
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, APRIL 23, 2018.

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Met according to adjournment at ten o'clock A.M.

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Justice and Right Judgment, we ask Your blessing upon the women and men of this House as they begin in earnest the deliberations and negotiations to create a budget for our Commonwealth.

Prayer.

Grant our Representatives and their staff a spirit of collaboration and share with them Your virtue of hope as they enter this week of long hours and hard work.

Bless especially those who will be away from their families during this time and keep watch over their loved ones.

The unique family here in this chamber mourns the loss of one of its members, Representative Jim Miceli of Wilmington. As 19th Middlesex Representative, he served Tewksbury and his hometown in this Chamber since 1977.

In the Catholic vigil or wake service, there is a prayer for the recently deceased, let us pray:

Lord Jesus, our Redeemer,
You willingly gave yourself up to death,
So that all might be saved and pass from death to life.
We humbly ask You to comfort your servants in their grief
And to receive James Miceli into the arms of Your mercy.
You alone are the Holy One, You are mercy itself;
By dying You unlocked the gates of life
for those who believe in You.
Forgive Jim his sins
And grant him a place of happiness, light and peace
in the kingdom of Your glory for ever and ever.
Amen.
May God continue to bless our Commonwealth.

At the request of the Speaker, the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of allegiance.

Silent Prayer.

At the request of Speaker DeLeo, the members, guests and employees stood in a moment of silent tribute to the memory of Representative James R. Miceli of Wilmington, a member of the House from Wilmington from 1977 to 2018, inclusive.

Representative James R. Miceli of Wilmington.

Resolutions.

UNCORRECTED PROOF

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mr. Brodeur of Melrose) honoring Mary Rita O’Shea on her retirement from the city of Melrose;

Mary Rita O’Shea.

Resolutions (filed by Mr. Kafka of Stoughton and other members of the House) celebrating North American Occupational Safety and Health Week and Occupational Safety and Health Professional Day;

Occupational Safety and Health.

Resolutions (filed by Mr. Pignatelli of Lenox) honoring the Southern Berkshire Volunteer Ambulance Squad on celebrating its fiftieth anniversary; and

Berkshire Ambulance.

Resolutions (filed by Mr. Sánchez of Boston) honoring Officer Jerry Smart for his years of service to the Boston Police Department;

Jerry Smart.

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

Order.

On motion of Mr. Galvin of Canton,—

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

Representatives Sánchez, Kulik and Malia,—
voting.

Petitions.

Petitions severally were presented and referred as follows:

By Miss Gregoire of Marlborough, a petition (accompanied by bill, House, No. 4442) of Danielle W. Gregoire, James B. Eldridge and Carmine L. Gentile (with the approval of the mayor and city council) relative to authorizing the city of Marlborough to grant additional licenses for the sale of alcoholic beverages not to be drunk on the premises; and

Marlborough,—
liquor licenses.

By Representative Pignatelli of Lenox and Senator Hinds, a joint petition (accompanied by bill, House, No. 4443) of Smitty Pignatelli and Adam G. Hinds (by vote of the town) that the town of Otis be authorized to grant one additional license for the sale of all alcoholic beverages to be drunk off the premises in said town;

Otis,—
liquor license.

Severally to the committee on Consumer Protection and Professional Licensure.

By Miss Gregoire of Marlborough, a petition (accompanied by bill, House, No. 4444) of Danielle W. Gregoire and others (by vote of the town) relative to the title of the director of information technology in the town of Westborough. To the committee on Municipalities and Regional Government.

Westborough,—
technology director.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Coppinger of Boston, a petition (subject to Joint Rule 12) of Edward F.

Paula

UNCORRECTED PROOF

Coppinger for legislation to establish a sick leave bank for Paula Donahue, an employee of the Department of Public Health.

By Ms. Matias of Lawrence, a petition (subject to Joint Rule 12) of Juana B. Matias relative to alternative disciplinary action for students enrolled in public schools.

By Representatives Matias of Lawrence and Vargas of Haverhill, a petition (subject to Joint Rule 12) of Juana B. Matias and Andres X. Vargas relative to certificates of organization for certain limited liability corporations.

Severally, under Rule 24, to the committee on Rules.

Donahue,—
sick leave.

Schools,—
discipline
alternative.

Organization
certificates.

Paper from the Senate.

A Bill validating certain proceedings of the town of Hull (printed in Senate, No. 2157) (on a message from His Excellency the Governor), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Hull,—
town
meeting.

Reports of Committees.

By Mr. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration:

Of the Bill to promote and enhance civic engagement (Senate, No. 2375);

Of the Resolve providing for an investigation and study by a special commission relative to gender-responsive programming for juvenile justice system involved girls (House, No. 119);

Of the Bill establishing a commission to study veterans transportation issues (House, No. 1937);

Of the Bill establishing a special commission on two-generation approaches to childhood education (House, No. 1969);

Of the Bill establishing a commission to study the financial abuse of elders (House, No. 2895);

Of the Bill relative to public safety at the intersection of Brush Hill Road and Truman Parkway in Milton (House, No. 3638);

Of the Resolve establishing a commission to study the feasibility of a secure choice retirement savings option (House, No. 4330); and

Of the Bill relative to the cost of veteran higher education (House, No. 4376);

And recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Civic engagement.

Gender
responsive
programming.

Veterans
transportation.

Childhood
education.

Elder financial
abuse.

Milton,—
traffic study.

Retirement
savings.

Veterans.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the following House bills be scheduled for consideration by the House:

Establishing a sick leave bank for Daisy F. Bolden, an employee of the Massachusetts Teachers' Retirement System (House, No. 4409);

Establishing a sick leave bank for Stephanie Perez, an employee of the Trial Court (House, No. 4423); and

Establishing a sick leave bank for George Hodgdon, an employee of the Trial Court (House, No. 4424);

Daisy Bolden,—
sick leave.

Stephanie Perez,—
sick leave.

George Hodgdon,—
sick leave.

UNCORRECTED PROOF

Under suspension of Rule 7A, in each instance, on motion of Mr. Walsh of Peabody, the bills severally were read a second time forthwith; and they were ordered to a third reading.

By Mr. Mahoney of Worcester, for the committee on Election Laws, on a petition, a Bill combatting misinformation about ex-offender voting rights (House, No. 3558, changed in lines 2, 8, 13, 16 and 21 by inserting after the word “felony”, in each instance, the words “or a misdemeanor”, in lines 5 and 6, and 18 and 19 by striking out the words “and shall confirm, in writing, that he or she was so notified”; in lines 10 and 11, and 14 and 15 by striking out the words “, and shall obtain written confirmation from said person that he or she was so notified”; and in lines 23 and 24 by striking out the words “and shall obtain written confirmation from said person that he or she was so notified”) [Mr. Lombardo of Billerica dissenting].

Voting rights,—
ex-offenders.

By Mr. Roy of Franklin, for the committee on Health Care Financing, on Senate, No. 641 and House, No. 622, a Bill eliminating racial and ethnic health disparities in the Commonwealth (House, No. 622) [Cost: Greater than \$100,000.00].

Health,—
racial, etc.
disparities.

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on House, No. 4339, a Bill designating the Houghs Neck Maritime Center in the city of Quincy in honor of Francis X. McCauley (House, No. 4435).

Quincy,—
Francis
McCauley.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on House, No. 629, a Bill relative to the public safety on urban college campuses (House, No. 4436).

Campus
safety.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, No. 2636, a Bill relative to a senior exemption for the town of Harwich (House, No. 4437) [Local Approval Received].

Harwich,—
exemptions.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, ought NOT to pass, on the petition (accompanied by bill, House, No. 2360) of Tackey Chan relative to workers’ compensation insurance [Mr. Rogers of Norwood dissenting].

Workers’
compensation
insurance.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2364) of David F. DeCoste relative to the right to organize of certain workers [Mr. Rogers of Norwood dissenting].

Organization
of workers.

Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Sarah Chaplin, an employee of the Department of Correction (see Senate, No. 2084, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Sarah
Chaplin,—
sick leave.

A separate vote was taken, as required by the provisions of Article XLVIII (as

amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 71 to 0. Sent to the Senate for concurrence.

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

Bill enacted.

The Speaker being in the Chair,—

The engrossed Bill establishing a sick leave bank for Dawn Parmenter, an employee of the Department of Correction (see House, No. 4090, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Dawn Parmenter,— sick leave.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 63 to 0. Sent to the Senate for concurrence.

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

Bill enacted.

Engrossed Bills.

The Speaker being in the Chair,—

Engrossed bills

Authorizing the city of Easthampton to lease certain real estate (see Senate, No. 2152, changed); and

Authorizing the town of Hamilton to establish a special fund for the Patton Homestead (see Senate, No. 2245);

(Which severally originated in the Senate);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the Speaker and sent to the Senate.

Bills enacted.

Orders of the Day.

The House Bill making appropriations for the fiscal year 2019 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. 4400) [Total appropriation: \$40,983,440,827.00], was read a second time.

General Appropriation Bill.

Mr. Donato of Medford being in the Chair,—

After remarks on the question on ordering the bill to a third reading, Mr. Jones of North Reading and other members of the House moved to amend it by adding the following section:

“SECTION 46. Notwithstanding any general or special law to the contrary, in the event that all taxable revenue of the commonwealth which is available for appropriation or supplemental appropriation for the fiscal year ending June 30, 2019 exceeds \$26,860,000,000, as certified by the treasurer and the comptroller, not less than 50 percent of such excess taxable revenue up to a total of \$100,000,000 shall be available to cities and towns; provided, the excess revenue shall be distributed on

a proportional basis pursuant to the distribution of unrestricted general government aid, as prescribed in section 3 of the annual general appropriations act; provided further, that the treasurer shall notify the clerks of the House of Representatives and the Senate and the commissioner of administration of any such distribution not more than 30 days after it occurs; and provided further, that for purposes of this section, the term ‘excess taxable revenue’ shall not include any funds payable to or received by the commonwealth which are directly attributable to any change in general or special law enacted after July 1, 2018 and which enhance taxable revenue of the commonwealth.”.

The amendment was rejected.

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

“SECTION 46: Section 6 of Chapter 62 of the MGL is hereby amending by adding after subsection (I) the following new subsection:

section (j) Any owner of residential property located in the commonwealth who is not a dependent of another taxpayer and who occupies said property as his principal residence, if said residence has water supplied solely by connection to a public water supply, shall be allowed a credit equal to 60 per cent of the expenditures related to the installation of a home water filtration system if the water being provided is deemed unclean or unsafe by the department. Eligible expenditures shall be the actual cost to the taxpayer or \$2,500, whichever is less; provided, however, that said credit shall be available to eligible taxpayers beginning in the tax year in which the installation of said filtration system was installed; and provided, further, that said credit shall not exceed \$750 in any tax year and any excess credit may be applied over the following tax years up to an aggregate maximum of \$1,500. The department shall promulgate such rules and regulations as are necessary to administer the credit afforded by this subsection, including, but not limited to, a notification that continued maintenance of said filtration system to include replacement filters are not eligible expenses.”.

The amendment was rejected.

Messrs. Lombardo of Billerica and Kuros of Uxbridge then moved to amend the bill by adding the following section:

“SECTION 46. (a) Section 2 of Chapter 64H of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking ‘6.25 per cent’ and replacing it with ‘5 per cent’.

(b)SECTION 2. Section 2 of Chapter 64I of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking ‘6.25 per cent’ and replacing it with ‘5 per cent’.”.

The amendment was rejected.

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

“SECTION 46: (a) Section 4 of said chapter 62 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-

(b) Part B taxable income shall be taxed at the rate of 5 percent.

(b) Subsection (a) of this act shall be effective beginning January 1, 2019.”.

The amendment was rejected.

Messrs. Lombardo of Billerica, Whelan of Brewster and Kuros of Uxbridge then moved to amend the bill by adding the following section:

“SECTION 46: Section 12 of chapter 64A of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by adding at the end thereof the

following paragraph:-

Any sale of fuel, including but not limited to unleaded gasoline and diesel fuel, by a distributor to the commonwealth, any state agency or any municipality or its agencies shall be exempt from the tax per gallon contained in this chapter.”.

The amendment was rejected.

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

“SECTION 46. Section 6 of chapter 62 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in lines 584-585, the words ‘, any costs related to the transfer of tax credits’.

SECTION 47. Said section 6 of said chapter 62, as so appearing, is hereby further amended by striking out paragraph (5) of subsection (1).

SECTION 48. Section 38X of chapter 63, as so appearing, is hereby amended by striking out, in lines 40-41, the words ‘, any costs related to the transfer of tax credits’.

SECTION 49. Said section 38X of said chapter 63, as so appearing, is hereby further amended by striking out subsection (e).”.

After debate the amendment was rejected.

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

“SECTION 46. Section 6 of chapter 62 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after paragraph (8) in subsection (1), the following 2 paragraphs:-

(9) By electing the credits under this subsection or under section 38X of chapter 63, or by accepting the value of such credits as a transferee, the taxpayer consents to being publicly identified as a beneficiary of the credits and to the public disclosure of the dollar value of the credits received by the taxpayer. A transferee further consents to the public disclosure of the value of cash or in-kind payments to the original credit recipient in consideration for the transferred credits.

(10) The commissioner of revenue, in conjunction with the secretary of economic development, shall annually complete a detailed report for the preceding fiscal year of the tax credits in this subsection and in section 38X of chapter 63. The report shall provide for such fiscal year a complete list of all recipients of credits under this subsection and under said section 38X, and list for each recipient the total dollar value of credits received, and, if applicable, the amounts carried forward or refunded; provided that in the case of transferred credits, the transferee shall be listed along with the original credit recipient and the report shall detail the original value of the credit, the value received by the transferee and the value of cash or in-kind payments to the original credit recipient by the transferee in consideration for the transferred credits. The report shall also provide for each credit the total amounts credited, refunded or carried forward in such fiscal year, the anticipated return on investment to the commonwealth from the credited funds during such fiscal year and a tracking of job creation as a result of the credits. The report shall be annually submitted to the governor, the secretary of administration and finance, the state comptroller, the house and senate committee on ways and means, the joint committee on revenue and the joint committee on economic development and emerging technologies on or before October 1. The report shall be posted on the internet in a manner accessible to the public.

SECTION 47. Section 38X of chapter 63, as so appearing, is hereby amended by inserting at the end thereof the following 2 subsections:-

(h) By electing the credits under this section or under subsection (l) of section 6

of chapter 62, or by accepting the value of such credits as a transferee, the taxpayer consents to being publicly identified as a beneficiary of the credits and to the public disclosure of the dollar value of the credits received by the taxpayer. A transferee further consents to the public disclosure of the value of cash or in-kind payments to the original credit recipient in consideration for the transferred credits.

(i) The commissioner of revenue, in conjunction with the secretary of economic development, shall annually complete a detailed report for the preceding fiscal year of the tax credits in this section and in subsection (l) of section 6 of chapter 62. The report shall provide for such fiscal year a complete list of all recipients of credits under this section and under said subsection (l) of said section 6, and list for each recipient the total dollar value of credits received, and, if applicable, the amounts carried forward or refunded; provided that in the case of transferred credits, the transferee shall be listed along with the original credit recipient and the report shall detail the original value of the credit, the value received by the transferee and the value of cash or in-kind payments to the original credit recipient by the transferee in consideration for the transferred credits. The report shall also provide for each credit the total amounts credited, refunded or carried forward in such fiscal year, the anticipated return on investment to the commonwealth from the credited funds during such fiscal year and a tracking of job creation as a result of the credits. The report shall be annually submitted to the governor, the secretary of administration and finance, the state comptroller, the house and senate committee on ways and means, the joint committee on revenue and the joint committee on economic development and emerging technologies on or before October 1. The report shall be posted on the internet in a manner accessible to the public.”

The amendment was rejected.

Mr. Scaccia then moved to amend the bill by adding the following two sections:

“SECTION 46. Notwithstanding any general or special law to the contrary, the department of revenue shall not accept any applications for exemptions from the sales tax from a motion picture production company under subsection (ww) of section 6 of chapter 64H after June 30, 2019.

SECTION 47. Notwithstanding any general or special law to the contrary, the department of revenue shall not allow a credit under subsection (l) of section 6 of chapter 62 or under section 38X of chapter 63 for any total aggregate payroll or production expense, as those terms are used in subsection (l) of section 6 of chapter 62 and in section 38X of chapter 63, incurred after June 30, 2020.”

The amendment was rejected.

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

“SECTION 46. (a) Notwithstanding any general or special law to the contrary, for the consecutive third Saturday and third Sunday in August each year, an excise shall not be imposed upon nonbusiness sales at retail of tangible personal property, as defined in section 1 of chapter 64H of the General Laws. For the purposes of this act, tangible personal property shall not include telecommunications, tobacco products subject to the excise imposed by chapter 64C of the General Laws, gas, steam, electricity, motor vehicles, motorboats, or a single item the price of which is in excess of \$2,500.

(b) Notwithstanding any general or special law to the contrary, for the consecutive third Saturday and third Sunday of August, a vendor shall not add to the sales price or collect from a nonbusiness purchaser an excise upon sales at retail of

tangible personal property, as defined in section 1 of chapter 64H of the General Laws. The commissioner of revenue shall not require a vendor to collect and pay excise upon sales at retail of tangible personal property purchased on the consecutive third Saturday and third Sunday of August. An excise erroneously or improperly collected during the consecutive third Saturday and third Sunday of August, shall be remitted to the department of revenue. This section shall not apply to the sale of telecommunications, tobacco products subject to the excise imposed by chapter 64C of the General Laws, gas, steam, electricity, motor vehicles, motorboats, or a single item the price of which is in excess of \$2,500.

(c) Reporting requirements imposed upon vendors of tangible personal property, by law or by regulation, including, but not limited to, the requirements for filing returns required by chapter 62C of the General Laws, shall remain in effect for sales for the days of the consecutive third Saturday and third Sunday of August.

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

(e) Eligible sales at retail of tangible personal property under sections 175 and 176 of chapter 64H are restricted to those transactions occurring on the consecutive third Saturday and third Sunday of August. Transfer of possession of or payment in full for the property shall occur on one of those days, and prior sales or layaway sales shall be ineligible.

(f) This act shall take effect beginning August 19, 2019.”.

The amendment was rejected.

Messrs. Lyons of Andover and Vieira of Falmouth then moved to amend the bill by adding the following two sections:

“SECTION 46. Paragraph (5) of subsection (b) of part B of section 3 of chapter 62 of the 2016 Official Edition of the General Laws is hereby amended by striking paragraph (5) in its entirety and inserting in place thereof the following:-

(5) An amount equal to the total expenses paid by the taxpayer within the taxable year to adopt children. Expenses shall consist of fees paid to any agency licensed to place children for adoption, attorneys fees, court fees, and medical expenses, including copayments for medical services, incurred in the adoption process of a minor child.

SECTION 47. Section 6 of said chapter 62 is hereby amended by adding the following subsection:-

(u) An refundable adoption tax credit of \$1,000 per adopted child in a calendar year shall allowed to one adoptive parent against any taxes due pursuant to this chapter.”.

The amendment was rejected.

Mr. Diehl of Whitman and other members of the House then moved to amend the bill by adding the following two sections:

“SECTION 46. (a) Section 2 of Chapter 64H of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking ‘6.25 per cent’ and replacing it with ‘5 per cent’.

SECTION 47 (b) Section 2 of Chapter 64I of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking ‘6.25 per cent’ and replacing it with ‘5 per cent’.”.

Mr. Mariano of Quincy thereupon raised a point of order that the amendment offered by the gentlemen from Whitman was improperly before the House for the reason that the House had, at this reading, considered and rejected a similar amendment.

Point of order.

The Chair (Mr. Donato) ruled that the point of order was well taken; and the

amendment was laid aside accordingly.

Representatives Lyons of Andover, Kuros of Uxbridge and O’Connell of Taunton then moved to amend the bill by adding the following section:

“SECTION 46: (a). Section 2 of chapter 64H of the General Laws, as amended by chapter 27 of the acts of 2009, is hereby amended by striking out, in line 3, the words ‘6.25 per cent’ and inserting in place thereof the following words:- five percent. (b). Section 30A of said chapter 64H, as so appearing, is hereby amended by striking out, in lines 5, 7, 14 and 18, the figure ‘6.25’ and inserting in place thereof, in each instance, the following word:- five. (c). Section 2 of chapter 64I of the General Laws, as so appearing, is hereby amended by striking out, in line 6, the words ‘6.25 per cent’ and inserting in place thereof the following words:- five percent. (d). Section 31A of said chapter 64I, as so appearing, is hereby amended by striking out, in lines 5, 7, 14 and 18, the figure ‘6.25’ and inserting in place thereof, in each instance, the following word:- five.”

Mr. Mariano of Quincy thereupon raised a point of order that the amendment offered by the gentlemen from Andover was improperly before the House for the reason that the House had, at this reading, considered and rejected a similar amendment.

Point of order.

The Chair (Mr. Donato) ruled that the point of order was well taken; and the amendment was laid aside accordingly.

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

“SECTION 46. (a) Section 4 of said Chapter 62 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-

(b) Part B taxable income shall be taxed at the rate of 5 percent.

(b) Subsection (a) of this act shall be effective beginning January 1, 2019.”

Mr. Mariano of Quincy thereupon raised a point of order that the amendment offered by the gentlemen from Whitman was improperly before the House for the reason that the House had, at this reading, considered and rejected a similar amendment.

Point of order.

The Chair (Mr. Donato) ruled that the point of order was well taken; and the amendment was laid aside accordingly.

Representatives Lyons of Andover, Kuros of Uxbridge and O’Connell of Taunton then moved to amend the bill by adding the following section:

“SECTION 46. Section 4 of Chapter 62 of the General Laws is hereby amended in the first line of subsection (b) by striking ‘5.3 per cent’ and replacing it with ‘five per cent’.”

Mr. Mariano of Quincy thereupon raised a point of order that the amendment offered by the gentlemen from Andover was improperly before the House for the reason that the House had, at this reading, considered and rejected a similar amendment.

Point of order.

The Chair (Mr. Donato of Medford) stated ruled that the point of order was well taken; and the amendment was laid aside accordingly.

Mrs. Haddad of Somerset being in the Chair,—

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

“SECTION 46. Section 6 of chapter 64H of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by adding the following paragraph:-

(yy) Sales of nonprescription drugs or medicines available for purchase for use in or on the body, including: vitamin or mineral concentrates; dietary supplements;

natural or herbal drugs or medicines; products intended to be taken for coughs, cold, asthma or allergies or antihistamines; laxatives; antidiarrheal medicines; analgesics; antibiotic, antibacterial, antiviral and antifungal medicines; antiseptics; astringents; anesthetics; steroidal medicines; anthelmintics; emetics and antiemetics; antacids; and any medication prepared to be used in the eyes, ears or nose; provided, however, that nonprescription drugs or medicines shall not include cosmetics, dentrifices, mouthwash, shaving and hair care products, soaps or deodorants.”.

After remarks the question on adoption of the amendment, Mr. Kulik of Worthington moved to amend it by adding the following section:

“SECTION 46A. Notwithstanding any general or special law to the contrary, the provisions of section 46 shall not take effect until such time as the executive office of administration and finance, in conjunction with the department of revenue, has furnished a study of the legislation’s impact on the economy of the commonwealth and its municipalities, including, but not limited to, a distributional analysis of the impact to taxpayers of varying income levels, the current practice of other states, and other ancillary economic activity to the joint committee on revenue, and until legislation has been filed and enacted pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”.

The further amendment was adopted.

The amendment, as amended, then also was adopted.

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

“SECTION 47. (a) Notwithstanding any general or special law to the contrary, for the days of March 22-27, inclusive, of each calendar year the tax imposed upon meals pursuant to chapter 64H of the General Laws, as most recently amended by section 157 of chapter 27 of the Acts of 2009, shall be suspended.

(b) Notwithstanding any general or special law to the contrary, for the days of March 22-27, 2019, inclusive, a restaurant in the commonwealth shall not add to the sales price or collect from a customer an excise upon sales of meals. The commissioner of revenue shall not require any restaurant to collect and pay excise upon sales of meals purchased on March 22-27, inclusive, of each calendar year. An excise erroneously or improperly collected during the days of March 22-27, inclusive, of each calendar year, shall be remitted to the department of revenue. Any city or town which imposes a local option meals tax may still collect that tax during these dates.

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

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

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

After remarks on the question on adoption of the amendment, Mr. Kulik of Worthington moved to amend it by adding the following section:

“SECTION 48. Notwithstanding any general or special law to the contrary, the provisions of section 47 shall not take effect until such time as the executive office of administration and finance, in conjunction with the department of revenue, has furnished a study of the legislation’s impact on the economy of the commonwealth and its municipalities, including, but not limited to, a distributional analysis of the impact to taxpayers of varying income levels, the current practice of other states, anticipated changes in employment levels and other ancillary economic activity to the joint committee on revenue, and until legislation has been filed and enacted pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”

The further amendment was adopted.

The amendment, as amended, then also was adopted.

Mr. Kaufman of Lexington and other members of the House then moved to amend the bill by inserting, after section 16, the following three sections:

“SECTION 16A. Said subsection (h) of said section 6 of said chapter 62, as amended by section 16 of chapter XX of the laws of 2018, is hereby amended by striking out, in lines 245 and 250, the figure ‘30’ and inserting in place thereof, in each instance, the following figure:- 40.

SECTION 16B. Said subsection (h) of said section 6 of said chapter 62, as amended by section 17 of chapter XX of the laws of 2018, is hereby further amended by striking out, in lines 245 and 250, the figure ‘40’ and inserting in place thereof, in each instance, the following figure:- 50.

SECTION 16C. (a) Said subsection (h) of said section 6 of said chapter 62, as appearing in the 2016 Official Edition, is hereby amended by inserting after the word ‘year,’ in line 243, the following words:- , or such person would otherwise have qualified for the earned income credit or would have been able to claim additional qualifying children for the earned income credit but for subsection (m) of section 32 of the Code.

(b) Said subsection (h) of said section 6 of said chapter 62, as so appearing, is hereby further amended by inserting after the word ‘taxpayer’, in line 250, the following words:- , or otherwise eligible to be received by the taxpayer but for subsection (m) of section 32 of the Code,.

(c) Said subsection (h) of said section 6 of said chapter 62, as so appearing, is hereby further amended by inserting after the first paragraph the following paragraph:-

No credit shall be allowed under this subsection for any taxable year within (1) the period of 10 taxable years after the most recent taxable year for which there was a final determination by the commissioner that the taxpayer’s claim of the credit under this subsection was based on information that the taxpayer knew or had reason to know was false, fraudulent or deliberately misleading as to a material matter, or (2) the period of 2 taxable years after the most recent taxable year for which there was a final determination by the commissioner that the taxpayer’s claim of credit under this subsection was due to careless, reckless or intentional disregard by the taxpayer of the tax laws of the commonwealth or of public written statements issued by the commissioner.”; and

By adding the following two sections:

“SECTION 49. Sections 16A shall take effect on January 1, 2020.

SECTION 50. Section 16B shall take effect on January 1, 2021.”

The amendments were rejected.

Mr. Pignatelli of Lenox and other members of the House then moved to amend the bill by inserting, after section 16, the following two sections:

“SECTION 16A. Subsection (o) of section 6 of chapter 62 of the General

Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out, in line 723, the figures ‘\$4,000,000’ and inserting in place thereof the following figures:- \$6,000,000.

SECTION 16B. Section 38Z of chapter 63, as appearing in the 2016 Official Edition, is hereby amended by striking out, in line 28, the figures ‘\$4,000,000’ and inserting in place thereof the following figures:-\$6,000,000.”.

The amendment was adopted.

The bill (House, No. 4400, amended) was then ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. Sánchez of Boston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

On the question on passing the bill, as amended, to be engrossed, Mr. Scibak of South Hadley and other members of the House moved to amend it by adding the following section:

“SECTION 49. Chapter 128 of the General Laws is hereby amended by adding the following section:-

Section 116. (a) The following words as used in this section shall have the following meanings unless the context otherwise requires:

‘Farm’, lands that are used by a person for farming or agriculture as defined in section 1A.

‘Federal act’, the FDA Food Safety Modernization Act, Public Law No. 111-353, as amended.

‘Federal standards’, the standards adopted under the Federal Act for the growing, harvesting, packing, and holding of produce for human consumption, as set forth in Title 21, Part 112 of the Code of Federal Regulations, as amended.

‘Produce’, produce as defined in 21 C.F.R. § 112.3, as amended.

‘Produce farm’, any farm engaged in the growing, harvesting, packing, or holding of produce.

(b) The department may enforce in the Commonwealth the federal standards. The department may consult and collaborate, and enter into cooperative agreements, with the department of public health regarding application and enforcement of the federal act.

(c) (1) The department may enter upon and inspect a produce farm during reasonable hours for the purpose of ensuring compliance with the federal standards or, pursuant to paragraph (2) of this subsection, comparable state standards applicable to produce not meeting the definition of ‘covered produce’ under 21 C.F.R. § 112.3, as amended. The Commissioner may promulgate regulations as may be necessary to implement this paragraph.

(2) The department may conduct inspections of produce not meeting the definition of covered produce under 21 C.F.R. § 112.3, as amended, or a produce farm not subject to the federal standards under 21 C.F.R. §§ 112.4-11.25, as amended, only upon the request of the operator of the produce farm. Such request for inspection shall subject the produce farm and its operator to the authority of the department as set forth in this section.

(3) After inspection, the department may issue an inspection certificate that shall include the date and place of inspection along with any other information that the department may prescribe. The department may coordinate with other state and federal agencies and organizations to carry out inspections at or near the same time on a particular produce farm.

(d) The department may issue reasonable orders necessary to effectuate the purposes of this section, including but not limited to, orders for the embargo,

destruction, quarantine, and release of produce. The Commissioner may promulgate regulations as may be necessary to implement this subsection.

(e) The operator of a produce farm shall maintain records required by the federal act and rules adopted thereunder and shall make those records available to the department upon request.”

The amendment was adopted.

At twenty-nine minutes before seven o'clock P.M. (Monday, April 23), the Chair (Mrs. Haddad of Somerset) declared a recess until a quarter after seven o'clock; and at nineteen minutes after seven o'clock the House was called to order with Mr. Donato of Medford in the Chair.

Recess.

Representatives Frost of Auburn and Benson of Lunenburg then moved to amend the bill in section 2 by inserting after 7010-0005 the following item:

“XXXX-XXXX. There shall be established and placed within the Department of Elementary and Secondary Education (DESE) a School Resource Officer Matching Grant Program, to be held by DESE separate and apart from its other funds. Provided a school district has existing school resource officers, those school districts may only be eligible for the School Resource Officer Matching Fund Grant Program if additional officers are accounted for in the municipal budget from the previous fiscal year ... \$25,000,000”.

After remarks the amendment was rejected.

Mr. Lyons of Andover then moved to amend the bill in section 2, in item 1233-2350, by striking out the figures: “1,098,945,897” and inserting in place thereof the figures: “2,234,211,062.46”; and in item 7061-0008 by striking out the figures: “4,871,530,948” and inserting in place thereof the figures: “6,358,908,409”.

After remarks the amendments were rejected.

The Chair (Mr. Donato of Medford) placed before the House the question on suspension of Rule 1A in order that the House might continue to meet to meet beyond the hour of nine o'clock P.M.

Suspension of Rule 1A.

On the question on suspension of Rule 1A, the sense of the House was taken by yeas and nays, as required under the provisions of said rule; and on the roll 122 members voted in the affirmative and 33 in the negative.

Rule 1A suspended,—yea and nay No. 326.

[See Yea and Nay No. 326 in Supplement.]

Therefore Rule 1A was suspended.

Mrs. Ferguson of Holden and other members of the House then moved to amend the bill by adding the following section:

“SECTION 50. There shall be a regional school district foundation budget commission to review the way that regional school districts are funded and to recommend a framework that better accounts for differences between the towns that make up these districts and how the funding is distributed. In conducting the review, the commission shall seek to determine, with respect to regional school districts, the educational programs and services necessary to achieve the commonwealth's educational goals and to prepare students to achieve passing scores on the Massachusetts Comprehensive Assessment System examinations. The review shall include, but not be limited to, those components of the regional school district foundation budget established pursuant to section 3 of chapter 70 of the General Laws. Further, the commission shall seek to determine and recommend measures to promote the adoption of ways in which resources may be most effectively utilized and consider various models of efficient and effective resource allocation. The commissioner of elementary and secondary education shall provide any data and information to the commission that the commissioner considers relevant to the

commission’s charge.

The commission shall consist of 1 person who shall be appointed by the senate president, who shall serve as co-chair; 1 person who shall be appointed by the minority leader of the senate; 1 person who shall be appointed by the speaker of the house of representatives, who shall serve as co-chair; 1 person who shall be appointed by the minority leader of the house of representatives; 1 person who shall be appointed by the secretary of education; 1 person who shall be appointed by the commissioner of elementary and secondary education and 8 persons who shall be appointed by the governor, all of whom shall have experience working with a regional school district, 1 of whom shall be a representative of the Massachusetts Association of Regional Schools, Inc., 1 of whom shall be a representative of the Massachusetts Association of School Committees, 1 of whom shall be a representative of the Massachusetts Association of School Business Officials, Inc., 1 of whom shall be a representative of the Massachusetts Teachers Association, 1 of whom shall be a representative of the Massachusetts Association of School Superintendents, 1 of whom shall be a high school student attending a school in a regional school district and 1 of whom shall be a representative of the Massachusetts Budget and Policy Center, Inc. Members shall not receive compensation for their services but may receive reimbursement for the reasonable expenses incurred in carrying out their responsibilities as members of the commission. The commissioner of elementary and secondary education may furnish reasonable staff and other support for the work of the commission.

Before issuing its recommendations, the commission shall conduct not less than 4 public hearings across regions of the commonwealth. It shall not constitute a violation of chapter 268A for a person employed by a school district to serve on the commission or to participate in commission deliberations that may have a financial impact on the district employing that person or on the rate at which that person may be compensated. The commission may establish procedures to ensure that no such person shall participate in commission deliberations that may directly affect the school districts employing those persons or that may directly affect the rate at which those persons are compensated.

The commission shall file its report, together with drafts of its recommended legislation, with the clerks of the senate and house of representatives, the senate and house chairs of the joint committee on education and the chairs of the senate and house committees on ways and means not later than December 31, 2019.”.

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 40 members voted in the affirmative and 114 in the negative.

[See Ye and Nay No. 327 in Supplement.]

Therefore the amendment was rejected.

Mr. Sánchez of Boston and other members of the House then moved to amend the bill in section 2 by inserting after item 1599-7104 the following item:

“1599-7114 For a reserve for the costs associated with the UMass Center at Springfield.\$250,000”;

In item 3000-2050 by striking out the figures: “1,102,494” and inserting in place thereof the figures: “1,152,494”;

In item 3000-7000 by striking out the figures: “14,586,187” and inserting in place thereof the figures: “14,686,187”;

In item 3000-7050, in line 17, by inserting after the word “centers” the following: “; provided further, that not less than \$100,000 more than fiscal year 2018 shall be expended on said parent-child home program”; and in said item by

Amendment rejected,—
yea and nay
No. 327.

Consolidated amendments
(education and
local aid).

striking out the figures: “13,442,000” and inserting in place thereof the figures: “13,542,000”;

In item 7000-9401, in line 16, by striking out the figures: “40.7” and inserting in place thereof the figures: “42.4”; and in said item by striking out the figures: “10,082,140” and inserting in place thereof the figures: “10,282,140”;

In item 7000-9501, in line 15, by inserting after the word “program” the following: “; provided further, that not less than \$50,000 shall be expended for the Stoneham Public Library; provided further, that not less than \$50,000 shall be expended for the Hispanic American Library in Springfield; provided further, that not less than \$100,000 shall be expended for repairs to the Salem Public Library”; and in said item by striking out the figures: “9,090,000” and inserting in place thereof the figures: “9,490,000”;

In item 7000-9506 by striking out the figures: “2,115,928” and inserting in place thereof the figures: “2,215,928”;

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 7010-0033, in line 2, by striking out the figures: “100,000” and inserting in place thereof the figures: “300,000”; and in line 5 by inserting after the word “education” the following: “; provided further, that not less than \$10,000 shall be expended to On the Move, Inc. ; provided further, that not less than \$15,000 shall be expended to the Rockland public schools district for teacher training to develop and support an English language learner program; provided further, that not less than \$15,000 shall be expended for Hanover public schools district teacher training to develop and support an English language learner program; provided further, that not less than \$20,000 be expended for La Feria Internacional del Libro Inc., in the city of Lawrence for the purpose of assisting literacy and promoting reading in the greater Lawrence community through advocacy, programming, and the annual Lawrence International Book Festival”; and in said item by striking out the figures: “1,496,545” and inserting in place thereof the figures: “1,756,545”;

By inserting after item 7010-0333 the following item:

“7010-1192 For grants to school districts for educational improvement projects; provided, that not less than \$500,000 shall be expended for the Edward M. Kennedy Institute to expand civics education programs, including investments in curriculum and technology; provided further, that not less than \$50,000 shall be expended for classroom upgrades at the Woodland, Powder Mill and High Schools in the town of Southwick; provided further, that not less than \$50,000 shall be expended for the purposes of a pilot project to connect organic gardening, outdoor exercise, healthy food, food preparation and elementary school aged children in the greater Northampton area, operated by Grow Food Northampton; provided further, that not less than \$35,000 shall be expended for technology upgrades in the Whitman-Hanson Regional School District; provided further, that not less than \$25,000 shall be expended for improvements in the Sandwich public schools; provided further, that not less than \$25,000 shall be expended for improvements for buildings within the Upper

Cape Cod regional school district; provided further, that not less than \$20,000 shall be expended for improvements to Norwell public schools; provided further, that not less than \$35,000 shall be expended for the operation of Camp Pohelo in the town of Tewksbury; provided further, that not less than \$35,000 shall be expended for the establishment of the Shawsheen Valley Full Potential Project summer camp at the Shawsheen Valley Regional Technical High School; provided further, that not less than \$100,000 shall be expended for the purpose of maintaining or reducing the Peabody Public School system's kindergarten class size; provided further, that not less than \$5,000 shall be expended for automatic defibrillators for the Freetown-Lakeville School System; provided further, that not less than \$100,000 shall be expended for the Brockton public school district; provided further, that not less than \$50,000 shall be expended to Tri-County Regional Vocational Technical High School; provided further, that not less than \$50,000 shall be expended for the Springfield public school district to continue data-supported programming to address the needs of at-risk middle and high school students; provided further, that not less than \$60,000 shall be expended on Methuen High School for mental health services; provided further, that not less than \$50,000 shall be expended to the town of Westford for the construction, renovation and upgrade of a new playground at the Norman E. Day Elementary School in the town of Westford; provided further, that not less than \$20,000 shall be expended for a certified nursing assistance program in the Ware Public Schools; provided further that, notwithstanding any general or special law to the contrary, no funds shall be transferred from this item to any other item of appropriation; and provided further that funds shall be expended fully and on a schedule consistent with the provisions of section 9B of chapter 29 of the General Laws.....\$1,210,000”;

In item 7027-0019, in line 16, by inserting after the word “teachers” the following: “; provided further, that not less than \$100,000 shall be expended to Project Learn in Lowell; provided further, that not less than \$100,000 shall be expended for Triangle, Inc.’s School to Career Program that connects special education students with disabilities in Greater Boston to careers and their local communities”; and in said item by striking out the figures: “3,918,499” and inserting in place thereof the figures: “4,118,499”;

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”; and in said item by striking out the figures: “32,582,378” and inserting in place thereof the figures: “32,732,378”;

In item 7035-0006 by striking out the figures: “62,521,000” and inserting in place thereof the figures: “63,521,000”;

In item 7061-0012, in line 20, by inserting after the word “settings” the following: “; provided further, that not less than \$250,000 shall be expended for school districts in which special education costs exceed 25 per cent of the total

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district costs and in which 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”; and in said item by striking out the figures: “300,000,000” and inserting in place thereof the figures: “300,250,000”;

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; 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; and provided further, that not less than \$100,000 shall be made available to the town of Lincoln to mitigate the costs of educating the children of retired-military families.....\$500,000”;

By striking out item 7061-9400 and inserting in place thereof the following item:

“7061-9400 For student and school assessment including the development and implementation of related curriculum standards and instructional support, including the administration of the Massachusetts Comprehensive Assessment System exam established by the board of elementary and secondary education pursuant to sections 1D and 1I of chapter 69 of the General Laws; provided, that the department of elementary and secondary education shall expend funds for school and student assessment in accordance with the determination made by the board of elementary and secondary education as to the method of assessment in the 2018-2019 school year; provided further, that up to \$1,000,000 shall be expended for the development of new high school assessments and assessments aligned to newly adopted standards in the areas of civics, history and social science, as well as the inclusion of professional development programs to support educators and promote the effective implementation of those newly adopted standards; and provided further, that all school assessments shall center on the academic standards embodied in the curriculum frameworks and shall involve measures which shall be relevant and meaningful to students, parents, teachers, administrators, and taxpayers pursuant to the first paragraph of said section 1I of said chapter 69.....\$32,134,648”;

In item 7061-9611, in line 27, by inserting after the word “months” the following: “; provided further, that not less than \$10,000 shall be expended for Old

Hill Sports and Mentoring program; provided further, that not less than \$30,000 shall be appropriated to Homework House of Holyoke; provided further, that not less than \$100,000 shall be expended for the Youth Court programs of New Bedford and Fall River to support juvenile diversion programs based on the principles of peer-led restorative justice; provided further, that not less than \$100,000 shall be expended for the Department of Community Services in the City of New Bedford to support the after-school Girls STEAM Design Academy program; provided further, that not less than \$20,000 shall be granted to the Cape Verdean Association of Brockton for employment positions for at-risk youth within their YEP! We Can Summer Program; provided further, that not less than \$50,000 shall be expended for the I Have a Future program; provided further, that not less than \$50,000 shall be expended for The Mazie Partnership of Wayland in support of the mentoring of at-risk students in the Commonwealth; provided further, that not less than \$15,000 shall be expended for programs through Auburn Youth and Family Services, Inc.; provided further, that not less than \$20,000 shall be expended for Steps to Success, Inc. in the town of Brookline; provided further, that not less than \$50,000 shall be expended for the Recreation Worcester program”; and in said item by striking out the figures: “2,376,923” and inserting in place thereof the figures: “3,021,923”;

In item 7061-9626 by striking out the figures: “1,750,000” and inserting in place thereof the figures: “2,000,000”;

In item 7066-0000, in line 5, by inserting after the word “institutions” the following: “; provided further, that \$1,000,000 shall be expended for the state university internship incentive program established in item 7066-0000 of section 2 of chapter 139 of the acts of 2012; provided further, that the commonwealth shall contribute funds to each institution in an amount necessary to match private contributions in the current fiscal year to the institution’s internship incentive program; provided further, that the commonwealth’s contribution shall be equal to \$1 for every \$1 privately contributed to each university’s board of trustees or foundation; provided further, that the maximum total contributions from the commonwealth shall be not more than the amount appropriated in this item; provided further, that funds from this program shall not result in direct or indirect reduction in the commonwealth’s appropriations to the institutions for operations, scholarships, financial aid or any state appropriation and the department shall promulgate regulations and criteria for the program”; and in said item by striking out the figures: “1,914,768” and inserting in place thereof the figures: “2,914,768”;

In item 7066-0009 by striking out the figures: “183,825” and inserting in place thereof the figures: “368,250”;

By inserting after item 7066-0009 the following item:

“7066-0015 For the community college workforce training incentive grant program established in section 15F of chapter 15A of the General.....\$750,000”;

By inserting after item 7066-0036 the following item:

“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 to the department of higher

education 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, 2019, 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 the summer months.....\$250,000”;

In item 7066-9600 by striking out the figures: “1,381,916” and inserting in place thereof the figures: “1,581,916”;

In item 7070-0065 by adding the following: “; and provided further, that not less than \$175,000 shall be expended towards scholarship support for Urban College of Boston students”; and in said item by striking out the figures: “103,511,798” and inserting in place thereof the figures: “103,686,798”;

By inserting after item 7100-4000 the following item:
“7518-0120 For state university and community college efficiency efforts through the PACE initiative..... \$200,000”;

In item 7100-0200, in line 9, by inserting after the word “maintenance” the following: “; provided further, that the University of Massachusetts shall expend funds for the University of Massachusetts at Amherst Cranberry Station; provided further, that funding for all centers and institutes at UMass Boston shall be provided at an amount not less than in fiscal year 2018; provided further, that if as a result of extraordinary or unforeseen circumstances, the university deems it necessary to reduce funding to said institutions, the university shall issue a report detailing: (a) the reasons for said reductions; (b) all steps taken to avoid such reductions, including, but not limited to, the identification of other sources of existing funds, raising of new revenues and the pursuit of savings initiatives and efficiencies; and (c) a mitigation plan to ameliorate the effects on students and university staff of such reductions, of which input from such parties shall be solicited; and provided further, that said report shall be provided to the house and senate chairs of the joint committee on higher education and the chairs of the house and senate ways and means committees not later than 60 days prior to any such funding reduction or institutional closure”;

In item 7115-0100 by adding the following: “; provided, that not less than \$25,000 shall be expended on the expansion of assistive technology for students with learning disabilities at Banacos Academic Center at Westfield State University”; and in said item by striking out the figures: “27,094,027” and inserting in place thereof the figures: “27,119,027”;

In item 7503-0100 by adding the following following: “; provided, that not less than \$100,000 shall be made available for the operation of the Veteran Educational Services Center located at Bristol Community College”; and in said item by striking out the figures: “20,840,813” and inserting in place thereof the figures: “20,940,813”;

In item 7505-0100 by adding the following: “; provided, that not less than \$75,000 shall be expended for the operation of the Sustainable Agriculture & Green Energy Program at Greenfield Community College”; and in said item by striking out the figures: “10,462,986” and inserting in place thereof the figures: “10,537,986”;

In item 7509-0100 by adding the following: “; provided further, that not less than \$150,000 shall be expended for advanced manufacturing and technology training programs”; and in said item by striking out the figures: “14,560,111” and

inserting in place thereof the figures: “14,710,111”;

In item 7511-0100 by adding the following: “; provided, that not less than \$50,000 shall be made available for the development and implementation of the Ability to Benefit pilot program, a career pathway program that partners Wellspring House, Inc. with North Shore Community College to integrate adult basic education with college-level coursework”; and in said item by striking out the figures: “21,568,575” and inserting in place thereof the figures: “21,618,575”;

In item 7515-0120 by striking out the figures: “900,000” and inserting in place thereof the figures: “925,000”; and

In section 32, in line 297, by inserting after the word “designee” the words “; the secretary of labor and workforce development, or a designee”.

After remarks on the question on adoption the consolidated amendments (local aid and education), the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F, and on the roll call 155 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 328 in Supplement.]

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

Consolidated
amendments
adopted,—
yea and nay
No. 328.

Recess.

At fourteen minutes before ten o’clock P.M. (Monday, April 23, 2018), 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 that time, the House was called to order with Mr. Donato of Medford in the Chair.

Recess.