

Tuesday, April 24, 2018 (at 10:00 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.

Silent Prayer.

During the session, the Speaker took the Chair and at his request the members, guests and employees stood in a moment of silent tribute to the memory of Officer Sean Gannon of the Yarmouth Police Department. Officer Gannon, an 8 year veteran of the department and its first K-9 narcotics officer, died in the line of duty on April 12th. He was 32 years old, and leaves behind a wife, Dana, his parents and siblings.

Officer
Sean
Gannon.

Speaker DeLeo was joined by the Cape delegation – Representatives Crocker of Barnstable, Fernandes of Falmouth, Hunt of Sandwich, Peake of Provincetown, and Whelan of Brewster.

Order.

The following order (filed by Mr. Roy of Franklin) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Health Care Financing be granted until Wednesday, May 16, 2018 within which time to make its final report on all matters referred to them on or before April 20, 2018.

Health Care
Financing
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4445), ought to be adopted. Under suspension of the rules, on motion of Mr. Roy of Franklin, the order was considered forthwith.

Pending the question on adoption of the order, the same member moved to amend it in line 3 by inserting after the year “2018” the following: “and within 30 days on all matters referred to them after April 20, 2018”. The amendment was adopted.

The order (House, No. 4445, amended) then also was adopted.
Sent to the Senate for concurrence.

Petitions.

Mr. Markey of Dartmouth presented a petition (subject to Joint Rule 12) of Christopher M. Markey for legislation to establish a sick leave bank for Audrey Art, an employee of the Department of Children and Families; and the same was referred, under Rule 24, to the committee on Rules.

Audrey Art,—
sick leave.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Ms. Peake of Provincetown, the report was considered forthwith. Joint Rule 12 was suspended; and the joint petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Representative McMurtry of Dedham and Senator Rush presented a joint

Paul Walsh,—

petition (subject to Joint Rule 12) of Paul McMurtry and Michael F. Rush for legislation to establish a sick leave bank for Paul Walsh, an employee of the Department of Correction; and the same was referred, under Rule 24, to the committee on Rules.

sick leave.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Ms. Peake of Provincetown, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Papers from the Senate.

Petitions severally were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2478) of Harriette L. Chandler and Harold P. Naughton, Jr. (by vote of the town) for legislation to regard transfer of retained earnings surplus in the town of Clinton; and

Clinton,—
surplus.

Petition (accompanied by bill, Senate, No. 2479) of Harriette L. Chandler and Harold P. Naughton, Jr. (by vote of the town) for legislation to regard snow and ice removal, and repair of private ways in the town of Clinton;

Clinton,—
snow
and ice.

Severally to the committee on Municipalities and Regional Government.

Reports of a Committee.

By Mr. Galvin of Canton, for the committees on Rules of the two branches, acting concurrently, that the following bills ought to pass:

Relative to the position of poet laureate for the Commonwealth of Massachusetts (House, No. 1784); and

Poet laureate,—
study.

Renaming the Yawkey commuter rail station on the Worcester–Framingham line (House, No. 3887);

Yawkey station,—
renaming.

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

Recesses.

At seven minutes after ten o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twenty-two minutes before eleven o'clock the House was called to order with Mr. Kafka of Stoughton in the Chair.

Recesses.

The House thereupon took a further recess subject to the call of the Chair; and at one minute before eleven o'clock A.M., the House was called to order with the Speaker in the Chair.

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, amended), was considered.

General
Appropriation
Bill.

Pending the question on passing the bill, as amended, to be engrossed, Mr. Sánchez of Boston and other members of the House moved to amend it in section 2, in item 2000-0100, by adding the following: “; provided further, that not less than \$75,000 shall be expended for regional animal control in Cohasset, Hull and Norwell; provided further, that not less than \$25,000 shall be expended for a feasibility study on [A] waterways in Essex County; provided further, that not less than \$40,000 shall be expended for environmental remediation in Clinton; and provided further, that not less than \$30,000 shall be expended for a study of Eel Pond Inlet in the Waquoit Bay watershed”; and in said item by striking out the figures: “9,245,558” and inserting in place thereof the figures: “9,415,558”;

In item 2200-0100, in line 8, by inserting after the word “Laws” the following: “; provided further, that not less than \$25,000 shall be expended for water quality improvements in Falmouth; provided further; that not less than \$30,000 shall be expended for a sewer feasibility study in the town of Freetown”; and in said item by striking out the figures: “29,000,000” and inserting in place thereof the figures: “29,055,000”;

In item 2300-0101 by adding the following: “; and provided further, that not less than \$45,000 shall be expended for the Goldthwait marsh in Marblehead”; and in said item by striking out the figures: “855,156” and inserting in place thereof the figures: “900,156”;

In item 2330-0100, in line 33, by inserting after the word “Council” the following: “; provided further, that not less than \$175,000 shall be expended for shellfish propagation in Barnstable, Dukes and Nantucket counties; provided further, that not less than \$50,000 shall be expended for [B] coastal and marsh restoration; provided further, that not less than \$50,000 shall be expended for Fishing Academy, Inc.; provided further, that not less than \$100,000 shall be expended for the maintenance of Herring Run to Whitman’s Pond in Weymouth; provided further, that not less than \$150,000 shall be expended for the State Marine Genomics Program”; and in said item by striking out the figures: “6,359,735” and inserting in place thereof the figures: “6,884,735”;

In item 2511-0100 by adding the following: “; provided, that not less than \$200,000 shall be expended to meet the cost 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, West Nile virus and the Zika virus in Bristol and Plymouth Counties; provided further, that not less than \$100,000 shall be expended for the Homeless Animal Care and Adoption fund; provided further, that not less than \$90,000 shall be expended for the apiary inspection program; provided further, that not less than \$300,000 shall be expended for the Buy Local effort in Western, Central, Northeastern and Southeastern Massachusetts; provided further, that not less than \$120,000 shall be expended for the Massachusetts Farm to School Project; provided further, that not less than \$100,000 shall be expended for the Massachusetts Food Trust Program; and provided further, that not less than \$50,000 shall be expended for the Coastal Foodshed initiative in the Greater New Bedford area”; and in said item by striking out the figures: “4,945,785” and inserting in place thereof the figures: “5,905,785”;

In item 2511-0105, in line 5, by inserting after the word “banks” the following: “; provided further, that not less than \$85,000 shall be expended for the Cambridge Weekend Backpack Program; provided further, that not less than \$50,000 shall be expended for the Food for the World, Inc.; provided further, that not less than \$50,000 shall be expended for the Lovin’ Spoonful Food Rescue; provided further, that the department may assess an administrative charge not to exceed 2 per cent of

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the total appropriation in this item”; in line 6, by striking out the figures: “1,500,000” and inserting in place thereof the figures: “1,000,000; and in said item by striking out the figures: “17,913,831” and inserting in place thereof the figures: “18,098,831”;

In item 2800-0100, in line 5, by inserting after the word “department” the following: “; provided, that not less than \$50,000 shall be expended for the establishment of a cooperative nature school in Sharon; provided further, that not less than \$350,000 shall be expended for aquatic invasive species control; provided further, that not less than \$50,000 shall be expended for flood protections in Clinton; provided further, that not less than \$50,000 shall be expended for a maintenance pilot program for Lake Chargoggagoggmanchauggagoggchaubunagungamaugg in Webster; provided further, that not less than \$35,000 shall be expended for an aquatic weed harvester machine in Duxbury”; and in said item by striking out the figures: “4,149,615” and inserting in place thereof the figures: “4,684,615”;

In item 2800-0500, in line 11, by inserting after the word “commission” the following: “; provided further, that not less than \$50,000 shall be expended for the cleanup of *Pilayella* algae on Kings Beach and Long Beach in Lynn; provided further, that not less than \$45,000 shall be expended for the Beach Access Resilience Project in Swampscott”; and in said item by striking out the figures: “1,140,000” and inserting in place thereof the figures: “1,235,000”;

In item 2800-0501, in line 18, by inserting after the figures: “30” the following: “; provided further, that not less than \$50,000 shall be expended for Coes Pond and Representative John J. Binienda Memorial Beach in Worcester”; and in said item by striking out the figures: “15,940,493” and inserting in place thereof the figures: “15,990,493”;

In item 2800-0700 by adding the following: “; and provided further, that not less than \$50,000 shall be expended for engineering improvements to the City Mills Dam in Norfolk”; and in said item by striking out the figures: “620,361” and inserting in place thereof the figures: “670,361”; and

By inserting after item 2810-0100 the following item:

“2810-0122 For special projects relating to the commonwealth’s state parks and recreational areas; provided, that not less than \$100,000 shall be expended for a new playground and improvements to Forge Beach in Westford; provided further, that not less than \$25,000 shall be expended for the National Historic Landmark status for Echo Bridge in Newton; provided further, that not less than \$25,000 shall be expended for the environmental preservation of Crystal Lake in Newton; provided further, that not less than \$40,000 shall be expended for Cook, Kiley, Flax Pond and Ames Playgrounds in Lynn; provided further, that not less than \$60,000 shall be expended for the development of the waterfront on the Merrimack River in Methuen; provided further, that not less than \$75,000 shall be expended for improvements to Nelson Playground in Brockton; provided further, that not less than \$150,000 shall be expended for the Ash Street Playground in Brockton, provided further, that not less than \$125,000 shall be expended for carbon vessels at the North Easton Village Wastewater Treatment Plant in Easton; provided further, that not less than \$50,000 shall be expended for upgrades to the Neponset Greenway; provided further, that

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not less than \$50,000 shall be expended for the Blue Hills Trailside Museum in Milton; provided further, that not less than \$75,000 shall be expended for renovations to Danny Goodwin Park in Brockton; provided further, that not less than \$55,000 shall be expended for the maintenance of Red Rock Park in Lynn; provided further, that not less than \$100,000 shall be expended for a new playground at Lussiano Park in Arlington; provided further, that not less than \$50,000 shall be expended for park development in Ashland; provided further, that not less than \$25,000 shall be expended for improvements to Magazine Beach in Cambridge; provided further, that not less than \$75,000 shall be expended for tree removal in Worcester; provided further, that not less than \$250,000 shall be expended for playground and park projects in Lowell; provided further, that not less than \$75,000 shall be expended for Let's Row Boston; provided further, that not less than \$25,000 shall be expended for the Friends of Herter Park for the maintenance of the Artesani Park outdoor theatre; provided further, that not less than \$25,000 shall be expended for Chandler Pond in Brighton; provided further, that not less than \$200,000 shall be expended for a new veterans park in Lowell; provided further, that not less than \$40,000 shall be expended for a playground in Lancaster; provided further, that not less than \$175,000 shall be expended for tree re-planting in Worcester; provided further, that not less than \$50,000 shall be expended for Lynch Park in Beverly; provided further, that not less than \$50,000 shall be expended for the Massachusetts Central Rail Trail; provided further, that not less than \$50,000 shall be expended to conduct a study on the department of conservation and recreation land in Charlestown; provided further, that not less than \$100,000 shall be expended for improvements to Emerald Necklace in Fenway; provided further, that not less than \$75,000 shall be expended for construction on Malden River; provided further, that not less than \$25,000 shall be expended for improvements to the Quinnebaug Rail Trail in Dudley; provided further, that not less than \$25,000 shall be expended for garden irrigation projects in Berlin; provided further, that not less than \$25,000 shall be expended for repairs and upgrades by the recreation department in Billerica; provided further, that not less than \$50,000 shall be expended for the construction of the Yankee Doodle Bike Path in Billerica; provided further, that not less than \$50,000 shall be expended for the building of a recreational dog park in Braintree; and 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.....\$2,370,000”.

Mr. Donato of Medford in the Chair,—

After debate on the question on adoption of the amendments, Mr. Hill of Ipswich moved to amend them in item 2000-0100 by inserting at [A] the word “dredging”; and in item 2330-0100 by striking out at [B] the words “coastal and marsh restoration” and inserting in place thereof the words “a Great Marsh green

crab trapping program”.

The further amendments were adopted.

On the question on adoption of the amendments, as amended, 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 154 members voted in the affirmative and 1 in the negative.

[See Yea and Nay No. 329 in Supplement.]

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

Messrs. Straus of Mattapoisett, Stanley of Waltham and Livingstone of Boston then moved to amend the bill by adding the following section:

“SECTION 50. The General Laws, as appearing in the 2016 Official Edition, are hereby amended by inserting after chapter 40W the following new chapter:—

Chapter 40X. Supplemental Infrastructure Financing for Transportation.

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

‘Base date’, the last assessment date of the real property tax immediately preceding the creation of the SIFT district, or any other assessment date designated as the base date in a SIFT agreement.

‘Department’, the Massachusetts Department of Transportation.

‘Financial plan’, a statement of the costs and sources of revenue required to complete construction of the transportation project, which shall include: (1) cost estimates; (2) the projected amount of indebtedness to be incurred by the municipality, the department the Massachusetts Bay Transportation Authority, or a regional transit authority; and (3) any other sources of anticipated capital, including but not limited to any federal funding.

‘Original assessed value’, the aggregate assessed value of all properties within the SIFT district as of the base date.

‘Secretary’, the secretary of the Massachusetts Department of Transportation.

‘SIFT agreement’, an agreement for supplemental infrastructure financing for transportation entered into by the secretary and a municipality and approved by the municipality in accordance with section 2 authorizing a municipality to collect and remit tax increment revenue in accordance with this chapter.

‘SIFT district’, a specified area within the corporate limits of a municipality as set forth in the SIFT agreement.

‘Tax increment’, all annual increases in the municipality’s limit on total taxes assessed under section 21C(f) of chapter 59 that are attributable to parcels within the district for fiscal years with an assessment date later than the base date. The tax increment shall also include the part of increases in the limit on total taxes assessed allowed under subsection (f) of section 21C of chapter 59 that are attributable to such increases under said subsection in prior years that were part of the increment in such prior years. In any year in which the limit on total taxes assessed under section 21C is lower than the prior year’s limit on total taxes assessed, the tax increment shall be reduced in the same proportion as the limit on total taxes assessed.

‘Transportation project’, any construction project, or any component thereof, undertaken by the Massachusetts Bay Transportation Authority, a regional transit authority or department, including without limitation construction, reconstruction, repair or enhancement of ways or bridges, on-ramps or off-ramps, bikeways or multi-use paths, transit stations, passenger facilities, and rail projects and extensions.

Section 2. (a) The secretary and a municipality may enter into a SIFT agreement; provided, that no municipality may enter into or implement a SIFT

Consolidated amendments adopted,—
yea and nay
No. 329.

agreement unless and until the SIFT agreement has been approved by the municipality in accordance with this section. A SIFT agreement shall include without limitation: (1) a detailed description of the transportation project to be financed in whole or in part by the SIFT agreement, including a financial plan for such project; (2) the boundaries of the SIFT district, including a depiction of the SIFT district on a map of the municipality and a listing of the street addresses and lot numbers of all lots within the SIFT district; (3) estimates of the amount of tax increment revenue to be remitted during the term of the SIFT agreement; (4) the method of calculating the percentage of the tax increment to be remitted together with any provisions for adjustment of the method of calculation; (5) the board or officer of the city or town responsible for calculating the tax increment; (6) any tax increment pledged or otherwise subject to chapter 40Q or section 59 of chapter 40; (7) a statement of the estimated impact of tax increment financing on all taxing jurisdictions in which the SIFT district is located; (8) the term of years of the SIFT agreement; (9) the base date; (10) the date, if any, following which the SIFT agreement must be re-approved by the city or town in accordance with section 2 if a notice to proceed has not been issued by the department or authority with respect to the transportation project; (11) anticipated or known gifts, grants, or private contributions; and (12) the department or authority fund to which the tax increment revenue shall be remitted.

(b) Notwithstanding any general or special law or regulation to the contrary, not less than 30 days prior to any vote required under subsection (c), a municipality shall hold a public hearing regarding the SIFT agreement or amendment thereto and shall provide the public with an opportunity to submit written comments. The municipality shall create a written record of the public hearing, which shall include a description of the testimony offered by persons at such hearing. Not less than 14 days prior to the hearing: (1) public notice of the hearing shall be published in one or more local newspapers of general circulation and shall be posted in the municipality's main governmental building and on the municipality's web site; and (2) the SIFT agreement or amendment shall be made available by the municipality for inspection and copying.

(c) Notwithstanding any general or special law or regulation to the contrary, a municipality shall approve the SIFT agreement by vote of its town meeting, town council or city council, with the approval of the mayor where required by law; provided, that the term of years, any provision related to calculation of the tax increment, or the boundaries of a SIFT district may only be amended, following approval by the secretary, after meeting the requirements for adoption under this section.

Section 3. (a) Within 60 days following approval of a SIFT agreement in accordance with section 2, the assessor of the city or town shall certify the original assessed value of the taxable property within the boundaries of the SIFT district. Each year after the approval of a SIFT agreement the assessor of the municipality shall certify the amount by which the assessed value has increased or decreased from the original value.

(b) Following approval of a SIFT agreement in accordance with section 2, the municipality shall set aside and remit all tax increment revenues in accordance with the SIFT agreement.

Section 4. The department shall promulgate rules and regulations necessary to implement this chapter, including, without limitation, rules and regulations establishing criteria for evaluating eligible transportation projects.”.

The amendment was adopted.

Mr. Nangle of Lowell then moved to amend the bill by inserting after section 32 the following section:

“SECTION 32A. The department of revenue shall develop regulations to establish minimum competency standards for compensated tax preparers. At least 10 days prior to promulgating said regulations, the department of revenue shall submit a report to clerk of the house of representatives, the clerk of the senate, the joint committee on revenue and the joint committee on consumer protection and professional licensure regarding their findings, including any and all feedback provided at public hearings and during the notice and comment period.”

The amendment was adopted.

Mr. Sánchez of Boston and other members of the House then moved to amend the bill in section 2, in item 1410-0010 by adding the following: “; provided further, that not less than \$150,000 shall be allocated for Heidrea for Heroes; 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; provided further, that not less than \$25,000 shall be expended for the Gaudette-Kirk Post 138 district 4 American Legion 100th anniversary celebration; and provided further, that not less than \$10,000 shall be expended for the Somerset Veterans Department for the implementation of veteran grave identification software”; and in said item by striking out the figures: “3,364,275” and inserting in place thereof the figures: “3,634,275”;

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

In item 1410-0012, in line 4, by striking out the word “and”, the second time it appears; and by adding the following: “; provided further, that the department shall make a payment equal to the amount appropriated for each outreach center funded by this item in fiscal year 2018; provided further, that each outreach center receiving funds under this item shall report to the chairs of the house and senate committees on ways and means not later than March 15, 2019 on: (a) the numbers of veterans served annually; (b) the cost and types of programs, including evidence based programs, offered to veterans; and (c) a 5-year spending plan or outline that shall include a discussion of the implementation or further development of evidence-based programs and program evaluation; provided further, that not less than \$200,000 shall be expended for Nathan Hale Outreach Centers; provided further, that not less than \$30,000 shall be expended for the Veterans Oral History project at the Morse Institute Library in Natick; provided further, that not less than \$20,000 shall be expended to the Cape & Islands Veterans Outreach Center for the purpose of the Grace Veterans Program; provided further, that not less than \$50,000 shall be expended for the Disabled American Veterans Department of Massachusetts; provided further, that not less than \$100,000 shall be expended for the Vietnam Veterans of America organization in Massachusetts; provided further, that not less than \$124,000 shall be expended for the operation of the Montachusett Veterans Outreach Center women’s housing program; provided further, that not less than \$500,000 shall be expended to Home Base, for education and training in veterans' mental and behavioral health issues, including suicide prevention and substance misuse and treatment; and provided further, that not less than \$100,000 shall be expended for the Springfield chapter of NABVET’s Veteran’s First Outreach Center to provide outreach services to veterans in Hampden county”; and in said item by striking out the figures: “3,100,000” and inserting in place thereof the figures: “4,224,000”;

In item 1410-0250 by adding the following: “; and provided further, that not less than \$30,000 shall be expended for transitional services at Our Neighbors’ Table in the city of Amesbury”; and in said item by striking out the figures:

“3,202,655” and inserting in place thereof the figures: “3,232,655”;

In item 1410-1616 by adding the following: “; provided further, that not less than \$10,000 shall be expended for the Korean War Memorial in Charlestown’s Navy Yard; provided further, that not less than \$50,000 shall be expended for the construction of a Veterans’ Memorial Parkway in the city known as the town of Franklin; provided further, that not less than \$20,000 shall be expended for the creation of a Vietnam War Veterans Memorial in the city of Beverly; and provided further, that not less than \$50,000 shall be expended for the Vietnam Wall that Heals project in the city of Fitchburg”; and in said item by striking out the figures: “150,000” and inserting in place thereof the figures: “280,000”;

In item 4400-1004 by striking out the figures: “3,500,000” and inserting in place thereof the figures: “4,000,000”;

In item 4401-1000, in line 10, by inserting after the word “program” the following: “; provided that not less than \$75,000 shall be expended for Ascentria Care Alliance”; and in said item by striking out the figures: “14,164,226” and inserting in place thereof the figures: “14,239,226”;

In item 4800-0038, in line 19, by striking out the word “and”; and by adding the following: “; provided further, that programs in substantial regulatory and contractual compliance shall receive not less than the same level of funding in fiscal year 2019 as received in fiscal year 2018; provided further, that not less than \$150,000 shall be expended for the Suffolk County Children’s Advocacy Center; provided further, that not less than \$50,000 shall be expended on the Weymouth Teen Center; provided further, that not less than \$50,000 shall be expended on the Children’s Cove Cape and Islands Child Advocacy Center; provided further, that not less than \$25,000 shall be expended for a Teen Center in Milton; provided further, that not less than \$200,000 shall be expended for the Italian Home for Children; provided further, that not less than \$50,000 shall be expended for Rick’s Place of Wilbraham; provided further, that not less than \$100,000 shall be expended for Treehouse Foundation of Easthampton for planning to expand the Intergenerational Treehouse Community model in the Boston MetroWest; provided further, that not less than \$25,000 shall be expended on the North Andover Youth Center; and provided further, that not less than \$50,000 shall be expended for New England Community Services’ Mentoring Emerging Youth Adults program”; and in said item by striking out the figures: “297,006,577” and inserting in place thereof the figures: “297,706,577”;

By inserting after section 19 the following section:

“SECTION 19A. The first paragraph of section 2 of chapter 118 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by adding the following sentence:— Notwithstanding chapter 5 of the acts of 1995 or any other general or special law to the contrary, aid shall be provided for each such child or children without regard to whether the child was conceived or born after the parent began receiving aid under this chapter.”;

By inserting after section 23 the following six sections:

“SECTION 23A. Subsection (a) of section 110 of chapter 5 of the acts of 1995, as amended by section 21 of chapter 158 of the acts of 2014, is hereby further amended by striking out the definition of ‘Child of record.’

SECTION 23B. Said section 110 of said chapter 5 of the acts of 1995 is hereby further amended by striking out subsection (c).

SECTION 23C. Clause (3) of subsection (e) of said section 110 of said chapter 5, as amended by section 25 of chapter 158 of the acts of 2014, is hereby further amended by striking out the words ‘recipients with a child of record under the age

of two years or any child other than the child of record who is under the age of three months' and inserting in place thereof the following words:— recipients with a child under the age of 2 years.

SECTION 23D. The first paragraph of subsection (j) of said section 110 of said chapter 5, as appearing in section 218 of chapter 149 of the acts of 2004, as amended by section 27 of chapter 158 of the acts of 2014, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:— The program shall require that the head of household in each such family, or both parents in a 2-parent family, shall participate in work-related activities for 20 hours each week if the youngest child in the family is between the age of 2 and the age at which full-time schooling is mandatory, and for 30 hours each week if the youngest child in the family is the age at which full-time schooling is mandatory or older.

SECTION 23E. Said subsection (j) of said section 110 of said chapter 5, as amended by section 528 of chapter 26 of the acts of 2003, is hereby further amended by striking out the last paragraph.

SECTION 23F. The second sentence of section 130 of said chapter 5 is hereby amended by striking out the words ‘; the ineligibility of children born after the child of record for assistance’.”;

By inserting after section 24 the following section:

“SECTION 24A. Section 21 of chapter 158 of the Acts of 2014 is hereby repealed.”; and

By inserting after section 45 the following section:

“SECTION 45A. Sections 19A, 23A, 23B, 23C, 23D, 23E, 23F, and 24A shall take effect on July 1, 2019.”.

After debate on the question on adoption of the consolidated amendments, 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 Yeas and Nays No. 330 in Supplement.]

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

The Speaker being in the Chair,—

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

“SECTION 51. The Mount Greylock Visitor Center, located at Mount Greylock State Reservation that is under the care and control of the department of conservation and recreation, shall be designated and known as the ‘Representative Gailanne M. Cariddi Visitor Center’ in recognition of Representative Gailanne M. Cariddi’s work in preserving the Mt. Greylock Reservation for the people of the Commonwealth of Massachusetts. The department of conservation and recreation shall erect and maintain a suitable marker bearing that designation in compliance with the standards of the department.”.

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 Mr. Barrett; and on the roll call (Mr. Donato of Medford in the Chair) 155 members voted in the affirmative and 0 in the negative.

[See Yeas and Nays No. 331 in Supplement.]

Therefore the amendment was adopted.

Consolidated amendments adopted,— yeas and nays No. 330.

Amendment adopted,— yeas and nays No. 331.

Report of a Committee.

Mr. Petrolati of Ludlow being in the Chair,—

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Edward F. Coppinger for legislation to establish a sick leave bank for Paula Donahue, an employee of the Department of Public Health. Under suspension of the rules, on motion of Mr. Galvin of Canton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Paula Donahue,—
sick leave.

Recess.

At two minutes after six o'clock P.M., on motion of Mr. Mariano of Quincy (Mr. Petrolati of Ludlow being in the Chair), the House recessed until a quarter before seven o'clock; and at twenty-five minutes before eight o'clock P.M. the House was called to order with Mr. Donato of Medford in the Chair.

Recess.

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, amended), was considered.

General Appropriation Bill.

Mr. Sánchez of Boston and other members of the House then moved to amend the bill in section 2, in item 4000-0005, in line 15, by inserting after the year: "2018" the following: "; provided further, that not less than \$25,000 shall be expended to Springfield Partners, Inc. for the AWAKE program in Springfield, to provide comprehensive youth development and violence prevention services to at-risk youth; provided further, that not less than \$75,000 be expended to the South End Community Center's Community Youth Corp Program; provided further, that not less than \$25,000 shall be expended for the Merrimack Valley Public Safety Youth Center in the city of Lawrence"; and in said item by striking out the figures: "8,000,000" and inserting in place thereof the figures: "8,125,000";

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

In item 4000-0300, in line 111, by inserting after the word "month" the following: "; provided further, that not less than \$250,000 shall be expended for the Brookline Community Mental Health Center to expand the Healthy Lives program; provided further, that not less than \$250,000 shall be provided for the purposes defined in item 1599-2009 in section 2 of chapter 182 of the acts of 2008"; and in said item by striking out the figures: "103,377,269" and inserting in place thereof the figures: "103,877,269";

In item 4000-0601, in line 8, by inserting after the word "finance" the following: "; provided further, that MassHealth shall reimburse nursing facilities for up to 20 medical leave-of-absence days and up to 10 nonmedical leave-of-absence days; provided further, that medical leave-of-absence days shall include an observation stay in a hospital in excess of 24 hours; provided further, that no nursing home may reassign a patient's bed during a leave of absence that is eligible for reimbursement under this item; provided further, that notwithstanding any

general or special law to the contrary the executive office of health and human services shall establish payment rates for adult day health programs that are, in the aggregate, not less than \$2,000,000 more than was paid for such programs in fiscal year 2018; provided further, that notwithstanding any general or special law to the contrary the executive office of health and human services shall establish payment rates for the adult foster care program that are, in the aggregate, not less than \$2,000,000 more than was paid for such programs in fiscal year 2018”; and in said item by striking out the figures: “3,583,516,725” and inserting in place thereof the figures: “3,587,516,725”;

In item 4000-0641, in line 4, by striking out the figures: “324,600,000” and inserting in place thereof the figures: “327,100,000”, in line 6 by striking out the figures: “35,500,000” and inserting in place thereof the figures: “38,300,000”; and in lines 22 to 30, inclusive, by striking out the words “; provided further, that not less than \$2,800,000 shall be expended as incentive payments to nursing facilities meeting the criteria determined under the MassHealth Nursing Facility Pay-for-Performance Program and that have established and participated in a cooperative effort in each qualifying nursing facility between representatives of employees and management that is focused on implementing that criteria and improving the quality of services available to MassHealth members and that shall decide jointly how to expend such incentive payments”; and in said item by striking out the figures: “362,900,000” and inserting in place thereof the figures: “365,400,000”;

In item 4000-0700, in line 14, by inserting after the word “level” the following: “; provided further, that not less than \$1,000,000 shall be made available to increase efficiencies and align system-wide goals within a regional hospital system located in Western Massachusetts to improve the overall sustainability of the system and to create a comprehensive approach to system-wide needs and a transition into the structure of the new 1115 Medicaid Waiver”; and in said item by striking out the figures: “2,640,228,033” and inserting in place thereof the figures: “2,641,228,033”;

In item 4003-0122, in line 15, by inserting after the word “services” the following: “; provided further, that not less than \$50,000 shall be allocated to the Lawrence Family Development and Education fund to assist in citizenship education, citizenship application assistance, ESL classes and computer training for low-income adults; provided further, that not less than \$50,000 shall be expended for Casa Dominicana in Lawrence to assist in citizenship education, citizen application assistance, ESL classes, and computer training for low-income adults”; and in said item by striking out the figures: “400,001” and inserting in place thereof the figures: “500,001”;

In item 4110-1000 by adding the following: “; and provided further, that not less than \$40,000 shall be expended for the Lowell Association for the Blind for transportation provision expenses”; and in said item by striking out the figures: “4,221,386” and inserting in place thereof the figures: “4,261,386”;

In item 4125-0100 by adding the following: “; provided further, that not less than \$100,000 shall be expended for the Willie Ross School for the Deaf, Inc. in the town of Longmeadow”; and in said item by striking out the figures: “5,732,684” and inserting in place thereof the figures: “5,832,684”;

In item 9110-1630, in line 20, by inserting after the word “caregivers” the following: “; provided further, that not less than \$35,000 shall be expended for a 1 year pilot program for the demonstration of the community network aging in place in Brookline, Nauset, and Reading”; and in said item by striking out the figures: “175,019,124” and inserting in place thereof the figures: “175,054,124”;

In item 9110-1660 by adding the following: “; provided, that not less than

UNCORRECTED PROOF.

\$642,000 shall be expended for providers of naturally occurring retirement communities with whom the department of elder affairs entered into service agreements in fiscal year 2018, at proportions of total available funding equal to those provided in fiscal year 2018”; and in said item by striking out the figures: “1,421,482” and inserting in place thereof the figures: “2,063,482”;

By striking out item 9110-1700 and inserting in place thereof the following item:

“9110-1700 For assessment, placement and homelessness prevention services for homeless and at-risk elders.....\$286,000”;

In item 9110-1900 by adding the following: “; and provided further, that not less than \$750,000 be spent on the Meals on Wheels program”; and in said item by striking out the figures: “6,518,675” and inserting in place thereof the figures: “7,268,675”;

In item 9110-9002, in line 7, by inserting after the word “per-elder” the following: “; provided further that not less than \$90,000 shall be provided for the town of Needham for senior transportation; provided further, that not less than \$75,000 shall be expended for the Hadley Senior Center; provided further, that not less than \$75,000 shall be expended for the South Hadley Senior Center; provided further that not less than \$75,000 shall be expended for the cost associated with care and services provided at Whipple Senior Center in the town of Weymouth; provided further, that not less than \$50,000 shall be expended to Claire Teague Senior Center in Great Barrington; provided further, that not less than \$50,000 shall be expended to the town of Swansea for design plans to implement a new heating, ventilation, and air conditioning (HVAC) system at its Council on Aging Community Center; provided further, that not less than \$50,000 shall be expended to the town of Millis for the purchase of a vehicle to provide transportation for seniors in the community; provided further, that not less than \$50,000 shall be expended to the town of Longmeadow for transportation costs at the Longmeadow Adult Center; provided further, that not less than \$50,000, shall be expended for the senior center renovation and expansion in the town of Mendon; provided further, that \$25,000 shall be granted to the city of Quincy’s Department of Elder Affairs; provided further that not less than \$25,000 shall be expended for the Taunton Council on Aging for the purpose of funding the Dementia Friendly Massachusetts program in the city of Taunton; provided further, that not less than \$25,000 shall be allocated for the operation of the South Boston Neighborhood House and its Senior Programs; provided further, that not less than \$25,000 shall be expended for the design of an expansion to the Bellingham Senior Center; provided further, that not less than \$25,000 shall be expended for the improvements and expansion of the Uxbridge Senior Center; provided further, that not less than \$21,000 shall be expended to improve the health and safety of senior citizens in Medway; provided further, that not less than \$20,000 shall be expended to the town of Rehoboth for repairs and upgrades at its Senior Center; provided further, that not less than \$20,000 shall be expended to the town of Seekonk for a new generator at its Council on Aging; provided further, that not less than \$15,000 shall be expended to the town of Burlington for improvement of the Burlington Council on Aging facility; provided further, that \$25,000 shall be granted to the town of Randolph’s Department of Elder Affairs”; and in said item by striking out the figures: “16,515,125” and inserting in place thereof the figures: “17,306,125”;

By inserting after section 11 the following section:

“SECTION 11A. Chapter 19A of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after section 42 the following

section:—

Section 43. The department shall develop a curriculum and training program on the prevention and elimination of discrimination based on sexual orientation, gender identity and expression and on improving access to services for lesbian, gay, bisexual and transgender elders and caregivers. The training program shall be completed by all providers of services who contract with or receive funding from the department, Aging Service Access Points or the MassHealth Office of Long Term Care, or whose services are certified by the department. Within 12 months of commencing employment, providers shall complete the training program.”;

By inserting after section 23F (as inserted by amendment) the following section:

“SECTION 23G. Chapter 305 of the acts of 2008 is hereby amended by striking out section 33 and inserting in place thereof the following section:—

Section 33. (a) Notwithstanding any general or special law to the contrary, there shall be established and set up on the books of the commonwealth a separate fund to be known as the Massachusetts Nursing and Allied Health Workforce Development Trust Fund to which shall be credited any appropriations, bond proceeds or other monies authorized by the general court and specifically designated to be credited thereto, and additional funds, including federal grants or loans or private donations made available to the secretary of health and human services for this purpose. The executive office of health and human services shall hold the fund in an account separate and apart from other funds or accounts. Amounts credited to the fund shall be expended by the secretary of health and human services to carry out subsection (b). Any balance in the fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.

(b) The fund shall be used to develop and support short-term and long-term strategies to increase the number of public higher education faculty members and students who participate in programs that support careers in fields related to nursing and allied health. The secretary of health and human services may expend such funds as necessary for the administration of the Massachusetts Nursing and Allied Health Workforce Development Initiative. In furtherance of these public purposes, the secretary of health and human services shall expend funds in the Massachusetts Nursing and Allied Health Workforce Development Trust Fund for activities that are calculated to increase the number and diversity of nursing and allied health faculty and students and improve the nursing and allied health educational offerings available in public higher education institutions. Grants and other disbursements and activities may involve, without limitation, organizations that provide health care services, state and community colleges, higher education institutions, business and industry partnerships, regional alliances, workforce investment boards, organizations granted tax-exempt status under section 501(c)(3) of the Internal Revenue Code, and other community groups which support and promote the nursing profession and the health of people living in the commonwealth of Massachusetts. Grants and other disbursements and activities may support, without limitation: (i) the goal of rapidly increasing the number of nurses and allied health workers; (ii) enhancing the role of the system of public and private higher education, as institutions and in partnerships with other stakeholders, in meeting the short-term and long-term workforce challenges in the nursing and allied health professions; (iii) the development and use of innovative curricula, courses, programs and modes of delivering education in nursing and allied health professions for faculty and students in these fields; (iv) activities with the growing network of stakeholders in

the nursing and allied health professions to create, implement, share and make broadly and publicly available best practices and innovative programs relative to instruction, development of partnerships and expanding and maintaining faculty and student involvement in careers in these fields; and (v) strengthening the institutional capacity to develop and implement long-term programs and policies to effectively respond to these challenges.”; and

By inserting after section 45A (as inserted by amendment) the following section:

“SECTION 45B. The training curriculum established pursuant to section 11A shall be completed within 9 months after the effective date of this act.”.

After debate on the question on adoption of the amendments, 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 (Mrs. Haddad of Somerset in the Chair) 154 members voted in the affirmative and 1 in the negative.

[See Yea and Nay No. 332 in Supplement.]

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

Consolidated amendments adopted,—yea and nay No. 332.

Recess.

At twenty minutes after eight o’clock P.M. (Tuesday, April 24, 2018), the Chair (Mrs. Haddad of Somerset) declared a recess until the following day at ten o’clock A.M.; and at that time, the House was called to order with Ms. Peake of Provincetown in the Chair.

Recess.