability insurance under section 113A of chapter 175 that provides insurance for the expense of medical coverage.

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(b) Notwithstanding any general or special provision of law to the contrary, in any instance in which an ambulance service provider provides an emergency ambulance service to an insured but is not an ambulance service provider under contract to the insurer maintaining or providing the insureds insurance policy or insurance contract, the insurer maintaining or providing such insurance policy or insurance contract shall pay the ambulance service provider directly and promptly for the emergency ambulance service rendered to the insured. Such payment shall be made to the ambulance service provider notwithstanding that the insureds insurance policy or insurance contract contains a prohibition against the insured assigning benefits thereunder so long as the insured executes an assignment of benefits to the ambulance service provider and such payment shall be made to the ambulance service provider in the event an insured is either incapable or unable as a practical matter to execute an assignment of benefits under an insurance policy or insurance contract pursuant to which an assignment of benefits is not prohibited, or in connection with an insurance policy or insurance contract that contains a prohibition against any such assignment of benefits. An ambulance service provider shall not be considered to have been paid for an emergency ambulance service rendered to an insured if the insurer makes payment for the emergency ambulance service to the insured. An ambulance service provider shall have a right of action against an insurer that fails to make a payment to it pursuant to this subsection.

(c) Payment to an ambulance service provider under subsection (b) shall be at a rate equal to the rate established by the municipality from where the patient was transported.

(d) An ambulance service provider receiving payment for an ambulance service in accordance with subsections (b) and (c) shall be deemed to have been paid in full for the ambulance service provided to the insured, and shall have no further right or recourse to further bill the insured for said ambulance service with the exception of coinsurance, co-payments or deductibles for which the insured is responsible under the insureds insurance policy or insurance contract.

(e) No term or provision of this section 3C shall be construed as limiting or adversely affecting an insureds right to receive benefits under any insurance policy or insurance contract providing insurance coverage for ambulance services. No term or provision of this section 3C shall create an entitlement on behalf of an insured to coverage for ambulance services if the insureds insurance policy or insurance contract provides no coverage for ambulance services.”

The amendment was adopted.

Messrs. Kafka of Stoughton and Galvin of Canton then moved to amend the bill by inserting after section 39 the following two sections:

“SECTION 39A. Section 39C of Chapter 112 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the word ‘fusionist’ in lines 3, 5, 19 and 22 and inserting in place thereof, in each instance, the following word:— infusion.

SECTION 39B. Said section 39C of said chapter 112 is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:— For the purposes of this section, the term home infusion pharmacy shall mean a pharmacy which dispenses

pharmaceuticals, sterile intravenous drugs and nutritional products ordered by physicians to patients in their homes and other similar institutional sites of care as determined by the board.”.

The amendment was adopted.

Mr. Nangle of Lowell being in the Chair,—

Mr. Donato of Medford then moved to amend the bill by adding the following section:

“SECTION 107. Section 40 of chapter 236 of the acts of 2014 is hereby amended by striking out the figure ‘2015’ and inserting in place thereof, the following figure:— 2016.”.

The amendment was adopted.

Mr. Donato of Medford being in the Chair,—

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following two sections:

“SECTION 108. Section 178L of chapter 6 of the General Laws, as appearing in the 2012 Official edition, is hereby amended by striking out subsection (1)(b) and inserting there of the following subsection:—

(1)(b) The district attorney for the county where such sex offender was prosecuted may, within ten days of a conviction or adjudication of a sexually violent offense or a declassification of a sex offender, file a motion with the board to make an expedited recommended classification upon a showing that such sex offender poses a grave risk of imminent reoffense. If the petition is granted, the board shall make such recommendation within ten days of the expiration of the time to submit documentary evidence. If the petition is not granted, the board shall make such recommended classification as otherwise provided in this section.

SECTION 109. Section 14 of chapter 30A of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting at the end of paragraph (3) the following words:— Notwithstanding the above, should the Sex Offender Registry Board or the Court issue a stay of a final classification in a Sex Offender Registry Board proceeding or court appeal held pursuant to G.L. chapter 6 § 178M, then such hearing shall be expedited and such stay shall be for no more than 60 days.”.

The amendment was adopted.

Mr. Dempsey of Haverhill then moved to amend the bill in section 2

In item 0320-0003 by striking out the figures “8,360,344” and inserting in place thereof the figures “8,560,344”,

In item 0321-2000 by striking out the figures “976,165” and inserting in place thereof the figures “1,095,928”,

In item 0330-0300 by striking out the figures “225,379,650” and inserting in place thereof the figures “227,379,650”,

In item 0337-0002 by inserting after the words “juvenile court department” the following: “; provided, that no less than \$143,989 shall be expended on the Hampden County CASA program, no less than \$71,994 shall be expended on the Worcester County CASA program, no less than \$98,730 shall be expended on the Essex County CASA program, no less than \$100,000 shall be expended on the Boston CASA program, no less than \$76,494 shall be expended on the Franklin/Hampshire County CASA program, and no less than \$53,995 shall be expended on the Berkshire County CASA program”, and in said item by striking out the figures “18,081,021” and inserting in place thereof the figures “18,626,223”,

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In item 0411-1000, by striking out the figures “5,494,390” and inserting in place thereof the figures “5,554,390”;

By inserting after item 0950-0000 the following item:

“0950-0030 For the commission on the status of grandparents raising grandchildren..... \$80,000”;

In item 8000-0038 by striking out the figures “188,490” and inserting in place thereof the figures “250,000”;

In item 8000-0600 by adding the following: “; provided further, that not less than \$50,000 shall be expended to the town of Watertown for public safety improvements; provided further, that not less than \$50,000 shall be expended to the town of Waltham for public safety improvements; provided further, that not less than \$75,000 shall be expended to the city of Lynn for public safety improvements; provided further, that not less than \$68,000 shall be expended to the town of Hadley for public safety improvements; provided further, that not less than \$50,000 shall be expended to the city of Holyoke for public safety improvements; provided further, that not less than \$150,000 shall be expended to the town of Braintree for public safety improvements; provided further, that not less than \$25,000 shall be expended to the town of Uxbridge for public safety improvements; provided further, that not less than \$25,000 shall be expended to the town of North Attleboro for public safety improvements; provided further, that not less than \$40,000 shall be expended to the town of Millbury for public safety improvements; provided further, that not less than \$50,000 shall be expended for public safety improvements in the town of Seekonk; provided further, that not less than \$50,000 shall be expended for public safety improvements in the town of Townsend; and provided further, that not less than \$200,000 shall be expended for the Black Men of Greater Springfield, Inc.”; and in said item by striking out the figures “2,216,482” and inserting in place thereof the figures “3,049,482”;

In item 8100-0111, by striking out the figures “5,000,000” and inserting in place thereof the figures “6,000,000”;

In item 8100-1001, in line 17, by inserting after the word “abuse” the following: “; provided further, that not less than \$1,000,000 shall be expended for the payroll costs of the state police directed patrols; provided further, that subject to appropriation communities receiving funds for directed patrols in fiscal year 2008 shall receive an equal disbursement of funds in proportion to the current appropriation in fiscal year 2016; provided further, that funds shall be expended for directed patrols at Constitution Beach in East Boston; provided further, that not less than \$90,000 shall be expended for additional patrols for the summer season at Wollaston Beach and Furnace Brook Parkway in the city of Quincy”;

and in said item by striking out the figures “267,709,501” and inserting in place thereof the figures “268,799,501”;

In item 8200-0200 by adding the following: “; and provided further, that towns in Worcester County hosting municipal police training academies shall not receive less than the amount appropriated in section 2 of chapter 68 of the acts of 2011”;

By striking out item 8324-0000 and inserting in place thereof the following item:

“8324-0000 For the administration of the department of fire services, including the state fire marshal’s office, the hazardous materials emergency response program, the board of fire prevention regulations established in section 4 of chapter 22D of the General Laws, the expenses of the fire safety commission and the Massachusetts firefighting academy, including the Massachusetts fire training council certification program, municipal and non-municipal fire training and expenses of the council; provided, that the fire training program shall use the split days option; provided further, that \$1,200,000 shall be allocated by the department for the Student Awareness of Fire Education program; provided further, that \$100,000 shall be allocated by the department for the Fire Chiefs Association of Bristol County to develop, upgrade and maintain the emergency radio communications system in Bristol County and to provide equipment and training support to the Regional Technical Rescue team in Bristol County; provided further, that the amount allocated for critical incident stress intervention programs in item 8324-0000 of section 2 of chapter 182 of the acts of 2008 shall be allocated in fiscal year 2016; provided further, that \$200,000 shall be allocated to On-Site Academy to provide training and treatment programs for emergency personnel for critical incident stress management or substance abuse; provided further, that \$50,000 shall be provided for the city of Quincy fire department hazardous materials response team; provided further, that \$30,000 shall be provided for the Hopedale fire department hazardous materials response team; provided further, that 100 per cent of the amount appropriated in this item for the administration of the department of fire services, the state fire marshal’s office, critical incident stress programs, On-Site Academy, the Massachusetts training academies, the regional dispatch centers, the radio and dispatch center improvements, and the associated fringe benefit costs of personnel paid from this item for these purposes shall be assessed upon insurance companies writing fire, homeowners’ multiple peril or commercial multiple peril policies on property situated in the Commonwealth and paid within 30 days after receipt of notice of such assessment from the commissioner of insurance; provided further, that 100 per cent of the amount appropriated in this item for hazardous material response shall be assessed upon insurance companies writing commercial multiple peril, nonliability portion policies situated in the Commonwealth and commercial auto liability policies as referenced in line 5.1 and line 19.4, respectively, in the most

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recent annual statement on file with the commissioner of insurance; and provided further, that not more than 10 per cent of the amount designated for the arson prevention program shall be expended for the administrative costs of the program..... \$19,489,781”

In item 8700-0001 by adding the following: “; provided further, that no less than \$50,000 shall be expended for the Massachusetts Veterans Oral History Project to be conducted by the non-profit corporation Home of the Brave, Inc. in conjunction with the Massachusetts National Guard Museum; and provided further, that \$120,000 shall be expended for the security fence at the National Guard Readiness Center in Natick”, and in said item by striking out the figures “9,973,671” and inserting in place thereof the figures “10,143,671”

In item 8900-0001 by adding the following: “; provided further, that the amount allocated for programs for incarcerated mothers in item 8900-0001 of section 2 of chapter 131 of the acts of 2010 shall be allocated to the program in fiscal year 2016; provided further, that the department shall expend not less than \$2,200,000 for municipalities hosting department of corrections facilities; provided further, that of that \$2,200,000, no municipality hosting a department of corrections facility shall receive more than \$800,000; provided further, that of that \$2,200,000, no municipality hosting a department of corrections facility shall receive less than the amount allocated in item 8900-0001 of section 2 of chapter 60 of the acts of 2011; provided further, that the amount allocated for the Dismas House in Worcester in item 8900-0001 of section 2 of chapter 182 of the acts of 2008 shall be expended for the program in fiscal year 2016; provided further, that \$50,000 shall be expended for On-Site Academy to provide training and treatment programs for corrections personnel for critical incident stress management or substance abuse; and provided further, no less than \$68,000 shall be expended for Dispute Resolutions Services, Inc. of Springfield”, and in said item by striking out the figures “567,483,603” and inserting in place thereof the figures “570,101,603”

In item 8910-0108 by adding the following: “; provided further, that not less than \$125,000 shall be expended for the Franklin County Opioid Education and Awareness Task Force”, and in said item by striking out the figures “11,425,402” and inserting in place thereof the figures “11,550,402”;

By inserting after section 3 the following two sections:

“SECTION 3B. Section 3 of chapter 6 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in line 2, the figures ‘26,025’ and inserting in place thereof the following figures:— 31,025.

SECTION 3C. Said section 3 of said chapter 6 is hereby further amended by striking out the figures ‘31,025’, inserted by section 3B, and inserting in place thereof the following figures:— 36,025.”

By inserting after section 42 the following two sections:

“SECTION 42B. Section 26F½ of chapter 148 of the General Laws, is hereby amended by inserting at the end thereof, the following sentences:— For nonresidential buildings other than enclosed parking structures, and for nonresidential areas of a building that contains a

mix of residential and nonresidential uses, carbon monoxide alarms shall be required only in areas or rooms containing a furnace, boiler, water heater, fireplace or any other apparatus, appliance or device that burns fossil fuel.

SECTION 42C. Subsection (a) of section 11 of chapter 211D of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in lines 9 and 10, the words ‘\$50 per hour; for children and family law cases, care and protection cases,’ and inserting in place thereof the following words:— \$53 per hour; for children and family law cases and care and protection cases the rate of compensation shall be \$55 per hour; for.’,

By inserting after section 48 the following section:

“SECTION 48A. Section 163 of Chapter 38 of the Acts of 2013 is hereby amended by inserting after paragraph (e), the following new paragraph:—

(f) The state comptroller shall exempt the Essex County Sheriff’s Department from all applicable charges or assessments made against grants to the Essex County Regional Communications Center and monies derived from local aid “cherry sheet” charges to member communities pursuant to its authority under sections 5D and 6B of chapter 29 of the General Laws.”; and

By inserting after section 74 the following three sections:

“SECTION 74A. Section 3C shall take effect on January 1, 2016.

SECTION 74B. Section 42C shall take effect on July 1, 2016.

SECTION 74C. Section 42B shall take effect on August 1, 2016.”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Fernandes of Milford; and on the roll call 158 members voted in the affirmative and 0 in the negative.

Consolidated amendments adopted,—
yea and nay
No. 49.

[See Ye and Nay No. 49 in Supplement.]

[Mr. Petrolati of Ludlow answered “Present” in response to his name.]

Therefore the consolidated amendments (public safety and judiciary) were adopted.

Mrs. Haddad of Somerset then moved to amend the bill by adding the following section:

“SECTION 110. (a) Notwithstanding any general law or special law to the contrary, the department of energy resources shall expend an amount not to exceed \$3,000,000 from the RGGI Auction Trust Fund established in section 35II of chapter 10 of the General Laws for a 1-time reimbursement to a municipality that has been negatively impacted by a reduction in property tax receipts from a dual coal and oil fired electric generating station due to a reduction in capacity factor, occurring after July 1, 2012. The municipality shall be entitled to reimbursement under this section of an amount by which the tax receipts, including payments in lieu of taxes or other compensation, paid by the affected property owner of the electric generating station in tax year 2013 is less than the amount of the tax receipts paid by the electric generating station in 2012. Payments from the fund shall be prioritized so that the first payments from the fund shall be made to municipalities under this section.”.

The amendment was adopted.

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Mr. Dempsey of Haverhill then moved to amend the bill in section 2

In item 0540-0900 by striking out the figures “1,200,574” and inserting in place thereof the figures “1,236,574”,

In item 1410-0010 by striking out the figures “50,000” (inserted by amendment) and inserting in place thereof the figures “150,000”, and in said item but striking out the figures “3,422,497” (inserted by amendment) and inserting in place thereof the figures “3,522,497”,

In item 1410-0012 (as inserted by amendment) by striking out the words “Springfield Partners for Community Action’s Veterans First Program to provide comprehensive outreach services to Veterans in Hampden County” and inserting in place thereof the following: “Veterans First Outreach Center of the Springfield Chapter of the National Association for Black Veterans, Inc., to provide outreach services for Veterans in Hampden County; provided further, that not less than \$100,000 shall be expended for Soldier On for the purpose of providing services to homeless veterans in Berkshire, Franklin, Hampden and Hampshire County”, and in said item by striking out the figures “3,283,641” and inserting in place thereof the figures “3,383,641”,

In item 1410-0250 by adding the following: “; provided further, that not less than \$220,000 shall be obligated for a contract with Soldier On shelter located in the town of Leeds”, and in said item by striking out the figures “\$2,851,629” (inserted by amendment) and inserting in place thereof the figures “3,071,629”,

In item 1599-7104, in line 8, by striking out the words “costs at Northern Essex Community College” and inserting in place thereof the words “a facility that offers healthcare services and community based programs in the city of Haverhill”,

In item 2800-0700, in line 6, by inserting after the word “safety” the following: “; provided further, that not less than \$125,000 shall be provided for the preservation of a historic property in the Town of Hadley”, and in said item by striking out the figures “417,968” and inserting in place thereof the figures “542,968”,

In item 2810-0100 by striking out the following: “; provided further, that not less than \$25,000 shall be expended by the town of Douglas for the operation of Douglas State Park”, in said item by inserting after the word “Methuen” (as inserted by amendment and the first time it appears) the words “for a public safety grant”, and in said item by striking out the figures “\$44,019,533” (inserted by amendment) and inserting in place thereof the figures “43,994,533”,

In item 4000-0300 by adding the following: “; provided further, that subject to the availability of federal financial participation, said add-on shall include the related tax liability for the annual insurer fee; provided further, that MassHealth shall provide a report, no later than October 1, 2015, to the house and senate committees on ways and means on the feasibility of federal reimbursement for transitional support services; provided further, that not less than \$200,000 shall be expended for the Maris Center for Women in the town of Salisbury”, and in said item by striking out the figures “91,865,452” (inserted by amendment) and inserting in place thereof the figures “92,065,452”,

In item 4403-2000 by adding the following: “; provided further, that the children’s clothing allowance shall be included in the standard of need for the month of September 2015”,

In item 4510-0710, in line 22, by striking out the following: “no less than \$3,747,500” and inserting in place thereof the word “funds”,

In item 4512-0200 by inserting after the word “Boston” (as inserted by amendment and the first time it appears) the following: “; provided further, that not less than \$95,000 shall be expended for the Eastern Massachusetts Goal Setting and Relapse Prevention program in collaboration with the Juvenile Court Department office situated in Dedham”, in said item by striking out the following: “by 75” (as inserted by amendment), and in said item by striking out the figures “98,475,501” (inserted by amendment) and inserting in place thereof the figures “98,570,501”.

In item 4512-0201, in line 5, by striking out the following: “by 75”,

In item 7002-0010, in line 4, by inserting after the word “director” the following: “; provided further, that not less than the amount appropriated in item 7002-0010 of section 2 of chapter 165 of the acts of 2014 for the 495/MetroWest Corridor Partnership, Inc. shall be expended for the 495/MetroWest Corridor Partnership, Inc. to coordinate the 495/MetroWest Suburban Edge Community Commission; provided further, the executive office of housing and economic development, in cooperation with the commonwealth corporation, shall award not less than \$300,000 to the New England Center for Arts and Technology”, and in said item by striking out the figures “2,320,994” and inserting in place thereof the figures “2,670,994”,

In item 7003-1206 after the word “Boston” (as inserted by amendment and the second time it appears) the following: “; provided further that not less than \$50,000 shall be expended for the Massachusetts Latino Chamber of Commerce to promote and provide technical assistance to minority small businesses for the purpose of advocacy, economic development, and employment within communities of color”, and in said item by striking out the figures “2,330,000” (inserted by amendment) and inserting in place thereof the figures “3,180,000”,

In item 7010-0005 by inserting after the word “Program” (as inserted by amendment and the second time it appears) the following: “; provided further, that not less than \$60,000 shall be expended for school safety in the town of Medway”, and in said item by striking out the figures “13,857,522” (inserted by amendment) and inserting in place thereof the figures “13,917,522”,

In item 7008-0900, as amended by Consolidated “H”, by inserting after the word “Convention” (as inserted by amendment and the first time it appears) the following: “; provided further, that not less than the amount appropriated in item 7007-0800 in section 2 in chapter 139 of the acts of 2012 shall be expended for the Winthrop and Revere chambers of commerce; provided further, that not less than \$25,000 shall be expended for the Haverhill Inner City Boxing; provided further, that not less than \$25,000 shall be expended for the Haverhill’s Downtown Boxing; provided further, that not less than \$50,000 shall be expended for the Merrimack Valley Chamber of Commerce; provided further, that not less than \$25,000 shall be expended for the Greater Haverhill Chamber of Commerce; provided further, that not less than \$75,000 shall be expended for the 375th Anniversary celebration in the city of Haverhill”, and in said item by striking out the following: “/South Shore YMCA” (inserted by amendment),

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By inserting after item 7035-0006 the following item:

“7035-0007 For reimbursements to cities, towns, regional vocational or county agricultural school districts, independent vocational schools or collaboratives for certain expenditures for transportation of nonresident pupils to an approved vocational-technical program of any regional or county agricultural school district, city, town, independent school or collaborative under section 8A of chapter 74 of the General Laws; provided, that if the amount appropriated is insufficient to fully fund said section 8A of said chapter 74, initial reimbursements made by the department of elementary and secondary education may be prorated by the department to all eligible cities, towns, regional vocational or county agricultural school districts, independent vocational schools or collaborative; and provided further, that upon a determination by the department that the funds appropriated in this item are insufficient to meet the commonwealth’s full obligation under said section 8A of said chapter 74, the department shall, within 10 days, notify the secretary of administration and finance, the joint committee on education and the house and senate committees on ways and means of the amount needed to fully fund the obligation \$250,000”,

In item 7066-0036, in line 24, by striking out the year “2015” and inserting in place thereof the year “2016”;

In item 7077-0023 by striking out the figures “4,000,000” and inserting in place thereof the figures “5,000,000”;

In item 8000-0600 by inserting after the word “Townsend” (inserted by amendment) the following: “; provided further, that not less than \$30,000 shall be expended to the Eastham Police Department to be used in conjunction with the towns of Wellfleet, Truro and Provincetown to address the traffic safety issues on Route 6 from the Orleans rotary to Provincetown from May 22nd to October 18th”, and in said item by striking out the figures “3,049,482” (inserted by amendment) and inserting in place thereof the figures “3,079,482”;

In item 8324-0000 by inserting after the word “County” (as inserted by amendment and the third time it appears) the following: “; provided further, that the amount allocated for the Norfolk County Regional Fire and Rescue Dispatch Center in item 8324-0000 of section 2 of chapter 182 of the acts of 2008 shall be allocated in fiscal year 2016”, and in said item by striking out the figures “19,489,781” (inserted by amendment) and inserting in place thereof the figures “19,589,781”;

In item 9110-9002 by inserting after the word “Weymouth” (inserted by amendment) the following: “; provided further, that not less than \$50,000 shall be expended for a senior center in the town of Marlborough”, and in said item by striking out the figures “13,415,000” (inserted by amendment) and inserting in place there of the figures “13,465,000”;

In section 8, in line 64, by inserting after the word “department” the words “; provided, that advertising appearing on the exterior of the facility, including billboards, signs and other advertising devices, shall be consistent with local ordinances or by-laws”;

By inserting after section 20A (inserted by amendment) the following section:

“SECTION 20B. Chapter 10 of the General Laws is hereby amended by inserting after section 35AAA the following section:—

Section 35BBB. (a) There shall be established and set up on the books of the commonwealth a separate fund to be known as the Douglas State Forest Maintenance Trust Fund to be used, without further appropriation, for the long-term preservation, maintenance, nourishment and public safety of Douglas State Forest in the town of Douglas. Any balance in the fund at the end of the fiscal year shall not revert to the General Fund, but shall remain available for expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the fund to become deficient at any point during a fiscal year.

(b) The department of conservation and recreation shall impose a surcharge of \$1 upon each fee charged and collected from admission to and parking in the Douglas State Forest. The additional monies collected from the surcharge shall be deposited into the Douglas State Forest Maintenance Trust Fund. Expenditures by the trust for public safety may be made available to the town of Douglas’s police, fire, ambulance and emergency personnel. On or before November 30 of each year, the department of conservation and recreation shall meet with the board of selectmen of the town of Douglas to discuss the maintenance and safety plan for the forest for the next calendar year as well as the balance and expenditures from the Douglas State Forest Maintenance Trust Fund.”

In section 40, in line 396, by inserting after the word “division” the words “and its contracted health insurers, health plans, health maintenance organizations, behavioral health management firms and third-party administrators under contract to a Medicaid managed care organization or primary care clinician plan”, and in lines 398 and 400, by striking out the word “critical” and inserting in place thereof, in each instance, the word “clinical”.

By inserting after section 42C (inserted by amendment) the following section:

“SECTION 42D. Chapter 221 of the General Laws, as appearing in the 2012 official edition, is hereby amended by striking Section 16A and inserting the following section:—

Section 16A. The clerk of the superior court for criminal business in Suffolk county may designate, with the approval of the chief justice of the trial court, 1 assistant clerk appointed under section 5, as the unified session clerk to perform, under the direction of the clerk of the superior court for criminal business in Suffolk county, duties pertaining to the statewide unified session for trials and hearings relative to the determination of sexually dangerous persons pursuant to section 9 of chapter 123A. Such clerk shall receive in addition to the salary paid to him as an assistant clerk under section 4, a sum equivalent to 10 per cent of the salary of an assistant clerk.”

By inserting after section 49B (inserted by amendment) the following section:

“SECTION 49C. Section 219 of Chapter 165 of the Acts of 2014, is hereby amended by striking out the words ‘April 1, 2015’ and inserting in place thereof the following words:— November 2, 2015.”

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In section 51, in line 450, by striking out the word “and” (the second time it appears),

In section 70, in line 721, by inserting after the word “include” the words “to the extent possible”,

In section 71, in line 745, by inserting after the word “to” the words “community-run or law-enforcement-run programs in New England states and”, and, in line 753, by striking out the word “Inc.”, and

In section 72, in line 757, by inserting after the word “term” the words “, but may be removed for cause”.

The amendments were adopted.

Quorum.

Pending the question on passing the bill, as amended, to be engrossed, Mr. Jones of North Reading asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Donato), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum,—
yea and nay
No. 50.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call (the Speaker being in the Chair) 157 members were recorded as being in attendance.

[See Yea and Nay No. 50 in Supplement.]

Therefore a quorum was present.

Bill passed to
be engrossed,—
yea and nay
No. 51.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Dempsey of Haverhill; and on the roll call 158 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 51 in Supplement.]

Therefore the bill (House, No. 3400, amended) was passed to be engrossed.

Order.

On motion of Ms. Vincent of Revere,—

Next
sitting.

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

At half past four o'clock P.M. (Wednesday, April 29), on motion of Mr. Hill of Ipswich (the Speaker being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.