

Tuesday, April 23, 2019 (at 10:01 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 Prayers.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess, and at the request of Speaker DeLeo, the members, guests, and employees stood in a moment of silent tribute in support of the people of Sri Lanka and against the acts of terror that occurred on Easter Sunday, April 21st, that took the lives of over 250 people.

Sri Lanka
terror
attacks.

During the session, the Chair (Mrs. Haddad of Somerset), declared a brief recess, and at the request of Mr. Biele of Boston, the members, guests, and employees stood in a moment of silent tribute to the memory of Edwin Hamilton.

Edwin
Hamilton.

A resident of South Boston, Mr. Hamilton proudly served his country in the Pacific Theatre of World War II as a Seaman First Class in the United States Navy. A Gunner's Mate and helmsman aboard the USS Bennet DD-473, Mr. Hamilton and his fellow gunners played a major role in helping the United States Marine Corps land and advance on Iwo Jima. Once Iwo Jima was secured, Mr. Hamilton and the crew of the USS Bennett moved on to support efforts to secure Okinawa. Mr. Hamilton fought in nine battles during World War II and received the Navy Unit Commendation Medal for Bravery for saving survivors from two destroyers that were sunk while under attack in the Okinawa area.

He was the husband of the late Melba F. Hamilton; and he was predeceased by three brothers: Harry, Rufus and Donald Hamilton. He was the brother of Jean Hamilton and Joann Kidd; the loving father of Melba Thompson, Patricia Himes, Laura McDonagh and her husband Colie of South Boston, and Leslie Hilton and her husband James. He was the grandfather of Kim MacLauchlan and her husband Jamie, Ross McDonagh and his wife Christina, Ann Marie McDonagh, and Michael McDonagh. He is survived by five great grandchildren.

Statement of Representative Devers of Lawrence.

A statement of Mr. Devers of Lawrence was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was absent from the House Chamber during yesterday's session due to family business. My missing of roll calls yesterday was due entirely to the reason stated.

Statement of
Mr. Devers
of Lawrence.

Statement of Representative O'Connell of Taunton.

A statement of Mrs. O'Connell of Taunton was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I

Statement of
Mrs. O'Connell

was absent from the House Chamber during yesterday's session due to an unexpected death in the family. Had I been present I would have voted yea on Roll Call No. 40. My missing of roll calls yesterday was due entirely to the reason stated.

of Taunton.

Petitions.

Representative Arciero of Westford and Senator Kennedy presented a joint petition (accompanied by bill, House, No. 3694) of James Arciero and Edward J. Kennedy (by vote of the town) relative to the terms of office for newly appointed cemetery commissioners in the town of Westford; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Westford,—
cemetery
commissioners.

Petitions severally were presented and referred as follows:

By Mr. DeCoste of Norwell, a petition (subject to Joint Rule 12) of David F. DeCoste that the Massachusetts Teachers' Retirement System be directed to authorize Daniel P. Schwemin to purchase creditable service.

Daniel
Schwemin,—
retirement.

By Mr. Hay of Fitchburg, a petition (subject to Joint Rule 12) of Stephan Hay and others relative to payments in lieu of vacation as regular compensation for certain retirees and active retirement system members.

Retirees,—
compensation.

By Mr. Honan of Boston, a petition (subject to Joint Rule 12) of Kevin G. Honan relative to the classification of assisted living residences.

Assisted living
facilities.

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

Report of a Committee.

By Ms. Cronin of Easton, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Scott A. Smith, an employee of the Trial Court (House, No. 3693). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Scott Smith,—
sick leave.

Recesses.

At two minutes after ten o'clock A.M. (Tuesday, April 23), on motion of Mr. Smola of Warren (Mr. Donato of Medford being in the Chair), the House recessed until half past ten o'clock; and at twenty-four minutes before twelve o'clock noon the House was called to order with Mr. Donato in the Chair.

Recesses.

The House thereupon took a further recess, on motion of Mr. Wong of Saugus, subject to the call of the Chair; and at eleven minutes after one o'clock P.M., the House was called to order with Mr. Donato of Medford in the Chair.

Orders of the Day.

The House Bill making appropriations for the fiscal year 2020 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. 3800, amended), was considered.

General
Appropriation
Bill.

Pending the question on passing the bill, as amended, to be engrossed, Mr.

Consolidated
amendments

Michlewitz of Boston and other members of the House moved to amend it in section 2, in item 2200-0100, by adding the following: “; provided further, that not less than \$50,000 shall be expended for Norfolk, Plainville, and Wrentham to fund work required for stormwater permitting; provided further, not less than \$50,000 shall be expended for the creation of a sustainability coordinator position in Sherborn who shall serve in Sherborn and Holliston; provided further, that not less than \$27,000 shall be expended for an agreement with OARS, Inc. to operate a water quality monitoring program in the Sudbury, Assabet and Concord rivers; provided further, that not less than \$50,000 shall be expended for the Buzzards Bay Coalition for a coastal water quality and natural resource monitoring program in Buzzards Bay and Vineyard Sound; and provided further, that not less than \$150,000 shall be expended for reimbursements for litigation and environmental protection fees for Northborough”; and in said item by striking out the figures: “31,505,245” and inserting in place thereof the figures: “31,832,245”;

In item 2330-0100, in line 33, by inserting after the word “Council” the following: “; 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 property damage repairs to the Town Pier and Historic Fish House and to support efforts for a more resilient and safer waterfront in Swampscott; provided further, that not less than \$100,000 shall be expended for the protection and maintenance of the Herring Run to Whitman’s Pond in Weymouth; provided further, that not less than \$175,000 shall be expended for shellfish propagation in Barnstable, Dukes and Nantucket counties to be administered jointly by the director of marine fisheries and the counties; provided further, that not less than \$75,000 shall be expended for the purpose of a Great White Shark research tagging program; provided further, that not less than \$75,000 shall be expended for an ecosystem-based study of great white shark presence and behavior within the nearshore areas of Cape Cod; provided further that not less than \$150,000 shall be expended for a program of collaborative shellfish research by the Gloucester Marine Genomics Institute, in collaboration with the Division of Marine Fisheries and the University of Massachusetts at Amherst/Marine Station Gloucester; provided further, that not less than \$50,000 shall be expended for a green crab trapping program as for applied research and product development”; and in said item by striking out the figures: “7,034,533” and inserting in the place thereof the figures: “7,809,533”;

In item 2511-0100, in line 10, by inserting after the word “Project” the following: “; provided further, that not less than \$50,000 shall be expended for Wrentham to establish a King Philip regional animal shelter with Plainville and Norfolk; provided further, that not less than \$25,000 shall be expended for the costs associated with the 100th anniversary of the Massachusetts State Exposition Building in West Springfield; 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 \$100,000 shall be expended for Greenagers, Inc. teen and young adult environmental programming; provided further, that not less than \$90,000 shall be expended for the apiary inspection program; provided further, that not less than \$50,000 shall be expended for the Coastal Foodshed initiative in the Greater New Bedford region to promote and grow the local food access economy and distribution channels for locally grown food; provided further, that not less than \$200,000 shall be expended for the cost of 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 department to conduct a scientific review of the potential impacts of neonicotinoid insecticides on pollinators; provided further that the pesticide subcommittee established under chapter 132B of the General Laws shall use said scientific review as part of an individual review conducted under 333 CMR 8.03 to determine whether current uses of neonicotinoid insecticides pose unreasonable adverse effects to the environment as well as pollinators, and whether current registered uses of neonicotinoid insecticides should be altered; provided further, that the department shall submit the results of both the scientific review and individual review to the joint committee on environment, natural resources and agriculture no later than December 31, 2019”; and in said item by striking out the figures: “6,068,662” and inserting in the place thereof the figures: “6,783,662”;

In item 2511-0105, in line 5, by inserting after the word “banks” the following: “; provided further, that not less than \$25,000 shall be expended for the Hanson food pantry; provided further, that not less than \$50,000 shall be expended for the Dedham food pantry; provided further, that not less than \$25,000 shall be expended for Food for the World Inc. in Lawrence to provide free access to nutritious food and related support services to low-income families and the homeless; provided further, that not less than \$85,000 shall be expended for the operation of the Food for Free Committee, Inc. in the Cambridge Weekend Backpack Program”; and in said item by striking out the figures: “18,799,999” and inserting in the place thereof the figures: “18,984,999”;

In item 2800-0100, in line 5, by inserting after the word “department” the following: “; provided further, that not less than \$35,000 shall be expended for improvement to the Nemasket River by the Middleborough-Lakeville Herring Fishery Commission; provided further, that not less than \$350,000 shall be expended for the purposes of aquatic invasive species control; provided further, there shall be a special commission established pursuant to section 2A of chapter 4 of the General Laws to study and report on the feasibility of whether the ownership of Willett Pond and its appurtenances should be transferred to the state department of conservation and recreation at no cost to the commonwealth in order to provide new public access for outdoor recreation and to preserve the species and ecosystem of said pond; provided further, that the commission shall consist of: 3 members to be appointed by the speaker of the house, 3 members to be appointed by the president of the senate, the secretary of the executive office of energy and environmental affairs, or a designee, the commissioner of the department of conservation and recreation, or a designee, the commissioner of a the department of fish and game, or a designee, the chairs of the boards of selectmen of the towns of Walpole, Westwood and Norwood, or their designees, a representative or designee from the Willett Pond Charitable and Protective Association; a representative or designee from the North Walpole Fish and Game Club; a representative or designee from the Neponset River Watershed Association; provided further, that the commission shall make recommendations, including any proposed legislation, with the clerks of the House of Representatives and the Senate not later than June 30, 2019”; and in said item by striking out the figures: “4,366,146” and inserting in the place thereof the figures: “4,751,146”;

In item 2800-0500, in line 8, by inserting after the word “recreation” 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”; and in said item by striking out the figures: “1,140,000” and inserting in the place thereof the figures: “1,190,000”;

In item 2810-0100, in line 23, by inserting after the word “projects” the words “; provided further, that ice time shall be allocated to the following user groups in the following order of priority: (a) general public skating; (b) volunteer-managed non-profit youth groups or youth leagues comprised of volunteer-managed non-profit youth groups; (c) public high school hockey; (d) private high school hockey; (e) youth groups other than non-profit groups or non-profit groups with paid director other non-volunteer non-profit groups; (f) adult organizations; and (g) other groups”; and in said item by striking out the figures: “44,736,288” and inserting in the place thereof the figures: “45,736,288”;

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 \$26,000 shall be expended for ADA Accessibility Upgrades for the Wild Acres Conservation Area in Pittsfield; provided further, not less than \$10,000 shall be expended for camp programming for children and adults with special needs in Millis; provided further, that not less than \$200,000 shall be expended for the renovation of George C. Sullivan Field in Revere to construct a park geared toward senior citizens; provided further, that not less than \$50,000 shall be expended for Phase II of the Magazine Beach Renovation Project in Cambridge; provided further, that not less than \$20,000 shall be expended for multimodal path enhancements in Ashland; provided further, that not less than \$100,000 shall be expended for the Friends of the East Boston Greenway to conduct environmental and feasibility studies for the extension of the East Boston Greenway that runs from Constitution Beach in Boston to Winthrop; provided further, that not less than \$55,000 shall be expended for the maintenance of Red Rock Park on Lynn Shore Drive in Lynn; provided further, that not less than \$100,000 shall be expended by the department to the town of Stoneham for the planning and improvements of its trails; provided further, that not less than \$200,000 shall be expended for park and playground projects in the Highland and Acre sections of Lowell; provided further, that not less than \$25,000 shall be expended for improvements to the Billy Bullens baseball field in Westfield; provided further, that not less than \$150,000 shall be expended for the restoration of Old Village Cemetery in Dedham; provided further, that not less than \$75,000 shall be expended for feasibility study of the Dedham Historical Society & Museum; provided further, that not less than \$75,000 shall be expended for the completion of the Twin Cities Rail Trail to the City of Leominster; provided further, that not less than \$500,000 shall be expended for the intersection of VFW Parkway and South Street in Brookline and VFW Parkway and Church Street in West Roxbury; provided further, that not less than \$25,000 shall be expended for the restoration and repair of the Speaker John F. Thompson Center, located in the Hyde Park in Boston; 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 improvements of Manning Field in Lynn; provided

further, that not less than \$20,000 shall be expended for Plymouth county to cover costs associated with a tick borne illness prevention and awareness program; provided further, that not less than \$50,000 shall be expended to the city of Newton Parks and Recreation Department for the purposes of creating a Crystal Lake Master Plan to address the needed improvements to the area around Crystal Lake; provided further, that not less than \$50,000 shall be expended for a conditions assessment of the building envelope, including the roof, of the Stone Building in Newton; provided further, that not less than \$50,000 shall be expended for the department of conservation and recreation to conduct a study of the opportunities, challenges, and cost of developing the current informal trail that runs on department land beside Quineboquin Road in the city of Newton between Routes 9 and 16 connecting the Leo J Martin Memorial Golf Course with Hemlock Gorge into a formal trail; provided further, that not less than \$100,000 shall be expended for the construction of a parking lot at the Franklin State Forest; provided further, that not less than \$100,000 shall be expended for a corridor study, in consultation with MassDOT, of Route 16 from Cambridge to Medford, to examine current traffic flows and improvements that would enhance roadway safety, efficiency and multimodal access; provided further, that not less than \$25,000 shall be expended for recreation improvements in Pembroke; provided further, that not less than \$20,000 shall be expended for water chestnut removal in the Sudbury River by the department; provided further, that not less than \$100,000 shall be expended for the construction and improvement of Hancock Playground and Timothy Holster Park in Brockton; provided further, that not less than \$25,000 shall be expended for the improvements and repairs of Perkins Park, Old Gilmore Playground, and Cosgrove Pool in Brockton; provided further, that not less than \$100,000 shall be expended for improvements to the Squantum Point park and pier to Quincy; provided further, that not less than \$50,000 shall be expended for a new veterans park in the Charlestown neighborhood of Boston; provided further that not less than \$60,000 shall be expended for the conceptual design work for the Charles River Greenway Link to Newton; provided further, that not less than \$175,000 shall be expended for the purpose of tree re-planting in Worcester; provided further, that not less than \$100,000 be expended for the Blue Hill Observatory and Science Center; provided further, that not less than \$500,000 shall be expended for the reconstruction of the Metropolis Rink in Canton; provided further, that not less than \$30,000 shall be expended for improvements to the Keen Street Field in Duxbury; provided further, that not less than \$12,000 shall be expended for the New England Grassroots Environmental Fund to procure a Watergoat for the cleanup of the Muddy River; provided further, that not less than \$25,000 shall be expended for road safety and traffic enforcement on Fresh Pond Parkway between Huron Avenue and Brattle Street

in Cambridge; provided further, that not less than \$50,000 shall be expended for a feasibility study for a public art park to Worcester; provided further, that not less than \$50,000 shall be expended for the construction of a multi-generational recreation complex in North Andover; provided further, that not less than \$25,000 shall be expended for the Harry McDonough Sailing Center and its youth programming; provided further, that not less than \$75,000 shall be expended for playground equipment at Danny Goodwin Park to Brockton; provided further, that not less than \$25,000 shall be expended for the Chandler Pond Preservation Society, Inc. to maintain Chandler Pond in the Brighton section of Boston; provided further, that not less than \$50,000 shall be expended for the Friends of Herter Park, Inc. to maintain the outdoor theater in Artesani park with approval from the department of conservation and recreation; provided further, that not less than \$100,000 shall be expended for the Let's Row Boston program administered by Community Rowing, Inc. in Boston; provided further, that not less than \$100,000 shall be expended for a new playground for the Roudenbush Community Center, Inc. in Westford; provided further, that not less than \$50,000 be expended for accessibility improvements at Landry park in Waltham; provided further, that not less than \$50,000 shall be expended for the department to conduct a study to determine proper, safe and realistic land uses for department land in the Charlestown neighborhood of Boston, including but not limited to: Paul Revere Park, City Square Park, and the Emmons, Horrigan, O'Neil Skating Rink; provided further that the study should include, but not be limited to: (a) the feasibility of waterway access; and (b) pedestrian access and other multi-modal transportation needs in conjunction with major transportation and development projects that are ongoing; provided further, that not less than \$100,000 shall be expended for a multipurpose facility at Shedd Park in Lowell; provided further, that not less than \$250,000 shall be expended for a new veterans park in Lowell; provided further, that not less than \$25,000 shall be expended for improvements to Coolidge Park Softball field complex in Fitchburg; 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.....\$4,303,000”.

After remarks 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 160 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 41 in Supplement.]

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

Mrs. Haddad of Somerset being in the Chair,—

Mr. Chan of Quincy then moved to amend the bill in section 44, in line 697, by inserting after the word “benefits” the words “and without change in union

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

representation or certified collective bargaining unit as certified by the state division of labor relations or in local union representation or affiliation. Any collective bargaining agreement in effect immediately before the transfer date shall continue in effect and the terms and conditions of employment therein shall continue as if the employees had not been so transferred.”; and the amendment was adopted.

Mr. Petrolati of Ludlow being in the Chair,—

Mr. Michlewitz 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, that not less than \$85,000 shall be expended for the NEADS Service Dogs for Veterans program; provided further, that not less than \$100,000 shall be expended for Vietnam Veterans of America in Massachusetts to aid veterans filing claims for medical and financial benefits; provided further, that not less than \$50,000 shall be expended for the William E. Carter American Legion Post in the Mattapan section of the city of Boston; and provided further, that not less than \$10,000 shall be expended for the Duxbury American Legion Post 223”; and in said item by striking out the figures: “3,952,840” and inserting in place thereof the figures: “4,197,840”;

In item 1410-0012, in lines 7, 8 and 9, by striking out the following: “; and 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 2019” and inserting in place thereof 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 2019; provided further, that not less than \$550,000 shall be expended for clinical care, education and training in veterans’ mental and behavioral health issues, including post-traumatic stress, traumatic brain injury, substance use disorder and suicide prevention administered by the Massachusetts General Hospital Home Base Program; provided further, that not less than \$30,000 shall be expended for the Veteran’s Oral History project at the Morse Institute Library in Natick; provided further, that not less than \$100,000 shall be expended for veterans mediation services at Quabbin Mediation, Inc.; provided further, that not less than \$100,000 shall be expended for the Springfield chapter of NABVETS Veteran’s First Outreach Center to provide outreach services to veterans in Hampden county; provided further, that not less than \$124,000 shall be expended for the women’s housing program at the Montachusett Veterans Outreach Center, Inc.; provided further, that not less than \$25,000 shall be expended for a veterans drop-in-center in Springfield; provided further, that not less than \$50,000 shall be expended for the Cape & Islands Veterans Outreach Center, Inc.’s Grace Veterans Program; and provided further, that not less than \$300,000 shall be expended to the Veterans Northeast Outreach Center, Inc. in Haverhill”; and in said item by striking out the figures: “5,284,262” and inserting in place thereof the figures: “5,889,262”;

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, Inc. in Amesbury”; and in said item by striking out the figures: “3,232,655” and inserting in place thereof the figures: “3,262,655”;

In item 1410-1616 by adding the following: “; provided, that not less than \$50,000 shall be expended for restoration of the World War I memorial in Medford; provided further, that not less than \$150,000 shall be expended for the construction of a Vietnam Memorial Wall in Fall River; and provided further, that not less than \$100,000 shall be expended for a veterans memorial in East Longmeadow”; and in said item by striking out the figures: “150,000” and inserting in place thereof the figures: “300,000”;

In item 4400-1001, in line 4, by inserting after the word “Inc.” the following: “;

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

provided further, that not less than \$100,000 shall be expended for The Open Door food pantry in Gloucester”; and in said item by striking out the figures: “3,527,882” and inserting in place thereof the figures: “3,627,882”;

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

In item 4401-1000, in line 13, by inserting after the word “line-item” the following: “; provided further, that not less than \$15,000 shall be expended for Fresh Start Furniture Bank, Inc. in Hudson”; and in said item by striking out the figures: “13,667,166” and inserting in place thereof the figures: “13,682,166”;

In item 4800-0038, in line 14, by inserting after the word “costs” the following: “; provided further, that funding shall be expended for children’s advocacy centers, services for child victims of sexual abuse and assault; provided further, that not less than \$175,000 be expended for the Plymouth County Children’s Advocacy Center; provided further, that not less than \$200,000 shall be expended for the Children’s Advocacy Center of Suffolk County, Inc.; provided further, that not less than \$500,000 shall be expended for the Children’s Advocacy Center of Bristol County, Inc.; provided further, that funds may be expended on programs that received funding in fiscal year 2013; provided further, that an amount not less than fiscal year 2013 shall be expended on children’s advocacy centers; provided further, that not less than \$100,000 shall be expended for the Weymouth Teen Center; provided further, that not less than \$200,000 shall be expended for Parenting Journey for therapeutic support group services for parents; provided further, that not less than \$50,000 shall be expended for Rick’s Place, Inc. in Wilbraham to provide counseling services for youth who have experienced the loss of a parent in the Pioneer Valley; provided further, that not less than \$25,000 shall be expended for the recovery connections program at the Laboure Center to provide counseling services for children and families; provided further, that not less than \$100,000 shall be expended for Boston Asian: Youth Essential Service youth violence prevention programs”; and in said item by striking out the figures: “307,739,474” and inserting in place thereof the figures: “308,364,474”.

After remarks 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 160 members voted in the affirmative and 0 in the negative.

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

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

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

“SECTION 61. Chapter 94 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking section 77G in its entirety and inserting in place thereof the following:—

Section 77G. Whoever cooks, buys, sells, offers or exposes for sale, gives away, or knowingly delivers, transports, ships, or receives for food purposes any lobster, or similar species of crustacea, or any part thereof, which is uncooked and dead, or which was cooked after it was dead, shall be punished by a fine of not less than two hundred and fifty nor more than five hundred dollars, or by imprisonment for not less than ten nor more than sixty days, or both; provided, however, that it shall not be a violation of this section to cook, buy, sell, offer or expose for sale, give away or knowingly deliver, transport, ship or receive any lobster or part thereof processed for food by a person who has been licensed or certified under this section, as hereinafter provided.

Consolidated
amendments
adopted,—
yea and nay
No. 42.

The department of public health may license any person to process within the commonwealth lobsters in the shell of legal length for food by a method approved by it. The department shall from time to time adopt rules and regulations governing the processing of such lobsters and the sanitary conditions required for the establishment of a person licensed hereunder.

Each container of lobsters processed by a method as herein provided shall bear a plainly marked label, which shall include the license number or name of the packer, and the date of the processing of said lobsters.

SECTION 62. Section 44 of Chapter 130 of the General Laws, as so appearing, is hereby amended by deleting the third paragraph and inserting in place thereof the following paragraph:—

If the measurement of any such lobster taken from 1 or the other eye sockets is of the required length, such lobster shall be deemed to be a legal lobster. In all prosecutions under this section, any mutilation of any lobster which affects its measurement as aforesaid shall be prima facie evidence that the lobster was or is less than the required length; provided, however, that the director shall, by regulation approved by the marine fisheries advisory commission, allow the onshore processing in the commonwealth of live lobsters of legal length into shell-on lobster parts and the importation of shell-on lobster parts for processing by wholesale dealers that are licensed by the department of public health under section 77G of chapter 94. Processed shell-on lobster parts may be possessed, sold or offered for sale in the commonwealth by any wholesale dealer, retail dealer or food establishments and such food product may be possessed by a consumer. The processing, possession or sale of shell-on lobster tails pursuant to this section shall be limited to shell-on lobster tails weighing 3 ounces or more. The packaging of processed shell-on lobster parts, including tails, pursuant to this section as a food product shall be labeled in accordance with applicable federal and state laws and regulations. This section shall not apply to common carriers having lobster in possession for the purpose of transportation.”

After debate the amendment was adopted.

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

“SECTION 63: The executive office of administration and finance shall report to the senate and house chairs of the committee on ways and means and the senate and house chairs of the joint committee on education not later than October 1, 2019 and, again, not later than December 15, 2019 on expenditures related to the objectives of the federal Child Care Development Block Grant; provided, that said reports shall include which expenditures will be used to claim federal funds and report on any additional grant money provided to Massachusetts that will either supplant or supplement state funding in each line item used to build the fiscal year 2020 budget; provided further, that said reports shall outline the uses of the federal fiscal year 2019 and fiscal year 2020 increases in discretionary funding in the federal Child Care Development Block Grant; and provided further, that both reports submitted by administration and finance shall be approved by the board of early education and care.”

After remarks the amendment was adopted.

At five minutes after six o'clock P.M., on motion of Mr. Jones of North Reading (Mr. Donato of Medford being in the Chair), the House recessed until a quarter before seven o'clock; and at thirteen minutes before eight o'clock the House was called to order with Mr. Donato of Medford in the Chair.

Mr. Michlewitz of Boston and other members of the House then moved to

Recess.

Consolidated

amend the bill in section 2, in item 4000-0005, in line 5, by inserting after the word “violence” the following: “; provided further, that not less than \$5,000 shall be expended for Parent Villages, Inc. for the Parent Villages program in the city of Springfield to provide comprehensive youth development and violence prevention services to at-risk youth; provided further, that not less than \$5,000 shall be expended for the Springfield Partners, Inc. for the It’s Your Turn Take the Mic program in the city of Springfield to provide comprehensive youth development and violence prevention services to at-risk youth; provided further, that not less than \$50,000 shall be expended for Springfield Partners, Inc. for the AWAKE program in the city of Springfield to provide comprehensive youth development and violence prevention services to at-risk youth; provided further, that not less than \$25,000 shall be expended for the Merrimack Valley Public Safety Youth Center in the city of Lawrence; provided further, that not less than \$75,000 shall be expended for the South End Community Center’s Community Youth Corp Program”, in line 14, by inserting after the word “findings” the words “that demonstrate program success”; and in said item by striking out the figures: “10,000,000” and inserting in place thereof the figures: “10,160,000”;

amendments
(health and
human services
and elder affairs).

In item 4000-0300, in line 17, by inserting after the word “jurisdictions” the following: “; provided further, that not less than \$50,000 shall be expended for Martha’s Vineyard Community Services for the purpose of increasing access to health and human services on Martha’s Vineyard and Nantucket; provided further, that said funds shall be expended equally for the counties of Nantucket and Dukes; provided further, that not less than \$250,000 shall be expended for the purposes defined in item 1599-2009 in section 2 of chapter 182 of the acts of 2008; provided further, that not less than \$100,000 shall be expended for a western Massachusetts Academic Medical Center with a Neonatal Intensive Care Unit within an acute hospital in Hampden County for the purpose of supporting, enhancing and expanding programming associated with its Rooming-In Program for infants and mothers with opioid use disorder”; and in said item by striking out the figures: “107,816,936” and inserting in place thereof the figures: “108,216,936”;

In item 4000-0641, in line 4, by striking out the figures: “357,100,000” and inserting in place thereof the figures: “362,100,000”, in line 5 by inserting after the figures: “2002” the following: “; provided further, that in fiscal year 2020 the executive office of health and human services shall establish nursing facility MassHealth rates that are not less than \$35,000,000 in [A] payments made to nursing facilities for the fiscal year ending in 2019, for the purpose of funding a cost adjustment inflationary increase for resident care and labor costs”; and in said item by striking out the figures: “395,400,000” and inserting in place thereof the figures: “400,400,000”;

In item 4000-0700, in line 42, by inserting after the word “cases” the words “; provided further, that funds may be expended from this item for activities relating to customer service”;

In item 4003-0122, in line 12, by inserting after the word “services” the following: “; provided further, that not less than \$50,000 shall be expended for Casa Dominicana, Inc. 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 the Lawrence Family Development and Education Fund to assist in citizenship education, citizenship application assistance, ESL classes and computer training for low-income adults”; and in said item by striking out the figures: “801,575” and inserting in place thereof the figures: “901,575”;

In item 9110-1630, in line 19, by inserting after the word “training” the words “including, but not limited to, home care and home health providers, councils on aging, skilled nursing facilities and adult day health programs”;

In item 9110-1900 by adding the following: “; and provided further, that not less than \$750,000 shall be expended for Meals on Wheels”; and in said item by striking out the figures: “8,957,559” and inserting in place thereof the figures: “9,707,559”;

In item 9110-9002, in line 7, by inserting after the word “per-elder” the following: “; provided further, that not less than \$35,000 shall be expended for the town of Millis to conduct a feasibility study for the design and construction of a new Senior Center; provided further, that not less than \$100,000 shall be expended for renovations needed for the Marblehead Council on Aging’s kitchen in the town of Marblehead; provided further, that not less than \$150,000 shall be expended for the Andover Senior Center in the town of Andover for rehabilitation of their facility after the Merrimack Valley gas fires of September 2018; provided further, that not less than \$25,000 shall be expended for the Buzzell Senior Center in the town of Wilmington for necessary repairs and renovations; provided further, that not less than \$100,000 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 for Groton Council on Aging to cover costs associated with repairs to the Senior Center in the town of Groton; provided further, that not less than \$25,000 shall be expended for the town of Sandwich for the purpose of defraying engineering and design costs of a new Center for the Council on Aging; provided further, that not less than \$50,000 shall be expended for the conversion of the Allen Avenue School in North Attleboro into a center for the North Attleboro Council on Aging; provided further, that not less than \$25,000 shall be expended for costs associated with the feasibility study as well as the conversion and general improvements as they relate to the Mansfield police station being converted into a center for the Council on Aging; provided further, that not less than \$25,000 shall be expended for education and enrichment programs at the Council on Aging in the city of Lawrence; provided further, that not less than \$100,000 shall be expended for the city of Everett to renovate the basement of the senior center to expand senior services; provided further, that not less than \$20,000 shall be expended for the installment of an elevator in the Senior Center Building in the town of Seekonk; provided further, that not less than \$25,000 shall be expended for the Halifax Council on Aging; provided further, that not less than \$25,000 shall be expended for The Senior Center Consortium representing the towns of Ashfield, Buckland, and Shelburne and the western Franklin County region for the design and project management of the renovation, expansion or new construction of the Senior Center in Shelburne Falls; provided further, that not less than \$50,000 shall be expended for the Worcester Regional Transit Authority for the establishment of a Senior Van and Paratransit Service in the town of Berlin; provided further, that not less than \$25,000 shall be expended for a transportation van for the Woburn Council on Aging; provided further, that not less than \$25,000 shall be expended for renovations needed for the Fitchburg Council on Aging’s flat roof in the city of Fitchburg; provided further, that not less than \$60,000 shall be expended for the town of Reading for the purchase of an elder and human services van; provided further, that not less than \$50,000 shall be expended for the town of Longmeadow for the purchase of an emergency generator for the new Longmeadow Adult Center which will also be used as an emergency shelter”; and in said item by striking out the figures: “16,515,125” and inserting in place thereof the figures: “17,965,000”;

In section 2E by inserting after item 1595-1070 the following item:
“1595-1071 For an operating transfer to the Community Behavioral Health Promotion and Prevention Trust Fund established pursuant to section 35GGG of chapter 10 of the General Laws, inserted by section 7 of chapter 208 of the acts of 2018. \$200,000”; and

By inserting after section 55 the following section:

“SECTION 55A. Notwithstanding any general or special law to the contrary, for any wheel chair van transport vehicle, the amount paid by MassHealth per trip shall be no less than any amount paid by the Massachusetts Bay Transit Authority for equivalent wheel chair van services provided by The RIDE; provided, that MassHealth shall establish rates for wheel chair van transport providers that ensure that the amounts paid comply with this section.”.

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 160 members voted in the affirmative and 0 in the negative.

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

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

Consolidated amendments adopted,—
yea and nay
No. 43.

Recess.

At five minutes after eight o'clock P.M. (Tuesday, April 23, 2019), on motion of Mr. Hill of Ipswich (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.