

at two minutes after ten o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Tuesday, April 28, 2015 (at 10:02 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.

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:

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

Representative
Edward Connolly
Legislative
Veterans'
Caucus.

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.

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.

Alosha O'Brien
And Craig
Welton.

Resolutions.

Resolutions (filed with the Clerk by Mr. Hill of Ipswich) recognizing Patsy

Patsy

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Valcour after twenty-one years of dedicated service to the Ipswich Council on Aging, were referred, under Rule 85, to the committee on Rules.

Valcour.

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 Ceclie Ferrie, an employee of the Department of Correction; and the same was referred, under Rule 24, to the committee on Rules.

Ceclie 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.

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.

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.

General
Appropriation
Bill.

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 21I” 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 21I; 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, than 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 of the acts of 2014 to the town of Methuen shall be expended for renovations at Nicholson Stadium in Methuen;

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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 re-planting 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 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.

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

Therefore the amendments 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

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

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:—

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 benefits; 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.

[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

Amendment
rejected,—
yea and nay
No. 38.

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 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."

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.

Amendment adopted,—
yea and nay
No. 39.

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

Therefore the amendment was adopted.

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

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

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 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.

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

Therefore the amendments were adopted.

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

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”,

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

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

Consolidated amendments (education and local aid).

UNCORRECTED PROOF.

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 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

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”,

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 Yea and Nay No. 41 in Supplement.]

Therefore the amendments 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 secretary 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

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

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 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 department, 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.

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.”.

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.

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.

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.

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 firesetter 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

Quorum.

Quorum,—
yea and nay
No. 42.

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

Consolidated
amendments
(housing, mental
health and disability
services)

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 Yea and Nay No. 44 in Supplement.]

Therefore the amendments 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.

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 figure “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

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

Recess.

Consolidated amendments (public health).

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 Merrimack 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 not 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 not less than \$250,000 shall 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

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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”;

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;

(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 73A1/2. 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 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.”.

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 Yeas and Nays No. 45 in Supplement.]

Therefore the amendments 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

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

UNCORRECTED PROOF.

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.